



Department
for Environment
Food & Rural Affairs

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[REDACTED]
[REDACTED]

Our ref: RFI 7328
Date: 27 March 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: ANY LICENCE APPLICATIONS (INCLUDING STOCKLISTS) FROM; INSPECTIONS REPORTS FOR; OR LICENCES ISSUED TO ANY TRAVELLING CIRCUS UNDER THE WELFARE OF WILD ANIMALS IN TRAVELLING CIRCUSES (ENGLAND) REGULATIONS 2012 BETWEEN 27 AUGUST 2014 AND 27 FEBRUARY 2015

Thank you for your request for the above information, which we received on 27 February 2015. As you know we have handled your request under the Freedom of Information Act 2000 (FOIA).

Information is reasonably accessible

The following information has been published in response to previous FOIA requests:

- an inspection report for Peter Jolly's Circus for a routine announced inspection undertaken on 9 October 2014 and the associated paperwork;
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405364/RFI_7186_Jolly_s_Circus_Inspection_Report_Paperwork_9_October_2014_Redacted_Redacted_2_amended.pdf
- an inspection report for Circus Mondao for a routine announced inspection undertaken on 10 November 2014, two further reports for two special unannounced inspections on 18 December 2014 and 15 January 2015, and the associated paperwork;
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405362/RFI_7186_Circus_Mondao_Inspection_Report_Paperwork_and_follow-up_reports_10_November_2014_Redacted_Redacted_2_amended.pdf



- a copy of the application received on 13 January 2015 from Peter Jolly's Circus for a new licence under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012., including the stocklist for the animals to be covered by the licence and associated correspondence; and

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405363/RFI_7186_Jolly_s_Circus_Application_2015_Redacted_Redacted_2_amended.pdf

As this information is reasonably accessible to you by other means, it is exempt from disclosure under section 21 of the FOIA. Therefore, this part of your request has been refused.

Information disclosed

I enclose a copy of the following information you requested:

- an inspection report for Peter Jolly's Circus for a licence renewal inspection undertaken on 9 February 2015, including the associated correspondence and a copy of the licence granted to Peter Jolly's Circus on 23 February 2015;
- an inspection report for Circus Mondao for a licence renewal inspection undertaken on 18 February 2015, including the associated correspondence and a copy of the licence granted to Circus Mondao on 9 March 2015; and
- a copy of the application received on 10 September 2014 from Charles Chipperfield's Circus for a licence under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012, including the stocklist for the animals to be covered by the licence (please note, this application was withdrawn on 17 October 2014 before any pre-licensing inspection was undertaken).

Certain information in the above documents has been redacted under section 38 Health and Safety and section 40(2) and (3)(a)(i) Personal Information.

Section 38 applies to information that if disclosed would be likely to put the physical or mental health, or the safety, of any individual at risk or greater risk. We understand that some people may wish to see the reports in their entirety. However we have seen evidence that individuals associated with the circus licensing regime, or individuals in other areas involving wild animals in circuses, have previously been subject to threats, and the release of further identifying information could increase their risk. Therefore, this information has been redacted.

The information which falls under this exemption is:

- Personal contact details of circus operators
- Names of circus representatives other than the licence holder
- The details of the lead vet
- The name of the circus inspector

In addition, the inspection reports and licence paperwork contain personal data, which we have concluded should be withheld under section 40(2) and (3)(a)(i) (personal data relating to persons other than the requester; i.e. third parties) of the FOIA. Section 40(2) and (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). We consider that disclosure of this personal data is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in that disclosure of this personal data would be unfair to the data subject.

Information disclosed since your request:

The following information has been published in response to a separate FOIA request received since your request was made:

A copy of the application received on 28 January 2015 from Circus Mondao for a new licence under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012, including the stocklist for the animals to be covered by the licence and associated correspondence.

<https://www.gov.uk/government/publications/circus-mondao-licence-applications-and-correspondence>

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.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 Annex A, which explains the copyright that applies to the information being released to you.

I attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,


Defra FOIA and EIRs Team
InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter.

Please write to [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you 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 Defra's own complaints procedure. The Information Commissioner can be contacted at:

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