



Eich cyf/Your ref
Ein cyf/Our ref ATISN 10236

Llywodraeth Cymru
Welsh Government

21 March, 2016

Dear ,

Request for Information – ATISN 10236

I wrote to you on 4 March regarding your request for information. You asked for a full breakdown of the funding support package (financial and other) for the new members at the Welsh Innovation Centre for Entrepreneurs (WELSH ICE) and what funding was provided to support the cost of the report referred to on the Welsh ICE website. You also asked for a copy of that report, completed by CM International.

I can confirm we hold information relating to your request. However, I have concluded that providing a full breakdown of the funding support package (financial and other) for the new members and also a copy of the report referred to on the Welsh ICE website are both exempt for disclosure under section 43(2) – Information prejudicial to commercial interests of the Freedom of Information Act 2000.

The amount of funding provided to support the cost of the report referred to on the Welsh ICE website was £18,240.

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,



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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.

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 10236 – Application for Exemption

Decisions relating to non-disclosure have been taken with due consideration of the exemption identified under section 43(2) of the Freedom of Information Act 2000

(FOIA). In considering whether to release or withhold the requested information I have to consider the effects of disclosure of the whole information to the world at large, rather than disclosure just to the requestor who may, or may not, have a particular interest in accessing the information.

Section 43(2) – Commercial Interests

Section 43(2) states that “information is exempt 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)”.

This exemption is a qualified exemption. I must therefore demonstrate that the public interest in withholding the information outweighs the public interest test in releasing the information.

Public Interest Test

I recognise the general public interest in openness and transparency that the release of the information would engender so as to help the public gain a better understanding of the decisions made by Government. It is also recognised that there is a public interest in how public money is to be, or has been, used to ensure that Government gets the best value from the public purse.

The report that CM International Ltd produced for Welsh ICE which contains sensitive commercial information on the business of Welsh ICE, its parent company and many of the members of Welsh ICE including possible future funding details. The report highlights sensitive financial information which, if placed into the public domain would be likely to put the company at a commercial disadvantage in what we recognise is a very competitive market as competitors would have access to a level of a detail that they otherwise wouldn't have. It would also be likely to allow a commercial advantage to potential competitors were it to be disclosed, as well as prejudice their ability to secure future potential contracts.

I also consider the information requested about the funding support package is commercially sensitive to the company. It reveals historic commercial information, proposed activities and business development proposals that would be likely to prejudice the company's service offering. We believe that to place this information into the public domain would be likely to put this company at a commercial disadvantage in what we recognise is a very competitive market. It would also be likely to allow a commercial advantage to potential competitors were it to be disclosed. 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 business. I do not believe that facilitating this type of unfair competitive advantage would be in the wider public interest.

I accept that, as a public body, the public will always have an interest in the work of the Welsh Government and that release of this information would engender our willingness to be open and transparent in the way we work. I also accept that this information would likely be of interest to the company's competitors.

I am satisfied that if this information was released into the public domain it would be likely to have a detrimental impact, as the information would be likely to be of interest to its competitors who are actively competing for similar business, and in the public interest to release the information requested.

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