

Dear

ATISN 15760 and ATISN 15918 – Dog Breeding Regulations

Information requested

Thank you for your requests, which I received on 7 December 2021 (ATISN 15760) and 4 January 2022 (ATISN 15918).

On **7 December** you asked for:

1. The full Welsh Government Internal Guidance and Procedures on handling consultations.
2. A copy of the analysis of the feedback on the consultation of “The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulation 2021 Guidance notes for conditions for Selling Animals as Pets,” which was undertaken after the closing date of the consultation on the 1st October 2021 and prior to implementation of the Guidance on the 28 October, 2021, and the date on which the analysis was completed.
3. Copies of all the advisory correspondence issued by the Welsh Government and/or its agencies, including those issued by the Animal Health Panel and The Welsh Government Dog Breeding Project, to Local Authorities regarding their duties to implement, promote and enforce “The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulation 2021 Guidance notes for conditions for Selling Animals as Pets,” and all associated guidance/briefs etc.
4. Following the implementation of The Animal Welfare (Licensing of Activities Involving Animals)(Wales) Regulations 2021 Guidance notes for conditions for Selling Animals as Pets on the 28th October 2021, please provide the details of the puppy market share figures in Wales held, accepted and adopted by the Welsh Government under the following categories:
 - a. Puppies sold by dog breeders falling within the scope of The Animal Welfare (Breeding of Dogs) Regulations 2014
 - b. Puppies sold by dog breeders falling within the scope of the Business Test of The Animal Welfare (Licensing of Activities Involving Animals)(Wales) Regulations 2021 Guidance notes for conditions for Selling Animals as Pets.
 - c. Puppies sold by dog breeders who **do not** fall under The Animal Welfare (Breeding of Dogs) Regulations 2014 **nor** within the scope of the Business Test of The Animal Welfare (Licensing of Activities Involving Animals)(Wales) Regulations 2021 Guidance notes for conditions for Selling Animals as Pets
5. The Welsh Government Impact Report regarding how the application of the whelping units pen sizes will affect licensed breeders of 1 or 2 litters a year and how these regulations will impact the puppy market in Wales. You clarified that this is not a request for the impact report on the effect of the third-party ban from the same regulations.
6. The formal name of the Welsh Government dog breeding working group or groups involved in informing/advising on the 2021 regulations and The Animal

Welfare (Licensing of Activities Involving Animals) (Wales) Regulation 2021 Guidance notes for conditions for Selling Animals as Pets.

7. The organisations involved in each group described in 6 above, including confirmation of whether this includes the Welsh Government Dog Breeding Project in each group.
8. With regards to The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulation 2021: What are the Welsh Government's annual projection figures on how many dog breeders who produce one or two litters a year in Wales will fall within the scope of the Business Test of the 2021 regulations?
9. The information and or calculations on which the projection figures in 8 above are based.
10. The Welsh Government's annual projection figures on how many dog breeders in Wales will not fall within the scope of the Business Test of the 2021 regulations, excluding dog breeders who fall within the 2014 regulations.
11. The information and or calculations on which the projection figures in 10 above are based.
12. In addition to the requests under points 8-11 above, All other projection figures and key performance indicators held or adopted by the Welsh Government relating to dog breeding under the 2021 regulations.

On **2 January** (received by us on 4 January) you further asked for:

1. Please provide a copy of the Project initiation Document for the Welsh Government Dog Breeding Project which one would expect to be compiled prior to the Business Case and which should contain:
 - a. The breakdown/forecast of the £1m funding over the three years.
 - b. The roles, remit and responsibilities of the project team's members, and whether they are in paid employee positions, paid contracted positions, or voluntary positions, and
 - c. The 'person specification' and 'job description' for each team member and the appointment process undertaken to select the personnel to join the team.

If a Project Initiation Document does not exist, please provide the information detailed in points 4a to 4c above.

2. Please provide the following information regarding the Business Case for the Welsh Government Dog Breeding Project (attached document):
 - a. The date the Business Case was created.
 - b. The person (name and position) who proposed the Business Case.
 - c. The person/board (name and position) who approved the Business Case
 - d. The date the Business Case was approved.
 - e. The person (and position) who is the Project Sponsor.

3. Please provide a copy of the Welsh Government's internal guidance on completing a Business Case and the associated standard templates which should be used to write and submit Business Cases.
4. The Welsh Government Dog Breeding Project's Business Case, under the heading 'Internal Project Communication', states that it will be providing regular updates for Minister, CVO and Local Authorities. Please provide copies, with personal details redacted if necessary, of all the communication updates to the Minister, CVO and Local Authorities issued by the Welsh Government Dog Breeding Project.
5. The Welsh Government Dog Breeding Project's Business Case, under the heading 'External Project Communication', states that it will be providing regular updates to Stakeholder Engagement. Please provide a list of who are the 'Stakeholders' receiving the updates under the heading External Project Communication (Stakeholder Engagement) in the Welsh Government's Dog Breeding Project Business Case, and please provide a copy of all the communications issued to the stakeholders by the project.
6. Please provide a copy of the documents written to date, both completed and the ones still in draft, of the 'Single set of comprehensive working documents' as detailed in point 3 under the heading 'Milestones – Year 1' in the Welsh Government Dog Breeding Project's Business Case.
7. Please provide a copy of the 'Template for Veterinary health Plan and Report' detailed in column one of Training, under the heading 'Project Objectives' in the Welsh Government Dog Breeding Project's Business Case. If the 'Template for Veterinary health Plan and Report' is not complete, please provide the latest draft.

Our response

From my preliminary assessment I estimate that it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to answer your request. The appropriate limit specified for central government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract it.

Guidance from the ICO further states that:

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in regulation 5 of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- 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; and
- received by the public authority within any period of 60 consecutive working days.

[costs of compliance exceeds appropriate limit.pdf \(ico.org.uk\)](#)

I am thus treating requests ATISN 15760, ATISN 15762, ATISN 15788, ATISN 15799 and ATISN 15918 together under the first bullet point above – requests by different persons who appear to the authority to be acting in concert or in pursuance of a campaign.

I attach our refusal notice under ATISN 15788.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

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

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely