



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref ATISN 12225

22 May 2018

Dear ,

### **Request for Information – ATISN 12225**

I wrote to you on 11 May regarding your request for information. You asked for copies of all correspondence relating to the renaming of the Severn Bridge to the Prince of Wales Bridge. Please accept my apologies for the delay in providing you with this response.

The information we hold which is caught by your request is enclosed at the end of this letter. I have concluded, however, that some of the information should be withheld from disclosure under Section 40 of the Freedom of Information Act 2000, personal data. My reasoning for withholding personal data of officials is given at Annex 1.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or [FreedomOfInformationOfficer@gov.wales](mailto:FreedomOfInformationOfficer@gov.wales). Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.



E&T FOI Team  
Welsh Government  
Treforest - QED Centre  
Main Avenue  
Treforest Industrial Estate  
Ponty pridd  
CF37 5YR

[FOI.EconomyandTransport@gov.wales](mailto:FOI.EconomyandTransport@gov.wales).

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 .

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

## ATISN 11414 – APPLICATION OF EXEMPTIONS

### Section 40 – Personal Data

Section 40 of the Freedom of Information Act sets out an exemption from the right to know if the information requested is personal information protected by the Data Protection Act 1998 (DPA). Personal data is defined in Section 1(1) of the DPA as:

*“personal data” means data which relates to a living individual who can be identified from those data; or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller”.*

I have concluded that, in this instance, the withheld information within the Departure Request amounts to third party personal data.

Under Section 40(2) of the FOI Act, personal data is exempt from release if disclosure would breach one of the data protection principles. I consider the principle being most relevant in this instance as being the first.

The first data protection principle states:

*Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless -*

*(a) at least one of the conditions in Schedule 2 is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.*

I consider that the withheld information in relation to names and contact details falls within the description of personal data as defined by the DPA and that its disclosure would breach the first data protection principle. The first data protection principle has two components:

1. Personal data shall be processed fairly and lawfully and
2. Personal data shall not be processed unless at least one of the conditions in DPA schedule 2 is met

Guidance from the Information Commissioner’s Office (Personal information (section 40 and regulation 13) v 1.4) states:

*If disclosure would not be fair, then the information is exempt from disclosure.*

This approach was endorsed by the Court of Appeal in the case of Deborah Clark v the Information Commissioner and East Hertfordshire District Council where it was held:

*“The first data protection principle entails a consideration of whether it would be fair to disclose the personal data in all the circumstances. The Commissioner determined that it would not be fair to disclose the requested information and thus the first data protection principle would be breached. There was no need in the present case therefore to consider whether any other Schedule 2 condition or conditions could be met because even if such conditions could be established, it would still not be possible to disclose the personal data without breaching the DPA” (paragraph 63).*

Our analysis of the ICO’s key considerations in assessing ‘fairness’, as set out in the Guidance, are presented below.

The withheld information amounts to the personal data of civil servants who do not have public facing roles and would not expect their names and contact details to be released in this context. There are set procedures in place for members of the public to contact the respective public bodies using generic contact mechanisms. Having such systems in place means members of the public do not make direct contact with officials and avoids those officials dealing with potentially unnecessary and disruptive correspondence. In this context, the civil servants were liaising with each other as part of their normal course of business. In doing so, there would be no expectation that their personal details would at any time be placed in the public domain.

The Welsh Government does not believe there is any legitimate interest in the public or the requestor having access to this information, and we do not see any legitimate reason why the named officials need to be contacted directly. Because of that, it is believed release of this information would be unfair and so breach the first data protection principle. Despite withholding information of individual officer details, it remains clear which body issued or received the correspondence, which is the primary factor.

For that reason, I believe the information should be withheld under section 40(2) of the Freedom of Information Act. This is an absolute exemption and not subject to the public interest tests.

**CAPTURED INFORMATION : ATISN 12225**

1.	<p>From: Welsh Government Sent: 06 April 2018 14:07 To: Welsh Government Cc Welsh Government Subject: ATB/RE: Second Severn Crossing</p> <p>I was aware of the news story, and wondered if you'd be in touch!</p> <p>The translation as provided by HE and the Wales Office is grammatically incorrect. The only grammatically correct version is Pont Tywysog Cymru. The definite article is not required since the element 'Tywysog Cymru' already makes the noun phrase definite.</p> <p>Will the sign on the England side be bilingual also? They do have bilingual Croeso i Loegr signs, if memory serves me right.</p>
2.	<p>Oddi wrth: Welsh Government Anfonwyd: 05 April 2018 11:18 At: CyfieithuUnedDdatblygu Copi/Cc: Welsh Government Pwnc: Second Severn Crossing</p> <p>We were approached, in confidence, a few weeks ago by Highways England (HE) regarding the renaming of the Second Severn Crossing - <a href="http://www.bbc.co.uk/news/uk-wales-43647151">http://www.bbc.co.uk/news/uk-wales-43647151</a></p> <p>As you can see the story has now gone public. Part of HE's proposal is to place road signs in advance of the crossing displaying the name of the bridge. The sign on the Wales side will be bilingual and to that end HE initially proposed the following term:</p> <p>I went back suggesting the definitive article wasn't needed (and would allow for a neater sign face layout) and suggested the following:</p> <p>PONT TYWYSOG CYMRU PRINCE OF WALES BRIDGE</p> <p>However, a bit of research would seem to suggest that HRH is indeed The Prince of Wales: <a href="https://www.princeofwales.gov.uk/">https://www.princeofwales.gov.uk/</a></p> <p>What's your view and is the term from HE correct? They had their translation from the Wales Office.</p> <p>Thanks,</p>
3.	<p>From: Highways England Sent: 06 April 2018 15:57 To: Welsh Government Subject: FW: Official Sensitive - M4 Severn Bridge Signing Sensitivity: Confidential</p>

Thanks for the translation.

I just have one query, (in an attempt to try and get the sign size to an absolute min) if we were to drop the 'The' from the English would that now cause an issue with the Welsh translation you've provided below

(You'll see I now have a Highways England e-mail address)

Regards

4. From: Welsh Government  
Sent: 06 April 2018 14:44:16  
To: Highways England  
Cc: Welsh Government  
Subject: RE: Official Sensitive - M4 Severn Bridge Signing

I have consulted with our translation service who have advised that the translation provided initially is grammatically incorrect. The only grammatically correct version is Pont Tywysog Cymru. The definite article is not required since the element 'Tywysog Cymru' already makes the noun phrase definite. In short, the term 'Y' is not needed in the Welsh language text. Therefore, the proposed sign would display the following bilingual legend:

Pont Tywysog Cymru  
The Prince of Wales Bridge

Thanks,

5. From: Highways England  
Sent: 22 March 2018 14:18  
To: Welsh Government  
Subject: FW: Official Sensitive - M4 Severn Bridge Signing  
Importance: High  
Sensitivity: Confidential

Hi

By way of an introduction I am the recently appointed Project Manager for the M4/M48 tolls decommissioning project, third week in.

As well as the above I am also involved in the SSC renaming proposal. I understand the original renaming proposal came from the Welsh Office at a meeting with DfT 25th Jan this year.

More recently a meeting was held in London, this Monday just gone, attended by Welsh Office (XXXXX) & DfT where the idea of erecting signs above existing gantries was discussed and agreed to pursue the option further.

Thank you for your thoughts on sign arrangement and lettering etc, we would welcome confirmation that the translation we have is indeed correct.

The 2 gantries we are considering erecting the signs on are I understand both within

the current concession boundary, one on the WB bridge approach English side , one on the Eastbound approach Welsh side.

The Eastbound gantry we are considering is the existing Gantry (G8W) = 4011B which is the last gantry before the SSC (Gwent Abutment). As you correctly identify below it has an existing MS2 and over lane matrix signals on it but no existing sign plates. We are intending to do a visual inspection of the gantry next week.

If I can be of any further assistance please contact me either via e-mail or phone number below

Regards

6. From: Highways England  
Sent: 22 March 2018 11:32  
To: Highways England  
Cc: Highways England  
Subject: FW: Official Sensitive - M4 Severn Bridge Signing  
Importance: High  
Sensitivity: Confidential

Hello

Further to our useful chat just now would be grateful if the relevant Project Sponsor/ Manager (XXXXX) could liaise directly XXXXX (who leads on Traffic Sign Policy) for the WAG, and advise him where this request originated. Although from what you say, high level discussions between the department and WAG have already taken place.

You will also note from XXXXX's useful comments below that the Welsh translation is different to that currently proposed by Kier and needless to say there is a need for a national consistent cross-border approach.

Should you require any TSRGD technical advice or non-prescribed guidance please do not hesitate to contact me

7. From: Highways England  
Sent: 21 March 2018 18:54  
To: Welsh Government, Highways England  
Cc: Welsh Government, Highways England  
Subject: RE: Official Sensitive - M4 Severn Bridge Signing  
Importance: High  
Sensitivity: Confidential  
Official Sensitive

Good evening  
Many thanks for the swift response and helpful comments.

Hi

From your internal discussions with the Area Programme Delivery manager and designer, are you able to advise XXXXX were this 'sensitive' bridge name alteration request originated please, as it would appear that neither XXXXX or XXXXX were aware of this proposal.

8.	<p>From: Welsh Government Sent: 21 March 2018 17:57 To: Highways England Cc: Welsh Government Subject: RE: Official Sensitive - M4 Severn Bridge Signing Sensitivity: Confidential</p> <p>Hi I've made the relevant senior staff aware of the proposal and we will likely have to brief our Cabinet Secretary. Did the original proposal come from HE or from a higher level?</p> <p>Looking at the practicalities of the proposal, there are two gantries on the E/B approach, both occupied by MS2s and matrix light signals. The addition of a large sign to either structure will require some investigation beforehand. I think they are on the stretch of carriageway where WG has responsibility.</p> <p>I would be minded to arrange the text, with the symbol but without the definitive article as follows – I'll need to ask our Translation Team to look at the appropriate terms, it's not always a straight lift from English to Welsh and vice versa: Or I recall, from travelling to Coventry via the A46, the Simon De Montfort bridge across the Avon and NW of Evesham: <a href="https://www.google.co.uk/maps/@52.1067223,-1.9302804,3a,15y,125.13h,87.85t/data=!3m6!1e1!3m4!1ssjQMnq6tXQ-v-_Ad_cRdyg!2e0!7i13312!8i6656?hl=en">https://www.google.co.uk/maps/@52.1067223,-1.9302804,3a,15y,125.13h,87.85t/data=!3m6!1e1!3m4!1ssjQMnq6tXQ-v-_Ad_cRdyg!2e0!7i13312!8i6656?hl=en</a></p> <p>So, there is a precedent for naming bridges, though I'm not sure if this section of the A46 is HE road.</p> <p>When I have had some feedback from senior management I'll come back to you. Thanks,</p>
9.	<p>From: Highways England Sent: 21 March 2018 15:09 To: Welsh Government Cc: Welsh Government Subject: Official Sensitive - M4 Severn Bridge Signing Importance: High Sensitivity: Confidential Official Sensitive</p> <p>Hi Further to our brief chat at TPB regarding the above. Is this something you are personally aware of?</p> <p>For your information I have spoken with the department who confirmed they are content with the proposed black and white colour. However the use of "The" prior to the royal name may be superfluous?</p> <p>Grateful for your thoughts</p>

Regards

10 From: Highways England Contractor  
Sent: 21 March 2018 14:36  
To: Highways England  
Cc: Highways England  
Subject: M4 Severn Bridge Signing  
Importance: High

Hello

Thank you for the telephone conversation earlier, really appreciate your help. Just so XXXXX is aware of my query, I have been asked to look into mounting a TSRGD dia no 2928 black and white variant sign on some empty gantry signs along the M4 towards the Severn Crossing bridge. It is planned to have the existing bridge renamed to "The Prince of Wales Bridge" with an English sign being mounted on the English side of the bridge and a bilingual Welsh/English sign mounted on the Welsh side. So far, the information I was given is there is limited room on either side of the bridge to erect a ground mounted sign even with a minimum of 200mm x-height, therefore it was suggested to look into erecting the sign on a gantry approaching the bridge. To make matters worse, I was advised this morning that a symbol would also be required, which is permitted under the prescribed layout in TSRGD to have together with the bridge name. I believe the symbol would be placed above the Welsh message, certainly for the ground mounted sign option.

As this is such an unique situation, I would like to seek your view on having this sign and potentially together with the symbol mounted on a gantry. My take on this so far is the black and white sign over two lanes of motorway lane covering three-quarters of the width of the lanes it applies to will create confusion amongst drivers, as the black and white is expected to be used for non-primary route destinations. As a driver myself, I would look for a direction telling me which lane to use for certain destination and the associated route number, this is also encouraged by LTN 1/94. As discussed, this option would also not tie in with existing route signing strategy. Any help on this matter would be greatly appreciated.

Kind regards

11 From: Welsh Government  
Sent: 21 March 2018 15:50  
To: Welsh Government  
Subject: FW: Official Sensitive - M4 Severn Bridge Signing  
Importance: High  
Sensitivity: Confidential

I think we need to escalate this to XXXX / XXXX - clearly any sign like this in an overhead position on a gantry is going to cause confusion to drivers regardless of the colour.

Is this something we have had sight of before? Has WG been consulted / agreed on the proposed name change?

Thanks

12	<p>From: Highways England Sent: 21 March 2018 15:09 To: Welsh Government Cc: Welsh Government Subject: Official Sensitive - M4 Severn Bridge Signing Importance: High Sensitivity: Confidential Official Sensitive</p> <p>Hi</p> <p>Further to our brief chat at TPB regarding the above. Is this something you are personally aware of?</p> <p>For your information I have spoken with the department who confirmed they are content with the proposed black and white colour. However the use of "The" prior to the royal name may be superfluous?</p> <p>Grateful for your thoughts</p> <p>Regards</p>
13	<p>From: Welsh Government Sent: 23 March 2018 09:35 To: Welsh Government Subject: FW: Official Sensitive - M4 Severn Bridge Signing Importance: High Sensitivity: Confidential</p> <p>Sorry</p> <p>I should have cc'd you in to keep you in the loop in respect of where this has got to, though I don't think there is anything for you to do.</p> <p>Thanks,</p>
14	<p>From: Welsh Government Sent: 23 March 2018 09:32 To: Welsh Government Cc: Welsh Government Subject: FW: Official Sensitive - M4 Severn Bridge Signing Importance: High Sensitivity: Confidential</p> <p>Following on from my earlier e-mail regarding the proposed renaming of the Second Severn Crossing, I have been contacted by HE's Project Manager for the M4/M48 tolls decommissioning project, XXXXX. I assume we will need to have an equivalent official to ensure that what replaces the tolls is of no dis-benefit to WG in it's operation and maintenance of the affected sections M4 and M48 motorways. The proposal to rename the bridge has come from the Welsh Office. I doubt there is little understanding in HE of the difference between WO, WG, NAFW and so on. Therefore, there is still a need to brief CabSec.</p>

	<p>That said, the sign on the Welsh side of the bridge is proposed to be placed on a gantry that is within the existing concession and the responsibility of HE, therefore and if the need arises, we will have little opportunity to influence this one element of the tolls decommissioning project.</p> <p>I will need to go back to XXXX and provide advice on the sign content, but I recommend that we engage with HE at a higher level to ensure we get the best outcome for WG.</p>
15	<p>From: Welsh Government  Sent: 06 April 2018 16:37  To: Welsh Government  Cc: Welsh Government  Subject: FW: Official Sensitive - M4 Severn Bridge Signing  Sensitivity: Confidential</p> <p>All  With latest with news – I just wanted to check to ensure that we progress this. So yes.  Thanks</p>
16	<p>From: Welsh Government  Sent: 06 April 2018 16:26  To: Welsh Government  Subject: RE: Official Sensitive - M4 Severn Bridge Signing  Sensitivity: Confidential</p> <p>Yes please</p>
17	<p>From: Welsh Government  Sent: 06 April 2018 16:16  To: Welsh Government  Subject: FW: Official Sensitive - M4 Severn Bridge Signing  Sensitivity: Confidential</p> <p>Shall we just carry on with this?  Thanks</p>
18	<p>From: Welsh Government  Sent: 06 April 2018 15:15  To: Welsh Government  Cc: Welsh Government  Subject: OFFICIAL-SENSITIVE Second Severn Crossing</p> <p>Hi  The bilingual Welcome to England sign was erected when the bridge was built and likely under the auspices of the scheme.</p> <p>In this case, HE have proposed an English only sign for the eastern side. On the Wales side, they propose to install the sign on a gantry that is located on a section of the network that they are responsible for, i.e., not part of the Wales TRN. As the Welsh Language Standards do not apply to HE they could, in theory, lawfully erect</p>

	<p>an English only sign on this side of the bridge. This is unlikely, as it would cause further controversy and negative coverage.</p> <p>Thanks,</p>
19	<p>From: Welsh Government  Sent: 05 April 2018 10:51  To: Welsh Government  Cc: Welsh Government  Subject: RE: Official Sensitive - M4 Severn Bridge Signing  Sensitivity: Confidential</p> <p>Dear All,  The following article was published on the BBC's website this morning (10:18) regarding the proposals to rename the SSC:  <a href="http://www.bbc.co.uk/news/uk-wales-43647151">http://www.bbc.co.uk/news/uk-wales-43647151</a>  Kind regards,</p>
20	<p>From: Welsh Government  Sent: 05 April 2018 13:25  To: Welsh Government  Subject: RE: Second Severn Crossing</p> <p>Hi  Monday is fine. If your Head of Branch was involved in the discussions, then it's likely the translation is good, but thought it best to check.  Thanks,</p>
21	<p>From: Welsh Government  Sent: 05 April 2018 13:23  To: Welsh Government  Subject: RE: Second Severn Crossing</p> <p>Hi  How quickly do you need this? XXXXX and XXXXX are both away until Monday, could this wait until then please?  If not, our head of branch was involved in the last talks about the Severn Crossing so we could check with her.  Let me know.  Diolch</p>
22	<p>  Wales Office -  114SUB - SOS to FM r</p>
23	<p>  Wales Office - SOS  to Carwyn Jones AM</p>
24	<p>  Wales Office - SOS  to Rt Hon Carwyn Jor</p>

25



Wales Office -  
06-12-17 FM to SOS r