

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

Our Ref: ATIC1017

{By Email}

31 January 2017

Dear

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about a live animal export which we received on 18 January 2017. Your request has been handled under the Freedom of Information Act 2000.

The information you requested and our response is detailed below:

"Sir I am requesting under an FOI Request the following Information on Live animal shipments from the UK via Ramsgate Port

1. 1. The completed and returned Journey Logs for the following Livestock Transporters for Wednesday 7th September 2016

A. BN-XH-63 -----OB 29 JS

Please see the completed and returned journey log (WIT07) at Appendix 1.

B. BN GV 01 ----- OK 16 YN

Please see the completed and returned journey log (WIT07) at Appendix 2.

C. BX -HH -58 ----- WP -HJ -33"

Please see the completed and returned journey log (WIT07) at Appendix 3.

Information has been redacted under Section 38, Section 40(2) read in conjunction with 40(3)(a)(i) of the Freedom of Information Act (2000).

Section 38

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.

The exemption in Section 38 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 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.

Section 40

Some of the information contained within the requested documents has been withheld under section 40(2) read in conjunction with 40(3)(a)(i) (third party personal data) of the FOIA as the information constitutes personal data relating to a third party. Section 40(2) read in conjunction with 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 FOIA 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: <u>enquiries@apha.gsi.gov.uk</u>

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

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 <u>enquiries@apha.gsi.gov.uk</u> 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

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Section 4: Declaration by the Transporter

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o the competent authorities of the place of departure.

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	Annex I, Chapter I and Chapter VI, paraigraph 39. Annex I, Chapters II and IV. Annex I, Chapter III. Annex I, Chapter V. Annex I, Chapter VI. Annex I, Chapter VI. Annex I, Chapter VII. Article 6. Article 6(5).	

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Regulation (EC)/Net weaper at the place of departure: Signature of the keeper at the place of departure: Additional checks at departure: Veterinarian at the place of departure (name and address): 0. I, Veterinarian, hereby declare that I have checked and approved the loading of the animals mention According to my knowledge, at the time of departure, the animals were fit for transport and the mean According to my knowledge, at the time of departure, the animals were fit for transport and the mean 1/2005. 11. Signature of the Veterinarian: 11. Signature of the Veterinarian:
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1. Signature of the Veterinarian:
the second definition in Article 2(k) of Council Regulation (EC) No 1/2005
Keeper: see definition in Article 2(k) of Council Regulation (EC) No 1/2005 If different from Section 1.
Keeper: see definition in Article 2(k) of Council Regulation (EC) No 1/2005 If different from Section 1.
*) Keeper: see definition in Article 2(k) of Counter 10 g m
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Section 4: Declaration by the Transporter

o be completed by the driver during the course of the journey and to be rrival at the place of deutination.	e available to the	compete	nt authoi	ities of the	place of departure	e within one month of the date of
	rary – resting, tr		1997 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 -	is var en server es		
		Arrival Depa		arture	Length of stop	Reason
Place and address	Date	Time	Date	Time	•	
Joline Perry hamsgar > Cala	> 8/(q	<i>6</i> 0		0530	Colus	Dest/Wale flur
					V	
	08/03/1	7415	1209	29	4 Jan	Ford Rotad water
					• • • • · · · · · · ·	· · · · · ·
eason for any difference between actual and proposed itinerary/other	observations:	3 V C	1 > 10	0.0		Date and time of arrival at the place of destination:
instomer could not velence Stu	eep bg	JVC.	(3g	œ		121-1.1
Ne Was Jull.		\				<u>1, 26(19 0</u>
umber and reason for animal mjuries and/or deaths during the journey	y.					
RIVER(S)'s name and signature:		Transc	orter's	name, auth	orisation number:	
	ect and I am awa	ire that a	ny incid	ent during	; the journey that	leaus to animars usati must
ared to the competent authorities o			л.			
ate and place:						
	······					

	Keeper at the place of desti	nation/Official Voterinarian – Nar	me and address (^a):		
			3. Dat	e and tim	e of the check:
Ĭ	Place and Member State of	destination/Chocking point (*):		alib	0800
1	Checks Performed:		5. Ou l	come o	f the checks
	· · ·	X	5.1 COMPL	ANCE	5.2. RESER-VATION(S
	Transporter	ţ.		}	
	Authorisation number (^b)				
2	Driver			3	
	Number of the certificate of				·
3	Means of transport $-\tau_v$ Identification (°)	WX 67 - 12 68 1		3	
4	Space allowances	"40 m2/		2	
	Average space/animal in Journey log records and j			2	
5			04. 2		
6	Animals (specify the num		D Dead		F Fit
	Total checked				450
	checked this consignment	als at the place of destination/offinition of animals. According my knows were recorded. I am aware that	the competent auth	orities n Is are dis	nust be informed as scovered.
6.		eservation there may be and ear	Ci une dead anime	h official	stamp):
	abovementioned findings soon as possible of any in Signature of the keeper	at the place of destination/Officia	a veternarian (wi	•••	
6. 7.	soon as possible of any so as possible of as possible of any so as possible of as possible of any so as possible of any so as possible of	at the place of destination/Officia			
	Signature of the keeper Delete as appropriate. If different from Section 1. If different from Section 2.	at the place of destination/Offici	- Vetermar ian (wi		
([†])	Signature of the keeper Delete as appropriate.	at the place of destination/Officia			
([†])	Signature of the keeper Delete as appropriate.	at the place of destination/Offici			
([†])	Signature of the keeper Signature of the keeper Delete as appropriate. If different from Section 1. If different from Section 2.	at the place of destination/Offici			
(^a)	Signature of the keeper Signature of the keeper Delete as appropriate. If different from Section 1. If different from Section 2.	at the place of destination/Officia			

Section 5		

A copy of the anomaly report accompanied by a copy of Section 1 of the journey log shall be transmitted to the competent authority.

	tent automy.				
1.	DECLARANT'S name, title and address:			-	
	Place and Member State where the anomaly was		3.	Date and time when the anomaly was	S
2.	observed:		0.	observed:	
	0000000		:		
					·
4.	Type of anomaly (ies) pursuant to Council Regula	tion (E	C) No 1	/2005:	
			I	www	
4.1.	Fitness for transport (1)		4.6.	Space allowances (6)	
T. ()			 		
		П	4.7.	Transporter's authorisation (7)	
4.2.	Means of transport (2)	فسا	4.7.		
				(8)	
4.3.	Transport practices (3)		4.8.	Driver certificate of competence (*)	الا
4.4.	Journey time limits (⁴)		4.9.	Journey log records	
-77.			<u></u>		
	A true to the second for long journovs (5)		4.10.	Other	
4.5.	Additional provisions for long journeys (⁵)	فسا	1.101		
4.11.	Remarks:				
	I hereby declare that I have checked the consign	monto	f tho ah	avementioned animals and have expr	essed
5.	I hereby declare that I have checked the consign the reservations detailed in this report concerning	a comp	liance v	vith the provisions of Council Regulation	on (EC)
1	No 1/2005 on the protection of animals during tra	ansport	and rei	ateo operations	
6.	Date and time of the declaration to competent		7.	Signature of the declarant:	
	authority:		1		
					<u> </u>
L	Annex I, Chapter I and Chapter VI, paragraph 1.9.		-		
$\binom{2}{\binom{2}{2}}$	Annex I, Chapters II and IV.				
(³)	Annex I, Chapter III. Annex I, Chapter V.				
(°) (⁵)	Annex I, Chapter VI.				
	Annex (Charger VII.				
(') (⁸)	Article 5. Article 5(5).				
()	and the second states				

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.

APPENDIX 3

			13 Telephone/	-28	
2 Total expected duration (ho 3.1 Place and country of depart			4.1 Place and c	country of destination France,	
3.2 Date 07/09/2016 3.3			4.2 Date 07/09/		
5.4 Estimated total weight of the	460 nweaned		INTRA.GE	ertificate(s) number(s) 2016 0023124 provided for the consignment (in m	<u>क</u>
15800 kgs <u>6 List of scheduled resting, tra- 6.1 Name of the place where an are to be rested, or transferr (including exit points)</u>	nimels 6.2 A red Date		100 6.3 Length (in hours)	6.4 Transporter's name and authorisation No (if differe from the organiser)	n
Ramsgate Port. Calais Port, Celais, France.	07/09/ 2016 07/09/ 2016	09:00	1 One hour	Mið Journey Break.	
*					
 I, the organiser, nereby dec responsible for the organise abovementioned journey an amangements to seleguard animals throughout the journ the provisions of Council Re 	tion of the Id I have made sui the wolfare of the ney in accordance			Official stamp	

		S	ection 2: Place of Departure	
1.	Keeper at the place of departure (1)(^a):	e – Nai	me and address (if different from t	he organiser mentioned in section
2.	Place and Member State of dep	arture	ull.	
3. 	Date and time of first animal loading (°):	4.	Number of animals loaded (°): 432	5. Identification of the means of transport: DX HHS WR HY 33
6.	of the animals. According to my transport and the facilities and p Regulation (EC) No 1/2005 on the second	knowl rocedi	edge, at the time of loading the at	at I have been present at the loading pove mentioned animals were fit for e in accordance with the provisions of t and related operations.
7.	Signature of the keeper at			
8.	Additional checks at departure:			
9.	Veterinarian at the place of depa	arture ((name and address):	
10.	According to my knowledge, at t	he tim	e of departure, the animals were f	ading of the animals mentioned above. it for transport and the means of ions of Council Regulation (EC) No
11.	Signature of the Veterinarian:			

Keeper: see definition in Article 2(k) of Council Regulation (EC) No 1/2005 If different from Section 1.

,

(°) (°)

		Section	n 3: Place of Destin	ation		a na si si sa si	
1.	Keeper at the place of	of destination/Official	Veterinarian - Name	and address (*):			
2.	Place and Member S	he <u>cking point (°</u>):	(): 3. Date and time of the check: $9 - 16 15^{-00}$				
4.	Checks Performed:		5. Outo				
				5.1. COMPLIA	NCE	5.2. RESER-VATION(S)	
4.1	Transporter Authorisation numbe	r (~)		Ð			
4.2	Driver						
	Number of the certific	•					
4.3	Means of transport		Wp 43 3]	3			
4.4	Space allowances Average space/anim	$\frac{100}{432}$	- · ·	B			
4.5	Journey log records a		00.	8			
4.6	Animals (specify the	number for each cate	gory)				
	Total checked	U Unfit	1) Dead		F Fit	
6.	I, the keeper of the an checked this consign abovementioned find soon as possible of a	ment of animals. Acc ings were recorded. I	ording my knowledge am aware that the c	e, at the time of th ompetent authorit	e check ies mus	the states the states of the s	
7.	Signature of the keep	er at the place of de	stinatio n/Official Ve	erinarian (with of	ficial sta	amp):	
(†) (*) (*)	Delete as appropriate. If different from Section 1 If different from Section 2						

Section 4: Declaration by the Transporter

be completed by the driver during the course of the journey and to be availat the place of destination.	allable to the	compete	nt author	rities of the	e place of departur	e within one month of the date of
Actual Itinerary						
Place and address	Arrival Departure]			
	Date Tim		Date	Time	Length of stop	Reason
shine - Jerry Aamsquie -> calary	0/g	0030	8/q	530	Ghus	Rest Rever / Serving C
			~			/////
					· · · · · · · · · · · · · · · · · · ·	
		· · · · · · · · · · · · · · · · · · ·	···			
son for any difference between actual and proposed itinerary/other obser	rvations:		· ·			Date and time of arrival at the place of destination:
ber and reason for animal injuries and/or deaths during the journey:		·				0/9/10 14-
		Transpo	rter's na	me, autho	prisation number:	
o autoporter, i noraby caratynnat me entiles			<u> </u>			
ired to the competent authorities of the place or departure.		э тпат а	hcider	nt during "	the journey that l	ada an
and place: $\left[\frac{1}{9}\right] g \left[1 \left(\frac{1}{9} \right) \right]$	·					
		<u></u> ,				

WIT07 (Rev. 03/16)

Section 5 - Specimen Anomaly Report No.

A copy of the anomaly report accompanied by a copy of Section 1 of the journey log shall be transmitted to the competent authority.

1.	DECLARANT'S name, title and address:			·					
2.	Place and Member State where the anomaly was observed:		3.	Date and time when the anomaly wa observed:	S				
4.	Type of anomaly (ies) pursuant to Council Regulation (EC) No 1/2005:								
4.1.	Fitness for transport (1)		4.6.	Space allowances (⁶)					
4.2.	Means of transport (2)		4.7.	Transporter's authorisation (⁷)					
4.3.	Transport practices (3)		4.8.	Driver certificate of competence (*)					
4.4.	Journey time limits (⁴)		4.9.	Journey log records					
4.5.	Additional provisions for long journeys (5)		4.10.	Other					
4.11.	Remarks: I hereby declare that I have checked the consignr	ment of	the abc	ovementioned animals and have expre	essed				
6.	the reservations detailed in this report concerning compliance with the provisions of Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations								
.	authority:								
	Annex I, Chapter I and Chapter VI, paragraph 1.9. Annex I, Chapters II and IV. Annex I, Chapter III. Annex I, Chapter V. Annex I, Chapter VI. Annex I, Chapter VI. Annex I, Chapter VII. Article 6.		L						

(⁸) Article 6(5).

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