

# Cyngor Sir CEREDIGION County Council

Alun Williams

Pennaeth Cefnogi Polisi /

Head of Policy Support

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA

[www.ceredigion.gov.uk](http://www.ceredigion.gov.uk)



Dyddiad  
Date

5<sup>th</sup> December 2017

Gofynnwch am  
Please ask for

Complaints & FOI Team

Llinell uniongyrchol  
Direct line

01545 574151

Fy nghyf  
My ref

M-NH/AD

Eich cyf  
Your ref

LX-08

Ebost  
Email

[foi@ceredigion.gov.uk](mailto:foi@ceredigion.gov.uk)

Sent via e-mail only:

[request-445370-50bd9139@whatdotheyknow.com](mailto:request-445370-50bd9139@whatdotheyknow.com)

Dear John Bradley,

I write in response to your Freedom of Information request dated 11<sup>th</sup> November 2017, where you requested information in relation to the incident surrounding the escaped lynx from Borth Animal Kingdom, Borth, Ceredigion.

As you may be aware, Ceredigion County Council is currently investigating the circumstances surrounding the incident of the escaped lynx. It would therefore be irresponsible for the Council to comment on any circumstances relating to the case at the present time. As a consequence, the Authority is limited as to what information can and should be disclosed publicly, particularly as this could jeopardise the Council's case.

However, once all legal considerations have been concluded, a comprehensive report will be presented to the relevant member committee of the Council to explain circumstances surrounding the case and the action taken. The report will be available on the Council's website, thus placing the information in the public domain.

At this time, Ceredigion County Council is refusing your request under Section 22(1)(a) of the Freedom of Information Act 2000 (FOIA) – information intended for future publication. A formal refusal notice under S.17 of FOIA is attached which explains why the Authority will not be providing a full explanation or disclosing the information you requested at this time.

The Authority operates an internal appeals procedure in relation to FOI activity. Should you wish to request an internal review of the handling of your request please write to: Mr Alun Williams, Head of Policy Support, Ceredigion County Council, Penmorfa, Aberaeron SA46 0PA or via e-mail: [foi@ceredigion.gov.uk](mailto:foi@ceredigion.gov.uk).

Kind regards.

Yours faithfully,  
Complaints & FOI Team

Rydym yn croesawu gohebiaeth yn Gymraeg a Saesneg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ateb Saesneg i bob gohebiaeth Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh and English. Correspondence received in Welsh will be answered in Welsh and correspondence in English will be answered in English. Corresponding in Welsh will not involve any delay.

Prif Weithredwr / Chief Executive :  
Cyfarwyddwyr Strategol / Strategic Directors :

Eifion Evans

Barry Rees Dysgu a Phartneriaethau / Learning and Partnerships

Sue Darnbrook Gofal, Amddiffyn a Ffordd o Fyw / Care, Protection and Lifestyle

**Refusal Notice – Information intended for future publication (Section 22)**

(1) *Information is exempt information if—*

*(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*

*(b) the information was already held with a view to such publication at the time when the request for information was made, and*

*(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*

(2) *The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).*

It is the Authority's intention, once all legal processes and matters relating to this case have been appropriately dealt with, that a report will be presented to the Council's Licensing Committee on the circumstances surrounding the investigation. This will enable details that may not be in the public domain at this time to be disclosed, unless legal privilege dictates otherwise. As such, for the reasons outlined above, it is concluded that the information requested regarding the escaped lynx from Borth Animal Kingdom, Borth, Ceredigion, is exempt under Section 22(1)(a).

## **Refusal Notice – Investigations and proceedings conducted by public authorities (Section 30)**

(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—

*(a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—*

*(i) whether a person should be charged with an offence, or*

*(ii) whether a person charged with an offence is guilty of it,*

*(b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or*

*(c) any criminal proceedings which the authority has power to conduct.*

With the exception of the information referred to above, which is intended to be published in the future, the Authority also deems that some of the information requested or clarification sought relates to specific areas of the investigation, its findings and the action taken at the time. It is the Authority's view that this information should be withheld under Section 30(1) of FOIA.

**5<sup>th</sup> December 2017**