

# Cyngor Sir CEREDIGION County Council

Alun Williams

Pennaeth Cefnogi Polisi /

Head of Policy Support

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



Dyddiad  
Date

24<sup>th</sup> January 2018

Gofynnwch am  
Please ask for

Alun Williams

Llinell uniongyrchol  
Direct line

01545 574151

Fy nghyf  
My ref

AW/AD/12890/LX-08

Eich cyf  
Your ref

IR LX-08

Ebost  
Email

[Alun.Williams2@ceredigion.gov.uk](mailto:Alun.Williams2@ceredigion.gov.uk)

Via e-mail only: [request-445370-50bd9139@whatdotheyknow.com](mailto:request-445370-50bd9139@whatdotheyknow.com)

Dear John Bradley,

## Re: Case Reference No: LX-08 – Internal Review

I write in response to your request dated 16<sup>th</sup> December 2017 for an internal review of the handling of your request made under the Freedom of Information Act 2000 (FOIA) on account that you were disappointed that information had been withheld under Section 22(1)(a) and Section 30(1) of the Freedom of Information Act.

I have reviewed your original request and subsequent response that has been sent to you, and am now able to provide you with a response to your internal review request.

### **Your original request dated 14.11.2017 was:**

*'The council claims to have received information that a Lynx presented a danger to the public. What was that advice, who was it from, what makes them an expert, who made the final decision? What alternative views were sort? What addition lobbying was the council in receipt of.'*

### **Our Response dated 05.12.2017:**

*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.*

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

*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.*

You then wrote to me on 16<sup>th</sup> December 2017 asking for an Internal review:

*‘The information requested relates to the actions of the council after the escape and in anyway relates to any criminal investigation. The information is all after the fact of any crime and relates only to the decision taken by the council to kill the escaped animal. It is therefore not covered by the exception quoted.’*

I have reviewed the original application of section 22 (information intended for future publication) and section 30 (Investigations and proceedings conducted by public authorities) of the FOIA, and have liaised with the service responsible for investigating this case. Having reflected on the matter, I have decided to provide you with the following information.

With regard to the information you requested regarding what information Ceredigion County Council received that a Lynx presented a danger to the public:

The expert advice, information and decision source was the Guidance document entitled **‘Secretary of State’s standards of modern zoo practice’** which can be found on the following website <https://www.gov.uk/government/publications/secretary-of-state-s-standards-of-modern-zoo-practice> :

The lynx is classified as a Category 1 animal under the **‘Secretary of State’s Standards of Modern Zoo practice’**. Appendix 12 of those standards, states – *“Hazardous animal categorisation - Animal kinds, with respect to danger to members of the public visiting zoological gardens”*.

Zoo animals are categorized in the following list into 3 risk levels on the basis of the animal’s likely ferocity and ability to cause harm to people, and the scale of harm if it should do so:

Category ‘1’ (greater risk) *1.1 Contact between the public and animals in Category 1 is likely to cause serious injury or be a serious threat to life, on the basis of hazard and risk of injury, toxin or disease, irrespective of the age and vulnerability of the visitor.”*

Therefore the advice that the Lynx presented a danger to the public stems from Government Guidance who are experts in this matter. This informed the final decision.

I can confirm that the Local Authority did not receive any additional lobbying with regard to the Lynx being a danger to the public.

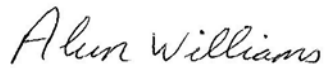
Please note that a comprehensive report will be presented to the appropriate Council Committee once our investigations are completed.

If you remain dissatisfied with the way the Authority has dealt with your request you may refer the matter to the Information Commissioner’s Office (ICO).

Their details are as follows:

Information Commissioner's Office – Wales  
2nd Floor  
Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Kind Regards,

A handwritten signature in black ink that reads "Alun Williams". The script is cursive and fluid.

Alun Williams  
**Pennaeth Cefnogi Polisi**  
**Head of Policy Support**