

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 8 June 2021

Public Authority: Carmarthenshire County Council
Address: County Hall
Carmarthen
Carmarthenshire
SA31 1JP

Decision (including any steps ordered)

1. The complainant has requested from Carmarthenshire County Council ('the Council'), information about licensed dog breeders in its area. The Council said that the information was exempt from disclosure under sections 31 (Law enforcement) and 40 (Personal information) of the FOIA.
2. The Commissioner's decision is that the Council was entitled to rely on section 31(1)(a) to withhold much of the requested information. However, she found that, on balance, the public interest favoured disclosing the names and addresses of licensed dog breeders. She considered whether this information was exempt from disclosure under section 40(2) of the FOIA, and found that it was not.
3. The Commissioner requires the Council to take the following steps to ensure compliance with the legislation.
 - Disclose the names and addresses of licensed dog breeders.
4. The Council must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Background

5. The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 ('the Regulations') require anyone breeding three or more litters of puppies in a 12 month period to obtain a licence to do so from their local authority.
6. Before a licence is granted, the premises are inspected by an approved veterinary inspector and subsequent inspections are conducted at regular intervals, to ensure that dogs are being housed and treated in accordance with licence conditions.

Request and response

7. On 16 March 2020, the complainant wrote to the Council and requested information in the following terms:
 - "1. A List of names, addresses and license numbers of licensed dog breeders in your area, with the number of dogs the establishment is licensed for.*
 - 2. Copies of all inspection reports between July 2019 to date for the above premises.*
 - 3. Copies of any additional documents relating to part 2), including, but not limited to: floor plans, vet health check reports, improvement notices, council commissioned vet reports.*
 - 4. Details of any enforcement action taken against any licensed or unlicensed premises from July 2019 to date."*
8. The Council responded on 21 April 2020, saying that the information was exempt under section 31(1)(a) of the FOIA, on the grounds that its disclosure might prejudice the prevention or detection of crime involving dog breeding establishments.
9. Following an internal review, the Council wrote to the complainant on 9 July 2020. It maintained the application of section 31 to refuse the request. It commented that it believed section 40 also applied to the information, although it did not set out its reasons. There was a further exchange of correspondence regarding its position, but the Council maintained that its application of the exemptions was correct.

Scope of the case

10. The complainant contacted the Commissioner on 13 August 2020 to complain about the Council's refusal of his request.
11. The analysis below considers the Council's application of the exemptions cited.

Reasons for decision

Section 31 – Law enforcement

12. Section 31(1) of the FOIA states that:

"Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice-

(a) the prevention or detection of crime".

13. Section 31 is a prejudice-based exemption and is subject to the public interest test. This means that not only does the information have to prejudice one of the purposes listed, but that it can only be withheld if the public interest in maintaining the exemption outweighs the public interest in disclosure.
14. In order to be engaged, the following criteria must be met:
 - the actual harm which the Council alleges would, or would be likely to occur if the withheld information was disclosed, has to relate to the applicable interests within the exemption (in this case, the prevention or detection of crime);
 - the Council must be able to demonstrate that some causal relationship exists between the potential disclosure of the information being withheld and the prejudice which the exemption is designed to protect. Furthermore, the alleged resultant prejudice must be real, actual or of substance; and
 - it is necessary to establish whether the level of likelihood of prejudice being relied upon by the Council is met – ie 'would be likely' to result in prejudice or 'would' result in prejudice.
15. The Council provided the Commissioner with all the information it said was covered by the request, which related to 94 dog breeders in its area. Having reviewed the information, the Commissioner notes that

some of it falls outside the scope of the request. Copies of licence application documentation (except for socialisation, enhancement and enrichment plans and programmes), standard licence conditions for breeders, payment information and general correspondence between the Council and a breeder, do not fall within the scope of the information specified by the complainant. They will not be considered for disclosure in this decision notice.

16. The Commissioner considers the following withheld information does fall within the scope of the request (the Council has sought to withhold it in its entirety):

- Individual licence details (name, address, licence number, number of dogs);
- Inspection reports (a standard form, completed by visiting inspector);
- Vet's reports (a standard form, with entries made in respect of each dog, by a visiting vet);
- Socialisation, enhancement and enrichment plans and programmes (standard forms, completed by the breeder during the licence application process);
- Copies of physical plans of breeders' premises and details of staffing;
- Improvement notices (a standard form, completed by a visiting inspector when licencing conditions are not being complied with); and
- Correspondence, where it directly relates to points (2), (3) or (4) of the request.

17. The first point for the Commissioner to consider is whether the arguments provided by the Council relate to the relevant applicable interests, namely the prevention or detection of crime.

18. The Council said there were credible concerns that publishing specific information in relation to each breeder about the location of their premises (such as their remoteness), their layout, the number of dogs at the premises, their breeds, whether they were kept in indoor or outside kennels and the numbers of breeding bitches and their litters, would be likely to exacerbate the existing problem of dog theft in the area. Disclosure of this information would provide detailed information that would allow certain premises to be targeted based on factors such as the perceived value of the dogs and vulnerabilities, and would enable criminals to 'steal to order'.

19. The Commissioner is satisfied that the harm which the Council envisages does relate to the applicable interests to which section 31(1)(a) relates (the prevention or detection of crime), so the first limb of the three part test outlined above, is met.
20. The Commissioner next considered whether the Council demonstrated a causal relationship between the disclosure of the requested information and the prejudice that section 31(1)(a) is designed to protect. In her view, disclosure must at least be capable of harming the interest in some way, ie have a damaging or detrimental effect on it.
21. On this point, the complainant argued that much of the information he asked for was already in the public domain, as a result of previous FOIA requests.
22. The Council acknowledged that it had previously responded to similar requests for information by providing a significant amount of information in relation to licensed dog breeders, including inspection reports completed by its animal health officers and veterinarians. However, it had since made the decision that this type of information should no longer be released.
23. As outlined above, the Council considered that the disclosure of the withheld information would be likely to prejudice the prevention or detection of crime as disclosure would be likely to result in the targeting of the dog breeders' establishments for theft.
24. Based on the Council's arguments, and her own research, the Commissioner is satisfied that this prejudice is real and of substance, and that there is a causal relationship between the disclosure of the following information, which is contained in the documents, and the prejudice which the exemption is designed to protect:
 - the location of the premises;
 - the number of dogs at the premises and their breeds;
 - the layout of the premises (including physical plans and free text descriptions of access arrangements);
 - whether dogs are kept in inside or outside kennels and their movements between these locations;
 - the numbers of breeding bitches and their litters;
 - the condition and temperament of the dogs (whether healthy, well socialised, friendly); and
 - staffing and security arrangements.

25. It is not sufficient for the withheld information to merely relate to an interest protected by section 31(1)(a). Disclosure must also be likely to prejudice those interests, with the onus being on the Council to explain how the prejudice would arise and why it is likely to occur.
26. The Council has confirmed that it considers that the disclosure of the information 'would be likely' to result in harm to the applicable interest at section 31(1)(a) of the FOIA.
27. It had consulted Dyfed Powys Police on this point, which had commented:

"...if the information was to reach the hands of individual/groups who's [sic] motive was more sinister, as in stealing for financial gain or wanting to sabotage, then it would assist them greatly."
28. The Council also said that Dyfed Powys Police was in possession of intelligence regarding organised crime groups that were actively looking to target dog breeders in South West Wales, to steal puppies.
29. The Council referred the Commissioner to a series of media reports which stated that dog thefts had significantly increased during the COVID 19 pandemic lockdowns¹.
30. The complainant has argued that there is no evidence that dog theft was a significant concern in the area at the time of the request. He referred to data supplied by Dyfed Powys Police which showed only three reported thefts in Carmarthenshire in the period January-March 2020. However, the Commissioner notes from the same data that the total number of reported thefts for the first three months of 2020 equalled the number of reported thefts for the whole of 2019, suggesting that the problem was on the increase at the time of the request.
31. The complainant has also argued that in 2013, the First-tier Tribunal found that the Council should disclose similar information² and that the Council should therefore follow that precedent.
32. The Commissioner notes that in that case, only the names and addresses of licensed breeders had been requested, and the Tribunal decision was based entirely on the application of section 40(2) of the

¹ <https://www.bbc.co.uk/news/uk-wales-55995738>; <https://www.bbc.co.uk/news/uk-england-54372778>; <https://www.bbc.co.uk/news/av/stories-55356211>; <https://www.bbc.co.uk/news/uk-wales-56046171>

² EA/2012/0238 <https://www.pdpjournals.com/docs/88100.pdf>

FOIA to withhold them. The Tribunal was not asked to consider whether section 31 of the FOIA might provide justification for withholding information.

33. The Commissioner considers that the withheld information in this case could be used to target the dog breeders' premises for theft and she considers the evidence cited by the Council supports this view. She notes numerous reports of a significant increase in dog thefts across the UK, in the last 18 months³, particularly from dog breeders. Dog theft is now recognised as an emerging area of interest to organised criminal groups.
34. Taking all the above into account, the Commissioner is satisfied that the Council has demonstrated that disclosure of the withheld information "would be likely" to prejudice the prevention or detection of crime and thus that section 31(1)(a) of the FOIA is engaged. As section 31 is a qualified exemption, she must now consider whether, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

Public interest arguments in favour of disclosing the information

35. The complainant referred to a 2019 BBC documentary about puppy farming⁴ which highlighted poor welfare in some breeding establishments. He argued:

"I believe there is a strong public interest argument in scrutinising the statutory functions of the council with regards to dog breeding licences ...

The updated information I have asked for in the FOI request will provide a valuable ongoing assurance as to how breeders are operating and how councils are enforcing regulations. This information is the only official, independent record of how a dog has been bred in Wales. To deny disclosure would be to make it more difficult for responsible pet purchasers and journalists to scrutinise the council's regulatory function."

36. The Council has acknowledged the public interest in ensuring that regulatory bodies such as itself, are performing their statutory monitoring and enforcement functions in respect of dog breeding, appropriately.

³ <https://www.bbc.co.uk/news/uk-politics-56038085>

⁴ <https://www.bbc.co.uk/programmes/m000926t>

Public interest arguments in favour of maintaining the exemption

37. The Council referred to the Commissioner's guidance on section 31 and "...the very strong public interest in protecting the ability of public authorities to enforce the law"⁵.
38. It said there was a clear public interest in protecting society from crime, including dog breeders and their families. It also referred to the social and psychological impact of such crimes, not only upon dog breeders and their families, but also the wider community in which they exist.
39. It said that it would not be in the public interest to disclose information which would be likely to undermine the safety of dog breeders and their animals.

The balance of the public interest test arguments

40. When balancing the opposing public interests, the Commissioner must decide whether it serves the public interest better to disclose the requested information or to withhold it. If the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure, the information in question must be disclosed.
41. The Commissioner accepts that there is an emphasis running through the FOIA that openness is, in itself, to be regarded as something which is in the public interest. Transparency, and the accountability of public authorities, are essential components of democracy.
42. There is a clear public interest in knowing that dog breeding is properly regulated. There is also a very strong public interest in ensuring that animals are treated and cared for properly. The Commissioner notes that some respondents to a 2019 Welsh Government consultation on the sale of puppies and kittens expressed concerns that the Regulations were not being enforced effectively by local authorities⁶. The Commissioner recognises the importance of the public having confidence that local authorities are enforcing the licensing provisions relating to dog breeding, appropriately.

⁵ <https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf> paragraph 88

⁶ https://gov.wales/sites/default/files/consultations/2019-07/third-party-sales-of-puppies-kittens-summary-of-responses_1.pdf

43. On that point, she notes that following the consultation, the Welsh Government drafted new animal welfare regulations (due to come into force in September 2021)⁷ and announced that:

*"...work is also underway in relation to tackling barriers to enforcement of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014. A three year Welsh Government funded project, which includes enhancement of training and better guidance for inspectors and improved use of resources within Local Authorities and across Wales, has been established and is being led by Local Authorities in Wales."*⁸.

44. The Commissioner considers that both measures go some way towards addressing public concern about this issue.
45. Turning to the interests of consumers, the Commissioner recognises that prospective dog owners can expect to spend large amounts of money on acquiring a healthy dog. It is reasonable that they should be able to verify that they are dealing with reputable breeders. Transparency surrounding who is, and is not, a licensed dog breeder should also have the wider effect of driving up standards in the industry, as unlicensed breeders may be driven out of business if customers are readily able to identify and avoid them.
46. While the Commissioner accepts that the withheld information in its entirety may be open to abuse by someone with criminal intent, she notes that the names and locations of the majority of the dog breeders covered by the request are already in the public domain (the names and addresses of 84 licensed breeders were disclosed by the Council in response to an FOIA request, five months prior to this request, via the *Whatdotheyknow?* website). She therefore considers the risk of a breeder being targeted as a direct result of the fresh disclosure of their name and address information to be relatively low.
47. Furthermore, some breeders already openly advertise both their business and their licensed status, and the Kennel Club maintains a searchable list of "Assured Breeders" on which some appear⁹. The Commissioner accepts that not all breeders choose to make their information public in this way. However, their business involves trading

⁷ <https://www.legislation.gov.uk/wsi/2021/416/made>

⁸ <https://gov.wales/written-statement-animal-welfare-licensing-activities-involving-animals-wales-regulations-2021>

⁹ <https://www.thekennelclub.org.uk/search/find-an-assured-breeder/>

with the public and so some degree of public visibility must inevitably come with breeding dogs and offering them for sale.

48. Having considered both sets of public interest arguments, the Commissioner accepts it is quite a finely balanced decision. However, she considers that the public interest in prospective owners being able to identify trustworthy, responsible breeders when making decisions about purchasing puppies to be the stronger argument and it tips the balance in favour of disclosing the names of licensed breeders, and their addresses, especially given the availability of most of the names and addresses in the public domain, and thus a limited increased risk of increased crime in this area. She has considered whether section 40(2) of the FOIA provides alternative grounds for this information to be withheld, below.
49. With regard to the remaining withheld information, while the complainant has a legitimate reason for requiring it, disclosure under the FOIA is regarded as an unrestricted disclosure to the world at large. The Commissioner considers that, when combined with breeders' names and addresses, the disclosure of detailed information about their businesses would be likely to increase the risk to them of being the victims of dog theft. Information about the number, breed, condition and temperament of the dogs on a particular premises, together with information about its layout and staffing would give criminals valuable and site-specific information which would assist them to plan and commit dog theft.
50. Based on the Council's comments regarding the risk of dog theft, and her own research, the Commissioner considers that, at the time of the request and currently, the risk of dog theft is real, actual and of substance. While recognising the general concerns referred to in paragraph 42, she has seen no information which leads her to believe that the Council's licencing process is operating incorrectly, and so does not consider there to be a corresponding public interest in increased scrutiny for that particular reason. Furthermore, she understands that ensuring that the Council is performing its animal welfare functions properly is a matter which may be pursued through formal scrutiny powers held by the Welsh Government and the Public Services Ombudsman for Wales. It is clearly not in the public interest for a disclosure made under the FOIA to disproportionately increase the risk of harm occurring, either to dog breeders or to the welfare of their animals.
51. Having given due consideration to all the arguments set out above, the Commissioner has concluded that the balance of the public interest is weighted in favour of maintaining the exemption in respect of the remaining withheld information (ie all information other than names and addresses of licensed breeders). The Council was therefore entitled to rely on section 31(1)(a) of the FOIA to withhold it.

Section 40(2) – Personal information

52. As the Commissioner has found that the Council cannot rely on section 31(1)(a) to withhold the names and addresses of licensed dog breeders, she has considered whether section 40(2) of the FOIA may instead be applied to withhold it.
53. Section 40(2) of the FOIA provides that information is exempt from disclosure if it is the personal data of an individual other than the requester and where one of the conditions listed in section 40(3A)(3B) or 40(4A) is satisfied.
54. In this case the relevant condition is contained in section 40(3A)(a). This applies where the disclosure of the information to any member of the public would contravene any of the principles relating to the processing of personal data ('the DP principles'), as set out in Article 5 of the UK General Data Protection Regulation ('UK GDPR').
55. The first step for the Commissioner is to determine whether the withheld information constitutes personal data as defined by the Data Protection Act 2018 ('DPA'). If it is not personal data then section 40 of the FOIA cannot apply.
56. Secondly, and only if the Commissioner is satisfied that the requested information is personal data, she must establish whether disclosure of that data would breach any of the DP principles.

Is the information personal data?

57. Section 3(2) of the DPA defines personal data as:

"any information relating to an identified or identifiable living individual".

58. The two main elements of personal data are that the information must relate to a living person and that the person must be identifiable.
59. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.
60. Information will relate to a person if it is about them, linked to them, has biographical significance for them, is used to inform decisions affecting them or has them as its main focus.
61. The Council has explained:

"The information relates to individuals, as opposed to limited companies and although held in relation to a business activity, is inseparable from their responsibilities and liabilities as individuals/natural person.

...

The information relates to individual dog breeder's business, but as this is conducted from their homes, we believe that this is inseparable from their private lives."

62. The withheld information under consideration here is the names and addresses of licensed dog breeders, operating from their home addresses. They are sole traders. The Commissioner's published position is that information about individuals acting as sole traders, where they are individually identifiable and the information relates to them as an individual, is personal data¹⁰.
63. The Commissioner is satisfied that individuals are identifiable from the withheld information and that it relates to them. This information therefore falls within the definition of 'personal data' in section 3(2) of the DPA.
64. The fact that information constitutes the personal data of an identifiable living individual does not automatically exclude it from disclosure under the FOIA. The second element of the test is to determine whether disclosure would contravene any of the DP principles.
65. The most relevant DP principle in this case is principle (a).

Would disclosure contravene principle (a)?

66. Article 5(1)(a) of the UK GDPR states that:

"Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject".

67. In the case of an FOIA request, the personal data is processed when it is disclosed in response to the request. This means that the information can only be disclosed if to do so would be lawful, fair and transparent.

¹⁰ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/what-is-personal-data/?q=controllers#:~:text=Information%20about%20companies%20or%20public,individual%20may%20constitute%20personal%20data.>

68. In order to be lawful, one of the lawful bases listed in Article 6(1) of the UK GDPR must apply to the processing. It must also be generally lawful.

Lawful processing: Article 6(1)(f) of the UK GDPR

69. The Commissioner considers that the lawful basis most applicable is basis 6(1)(f) which states:

"processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child"¹¹.

70. In considering the application of Article 6(1)(f) of the UK GDPR in the context of a request for information under the FOIA, it is necessary to consider the following three-part test:-

i) **Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information;

ii) **Necessity test:** Whether disclosure of the information is necessary to meet the legitimate interest in question;

iii) **Balancing test:** Whether the above interests override the legitimate interest(s) or fundamental rights and freedoms of the data subject.

71. The Commissioner considers that the test of 'necessity' under stage (ii) must be met before the balancing test under stage (iii) is applied.

Legitimate interests

72. In considering any legitimate interest(s) in the disclosure of the requested information under the FOIA, the Commissioner recognises that such interest(s) can include broad general principles of

¹¹ Article 6(1) goes on to state that:-

"Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks".

However, section 40(8) FOIA (as amended by Schedule 19 Paragraph 58(8) DPA) provides that:-

"In determining for the purposes of this section whether the lawfulness principle in Article 5(1)(a) of the GDPR would be contravened by the disclosure of information, Article 6(1) of the GDPR (lawfulness) is to be read as if the second sub-paragraph (dis-applying the legitimate interests gateway in relation to public authorities) were omitted".

accountability and transparency for their own sakes, as well as case specific interests.

73. Further, a wide range of interests may be legitimate interests. They can be the requester's own interests or the interests of third parties, and commercial interests as well as wider societal benefits. They may be compelling or trivial, but trivial interests may be more easily overridden in the balancing test.
74. The Council said it could not identify any legitimate interest which would be served by the disclosure of the information. However, the Commissioner considers the public interest arguments identified in paragraphs 42 and 45, above, to be legitimate interests that would be served by the disclosure of the information.

Is disclosure necessary?

75. 'Necessary' means more than desirable but less than indispensable or absolute necessity. Accordingly, the test is one of reasonable necessity and involves consideration of alternative measures which may make disclosure of the requested information unnecessary. Disclosure under the FOIA must therefore be the least intrusive means of achieving the legitimate aim in question.
76. The Commissioner is satisfied in this case that there are no less intrusive means of achieving the legitimate aims identified above.

Balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

77. It is necessary to balance the legitimate interests in disclosure against the data subject's interests or fundamental rights and freedoms. In doing so, it is necessary to consider the impact of disclosure. For example, if the data subject would not reasonably expect that the information would be disclosed to the public under the FOIA in response to the request, or if such disclosure would cause unjustified harm, their interests or rights are likely to override legitimate interests in disclosure.
78. In considering this balancing test, the Commissioner has taken into account the following factors:
- the potential harm or distress that disclosure may cause;
 - whether the information is already in the public domain;
 - whether the information is already known to some individuals;
 - whether the individual expressed concern to the disclosure; and
 - the reasonable expectations of the individual.

79. In the Commissioner's view, a key issue is whether the individuals concerned have a reasonable expectation that their information will not be disclosed. These expectations can be shaped by factors such as an individual's general expectation of privacy, whether the information relates to an employee in their professional role or to them as individuals, and the purpose for which they provided their personal data.
80. It is also important to consider whether disclosure would be likely to result in unwarranted damage or distress to that individual.
81. The Commissioner considers the arguments set out in paragraph 46, above, to be relevant here. She recognises that disclosure may result in some degree of distress to some of the data subjects. However, she does not consider it unwarranted or disproportionate when weighed against the interests being served by the disclosure. She also does not consider that the disclosure of just the name and address information would significantly increase the risk of the data subjects being the victims of dog thefts, in view of the fact that information about 84 of them is already in the public domain. Their business involves trading with the public, under a licence which has been granted by the Council, and so they would have a reasonable expectation of having a certain degree of public visibility. Furthermore, some degree of visibility will be necessary in order for them to successfully conduct their business.
82. The Commissioner has also considered the Tribunal's comments on the balance between personal privacy and public scrutiny, in the Tribunal case referred to in paragraph 31. Although the Tribunal considered that request under the earlier Data Protection Act 1998, she nevertheless finds its general observations on the balancing of competing interests relevant to this case:
- "The Tribunal accepts that the interplay of private and public interest issues in relation to disclosure of this information is complex but has concluded, unanimously, that in this case it is fair and in the public interest - in regulated commercial activity which is subject to a public licensing regime to protect the welfare of animals - to subordinate the privacy interests of those who register to engage in such activity so as to permit the personal data to be disclosed."*
83. Based on the above factors, the Commissioner has determined that there is sufficient legitimate interest to outweigh the data subjects' fundamental rights and freedoms. The Commissioner therefore considers that there is an Article 6 basis for processing and so the disclosure of the information would be lawful.

Fairness and transparency

84. Even though it has been demonstrated that disclosure of the requested information under the FOIA would be lawful, it is still necessary to show that disclosure would be fair and transparent under principle (a).
85. In relation to fairness, the Commissioner considers that, if the disclosure passes the legitimate interest test for lawful processing, it is highly likely that disclosure will be fair for the same reasons.
86. The requirement for transparency is met because as a public authority, the Council is subject to the FOIA.

The Commissioner's view

87. Taking all the above into account, in this instance the Commissioner has decided that the Council has failed to demonstrate that the exemption at section 40(2) of the FOIA is engaged in respect of the names and addresses of the licensed dog breeders.
88. The Council is therefore required to take the action set out in paragraph 3 of this decision notice.

Right of appeal

89. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504
Fax: 0870 739 5836
Email: grc@justice.gov.uk
Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

90. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.

91. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Samantha Bracegirdle
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