

Response to Request for Information

Reference FOI 002200
Date 20 April 2018

Animal Boarding

Request:

Please could you send me a list of licensed animal boarding establishments (kennels/catteries/dog home boarders)?

Your request for information has now been considered. Unfortunately, City of Wolverhampton Council cannot supply the information you requested for the reasons set out below. Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemption applies:

Section 38 – Health and Safety

Section 38 – Health and Safety of the Freedom of Information Act states that:

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to –
 - (a) Endanger the physical or mental health of any individual, or
 - (b) Endanger the safety of any individual

The Council considers that the information you have requested, which we have identified above, is exempt from disclosure under Section 38(1)(b) of the Freedom of Information Act. Section 38 – Health & Safety of the Act permits the Council to withhold information if its disclosure would, or would be likely to, endanger the health and safety of any individuals.

The Public Interest Test:

The Council is required to undertake the Public Interest Test, to weigh the harm that is identified against the wider public interest that may be served by disclosure.

The Council recognises that the release of such information would facilitate and

promote transparency and would enable the public to have an increased understanding of the Council by bringing this information into the public domain. This in turn would generate confidence in the Council's safety measures to protect the general public and businesses in the City.

The Council considers that releasing the information requested would have the potential to jeopardise the safety of the establishments if this information is released into the public domain. We should explain further that Premises licensed under Animal Welfare legislation have in the past been targets of illegal action by individuals under misguided animal welfare beliefs. Many of the licensed premises are also the residential home of the licensee and their families. There is no legal provision within the Act to provide a register of licensed premises. We currently do not have the consent of the licence holders to pass their address details onto third parties.

Therefore in conclusion, the Council can confirm that it has considered the arguments for both release and exemption, and has reached the decision that in this instance the potential risk posed to the public and businesses by the release of the information requested is greater than the public interest and benefit that would be served by releasing the information (as a result of the potential consequences that the release of the information may have), and as such the information is being withheld under section 38 of the Freedom of Information Act.