



13 January, 2015

Dear ,

Request for Information – ATISN 10019

I wrote to you on 9 December and 7 January regarding your request for information about the proposals for the redevelopment of Radyr Station, its vicinity and for a new bus service. Regarding the project, you requested:

1. The most recent drawings, plans and specifications.
2. Impact assessments relating to traffic in the vicinity of the station.
3. The stakeholder management plan.
4. What steps will be taken and when to consult with local residents.
5. Any correspondence between the Welsh Government and Network Rail (or its agents or sub-contractors).
6. Any correspondence between the Welsh Government and Cardiff Bus regarding the proposed bus service.
7. Timescale for undertaking this project.
8. Details of any funding provided by the Welsh Government.
9. Relevant contact details for any queries or feedback.

I can confirm that we hold some information relating to your request. I have concluded that information in relation to your first question is exempt from disclosure under Section 22 of the FoIA Act, information intended for future publication. I have concluded that some information captured by your fifth question is exempt from disclosure under Section 43 of the FoIA, prejudicial to commercial interests. Full reasoning for applying these exemptions can be seen at Annex A. Other the information captured by your fifth question is attached as Appendix B. We hold no recorded information in relation to your remaining questions.



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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

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 FreedomOfInformationOfficer@wales.gsi.gov.uk. 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.

Finally, you may find it useful to know that impact assessments as referred to in your second question above will be undertaken at a future date and will be available at the public information session and on the Welsh Government website, along with the information that you have requested under questions 4, 7, 8 and 9.

Yours sincerely

Section 22 – Information Intended for Future Publication

Section 22 states that *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 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).*

I am of the opinion that subsections (a) and (b) above are met because the information requested in your first question is held with a view to its publication. This information is expected to be published as part of an information session which will be arranged once land has been acquired and traffic assessments have been completed. With regards to part (c), I have given consideration as to whether it would be 'reasonable in all the circumstances' that the information should be withheld from disclosure until the proposed publication. I am of the opinion that releasing the information at this time would cause disruption to the Welsh Government's intentions in relation to its publication arrangements. Thus I am content that the exemption is engaged.

Section 22 is a public interested exemption. This means that, in order to withhold information, I must show that the public interest in withholding is greater than the public interest in releasing it.

In terms of the public interest, it is recognised that there is public interest in there being openness and transparency within Government and that disclosing the information might increase understanding of the proposals in regard to Radyr Station.

The proposed publication for this information has been agreed as part of normal business. The Welsh Government has committed to undertaking an information session for the public at a local venue, as well as publishing the information on the Welsh Government website. I am of the opinion that publicly releasing the most recent drawings, plans and specifications before that time would cause disruption to the Welsh Government in relation to this work in that the final proposals may differ from that published as it is dependent on the outcome of the land being acquired and necessary traffic assessments. If released prematurely, this may be misconstrued and be misleading to the public.

Therefore, I do not think it is reasonable in all the circumstances or in the public interest to release this information prematurely. Rather, I believe the public interest would be best served if the information were released as part of the information session and published on the Welsh Government website. I am satisfied therefore that the balance of the public interest falls in favour of withholding the information.

Section 43, Prejudicial to Commercial Interests

Discussions relating to non-disclosure have been taken with due consideration of the exemptions identified under Section 43(2) of the Freedom of Information Act 2000 (FOIA). This states that the information is exempt information if its disclosure under this Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it).

Section 43 is a qualified (public interest tested) exemption. This means that in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it.

I recognise that there is a public interest in openness and transparency within government, particularly in terms of disclosing how the Welsh Government spends public money and that the money is invested wisely.

Some information captured by question 5 of your request is information that is commercially sensitive to Network Rail. It relates to the purchase of land for which Heads of Terms have not yet been agreed. It reveals financial information, proposed future activities and commercial proposals in the course of negotiations. I do not believe that it would be of interest to the wider public to release this information as it would be likely to prejudice the commercial interests of Network Rail. I do not believe that facilitating this type of unfair commercial prejudice would be in the wider public interest.

In conclusion, I believe that the balance of the public interest therefore falls in favour of withholding this information

From: WG
Sent: 15 May 2015
To: NR
Subject: Radyr land

Another e-mail. Sorry.

We discussed Radyr land today. Grateful if you could send me something which outlines Network Rail's position (ideally with rationale/justification) on the land adjacent to Radyr station?

From: WG
Sent: 21 May 2015
To: NR
Subject: RE: Radyr land

Thanks for keeping me updated.

From: NR
Sent: 21 May 2015
To: WG
Subject: RE: Radyr land

Just to confirm I have asked my Property colleagues to undertake a review of the land value and opportunity cost of using the NR Radyr Land as an additional station car park.

I will keep you in the loop as this develops.

From: WG
Sent: 01 June 2015
To: NR
Subject: RE: Radyr land

Just wondering if there was any progress on this? This week is my last week in the office (I'm on holiday wb 8th and wb 15th).

From: WG
Sent: 19 October 2015
To: NR
Cc: NR,NR
Subject: RE: MSIP proposals at Radyr

Thanks for providing clarity.

From: WG
Sent: 14 October 2015
To: NR
Subject: Radyr

Hope you are feeling better.

I've checked with WG and his understanding is we are purchasing the freehold and leasing back to you subject to agreement of terms. I am establishing the capital cost of the work and will get back to you on these.

Give me a call if you wish to discuss.

From: WG
Sent: 12 August 2015
To: NR
Subject: Radyr

Have you had a chance of considering some dates for a meeting with your commercial team?

From: WG
Sent: 07 August 2015
To: NR
Subject: Radyr

Further to yesterday's meeting please let me know when would be convenient to meet with yourself and your estates guys on Radyr. My diary is pretty free at present due to it being August, I'm away the Bank Holiday week.

I look forward to hearing from you.

From: WG
Sent: 03 August 2015
To: NR
Subject: Radyr

Further to my voice mail messages on the above, I look forward to discussing the matter with you, please give me a call when convenient.

From: WG
Sent: 27 July 2015
To: WG
Cc: NR
Subject: FW: SR150615-000198

WG – NR'S numbers below.

NR – hope you don't mind me forwarding. I forgot to mention when we spoke earlier that WG will be in touch with you to discuss Radyr land.

From: WG
Sent: 27 July 2015
To: NR
Subject: Radyr park and ride

Further to my voice mail if you could give me a call on this matter I'd be grateful.

From: WG
Sent: 3 December 2015
To: NR
Subject: Radyr park and ride. - subject to contract

I was please to have the opportunity of meeting you and NR at your Cardiff offices last month. Further to this meeting I believe we were to be sent terms and conditions for the site for the park and ride and I would be grateful to receive these in due course.

I look forward to hearing from you, however, if there are any matter that need further discussion please let me know.

From: NR
Sent: 13 August 2015
To: WG
CC: NR
Subject: RE: Land valuation – Radyr

Apologies, I am waiting confirmation of when we will have the valuation completed by. Once I have this we can pull a meeting together. As you can see below we are on the case.

It will then be myself and NR property (who is copied into this email) who you will be meeting.

From: NR
Sent: 23 September 2015
To: WG
Subject: RE: MSIP - Radyr P&R Land

It's just me attending from NR. Please find attached a copy of the valuation for your information.

We will need a follow up meeting with NR property to finalise the land transfer arrangements.

From: NR
Sent: 03 August 2015
To: WG
Subject: Re: Radyr

Apologies. I will give you a call tomorrow.

From: WG
Sent: 04 August 2015
To: NR
Subject: RE: Radyr

It will be after 3-30pm.

From: WG
Sent: 04 August 2015
To: NR
Subject: RE: Radyr

Probably best this afternoon if that is ok with you.

From: WG
Sent: 15 October 2015
To: NR
Subject: FW: Radyr

That's fine - I have received it. I need to discuss this with NR and will then respond.
Many thanks for your prompt response!

From: WG
Sent: 15 October 2015
To: NR
Subject: FW: Radyr

This bounced back a fault our end.

From: NR
Sent: 03 August 2015
To: WG
Subject: Re: Radyr

Probably best this afternoon if that is ok with you.