



Department
for Exiting the
European Union

Freedom of Information Team
Correspondence Unit
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www.gov.uk

Kay Wilcox
Via: request-419944-62be3fb7@whatdotheyknow.com

Our ref: DEX000538

XX August 2017

Dear Kay Wilcox,

I refer to your request, where you asked:

Please supply information held by DEXEU on the impact assessments of Brexit by local authority across the South West.

In accordance with Sections 27(4)(a) and 29(2) of the Freedom of Information Act 2000 (the Act), I can neither confirm nor deny whether the Department for Exiting the EU (DExEU) holds any information which may relate to your request.

Section 27

Section 27(4)(a) of the Act stipulates that the duty to confirm or deny does not arise if to do so would, or would be likely to, prejudice any of the matters mentioned in section 27(1)(a-d), which includes: relations between the UK and any other State; relations between the United Kingdom and any international organisation or international court; the interests of the UK abroad, or; the promotion or protection by the UK of its interests abroad.

Section 27 is a qualified exemption and I have considered whether the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not DExEU holds any information relating to your request.

DExEU recognises that there is a general public interest in being transparent and informative as this may increase public trust in and engagement with the government. Particular to this case, we also recognise that there is a public interest in providing the assurance that regional analysis of the consequences of our exit from the EU has been conducted.

Opposing this, there is an overwhelming public interest in the correct handling of the UK's national interests abroad. Due to the unprecedented nature of our exit from the EU and the corresponding sensitivity of the Department's work, it is DExEU FOI policy to neither confirm nor deny whether we hold information when

this very act may give insight to and, in turn, undermine the UK's negotiations with the EU or adversely affect the UK's national interests.

Taking into account all the circumstances and potential consequences of this case, I have concluded that the public interest favours neither confirming nor denying whether we hold the information you have requested.

Section 29

Section 29(2) of the Act prescribes that the duty to confirm or deny does not arise if to do so would, or would be likely to, prejudice any of the matters mentioned in section 29(1), including prejudicing the economic interests of the UK or any part of the UK, or the financial interests of any administration in the UK (where "administration in the UK" means the government of the UK, the Scottish Administration, the Executive Committee of the Northern Ireland Assembly, or the Welsh Assembly Government).

Section 29 is a qualified exemption and I have considered whether the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not DExEU holds any information relating to your request.

Further to the general reasons for confirming or denying whether we hold the information detailed above, we recognise there is a public interest in being assured that the Government has accounted for the economic interests of the different regions, in this case the Southwest.

Against this, there is a strong public interest in the sound economic management of our exit from the EU. I find there to be significant public interest in the UK securing the best deal for the UK, and in doing so securing the best deal for the regional and national economies. In the meantime, there is high public interest in the Government making sure that the UK remains as stable as possible throughout the process of our exit from the EU. In confirming or denying if we held any information in scope, we may undermine the economic or financial interests of the UK or its regions by giving an indication of notable information which may weaken the UK Government's position within the negotiations. This, in turn, may make it harder for the UK to secure a sound, economically desirable exit from the EU, which is not in the public interest.

For these reasons, I have concluded that in all circumstances of the case, public interest favours maintaining the exclusion of the duty to confirm or deny whether we hold information in relation to your request.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to foi@dexeu.gov.uk or:

Freedom of Information Team (internal review)
Department for Exiting the European Union
9 Downing Street

SW1A 2AG

You should note that DExEU will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by DExEU. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Freedom of Information Team, DExEU.