



Animal &  
Plant Health  
Agency

Animal and Plant Health Agency  
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Our Ref: ATIC1594

[REDACTED]  
{By Email}

12 February 2019

Dear [REDACTED]

## PROVISION OF REQUESTED INFORMATION

Thank you for your request for information on bird deaths at Victoria Park which we received on 22 January 2019. Your request has been handled under the Freedom of Information Act 2000 (FOI).

The information you requested and our response is detailed below:

“Could you please supply me with the preliminary, supplementary and final reports concerning recent bird deaths at Victoria Park Smethwick boating lake, West Midlands- approximate nat grid reference SP025879.”

Please find attached, titled Appendices 1 and 2, the reports that relate to the Victoria Park submission sent to our Animal; and Plant Health Agency (APHA) Shrewsbury Laboratory in October 2019. Some of the data within the documents has been withheld under Section 40 of the Freedom of Information Act (FOIA), for details see below:

### Section 40

Sections 40(2) and 40(3A) of the FOIA exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR). We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute ‘fair’ processing of the personal data because the individuals would not reasonably have expected their names to be made public.

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.gov.uk](mailto:enquiries@apha.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](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