



Ein cyf/Our ref ATISN 10248

29 March 2016

Dear _____,

Request for Information – ATISN 10248

I wrote to you on 2 March regarding your request for information. You asked for information relating to Welsh Government owned buildings. Specifically the address of any currently empty buildings or buildings scheduled to be vacant in the next 12 months and what they are used for e.g. office, warehouse etc. You have also requested the approximate date the buildings became empty or are due to become vacant. Additionally you have asked who is responsible for the estate or properties.

I confirm that we hold information relating to your request. However, I have concluded, that the information relating to empty buildings is exempt from disclosure under Section 31, Law Enforcement, of the Freedom of Information Act 2000. Full reasoning for applying this exemption is given at Annex A to this letter. The Welsh Government's property estate is dispersed across a number of Ministerial portfolios and managed by the relevant departments.

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,



EST FOI Team
Welsh Government
Treforest - QED Centre
Main Avenue
Treforest Industrial Estate
Ponty pridd
CF37 5YR

ES&T-FOI@wales.gsi.gov.uk

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 10248 - Consideration For and Against Disclosure of Information

Decisions relating to non-disclosure have been taken with due consideration of the exemptions identified under Section 31 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 to prejudice – the prevention or detection of crime.

Section 31 is a qualified (public interest tested) exemption. This means that in order to withhold information under 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

The Welsh Government acknowledges the general public interest in openness and transparency that release of the information would engender.

However, identifying properties that are empty or are to become empty and what they are used for could make them vulnerable to illegal activities such as illegal occupation or other forms of antisocial behaviour and other criminal activity in and/or around these properties which would not be in the interest of the owners or the public in general. These properties would become more vulnerable to potential squatters and other criminal acts such as theft and vandalism. Tackling these types of crimes would involve a significant strain on public expense and it is in the public interest to ensure that public and police resources are used cost-effectively. There is also a public interest in avoiding damage to property and other indirect consequences of crime, for example the impact on neighbouring properties of crimes perpetrated on the empty properties.

Therefore we consider that the public interest in withholding the information outweighs the public interest in disclosing it.