



11 May 2017

Dear ,

**Request for Information – ATISN 11180**

I wrote to you on 17 March regarding your request for information. In your request you asked for the following:

1. If the level of financial support and/or subsidy has been increased to maintain the North-South Wales PSO Air Route between Anglesey (Valley) and Cardiff service following the recent replacement of Van Air Europe (administered by Citywing) with Eastern Airways and, if so, by how much and for how long has the Government agreed to maintain such support?
2. How many tickets were paid for directly by the Welsh Government for ministers and officers to use the North-South Wales air services in 2015 and 2016 and what was the total amount paid.
3. For tickets not purchased directly by the Welsh Government how many expense claims settled and the total amount reimbursed for Welsh Government Ministers and officers claiming for the cost of tickets to use the North – South Wales air service in 2015 and 2016.

I confirm that we hold some of the information captured by your request.

For your first question, I confirm that the level of financial support and/or subsidy has been increased to maintain the North-South Wales PSO Air Route between Anglesey (Valley) and Cardiff. Eastern Airways is providing this service on a one month rolling contract basis whilst the long term future of this air service is being considered. However, I have concluded that part of the information requested is exempt from disclosure under section 43(2), Commercial Interests, of the Freedom of Information Act 2000 (FOIA). Full reasoning for applying this exemption is provided at Annex A.

I have concluded 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 deal with your remaining two questions. 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.



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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.

This is because information relating to journeys undertaken by Welsh Government staff (including Ministers) is not collated within a single report. Welsh Government staff are able to recover the costs incurred on official business through a retrospective claim made via an electronic travel and subsistence (T&S) system. Alternatively staff may pay for costs incurred using the Welsh Procurement Card (WPC). In order to provide you with the information that you have requested, it would require me to retrieve, review and extract the necessary information from 7,066 T&S claims and Welsh Procurement Card transactions. Consequently, I have decided not to provide you with the information you have requested.

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](mailto: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

**ATISN 11180 – Application for Exemption****Section 43 (2) – Commercial Interests**

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**

I recognise the general public interest in openness and transparency and releasing all of the information would 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 Welsh Government has put in place a subsidy in order to maintain the north - south air route. This is a unique, short-term bridging contract. To disclose by how much and for how long the Welsh Government has agreed to maintain the current subsidy would mean disclosing the financial subsidy amount and operating costs. This information is commercially sensitive to Eastern Airways and disclosure would be likely to cause the company commercial disadvantage when bidding against its competitors for any future long term PSO tender.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time, so that the age of information, or timing of the request may be relevant in determining whether to apply the exemption, or where the public interest may lie. In this case, however, the information captured is very much current information.

In conclusion, I believe that the balance of the public interest therefore falls in favour of withholding the information relating to the level of financial support given to Eastern Airways.