



Our reference: **DAERA/23-213**

[REDACTED]

Via e-mail:

[REDACTED]

VSAHG Information Communications Branch
1st Floor
Jubilee House
111 Ballykelly Road
Limavady
BT49 9HP

Email: vsinfocommsbranch@daera-ni.gov.uk

11 July 2023

Dear [REDACTED],

Freedom of Information Act 2000

Thank you for your request for information received by the Department on 22 June 2023 which you sought the information in bold below.

- 1. The total number, names and public contact information of licensed riding establishments that were licensed and operating within Northern Ireland in 2022**
- 2. The total number, names and public contact information of licensed riding establishments that were licensed and operating within Northern Ireland in 2020 and 2021**

I can confirm the Department holds some of this information.

A list of riding establishments licensed by the Department for at least one day in 2020, 2021 and 2022, is held at **Annex B**. The total number for each year is included.

Some of the information that we do hold, is considered to be third party personal data, of which you are not the data subject. This element has therefore been withheld under Section 40(2) of the Freedom of Information Act. In these instances, the Department is required to consider if disclosure would breach the first Data Protection Principle which states that processing must be lawful, fair and transparent. I have carried out a Lawful, Fairness and Transparency test, which is attached at **Annex A**.

I can confirm the Department does not hold the following information:

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- Public contact information of riding establishments licensed within Northern Ireland from 2020-2022
- Riding establishments that were operating within Northern Ireland from 2020-2022. Our information is whether they were licenced, not whether they were operating.

If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the way your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review of the Department's decision.

Yours sincerely,

[Redacted Signature]

Veterinary Services Animal Health Group

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/23-213 Freedom of Information Act 2000

Request Details:

1. The total number, names and public contact information of licensed riding establishments that were licensed and operating within Northern Ireland in 2022
2. The total number, names and public contact information of licensed riding establishments that were licensed and operating within Northern Ireland in 2020 and 2021

Brief description of the Personal Data falling within the scope of the request

Third party names

LAWFULNESS

Please identify the lawful bases for processing

Personal data is processed when it is lawfully disclosed in response to an FOI request.

The lawful bases for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.
- Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

Consideration of Legitimate Interests

1. PURPOSE

As the disclosure of personal data under FOI is to the world at large doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

2. NECESSITY

The right of access under FOI does not in itself constitute a **pressing social need**. The Department has considered and not identified any such need for the data subject's right to privacy to be interfered with.

CONCLUSION

Having considered all of the information contained within this test, the Department has established that, on balance, there is no lawful basis for the disclosure of third party personal data falling within the scope of the request of which the requester is not the data subject.



Veterinary Service Animal Health Group