



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

F 01932 357608

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

Our Ref: ATIC1422

[REDACTED]  
{By Email}

11 September 2018

Dear [REDACTED]

## PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about live animal exports which we received on 14 August 2018. Your request has been handled under the Freedom of Information Act 2000 (FOI).

The information you requested and our response is detailed below:

'Freedom of Information Request FOI Live Animal Exports via Ramsgate Port 13 August 2018

I am requesting under this FOI. The loading and inspection reports together with the Ramsgate Portal APHA inspection reports including time of first sheep loading, on the following three listed Transporters.

A	Tractor	BT-JD-75	Trailer	OK-16-YN
B	Tractor	BZ-HX-63	Trailer	OD-39-RD
C	Tractor	BN-XH-63	Trailer	OB-29-JS'

[The loading and Inspection reports for each vehicle together with the Ramsgate Portal APHA inspection reports can be found at Appendices 1 to 6 attached.](#)

'In addition I am requesting the number of persons registered under the APHA inspection as a licenced driver or licenced attendant for each Transporter. Please specify if two on any transporter whether they are both registered as licenced drivers for this livestock category of HGV or just family members/passengers.'

[APHA inspectors noted all details of persons in attendance at the time of loading on the respective, attached, WIT32 documents. At each loading APHA noted one driver in attendance and their competency details on the WIT32 document\(s\)](#)

The Animal and Plant Health Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs working to safeguard animal and plant health for the benefit of people, the environment and the economy.

Information in the attached Appendices have been redacted under Section 40(2) of the Freedom of Information Act (2000).

## **Section 40**

Some of the information contained within the requested documents has been withheld under section 40(2) of the FOIA as the information constitutes personal data relating to a third party. The FOIA provides that personal data relating to third parties is exempt information. The release of third party information, if disclosed, would also breach Article 5(f) of the General Data Protection Regulations (GDPR) - principles relating to processing of personal data.

APHA consider that disclosure of this information is likely to breach section 40(2) of the FOIA and Article 5(f) of the GDPR, which relates to appropriate security of personal data, including protection against unauthorized or unlawful processing. Therefore, we have concluded that this information is withheld.

## **Section 38**

Section 38(1) refers to the exemption from the duty to provide information if it would, or would be likely to affect anyone's health or safety.

The exemption in Section 38(1) is subject to a Public Interest Test to ensure it is being appropriately applied.

## **Public Interest Test**

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.

We also recognise that there is a public interest in disclosure of this specific information in order to increase this transparency and aid well-informed debates concerning the welfare and transportation of animals, and the individuals associated with them.

However, we feel that there is a stronger public interest in withholding the information as the full addresses, including the county of origin, the destination and/or rest stops, transporter details and individual names would identify further information and would, or would be likely to, endanger the health and safety of individuals and staff. This poses a substantial risk to the health and safety of individuals associated with the transportation of animals 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.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOI 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, including for the purposes of news reporting. You can find details on the arrangements for re-using Crown copyright information at:

<http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

Information you receive which is **not** subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non Crown Copyright) information.

### **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