



Department for
Business, Energy
& Industrial Strategy

Subsidy Control Team
Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Mr Ray Purchase
request-745466-49d76627@whatdotheyknow.com

T +44 (0)20 7215 5000 - Public enquiries
+44 (0)20 7215 6740 - Textphone (for
those with hearing impairment)
E foi.requests@beis.gov.uk

www.gov.uk/beis

Our ref: FOI2021/10207

10 May 2021

Dear Mr Ray Purchase,

Thank you for your email of 8th April 2021 where you requested the following information regarding the consultation "*Subsidy control: designing a new approach for the UK*":

1. Please provide a list of all persons / organisations that responded to the recent consultation.
2. Will the consultation responses be published?
3. If not, please provide copies of each of the consultation responses.

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

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

1. Please provide a list of all persons / organisations that responded to the recent consultation.

You asked for a full list of respondents to the consultation "*Subsidy control: designing a new approach for the UK*". We intend to publish the information you have requested in due course, along with the Government's response to the consultation.

Section 22 of the Act exempts information which is intended for future publication. This is a qualified exemption and we have therefore considered the public interest test arguments in favour of releasing the requested information against those for withholding the information.

Having considered the public interest, we consider that the interest in disclosing this information is outweighed by the considerations in favour of withholding the information. Our decision is therefore to withhold the information for later publication.

2. Will the consultation responses be published?

In line with wider Government practice, BEIS does not intend to publish each of the responses it received as part of the consultation. However, a summary of the consultation responses will be included in the Government's own response to be published in due course.

3. *If not, please provide copies of each of the consultation responses.*

Section 35(1)(a) of the Act exempts information from being released if it relates to the formulation or development of government policy. The information you have requested under point 3 of your request relates to the formulation and development of policy regarding subsidy control.

The use of section 35(1)(a) is subject to a public interest test. We understand there is a public interest in information about subsidy control. Disclosure could provide better insight into the opinion of respondents. Decisions based on the consultation responses may have a significant impact on the lives of citizens and there is a public interest in this topic being transparent.

However, this is a policy area still in development, with a strong public interest in ensuring officials and ministers are able to consider the full range of policy options and have a space in which such considerations can take place. If this information were made public now, we believe the nature of such considerations on key public policy issues would be inhibited, and the Department would be prevented from taking decisions based on the fullest understanding of the issues involved.

Having considered the public interest, we consider that the interest in disclosing this information now is outweighed by the considerations in favour of withholding the information. Our decision is therefore to withhold the information.

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 & Records Unit. It would be helpful if you can tell us why you are dissatisfied with the response to your request so we may address this during the internal review.

Information Rights & Records Unit
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET
Email: FOI.Requests@beis.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. Complaints can be made to the Information Commissioner via their website at: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>.

Yours sincerely,
Subsidy Control Team

