

Ally Tibbitt

By email: request-521182-e4d9aa75@whatdotheyknow.com

Our Ref: SIR152469/A2781333

19 November 2018

Dear Ally Tibbitt

Information Request – Brexit Assessments

Thank you for your information request, which we received on 24 September. We have considered your request under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

Your Request

"This is a Freedom of Information request. I am interested in information from held by your organisation that relates to the process of planning and preparing for a possible future when the UK may not be a member of the European Union ("Brexit").

In particular:

1. How much has been spent on external consultants or support to advise on the implications and consequences of brexit, or recommend actions to mitigate any possible brexit impacts? If spend has occurred, please confirm the name of the supplier or suppliers and copies of any material produced by this process.
2. Please supply copies of any brexit planning documentation held by the organisation or consumed by senior management. This may include, but should not be limited to, Risk Assessments, Action Plans, Meeting minutes, Reports and presentations.
3. Please supply technical or advisory briefing documentation on brexit that has been produced by the organisation and supplied to other government agencies or bodies.
4. Please supply copies of any technical or advisory documentation that has been supplied to the agency from other public bodies that relates to Brexit contingency planning.
5. Please supply details of any assessment that has been made of the financial impact on the organisation, either positive or negative, of the brexit process. Has the organisation set-aside a contingency fund or invested as a direct consequence of the brexit process? If so, please provide summary details.

Please provide the requested information in electronic format. I look forward to hearing from you in due course.”

Our Response

We have responded to each part of your request in turn.

1. We have not spent any money on external consultants or support to advise on the implications and consequences of Brexit, or recommend actions to mitigate any possible Brexit impacts.
2. Please see the documents attached along with this letter.
3. Please see the documents attached along with this letter.
4. Please see the documents attached along with this letter.
5. Please see the documents attached along with this letter.

We have redacted some information in the documents provided. The redacted information is not about EU exit and so is outwith the scope of your request.

We also refer to information that is already publicly available. Links to the information are provided below.

https://www.gov.uk/government/publications/the-future-relationship-between-the-united-kingdom-and-the-european-union?utm_source=e5b3260b-2069-4b57-a5bd-24e9ea02aa88&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

<http://www.legislation.gov.uk/ukpga/2018/16/contents/enacted/data.htm>

<http://www.parliament.scot/parliamentarybusiness/Bills/107725.aspx>

<http://www.gov.scot/Publications/2018/06/2012/0>

<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2018/2/2/Common-UK-Frameworks-after-Brexit>

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/108907.aspx>

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/107946.aspx>

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/107784.aspx>

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/107913.aspx>

http://www.parliament.scot/S5_Environment/General%20Documents/20180601_CS_to_Conv_on_report_of_roundtable_WEB.pdf

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/101103.aspx>

<http://www.parliament.scot/parliamentarybusiness/104075.aspx>

<http://www.parliament.scot/parliamentarybusiness/103750.aspx>

<http://www.parliament.scot/parliamentarybusiness/103647.aspx>

Information Not Released

We have not released some information in response to your request. The withheld information is information exchanged between SNH and other public authorities in Scotland and the UK on developing policy.

We believe that in this specific instance the arguments in favour of release are outweighed by the need to maintain a private discussion space between SNH and other public authorities where we can have discussions and provide our advice on matters affecting the natural heritage in a free and frank manner. Releasing the information would be likely to prejudice our ability to positively influence policy in the future. We are therefore withholding the information under EIRs Regulation 10(4)(e) (Internal communications), and we maintain that, on this occasion, it is in the public interest to do so.

How We Handled Your Request

We believe you have asked for environmental information as defined in the Environmental Information (Scotland) Regulations 2004 ('the EIRs'), so we are dealing with your request under those regulations. To be able to use the EIRs, we must apply an exemption under section 39(2) of the Freedom of Information (Scotland) Act 2002 ('FOISA'). The Scottish Information Commissioner's guidance recommends that public authorities apply this exemption to environmental information and handle requests under the EIRs.

If you would like to find out more about the access to information legislation, there is a guidance booklet available on the Scottish Information Commissioner's website:

<http://www.itspublicknowledge.info/nmsruntime/saveasdialog.aspx?IID=5487&sID=5024>.

Review and Appeal

I hope this information meets your requirements but if you are dissatisfied with how we have responded to your information request, please write to us within 40 working days explaining your concerns. You can contact us at Battleby, Redgorton, Perth, PH1 3EW or email us at FOI@nature.scot. We will carry out a review of our response and contact you with our findings within 20 working days.

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner. The Scottish Information Commissioner can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Online appeal service: www.itspublicknowledge.info/Appeal

Website: <http://www.itspublicknowledge.info/>

Telephone: 01334 464610

Yours sincerely

Rhoda Davidson

Rhoda Davidson
Information Officer
FOI@nature.scot