



Department
of Energy &
Climate Change

Martin Thomas
Whatdotheyknow.com

Department of Energy & Climate Change
3 Whitehall Place
London SW1A 2AW

26 January 2016

Ref No: FOI2015/24704

Dear Mr Thomas,

Thank you for your FOI request of 4th November 2015. We have considered your request in accordance with the Environmental Information Regulations 2004 ('the EIRs') as the information you have sought disclosure of, does in our view, fall within the definition of 'environmental information' as stated in the EIRs. We apologise for the delay in replying.

You requested the following information:

(1) The specific terms and conditions on which the £7 million was given to Bristol City Council and how it was to be used.

The enclosed Memorandum of Understanding (MOU) outlines the specific terms and conditions of the grant funding to Bristol City Council. Please refer to page 13 of the MOU for a high level breakdown of costs on its use.

(2) Any assessment of the risk in transferring this sum of money to Bristol City Council.

We hold this information about the assessment of the risk:

Financial Implications

This deal is largely low risk for DECC.

(3) Details of what criteria were used to identify the value for money of the grant was projected to give the public purse.

Bristol City Council estimated the original value for money of a £10 million grant plus private sponsorship was in the region of £215 million over 3 years. The reports that are to be submitted to DECC and the European Union in Spring 2016 will help identify the achievement of this estimated value.

(4) What criteria, if any, will be used to measure the success of the event, and who will be making that assessment - your department, Bristol City Council, or Bristol 2015 Ltd.

Annex 6 of the MOU (page 15) contains guidance from DECC on the reporting criteria to be used by Bristol City Council. Bristol City Council will submit their final report in Spring 2016 to DECC detailing the success of the event.

The European Union (EU), who awards the European Green Capital, will provide guidance to Bristol City Council on measurement for reporting to the EU in March 2016. Please refer to the EU website for previous European Green Capital assessments:

<http://ec.europa.eu/environment/europeangreencapital/press-communications/egca-publications/index.html>

(5) Details of any agreement between your department with Bristol City Council to transfer the £7 million to an uncountable Limited Company.

There is no agreement on the transfer of £7 million between DECC and Bristol City Council to transfer money to Bristol 2015 Ltd and no transfer has taken place. Annex 2 of the MOU (page 11) provides information on the use of third parties.

Some information in the MOU constitutes personal data and has been withheld. Regulation 13(1) of the EIRs provides an absolute exemption for personal data, which is then dealt with under the Data Protection Act. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do not think that it is fair to release the names of third parties and do not think that any of the relevant conditions apply.

(6) Any correspondence exchanged between your department and Bristol City Council relating to the transfer of £7 million from them to Bristol 2015 Ltd.

As there has been no transfer of £7 million from Bristol City Council to Bristol 2015 Ltd there is no related correspondence between DECC and Bristol City Council regarding this request.

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 40 working days of the date of receipt of the response to your original letter and should be sent to the Information Rights Unit at:

Information Rights Unit (DECC Shared Service)
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET
E-mail: 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,

Department of Energy and Climate Change