



Animal &
Plant Health
Agency

Animal and Plant Health Agency
Access to Information Team
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Woodham Lane
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www.gov.uk/apha

[REDACTED]
{By Email}

Our Ref: ATIC1137

14 September 2017

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

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

The information you requested and our response is detailed below:

1. "What were the registrations of the vehicles used to transport those 1400 plus sheep to as you say the final destination?? Perhaps you will confirm the registrations of the Vehicles used and whether those vehicles were operating under a UK or an EU JL Approval. And which country was responsible for that journey from the Onderwater Control Post in France to that final destination in France.

You clarified the export you are referring to is three Dutch registered Transporters Trailer (registrations OF68RN, OD39DD and OK16YN) that originally left Ramsgate Port on the MV Joline on 19 September 2015.

The sheep loaded on vehicle registration OD39DD in the United Kingdom (UK) were collected from the control post and delivered to their final destination using vehicle OB29JS. The sheep loaded on vehicle registration OK16YN in the UK were collected from the control post and delivered to their final destination using vehicle OB29JS. The sheep loaded on vehicle registration OF68RN in the UK were collected and delivered from the control post using this vehicle.

The vehicles were operating under the original UK Journey Log approval and the UK remained responsible for these journeys until delivery to their final destination.

2. Please provide under that original FOI request documentation from Transporter or Keeper at the respective destination to your Answer given. Also supply details of the transporters and the JL approvals actually used to transport those three transporter loads of Sheep from the Onderwater EU Control post in Northern France to whatever destination.”

You clarified the export you are referring to is three Dutch registered Transporters Trailer (registrations OF68RN, OD39DD and OK16YN) that originally left Ramsgate Port on the MV Joline on 19th September 2015. This clarified request was:

“So my question is what were the real registrations of the transporters claimed to have been signed for by the Keeper at the respective final destination ? IF these trailers with at the moment an unknown trailer and tractor registration were loaded at the Onderwater Control post, it is my view that these replacement trailers would have needed some EU authority to move these sheep on that final leg. Was such a JL approval given? And what were the registrations of the replacement transporters. I request copies of the New JL approvals for this section of the journey as well as documented confirmation of the Transporter units used for this new itinerary. WIT in their latest reply indicate that Trailer identification has been supplied”

APHA were not notified by the transporter that the consignments would spend an extended time period in the control post, however, the maximum time period a consignment is permitted to spend in a control post in accordance with Annex I paragraph A.4 of Council Regulation (EC) No 1255/97 is six days.

The transporter was therefore not required to resubmit any additional Journey Logs for approval and was able to continue the journey using the original Journey Logs approved by APHA. These Journey Logs have already been provided to you under ATIC0751.

A copy of the correspondence between the Welfare in Transport Team and the transporter confirming the vehicle registrations numbers is enclosed at Appendix 1.

3. “If you can provide any evidence of any 53 hour journey during 2016 from Ramsgate port which completed a Control Post 24 hour rest, then I would appreciate being advised of the specific journey referred to.”

You amended this request to:

“How many transporter journeys approved via Ramsgate in 2016 having been approved on the basis of a 24 hour Control post rest stop? How many transporters actually completed a 24 hour rest at a control Post? Or did they all enroute convert that 24 hour Control post stop as approved on the original JL into a continuous Journey to destination?”

Six journey logs via Ramsgate were submitted to APHA during 2016 that were approved with a 24 hour rest stop at a control post. Of the six journeys, five applied the Interboves ruling and did not undertake the 24 hour rest stop at the control post. One journey log has not been returned to APHA from the transporter. An Article 26 infringement notification under Council Regulation (EC) No 1/2005 has been submitted to the Competent Authority who granted the transporter’s authorisation.

4. “Satellite tracking Data is available for recall of the transporter actual movement, perhaps you can supply evidence of when if ever that was used during 2016 on transporters exiting via Ramsgate Port.”

You clarified this to:

“Was satellite tracking Data requested or used on any Transporters departing via Ramsgate port during 2016. If it was how many transporters was it requested and used for.”

Satellite tracking was requested by APHA for four vehicles that exited via Ramsgate Port during 2016.

Information has been redacted in Appendix 1 under Section 38, Section 40(2), read in conjunction with 40(3)(a)(i) of the Freedom of Information Act (2000).

Section38

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 origin, 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 have 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 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: enquiries@apha.gsi.gov.uk

Annex

Copyright

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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 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

[REDACTED] (APHA)

From: [REDACTED]
Sent: 30 January 2017 13:42
To: Welfare in Transport (APHA)
Subject: Re: RE: RE: Request for Satellite Tracking

Good afternoon,

Thank you for your e-mail.
I have not read your prior e-mail very well and thus wrongfully considered the case closed.

To me, there is a clerical error in 9661.
The customer took the registration number of the vehicle from Section 2 – point 5.
It was however the ob.29.js who delivered the sheep from the stagingpost to destination.
JL 9690 also contains an error. Section 3 point 4.3 reads ob.29.js.
This should have been ok.16.yn.
In our opinion the customer has mixed registration numbers.

We have missed this error for which we apologize.

I have checked JL 9701 - it is correct. Time between off loading last journey and this journey was close but at the time we had a tight scedule and extra drivers.

Jl 9662 – went from [REDACTED] to [REDACTED] (staging post) on od.39.dd
They Went from [REDACTED] to destination by ob.29.js.
Therefor 9684 is physically possible.
JL 9703 = correct.
On this occasion – no error was made.

If you have any further questions, please let me know.

Yours friendly,

[REDACTED]

---Origineel Bericht---

Van : WIT@APHA.gsi.gov.uk

Datum : 26/01/2017 16:29

Aan : [REDACTED]

Cc : WIT@APHA.gsi.gov.uk

Onderwerp : RE: RE: Request for Satellite Tracking

Dear [REDACTED]

I have still not received a reply to the enclosed email sent on 10 November 2016. Please could you be kind enough to reply by close of business Thursday 2 February 2017.

I have enclosed the email of 10 November 2016.

Thank you and kind regards

[REDACTED]

Centre for International Trade - Carlisle

Animal and Plant Health Agency(APHA)

Telephone: 03000 200 301 | Mobile: None | Email: [mailto:\[REDACTED\]@apha.gsi.gov.uk](mailto:[REDACTED]@apha.gsi.gov.uk)

Website: www.gov.uk/apha | Twitter: [@APHAgovuk](https://twitter.com/APHAgovuk) | Facebook: [aphagov](https://www.facebook.com/aphagov)

Address: Centre for International Trade, Eden Bridge House, Lowther Street, Carlisle, CA3 8DX

From: [REDACTED]

Sent: 11 November 2016 08:44

To: Welfare in Transport (APHA)

Subject: Re: RE: Request for Satellite Tracking

Good morning,

thank you for your e-mail.

I am currently travelling but will be back in the office at the end of next week.

I will then deal with it immediately.

Yours friendly,

[REDACTED]

----Origineel Bericht----

Van : WIT@APHA.gsi.gov.uk

Datum : 10/11/2016 21:37

Aan : [REDACTED]

Onderwerp : RE: Request for Satellite Tracking

Dear [REDACTED]

Thank you for your response regarding my request for satellite tracking.

I enclose copies of your completed and returned journey logs numbered JL9661 and JL9662.

As satellite tracking is not available for these journeys could you be kind enough to confirm if the times completed on Section 4 of these journey logs are correct or if an error has been made, as there appears to be possible overlaps in where these vehicles were at the times stated.

Also enclosed are additional journey logs numbered as below to assist you in answering this enquiry:

- JL9684 and JL9703 to be read in conjunction with JL9662 for vehicle OD39DD
- JL9690 and JL9701 to be read in conjunction with JL9661 for vehicle OK16YN.

Thank you and kind regards

[REDACTED]

Centre for International Trade - Carlisle

Animal and Plant Health Agency(APHA)

Telephone: 03000 200 301 | Mobile: None | Email: [mailto:\[REDACTED\]@apha.gsi.gov.uk](mailto:[REDACTED]@apha.gsi.gov.uk)

Website: www.gov.uk/apha | Twitter: [@APHAgovuk](https://twitter.com/APHAgovuk) | Facebook: [aphagov](https://www.facebook.com/aphagov)

Address: Centre for International Trade, Eden Bridge House, Lowther Street, Carlisle, CA3 8DX

From: [REDACTED]
Sent: 21 September 2016 10:54
To: Welfare in Transport (APHA)
Subject: Re: Request for Satellite Tracking

Good morning,

Thank you for your e-mail.

I am flabbergasted about a request regarding September 2015. We have dealt with this at length in 2015.

Nevertheless, We are keeping records for 3 years so it would not have been a problem providing we didn't have a fire in our office.

[REDACTED]

On the 13th of May 2016 , our records have gone lost.

If we can be of any assistance in any other way or form, regarding your query, please let us know.

Yours friendly,

[REDACTED]

----Origineel Bericht----

Van : WIT@APHA.gsi.gov.uk

Datum : 06/09/2016 17:10

Aan : [REDACTED]

Onderwerp : Request for Satellite Tracking

Dear [REDACTED]

During routine audits of Journey Logs I have found a number of issues relating to journey's during the period of 19 to 24 September 2015.

Satellite tracking and explanations to a number of issues have already been answered. Thank you for your cooperation in relation to these queries.

I have some additional queries in relation to vehicle OD39DD on Journey Log reference JL9662 and vehicle OK16YN on Journey Log reference JL9661.

Please could you be kind enough to provide satellite tracking for the full journey for vehicle OD39DD on JL9662 and satellite tracking for vehicle OK16YN on JL9661 from collection at the Control Post in [REDACTED] to destination premises at [REDACTED]

Please could you provide this information by 13 September 2016.

Thank you and kind regards

[REDACTED]
Welfare in Transport Team
Centre for International Trade - Carlisle

Animal and Plant Health Agency (APHA)

Telephone: 03000 200 301

Website: www.gov.uk/apha | Twitter: [@APHAgovuk](https://twitter.com/APHAgovuk) | Facebook: [aphagov](https://www.facebook.com/aphagov)

Address: Centre for International Trade, Eden Bridge House, Lowther Street, Carlisle, CA3 8DX

Animal and Plant Health Agency (APHA)

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