



Norfolk County Council at your service

Friday 8 August 2008

Dear Mr Smith

In accordance with the Freedom of Information Act, we have now processed your request for a copy of the report into the Norfolk Open Link project.

Unfortunately we are unable to supply a copy of the report at this moment in time, as it is still in the process of being written.

As stated on the Norfolk Open Link web site, we intend to produce a final report bringing together all of the data from the pilot study, alongside details and analysis of the findings and conclusions. This report will also include information on what happened after the pilot service finished. It is now expected that this report will be completed by December 2008 (subject to available resources) and it will be made available *via* links from both the Norfolk County Council web site and also from the web sites of the various parties involved in the project.

As we have a clear and stated intention to publish the final report, any draft versions held currently would be exempt from release under section 22 of the FOI Act. Further details on the application of this exemption are provided below.

Although we cannot supply a copy of the report at this stage, you may be interested to read the minutes of a Cabinet meeting from 14 April 2008. A question was asked at this meeting about Norfolk Open Link and the response provides some information about the project. Please consult Item Six on pages three to five in the pdf at the following web address:

<http://www.norfolk.gov.uk/consumption/groups/public/documents/minutes/cabinet140408mins.pdf>

Section 22

Section 22(1) of the Freedom of Information Act 2000 provides a qualified exemption for release of information if it is intended for future publication. Information is exempt information if:

- a) The information is held by the public authority with a view to its publication, by the authority or any other person at some future date (whether determined or not)*
- b) The information was already held with a view to such publication at the time when the request for information was made, and*
- c) It is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*

Reasons why exemption applies

As stated above, the specific report is currently in the process of being written. There is a clear intention to publish the report when it has been written and finalized, with the current predicted date of publishing being December this year.

Public Interest Test Reasons

The Council has concluded that the public interest in maintaining this exemption outweighs the public interest in disclosure. There is a strong public interest in allowing the Council the necessary time to thoroughly research, draft and finalize such a report so that its findings are accurate and can be disseminated in a clear and focused manner. We accept that the information contained in the final report will be of interest to the public; however the information in its current incomplete state would be of very minimal benefit in terms of accurately informing the public about the project. The 'report' as a complete piece of work does not exist at this stage; therefore this is not a case where we could bring forward the publication date to provide the information in response to an FOI request.

You have the right of appeal through the Council's internal complaints procedure by setting out the grounds of your appeal in writing to the Corporate Freedom of Information Officer at:

Freedom of Information & Data Protection Unit
The Archive Centre
Martineau Lane
Norwich NR1 2DQ

e-mail: xxx@xxxxxxxx.xxx.xx

Telephone: 01603 222661

If you are dissatisfied after pursuing the complaints procedure, you may apply to the Information Commissioner under Section 50 of the Act for a decision whether your request for information has been dealt with in accordance with the requirements of Part I of the Act. Contact details as follows:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone 01625 545 700
www.informationcommissioner.gov.uk

If you have any further queries, please get in contact *via* the contact details for the Freedom of Information & Data Protection Unit as stated above.

Yours sincerely

Matthew Smith
Freedom of Information and Data Protection Assistant