



Ein cyf/Our ref ATI 10574

9 August 2016

Dear ,

Request for Information – reference ATI 10574

I write in response to your request which I received on 15 July and further to my acknowledgement letter of 21 July.

I am now enclosing some of the information you requested. A full list of the information caught by the request is enclosed at Annex 1.

I have decided that some of the information is exempt from disclosure under the Freedom of Information Act 2000 - section 35(a) - relating to the formulation or development of government policy.

Many of the exchanges relate to the ongoing policy development of the then Environment (Wales) Bill that at the time was going through National Assembly for Wales scrutiny and therefore subject to policy change.

Also, whilst policy has informed the Act itself, which is now in place following Royal Assent earlier this year, it is not the end of the process. It is ongoing in terms of implementation, for example, a significant part of the material being withheld relates to an exchange which is the iteration of the policy around Area Statements and ensuring that this is consistent with the Act.

Regarding Natural Resources Wales' (NRW) purpose itself, again the Act provides NRW with its new purpose but the detailed policy will be set out in guidance. Therefore, the policy for this is not yet complete as we have not issued the guidance to NRW.

It is also considered that public interest in disclosing the withheld information is not greater than withholding it. NRW is one of the Welsh Government's key delivery bodies and we would not want to constrain our relationship with it. It is important that the Welsh Government works jointly with NRW in order to share early drafts and co-produce documents prior to publication.



A full list of the information exempted is at Annex 2.

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: 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,

Information caught by the request

- The Welsh Government's Habitats Regulations Assessment of the M4 Relief road proposal at the project stage.

The requested information can be found at <http://gov.wales/docs/det/policy/160310-m4-statement-inform-appropriate-assessment.pdf>

- The comments/ response of Natural Resources Wales to the HRA on the m4 relief Road at the project stage.

The requested information can be found at <https://naturalresources.wales/about-us/news-and-events/our-position/nrw-s-response-to-the-draft-plans-to-build-the-m4-corridor-around-newport/?lang=en>

- The Welsh Government's Habitats Regulations Assessment of the M4 Relief road proposal at the strategic stage.

The requested information can be found at <http://www.m4newport.com/assets/shra.pdf>

- The comments/ response of Natural Resources Wales to the HRA on the m4 relief Road at the strategic stage.

The requested information can be found at http://www.m4newport.com/assets/dbyd_m4can_consultation_data_aug14.pdf

- Any emails or other correspondence sent from the Welsh Government to Natural Resources Wales (NRW) referring to part 1 of the Environment Act 2016, where the correspondence refers to the statutory purpose of NRW, between May 2015 and February 2016.

Doc 1 Email Exchange 09.12.15 11:11

Doc 2 Email Exchange 09.12.15 11:11 attachment

Doc 3 Email Exchange 21.01.16 13:37

Doc 4 Email Exchange 21.01.16 13:37 attachment

Doc 5 Email Exchange 04.02.16 16:08

Doc 6 Email Exchange 04.02.16 16:08 attachment

Doc 7 Email Exchange 15.02.16 16:47

Information exempted

Email conversation (01.09.15 – 02.09.15) between Emily Finney (Welsh Government) and Russell De'Ath (Natural Resources Wales) regarding the Strategic Environmental Assessment (SEA) Scoping Document.

Email conversation (15.09.15 – 23.09.15) between Andy Fraser (WG) and Russell De'Ath (NRW) regarding the Sustainable Management of Natural Resources (SMNR) Principles.

Email conversation (24.09.15 – 26.09.15) between Andy Fraser (WG) and Sarah Williams (NRW) regarding board papers for the Environment subgroup.

Email conversation (23.11.15) between Emily Finney (WG) and Russell De'Ath (NRW) regarding stakeholder engagement on the development of the statutory guidance for Part 1 of the Environment Bill.

Email conversation (06.01.16 – 12.01.16) between Emily Finney (WG), Sarah Williams (NRW) and Russell De'Ath (NRW) regarding Area Statements.

Email conversation (11.02.16 – 23.02.16) between Carys Clarke (WG), Nicola Britton (WG) and Sue Ginley (NRW) regarding draft NRW Business Plan.

Email conversation (17.02.16 – 18.02.16) between Emily Finney (WG) and Sarah Williams (NRW) regarding Area Statement narrative.

Email conversation (03.03.16 – 21.03.16) between Emily Finney (WG) and Sarah Williams (NRW) regarding meeting actions.