



Animal &  
Plant Health  
Agency

Animal and Plant Health Agency  
Access to Information Team  
Weybourne Building  
Ground Floor  
Woodham Lane  
New Haw  
Addlestone  
Surrey  
KT15 3NB

T 0208 2257636  
F 01932 357608

[www.gov.uk/apha](http://www.gov.uk/apha)

[REDACTED]  
{By Email}

Our Ref: ATIC0890

1 August 2016

Dear [REDACTED]

## PROVISION OF REQUESTED INFORMATION

Thank you for your request for information for the report regarding the removal of ponies from Bodmin Moor, which we received on 6 June 2016. Your request has been handled under the Freedom of Information Act 2000.

The information you requested and our response is detailed below:

“Please can you let me know how to obtain a report from an APHA vet under the freedom of Information act regarding Bodmin Moor”

Clarity was then sought asking for more detail about the report requested:

“Thursday 16th and Friday 17th June 2016 Vet officer report for East moor common Bodmin, the removal of ponies”

Please see attached at Appendix 1 the report in relation to the APHA veterinary officer’s visit to Bodmin Moor on 16 and 17 June 2016, regarding the removal of ponies.

Information has been redacted from the attached Appendix under Section 38, 40(2) and 40(3)(a)(i) of the Freedom of Information Act (FOIA).

Section 38 refers to the exemption from the duty to provide information if it would, or would be likely to affect anyone’s health or safety.

We recognise that there is a general presumption in favour of transparency and openness concerning our work, and providing the general public with the right to request access to information held by public authorities.

However, we feel that there is a stronger public interest in withholding the individual APHA staff names as it would identify further information and would, or would be likely

to, endanger the health and safety of those staff. This poses a substantial risk to the health and safety of the individuals that would be of significant severity, and is likely to occur in some cases. We consider this to be a significant factor in favour of maintaining the exemption.

APHA has balanced the real threat to the health and safety of individuals which disclosure of the requested information would be likely to cause, against the public interest arguments in favour of disclosure. In this instance the APHA does not consider that disclosing the information requested in order to inform public debate and to promote accountability and transparency would justify the risk to individuals' health and safety.

Section 40(2) and 40(3)(a)(i) refers to other people's personal information. Section 40(2) and 40(3)(a)(i) of the FOIA provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

APHA consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 of the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOIs and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

I attach an Annex which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below or postal address at the top of this letter.

Yours sincerely

**ACCESS TO INFORMATION TEAM**

Email: [enquiries@apha.gsi.gov.uk](mailto:enquiries@apha.gsi.gov.uk)

## **Annex**

### **Copyright**

The information supplied to you is Crown copyright, unless otherwise stated, and is protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, and for the purposes of news reporting. You can find details on the arrangements for re-using Crown copyright information at:

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### **Complaints**

If you are unhappy with the result of your request for information you may request an internal review within 40 working days of the date of this letter.

If you wish to request an internal review, please contact: The Access to Information Team at [enquiries@apha.gsi.gov.uk](mailto:enquiries@apha.gsi.gov.uk) or at the postal address at the top of this letter, who will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted APHA's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Farm Animal Welfare Inspection Report**

**Including Statutory Management Requirements Check List**

(Please refer to Inspector Guidance Table and Explanatory Notes for further details)

<b>Visit Details:</b>		EMI? <input type="checkbox"/>	EMI Referral to Vet? <input type="checkbox"/>	Is Subsidy Claimant? <input type="text" value="No"/>	Cross Compliance inspection? <input type="checkbox"/>	WS-ID: <input type="text" value="2117369"/>
Visit Status	<input type="text" value="Follow Up"/>	No. of Previous Visits	<input type="text" value="4"/>		Recurring Breach	<input type="text" value="Yes"/>
Visit Type	<input type="text" value="Investigate Complaints or Allegations Of Welfare Non-Compliance on Fa"/>				M/F for follow up (if required)	<input type="text"/>

**Customer Details:**

Name:

Address:

Claim Reference No. (CRN, SBI, BRN):  CPH:

**Subsidiary Premises** Enter subsidiary premises here if applicable

Please enter subsidiary CPHs separated by commas:

**Comments / General Information:**

Visit with s40 BMCC & RSPCA Insp s40 & s40, s38 & s38 AHOs & landrover on 16th & s40 s40 & s38 plus s40 & s40 Redwings on 17th. 14 ponies removed (plus one recent carcass). 7 to Redwings. 7 to Bolenowe.

**Inspection Information**  
 Please enter the dates and times of the inspection covered by this document

Inspector Name	Role	Date (dd/mm/yyyy)	Time on (hh:mm)	Time off (hh:mm)	Duration (auto)
Lorna Stevenson	VO	16/06/2016	09:30	16:50	07:20
Lorna Stevenson	VO	17/06/2016	07:55	12:45	04:50
					00:00
					00:00
Total:					12:10

**Enterprise Types**  
 Select an Enterprise Type

Description	Code
Horses	HO

*Add the worksheets you need by pressing the buttons  
 See the Guidance Notes for more information*

**Other: Additional Information**

**Inspector's Declaration**  
 The answers to the following questions may be drawn from the information provided by the keeper or owner, or may have been inferred from records, conditions of animals and premises seen on the day of inspection. In all cases where direct evidence is not available, the answer is the considered opinion of the inspecting officer.

Signature:  Date:

Name in BLOCK letters:

**FAIR PROCESSING NOTICE**

Defra, the Scottish Government, the Welsh Government and the Food Standards Agency are data controllers in common in respect of relevant personal data processed by the Animal Health and Veterinary Laboratories Agency (AHVLA). For the purposes and usage of the data and the data sharing arrangements, please see the full Data Protection Statement on the AHVLA website. A hard copy of this information can be provided if required; please contact your local AHVLA Office/Laboratory. AHVLA will not permit any unwarranted breach of confidentiality or act in contravention of their obligations under the Data Protection Act 1998.

The Animal Health and Veterinary Laboratories Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs working across Great Britain on behalf of Defra, the Scottish Government and Welsh Government

**SMR**

**CPH**

**Section**

**Severity**

**Permanence**

**Intent**

**Extent**

**Comments**

---

**Inspection Summary**

Date:  
Enterprise Type:  
Enterprise Score:  
Present:  
Inspected:  
Actioned:

Clear Up Date:  
Clear Up Reason:

--

**Farm (not XC) inspections**

Date:  
Enterprise Type:  
Enterprise Score:  
Present:  
Inspected:  
Actioned:

16/06/2016	
Horses	
D	
149	
149	
14	
STF	C
INS	C
DIS	D
REC	N/I
HOU	N/A
ENV	B
EQP	
FMV	A
FDW	C
MUT	B

BRE C

Follow up Visit

Clear Up Date:  
Clear Up Reason:

## **AWF02 including SMR Checklist - GUIDANCE NOTES**

- 1) Open the SMR Checklist and enable the macros;
- 2) Complete the following details on the menu page:
  - **Customer Details** (claimants name and address);
  - **Claim Reference Number** (CRN, SBI, BRN) ;
  - **Main CPH**;
  - **Subsidiary premises CPH**.

### **3) Entering multiple lines in a single cell:**

In order to move to the next line within a cell, e.g. address, use the Alt & ENTER keys simultaneously.

### **4) Printing an SMR Checklist prior to inspection:**

If you would like to take a copy of the SMR Checklist out onto the farm with you a printable version is available by following the instructions below.

Open the SMR Checklist and enable the macros;

Complete the following details on the menu page:

- **Customer Details** (claimants name and address);
- **Claim Reference Number** (CRN, SBI, BRN) ;
- **Main CPH**;
- **Subsidiary premises CPH**.

Select the relevant enterprises and select print all. If you would like to take blank sheets out there is an option to print blank sheets.

### **5) Comments/General Information**

This section can be used to provide a general overview of the situation on the farm. If this section is completed it may be used as an easy point of reference prior for future inspections. This section is not mandatory.

### **6) Visit Details**

**Visit Status** must be completed to confirm if the inspection was an initial visit or a follow up visit. If the inspection was a follow up visit, the **number of previous visits** section must be completed

**Recurring breach** must be completed if a recurring breach has been recorded during the inspection.

### **7) Inspection Information**

**Inspection table** must be completed to confirm the time spent on farm. If it takes one day to complete the full inspection only one entry is required. If it takes more than one day to complete the full inspection multiple entries can be made. The times must be entered as requested (00:00). The total number of hours that have been spent completing the inspection will be automatically calculated and displayed in the total box.

### **8) Enterprise Types**

Select the enterprises that have been inspected by choosing them from the drop down lists.

Use the buttons to add the worksheets that you need for the inspection. The buttons will be enabled depending on the enterprise types you have selected (e.g. the SMR17 button will be enabled if PG or PB has been selected). SMR16 must be selected for all holdings with bovines under 6 months old, even if the exemption box is subsequently ticked on the SMR16.

A new sheet will be added each time you press the button. Sheets added in error can be removed by right clicking on the tab and selecting "Delete". As many sheets as categories of stock should be added for the SMR18.



The Farm Inspection (not XC) sheet should be used for non XC inspections. It can also be used to record animals which have been re-inspected during the course of a current XC inspection.

**9) Inspector's Declaration**

Complete this section by typing your name and confirming the date.

**10) Completing the enterprise worksheets**

For each worksheet, select the enterprise type at the top of the sheet and enter the date of the inspection for that enterprise type. The Date can be copied to any other sheets using the copy function (>>). The Overall Score will be completed automatically. For compliance the inspector is only required to complete the A or B score boxes by left clicking the mouse in the relevant box. The form has been set up to automatically populate the relevant 'Yes' or 'No' answer.

For non-compliance the inspector is required to complete the C or D score boxes by left clicking the mouse in the relevant box. For SMR worksheets, the relevant 'Yes' or 'No' answer be populated automatically. Where a breach is being recorded for SMR worksheets, the inspector will also be required to complete the following sections manually, by left clicking the mouse in the relevant box.

- Breach Severity
- Rectifiable/Permanent
- Intent
- Extent

Where a breach has been recorded comments supporting that breach must be included in the comments box.

If the details entered in the first worksheet are applicable for other enterprises the copy function (>>) can be selected to copy the details across all worksheets. When this function is selected you will be prompted to select the enterprises that the information should be copied to (the default is all enterprises). Select go and the information will be copied across all worksheets. This function applies to SMR18 worksheets and Farm Inspection (not XC) worksheets.

The comments boxes should be used for details of clear-up dates and reasons.

Up to 4 follow on actions can be recorded if necessary, using the drop down menus.

**11) Measurements**

There are now additional sections on the form to confirm the number of calves and pigs that are housed in the pens that are measured during the inspection.

**12) Sections that are 'Not Applicable'**

Where a numbered section is not applicable to the inspection (e.g. automatic equipment/breeding unit) there is the option to select one N/A box. If this box is selected the section that is not relevant will be removed.

**13) Pre-populating function**

Some sections of the SMR worksheets are not set up to pre-populate (automatically select the 'Yes' or 'No') as the Yes or No answers are not related to the score e.g. section 2 of SMR16. In these sections you will have to manually select the 'Yes' or 'No' by left clicking the mouse in the relevant box. These sections are highlighted in red.

**14) Breach Reporting**

When all of the enterprise (and SMR16 & 17 if applicable) worksheets have been completed and breaches have been recorded the inspector is able to generate a report to see a summary of breaches. Access the 'Breach Summary Report' worksheet and select 'generate report' to produce the summary of breaches. The report will assist the inspector when completing the Control Report Form.

**15) SAM**

The Sam Summary Report worksheet has a button to generate a summary of the inspection to facilitate the entry of the data into Sam (as previously entered into Vetnet).

This excel document can be e-mailed into SAM and associated to the customer, as per the previous Word document.

**16) Abbreviations:**

N/A = Not Applicable

N/I = Not Inspected

**WELFARE OF ALL FARM ANIMALS**

Enterprise: **Horses**  
 Visit Date: 16-Jun-16 >>

Overall: **D**

**1. STAFFING (Euro ref:98/58 STF)**

Score						
A	B	C	D	N/I	N/A	
		X				

**Overall Score**  
 1.1 Are there sufficient staff to prevent welfare issues?  
 1.2 Does the stock/person have the knowledge and professional skills to look after the animals?  
 Please comment and justify any breaches  
 Owners not known. No care or management. Too many stallions.

**2. INSPECTION (Euro ref:98/58 INS)**

Score						
A	B	C	D	N/I	N/A	
		X				

**Overall Score**  
 2.1 Is frequency of inspection acceptable?  
 2.2 Is there sufficient lighting to undertake inspections?  
 Please comment and justify any breaches  
 I suspect they are not inspected at all

**3. ANIMAL CARE (Euro ref:98/58 DIS)**

Score						
A	B	C	D	N/I	N/A	
			X			

**Overall Score**  
 3.1 Are sick animals suitably cared for and where necessary getting veterinary advice?  
 3.2 Is accommodation for sick and injured animals suitable for purpose?  
 Please comment and justify any breaches  
 From past history none will be wormed as necessary. Many very thin/emaciated. Mare recently dead. 14 removed to 640 for rehoming to Redwings & Bolenowe

**4. KEEPING RECORDS (Euro ref:98/58 REC)**

Score						
A	B	C	D	N/I	N/A	
				X		

**Overall Score**  
 4.1 Are there medicine records which are complete and available for previous 3 years for which a breach has not previously been recorded?  
 4.2 Is the number of deaths found at each inspection recorded and are there records for previous 3 years?  
 Please comment and justify any breaches

**5. ACCOMMODATION/BUILDINGS (Euro ref:98/58 HOU)**

Score						
A	B	C	D	N/I	N/A	
					X	

**Overall Score**  
 5.1 Are there any harmful materials used in accommodation construction?  
 5.2 Are materials capable of being thoroughly cleaned and disinfected?  
 5.3 Are there any sharp edges or protrusions likely to cause injury?  
 Please comment and justify any breaches

**6. ENVIRONMENT (Euro ref:98/58 ENV)**

Score						
A	B	C	D	N/I	N/A	
	X					

**Overall Score**  
 6.1 Is there evidence of harm to animals caused by the effect of air humidity, dust levels and gas concentrations of animals kept in buildings?  
 6.2 Is there sufficient natural or artificial lighting to meet the animals biological needs of animals kept in buildings?  
 6.3 Are animals (kept outside) protected, when necessary and possible, from adverse weather conditions, predators & other risks to health?  
 6.4 Do animals have access to a well drained lying area? (Animals kept outside must have access to a well drained lying area). Please note - Failure to provide housed animals with dry bedding or litter or a well drained area for resting cannot be recorded under this section.  
 6.5 Do neonatal animals have sufficient heat and or bedding to avoid hypothermia?  
 Please comment and justify any breaches

**7. EQUIPMENT AUTOMATIC OR MECHANICAL (Euro ref:98/58 EQP)**

If there is no automatic or mechanical equipment on farm please tick this box and proceed on section 8

Score						
A	B	C	D	N/I	N/A	

**8. FREEDOM OF MOVEMENT (Euro ref:98/58 FMV)**

Score						
A	B	C	D	N/I	N/A	
X						

**Overall Score**  
 8.1 Are animals restricted in movement causing them unnecessary suffering or injury? (Laying hens use WOFAR 2002, see specifics SMR 16 calves & SMR 17 pigs)  
 8.2 If tethered or confined is there sufficient space to avoid UPUD?  
 Please comment and justify any breaches

**9. FEED, WATER AND OTHER SUBSTANCES (Euro ref:98/58 FDW)**

Score						
A	B	C	D	N/I	N/A	
		X				

**Overall Score**  
 9.1 Are animals being fed at least once per day? (check for overgrazing GAEC 9)  
 9.2 Are they being fed to meet their physical needs?  
 9.3 Have animals been provided with a food/liquid that may cause un-necessary suffering or injury  
 9.4 Do animals have adequate access to a suitable water supply or able to satisfy fluid intake by other means?  
 9.5 Is feeding and watering equipment designed and built so as to minimise contamination and the harmful effects of competition?  
 9.6 To the best of your knowledge has any treatment been administered to animals that is not licensed or unacceptable therapy? (breach also SMR 11)  
 Please comment and justify any breaches  
 No supplementary feed

**10. MUTILATIONS (Euro ref:98/58 MUT)**

Score						
A	B	C	D	N/I	N/A	
	X					

**Overall Score**  
 10.1 Has a mutilation been carried out that is deemed un-necessary?  
 10.2 Is there any evidence of an un-lawful mutilation having been carried out on farm?  
 10.3 (Pigs only) Have pigs had teeth clipped?  
 10.4 (Pigs Only) Have pigs' tails been docked?  
 10.5 (Pigs Only) Have pigs been castrated?  
 Please comment and justify any breaches

**11. BREEDING PROCEDURES (Euro ref:98/58 BRE)**

Score						
A	B	C	D	N/I	N/A	
		X				

**Overall Score**  
 11.1 Is there any evidence that breeding or artificial breeding procedures are likely to cause or have caused suffering or injury to animals?  
 Please comment and justify any breaches

Far too many entire males, young females with entire males, mares constantly getting back in foal without time to recover

No of animals Present  
No of animals inspected  
No of animals on which action was taken

149  
149  
14

If not all animals inspected, select reason:

Actions Taken

Follow up Visit

Clear Up Date  
Clear Up Reason

Is this page for a re-inspection of animals that have already been inspected as part of an ongoing XC inspection?  
(See guidance notes for more information)

No

Please comment and justify any breaches