



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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P A Gadd
{By Email}

Our Ref: ATIC 2264

15 April 2021

Dear P A Gadd

INTERNAL REVIEW RESPONSE

You have asked APHA to reconsider your application for information under regulation 12(2) cost limit and have referred to a previous response (ATIC1511) regarding kennel hunt inspection numbers. APHA have conducted this as an Internal Review of our response dated 21 January 2021. We can confirm that this review has been undertaken by an officer unconnected with the original decision regarding your request.

The Request

APHA received two separate requests from yourself as follows:

Request 7 December 2020

"Many hunt kennels are operated by both private clubs; some of the Hunts are private Companies listed at Companies House. The Kennels operate as both Kennels for Hounds and in some cases are also associated with fallen livestock which is used to feed the hounds.

1/ Since 1st January 2015 could you confirm if you have inspected the following hunts under any circumstances or reasons.

a/Albrighton and Woodland Hunt

The Kennels, Kennel Lane, Whiston Cross, Albrighton WV7 3BT

b/Ashford Valley Hunt

The Kennels, Bethersden Road, Hothfield, Ashford, Kent TN26 1EP

c/ Avon Vale Foxhounds

Abbottswood Farm, Chippenham, SN15 2JJ

d/ Axe Vale Hunt

Lower Down Hayne, Colyton, EX24 6SJDevon

2/ Please provide copies of inspections, reports or documentation relating to any inspections of the 4 hunts requested.

Request of 11 December 2020

1/ Since 1st January 2015 could you confirm if you have inspected the following hunts.

Border Hunt

Overacres, Otterburn NE19 1NA

Braes of Derwent Hunt

Sproats Farm, Whltonstall, Consett, Co. Durham DH8 9JR

Brocklesby Foxhounds

The Kennels, Brocklesby Estate, Brocklesby, Habrough, Lincolnshire DN41 8PJ

Burton Hunt

The Kennels, Riseholme Lane, Riseholme LN2 2LE

Cambridgeshire Hunt with Enfield Chace

The Kennels, Royston Road, Caxton, Cambridgeshire CB23 3PN

Cattistock Hunt

Kennel Lane, Cattistock, Dorchester, Dorset, DT2 0JJ

2/ Please provide copies of inspections, reports or documentation relating to any inspections of the hunts requested.

In addition these was amalgated with 4 other requests.

Discussion and Investigation

This response, as was the original response, has been compiled by APHA which is an executive agency of DEFRA,. Further information on the role of APHA can be found at the link below.

<https://www.gov.uk/government/organisations/animal-and-plant-health-agency>

You mentioned around 12 premises were identified. You identified 11 premises within your particular requests as listed above.

APHA had explained your request was refused as we had reason to believe you submitted your request as part of a group effort to help mitigate the exception 12 cost limit.

In this review, you have referred to a previous APHA response, reference ATIC1511 and dated 23 November 2018. This request was for:

1. Within the last six years how many hunt kennels in England and Wales have been inspected by DEFRA
2. Within the last six years which hunt kennels in England and Wales were inspected and on how many occasions
3. When was a DEFRA inspection last carried out on any of the following hunt kennels

APHA's response was 185 hunt kennels had been 'inspected' since 1 January 2012. We explained APHA does not hold specific data on hunt kennels or inspections undertaken specifically to hunt kennels. To be able to assist with the enquiry, the data had to be extracted under a search for all premises with either hunt and/or kennels in their title and all inspection types. These were listed and provided to the requester of that enquiry. It was made clear the data should not be considered accurate or relied upon. ATIC1511 did not request copies of any documentation. This action and result would fall to the first part of the request of confirming if APHA had inspected [listed hunt premises] since 1 January 2015.

ATIC1511 explained, to investigate each individual record to determine whether the visit included an inspection of the hunt kennels and annotate that information, would take a minimum 15 to 20 minutes per record. This estimate was dependant upon how many times the premises had been inspected for each of the six years requested. To clarify the statement, this is only to investigate/look at a record to see if an inspection took place. The estimate did not involve, as your current request asks, to access each of the identified customer records and extract information from 1 January 2015.

Unfortunately, APHA referred to regulation 12(2) within our response which was an incorrect reference. 'Regulations' form part of the Environment Information Regulations.

'Exemptions' referred to as 'Sections' (S) are part of the Freedom of Information Act. Although the refusal to provide the information was for the same purpose, the response should have quoted S12 (cost limit). APHA apologise for this incorrect reference.

The application of S12 under the FOIA allows an executive agency of central government such as APHA to amalgamate two or more requests if they believe or can establish the requests have been made for the following reasons:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information;
- received by the public authority within any period of 60 consecutive working days.

S12 of the FOIA advises APHA not to oblige to comply with a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit of £600. The "Appropriate Limit" is defined in the Freedom of Information and is set at £600. This equates to 24 hours of staff time. APHA does not have to make a precise calculation of the costs of complying with a request; instead only a reasonable estimate is required.

As noted in our response of ATIC1511 which you refer to; "APHA does not hold specific data on hunt kennels or inspections undertaken specifically to hunt kennels". Our role is to inspect Animal ByProduct premises.

This internal review accepts a reasonable estimate was provided to you on the amalgamated requests within the response of 21 January 2021. APHA gave a reasonable estimate that "A controlled test was carried out with the following result: To investigate each individual record to determine whether the visit included an inspection of the hunt kennels and annotate that information would take a minimum 6 to 10 hours per record depending upon how many times it has been inspected". To provide clarity on how that estimate was applied; it is likely to take approximately 10 minutes per inspection form to locate, then per site there could be an estimated 40 inspection form, and to expand this to any circumstance it could be upwards of 60 documents:

10 minutes x 60 inspection forms = 600 minutes ÷ 60 minutes = 10 hours

This is an estimate of one premise and only for inspection forms. You have also asked for other documentation relating to inspections.

Under s16 of the FOIA, APHA are unable to provide any help or assistance in which to reduce the cost or time of providing the information requested. This is mainly due to the unknown of how many different inspections have been made, how many forms have

been completed and what related documents are held for each premise for each year. This is after the information has been located within our systems used over the years.

Internal Review Decision

The result of this Internal Review is to uphold the decision to withhold the information under S12 (cost limit) of the FOIA for the reasons stated above.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gov.uk

Complaints

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. The Information Commissioner (ICO) can be contacted at:

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

Coronavirus

If you need to contact the ICO during the Coronavirus pandemic, it's best to do so online. Please click [here](#) for contact details. You can also call them on 0303 123 1113.