

Ein cyf/Our ref ATISN 11648



Llywodraeth Cymru
Welsh Government

Mr Daniel Morris

request-439312-912cc09b@whatdotheyknow.com

26 February 2018

Dear Mr Morris

Request for Information – ATISN 11648

I wrote to you on 9 February in response to your e-mail of complaint of 5 February.

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 you asked for information relating to FTTC cabinet #6 at the Ammanford exchange including plans for the siting of the cabinet and correspondence with local and town councils. You also asked how much this development cost and which budget(s) the funds were allocated from and any fees if external partners contributed.

In our response of 7 December, you were advised that the Welsh Government does not hold information for the siting of this cabinet nor any related correspondence with local and town councils as that information will be held by BT. You were further advised that the Welsh Government does hold information in relation to costs and budgets, but this was withheld from disclosure under Section 43 (commercial interest) of the Freedom of Information Act 2000. You were provided with reasons as to why this exemption was engaged.

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

In relation to the information about the siting of the cabinet and correspondence with local and town councils, I am satisfied that the Welsh Government does not hold this information. The Welsh Government considers that any such information held by BT, as contractor, is not considered to be information that is held on behalf of the Welsh Government.



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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.

In relation to the withholding of information in relation to costs and budgets, prior to engaging the Section 43 exemption, prejudice to commercial interests, the Welsh Government consulted with BT to seek its views on disclosure of the information into the public domain. Having considered BT's response and the concerns raised, I am satisfied that it was correct to withhold the information from the public domain.

To conclude, for the reasons outlined above, your complaint is not upheld. 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

Simon Jones
Director for Economic Infrastructure