

**From:** John Finnie  
**To:** [REDACTED]  
**Date:** 08/03/2005 14:15:42  
**Subject:** INFORMATION REQUEST: MANAGEMENT AGREEMENTS

Dear [REDACTED]

**ACCESS TO INFORMATION REQUEST (EN REF CBT/12/01/001)**

Further to my e-mail of 7 February, I can now provide English Nature's response to your information request of 12 January, as clarified by your e-mail of 2 February.

Your request has been carefully considered under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

There were 2247 agreements that were in force as at 1 March 2005 and had payments made within the current and the previous financial years.

In November 1998, English Nature began to introduce a clause into its management agreements that provided for the disclosure of details contained in the agreements. Until that time, our agreements lacked any provision for disclosure, nor was any expectation generally given to agreement holders that agreement details would be disclosed. Having taken account of our statutory duties, and especially the implications of the absence of the disclosure clause from some agreements, and the differing expectations given to agreement holders, English Nature considers that we cannot treat the agreements lacking the clause in the same way as agreements which do have the disclosure clause.

English Nature has considered the agreements that lack the disclosure clause. We have identified agreements that, although they lack the clause, are already in the public domain, together with agreements where, although the agreement lacks the clause, the agreement holder has otherwise given consent for disclosure. As a result of this analysis, we consider that we can now release data on 1891 agreements. I must inform you that we have decided not to disclose the corresponding information for the 356 agreements that lack the disclosure clause, or the owner's consent, and are not already in the public domain.

The part of information that is being withheld falls under the exemption/exception in Regulation 13 of the Environmental Information Regulations 2004 which relates to personal data. In applying this exemption/exception, we have had to balance the public interest in withholding the information against the public interest in disclosure. The attached annex sets out the exemption/exception, as well as the factors we considered in deciding where the public interest lay.

The attached spreadsheet lists, for each agreement: the SSSI name; the English Nature Area Team; the SSSI Id. number; Agreement Holder Name; Agreement Holder Organisation; Agreement Start Date; Agreement Expiry date; Payment Amount in Financial Year 2003/04; and Payment Amount in Financial Year 2004/05 up to 1 March. Some agreements span more than one SSSI and so, since you asked for the data by SSSI, there are 1965 entries rather than 1891.

As agreed, the spreadsheet gives the SSSI name as the agreement location. Further information on the boundaries of the individual agreements is already available on the Government's MAGIC website (using data supplied by English Nature).

In presenting the data it is important to remember that agreements are now for conservation management: it is no longer Government Policy that agreements should be paid simply to prevent new threats to SSSIs. English Nature's evidence to the EFRA Select Committee, published last year, sets out the need for further resources for agreements to achieve the SSSI PSA target (either through EN or RDS schemes, and eventually through the Integrated Agency). It is also important that payments for conservation management are considered in the context of the sums paid for agricultural support generally, rather than in isolation.

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If you have any queries, or are unhappy with my response to your request, please contact me.

Our complaints procedure is set out in our Customer Charter, which is on our website. If you wish to make a complaint, please contact my manager, Tim Hill. If, following that, you are not satisfied, you can make an appeal to the Information Commissioner, who is the statutory regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 01625 545 700  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Yours sincerely

John Finnie  
Deputy Team Manager  
Sites & Surveillance Team  
English Nature  
8 March 2005

**CC:** Bruce Keith; Carl Harris; Darren Green; Phil Newby; Stuart Mashed; Tim Hill; Tom Tew; William DuCroz