



Animal &
Plant Health
Agency

Animal and Plant Health Agency
Access to Information Team
Woodham Lane
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Addlestone
Surrey
KT15 3NB

www.gov.uk/apha

Our ref: EIR2023/08199
25 May 2023

Dear [REDACTED]

REQUEST FOR INFORMATION: Bovine TB in wild Red Deer

Thank you for your request for information of 24th April about Bovine TB in wild red deer. APHA have handled your request under the Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

Your information request and our response are set out below.

"I understand that there is a duty to report incidents of bTB found in the carcasses of wild red deer.

May I ask how many such incidents of bTB in wild red deer have been recorded in Devon and Somerset in the calendar years ending 31 December 2019, 2020, 2021 and 2022.

Please provide a geographical location for each report and if possible disclose whether any were reported by registered deer hunts in Devon or Somerset.

If multiple reports were made by one or more persons or organisations please disclose how many separate individual cases were reported by those persons or organisations."

The information you have requested can be found in Appendix 1.

The information is for cases of *M bovis* in wild red deer in Devon and Somerset. Information on who reported the cases is not held. Where the post code is described as blank the post code of the premises was not recorded.

Some of the information you have requested has been excepted from release citing Regulation 12 of the Environmental Information Regulations EIR's 2004.

Regulation 12 (3) (13)

Some of the information requested has been withheld under regulation 12(3), read in conjunction with 13, (third party personal data), of the EIR's as the information constitutes personal data relating to a third party. Regulation 12 (3), read in conjunction with Regulation 13, of the EIR's provides that personal data relating to third parties is exempt information if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR). APHA consider that disclosure of this information is likely to breach the first data protection principle in Article 5(1)(a) repeated in 35(1) DPA, which provides that personal data must be processed lawfully, fairly, and in a transparent manner in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure of that information would not be 'lawful'. Therefore, we have concluded that this information is exempt from disclosure under regulation 12 and 13 of the EIR.

Where available the post code data has been supplied using the first letters/digits of the post code as the full post code in some instances would lead to the identification of premises.

Information disclosed in response to this EIR request is releasable to the public. In keeping with the spirit and effect of the EIR 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.

An Annex is attached 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

enquiries@apha.gov.uk

Annex

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.

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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 regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Team at the address at the top of this letter or email enquiries@apha.gov.uk and the team will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure.

The ICO can be contacted at:

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

Please click [here](#) for further contact details.