Adran yr Economi, Gwyddoniaeth a Thrafnidiaeth
Department for Economy, Science and Transport

Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref ATISN 10118

19 February, 2016

Dear

Request for Information – ATISN 10118

I wrote to you on 26 January regarding your request for information relating to the cost of the M4 relief road public exhibitions held in September 2015. You asked for a breakdown of the £175,259 spent on staffing costs and the £82,325 spent on static displays, logistics and on-line. Specifically:

How many people were employed, what was their job titles and how much did each individual get paid?
The cost for each of the three headings: static displays, logistics and on-line.
The types of logistics required (for example taxis, public transport, flights, courier/delivery etc.) and their cost.
How was the on-line budget spent? (for example was a website created and is it still operating or was it spent in another way?)

You also asked which appointed contractor(s) did this work and provide a link to the information publicly available about how this contract was awarded.

I can confirm that we hold information relating to your request. Approximately 24 staff were employed under the following job titles: Project Public Liaison Officer, Environmental Co-Ordinator and Advisors, Highways and Land Specialists, Buildability Engineers and Support Staff. I have concluded however, that their salary is exempt from disclosure under Section 43 – commercial interests of the Freedom of Information Act 2000. Full reasoning for applying this exemption is given at Annex A to this letter.

The £82,325 cost was £75,466 for static displays, £1,300 for logistics and £5,559 for on-line. Logistics required were mini-bus hire and driver to transport staff and materials to and from the exhibitions. On-line costs were spent on preparation of reference material. All webhosting was then via the Welsh Government website at gov.wales/m4newport at zero external charge.

Costain Vince Joint Venture were appointed to carry out development work and are responsible for providing data to WG for exhibitions and public liaison as part of their contract. Further information on this contract is available at http://gov.wales/about/cabinet/decisions/2015/jan-mar/transprt/eh0108/?lang=en

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.

Yours sincerely

ANNEX A

ATISN 10118 - Consideration For and Against Disclosure of Information

Decisions 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 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 have therefore given consideration to the effects of disclosure of the information to the world at large as the information is made available to anybody and everybody, not just the requestor. As such, when considering your request I have considered the wider effects of disclosure rather than any personal interest you may have in being provided with the information.

Public Interest Test

There is a public interest in openness and transparency within government, particularly in terms of ensuring transparent and accountable government by disclosing how the Welsh Government spends public money and that the money is invested wisely.

However, the information captured by the request is commercially sensitive to the company involved. If the information requested regarding salaries was revealed it would be likely to prejudice their service offering and when tendering for future work. We believe that to place this information into the public domain would be likely to put the company at a commercial disadvantage in what we recognise is a very competitive market.

The information requested reveals financial information that would reveal the amount and importance invested by the company in procuring and producing the quality of service that have been developed specifically for these type of works. This level of detail is necessary when competing for this type of contract and it differentiates them from their competitors. Whilst this information would be of interest to the company's competitors, I do not believe that it would be of interest to the wider public and would be likely to prejudice the commercial interests of the businesses involved. It would also be likely to prejudice the companies affected in securing future potential contracts because competitors would have access to a level of detail that they otherwise wouldn't have. I do not believe that facilitating this type of unfair competitive advantage 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.