



12 October 2017

Dear ,

Request for Information – ATISN 11376

We wrote to you on 19 September regarding your e-mail of complaint of 15 September.

I have conducted an internal review of your request in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests for Information](#) which is available by post on request, or via the internet.

I note that on 3 July, you asked for the following information:

1. A copy of the minutes of the Welsh Government Cabinet meeting held on 27 June 2017.
2. A copy of the reports presented to the Cabinet meeting on 27 June 2017 by external advisors and civil servants relating to the Circuit of Wales.
3. A copy of the report(s) presented to the Cabinet meeting on 27 June 2017 by external advisors and civil servants relating to the creation of an Automotive Technology Business Park.

On 31 July, we wrote to you to explain that responding to your request was going to take a little longer than expected and that in considering the information caught by the request, it had become apparent that it is 'environmental' within the definition set out in the Environmental Information Regulations 2004 (EIRs) and, because of its complexity, the Welsh Government would not be able to respond to your request in full within 20 working days.

You were sent a final response on 30 August. The minutes of the Cabinet meeting held on 27 June had since been published on the Welsh Government website and you were provided with the relevant internet link. You were further advised that some of the information you requested captured within Item 4 of the minutes, together with the



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accompanying Cabinet Paper for Item 4, was exempt from disclosure under Reg 12 (4)(e) of the EIRs. You were provided with full reasoning for applying this exception.

I understand you subsequently corresponded with the Welsh Government Press Office, in which you queried whether the information being withheld was environmental information and that you were particularly interested in what advice was given to Ministers in terms of the relative economic and job creation benefits for the Automotive Park and the Circuit of Wales projects. You subsequently complained on 15 September regarding the handling of your request.

I note in your complaint of 15 September, you stated you had asked for your request to be narrowed to only include information about job creation at the proposed new Automotive Business Park. You also questioned the application of EIRs to withhold some of the information you had requested.

I have considered your request, the response you received and your subsequent complaint.

In the first instance, I understand it was explained to you during your correspondence with the Welsh Government Press Office that where you had asked for copies of reports as referred to in your second and third questions, there is, in fact, only one report, namely the Cabinet Paper in support of Item 4 of the Cabinet meeting. I apologise if this was not made clear to you in the response of 30 August.

On the matter of your new request, I understand you spoke with a member of the Welsh Government Press Office on 30 August, and subsequently confirmed your conversation in an e-mail later that day. Having reviewed that e-mail, I am of the opinion that you did not, in fact, make a new request for information but rather you were in ongoing dialogue with the Welsh Government Press Office about job creation data relating to the Automotive Park.

On the matter of withholding the information that has been withheld under EIRs, I am satisfied that it was indeed correct to withhold the information under this Regime. I am further satisfied that it was correct to withhold the information under Reg 12(4)(e) of that Regime and that the arguments provided are robust.

To conclude, I do not uphold your complaint and I trust the above provides a clearer explanation of our position on this matter.

If you remain dissatisfied with this response you also have the right to complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 01625 545 745

Fax: 01625 524 510

Email: casework@ico.gsi.gov.uk

Also, if you think that there has been maladministration in dealing with your request, you have the option to make a complaint to the Public Services Ombudsman for Wales who can be contacted at:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed, Bridgend, CF35 5LJ

Telephone: 0845 6010987 (local rate)
Email: ask@ombudsman-wales.org.uk

Yours sincerely

Peter Kennedy
HR Director