



Department for Business Innovation & Skills

Enterprise Directorate
Department for Business, Innovation &
Skills
1 Victoria Street
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SW1H 0ET

Mr. Gareth Epps

By email: request-301180-edda0664@whatdotheyknow.com

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those with hearing impairment)
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Our ref: FOI2015/25046 &
FOI2015/25050

4th December 2015

Dear Mr Epps,

Thank you for your emails of 8 November where you requested the following information:

Copies of all written correspondence to and from the Department from 1 January to 31 October 2015 relating to the proposed Parallel Rent Assessment process as set out in the Pubs Code proposals and as part of the Small Business, Enterprise and Employment Act 2015.

Copies of all email correspondence to and from the Department from 1 January to 31 October 2015, and all notes of telephone discussions from the same period relating to the proposed Parallel Rent Assessment process as set out in the Pubs Code proposals and as part of the Small Business, Enterprise and Employment Act 2015.

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

This is a combined response to both of your information requests reference FOI2015/25046 and FOI2015/25050.

I can confirm that the Department holds information falling within the terms of your requests. However, we need more time to consider the balance of the public interest.

The Act obliges us to respond to requests promptly and in any case not later than 20 working days after receiving your request. However, when a 'qualified' exemption applies to the information and an accompanying public interest test is engaged, section 10(3) of the Act allows the time for response to be extended, in which case a full response must be provided within such time as is reasonable in all circumstances. The exemption which proportionally applies to the information that you have requested is section 35 (formulation of government policy). Other FOI exemptions are also under consideration.

Section 35(1)(a) – Formulation of Government Policy

Section 35(1)(a) exempts information from being disclosed if its disclosure under the Act would or would be likely to reduce the Government's ability to protect the policy-making process and maintain the delivery of effective Government. Section 35(1)(a) is subject to a public interest test. The Department has not yet reached a decision on the balance of the public interest. Due to the need to consider, in all the circumstances of the case, where the balance of the public interest lies in relation to the information that you have requested, the Department will not be able to respond to your request in full within 20 working days.

I hope to let you have a response by 6th January 2016.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to the Information Rights Unit:

Information Rights Unit
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET
Email: FOI.Requests@bis.gsi.gov.uk

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Enterprise Directorate