Dear [name],

Request for Information - ATISN 12474

I wrote to you on 26 June regarding your further request for information. For the financial years 2017/2018 and 2018/2019 (to date) under three funding streams, namely Safe Routes to School, the Local Transport Fund and the Active Travel Fund, you asked for:

1. The criteria for bidding for each funding stream.
2. Information on any applications received from Vale of Glamorgan Council for the three funding streams.
3. The total money each local authority in Wales bid for from the three funding streams and how much was granted, together with the total number of applications made and how many of those applications were successful.
4. Correspondence between Vale of Glamorgan Council and the Welsh Government in relation to unsuccessful bids for funding from the three funding streams and the reasons given for the bids failing.

I can confirm we hold most of the information captured by your request. For question one, some of the information for 2018-19 is already in the public domain and can be accessed using the following links:

Local Transport Fund
https://beta.gov.wales/local-transport-capital-grant-guidance

7 August 2018

E&T Fol
Welsh Government
Treforest - QED Centre
Main Avenue
Treforest Industrial Estate
Pontypridd
CF37 5YR

www.gov.wales

RhyddidGwyb.EconomiaThrafnidiaeth@llyw.cymru

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.
Safe Routes in Communities

The remaining bidding criteria for the Active Travel Fund 2018-19 and Safe Routes to School and Local Transport Funds 2017-18 are not available online. This information is contained in 13 separate documents and is therefore too large to be sent to you electronically. Similarly for question two, the information we hold is contained in 22 separate Word and PDF documents, some consisting of 7 pages each. I have enclosed a list of the documents we hold, appended at Annex A at the end of this letter. If you are only interested in a small amount of this information, I can e-mail it to you. Otherwise, I will arrange for all of the information to be sent to you once you have provided me with a postal address. I have concluded, however, that some of this information is exempt under Regulation 13, personal information, of the Environmental Information Regulations 2000. Full reasoning for withholding this information is given at Annex B.

Please note that there was no Active Travel Fund for 2017-18.

For question three, some of the information we hold is available on the Welsh Government website. There is a list of the projects which have been allocated funding by grant scheme and local authority, is as follows:

Local transport grants allocations – 2017/18 & 2018/19

Active Travel additional allocations – 2017/18

Active Travel Fund allocations – 2018/19

The information below shows a summary of the total number of applications received for both Local Transport Fund and Safe Routes in Communities, including the total costs and information on the final allocations.

2018/19 – LTF 33 applications totalling £26.0m. 18 allocated funding totalling £6.1m
2018/19 – SRiC 46 applications totalling £11.0m. 26 allocated funding totalling £5.0m

2017/18 – LTF 61 applications totalling £38.1m. 46 allocated funding totalling £20.0m
2017/18 – SRiC 51 applications totalling £9.6m. 32 allocated funding totalling £5.5m

We do not currently have a summary of the grant application information by each council in Wales for each of the funds above.

For question four, the information is appended at Annex C at the end of this letter.

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 Email: Freedom.ofinformation@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.

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

Yours sincerely
ANNEX A

List of documents held by the Welsh Government

**Bidding Criteria for each funding stream**

- Active Travel Fund – Revised Assessment Criteria
- Active Travel Fund – Template Application Form – FY2018-19
- Grant Assessment Criteria – 2017-18
- Local Transport Capital Grants – Assessment Criteria
- Local Transport Capital Grants – Guidance to Applicants 2018-19
- Local Transport Fund – Application Guidance
- Local Transport Fund- Application Guidance 2017-18
- Local Transport Fund – Assessment Criteria
- Local Transport Fund – Assessment Criteria - Annex B
- Local Transport Fund – Template Application Form
- Road Safety Grant and Safe Routes in Communities – Application Guidance 2017-18
- Safe Routes in Communities – Application Form – 2017-18
<table>
<thead>
<tr>
<th>2017-18</th>
<th>2018-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe Routes in Communities – Dinas Powys to Penarth – Capital Application form</td>
<td>Active Travel Fund – Local Scheme – St Athan Application Form</td>
</tr>
<tr>
<td>Safe Routes in Communities – Dinas Powys to Penarth Overall Network Proposal</td>
<td>Active Travel Fund – Local Scheme – St Athan – Area Map</td>
</tr>
<tr>
<td>Safe Routes in Communities – Dinas Powys to Penarth Proposed Route for Scheme – Map 1</td>
<td>Active Travel Fund – Local Scheme – St Athan – Design Map</td>
</tr>
<tr>
<td>Safe Routes in Communities – Llantwit Major – Application Form</td>
<td>Active Travel Fund – Strategic Scheme – Weycock Cross to Cardiff Airport – Application Form</td>
</tr>
<tr>
<td>Safe Routes in Communities – Llantwit Major Bid – Prelim Layout</td>
<td>Active Travel Fund – Strategic Scheme – Weycock Cross to Cardiff Airport – Area Map</td>
</tr>
<tr>
<td>Safe Routes in Communities – Porthkerry Road, Romilly Road, Windsor Road Junctions – Site Plan</td>
<td>Active Travel Fund – Strategic Scheme – Weycock Cross to Cardiff Airport – Design Map</td>
</tr>
<tr>
<td>Safe Routes in Communities – Porthkerry Road, Romilly Road, Windsor Road Junctions – General Layout</td>
<td>Local Transport Fund – Active Travel Scheme Development – Vale of Glamorgan – Application Form</td>
</tr>
<tr>
<td>Safe Routes in Communities – Porthkerry Road Romilly Road, Windsor Road Junctions – Application Form</td>
<td>Local Transport Fund – Vale of Glamorgan 0 Cardiff-Vale Coastal Transport Network – Application Form</td>
</tr>
<tr>
<td>Safe Routes in Communities Funding – Capital – Porthkerry Road, Romilly Road, Windsor Road – Application Form</td>
<td>Safe Routes in Communities Funding – Capital – Porthkerry Road, Romilly Road, Windsor Road – Kerbline Adjustments</td>
</tr>
<tr>
<td>Safe Routes in Communities Funding – Capital – St Athan Application From</td>
<td>Safe Routes in Communities Funding – Capital – St Athan – General Layout</td>
</tr>
<tr>
<td>Safe Routes in Communities Funding – Capital – Weycock Cross – Application Form</td>
<td>Safe Routes in Communities Funding – Capital – Weycock Cross – General Layout</td>
</tr>
</tbody>
</table>
CONSIDERATION OF EIR EXCEPTIONS

Regulation 13 - Personal Data

Regulation 13 of the EIRs sets out an exception 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 Vale of Glamorgan Council’s Application Forms amounts to third party personal data.

Under Regulation 13 of the EIRs, 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, contact details and signatures 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 council officers who do not have openly public facing roles and would not expect their names, contact details and signatures to be released in this context. There are set procedures in place for members of the public to contact Vale of Glamorgan Council using generic contact mechanisms.

The Welsh Government does not believe there is any legitimate interest in the public or the requestor having access to this information. Because of that, it is believed release of this information would be unfair and so breach the first data protection principle. For that reason, I believe the information should be withheld under Regulation 13 of the EIRs. This is an absolute exception and not subject to the public interest tests.
01 May 2018
Councillor John Thomas

Ken Skates AM
Cabinet Member for Economy and Transport
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Correspondence, Ken.Skates@gov.wales
Ken.Skates@assembly.wales

Dear Ken

Award of Funding in relation to Local Transport Fund, Local Transport Network Fund and Road Safety Revenue Grants for Financial Year 2018/19

I refer to the recent funding announcement for the above programmes for the Vale of Glamorgan.

Whilst I am grateful, as always, to Welsh Government for the funding support provided to this Council for its transport and road safety schemes I am extremely disappointed that we were unsuccessful in our bid for two landmark and essential projects for this Council, namely the ‘Dinas Powys Transport Study – Improving Strategic Transport for Dinas Powys’ and the ‘M4 Junction 34 to A48 Study’. I am aware that in terms of both studies we have not yet completed the WeTTAG process that would provide for the certainty of progression to any detailed design stages but I had hoped that the necessary funding would have been made available to permit progression to the WeTTAG Stage III process for these two projects, should this be appropriate, being as we are shortly to complete the Stage II processes which Welsh Government has funded to date.

I would be grateful for any information you may be able to provide as to why these applications were unsuccessful and perhaps an assurance that there may be an opportunity for either one to be funded this year, either with unspent funds on these grants from other Authorities or an alternative grant funding source.

I look forward to hearing from you.

Yours sincerely,

Councillor John Thomas
Leader of the Council
Dear Councillor John Thomas

Thank you for your letter of 1 May regarding Local Transport Funding.

Unfortunately we could not allocate further funding for the study work requested as it was not considered to be affordable within the Local Transport Fund budget.

My officials will continue to engage with your officers on these studies and review our position if funding becomes available within this financial year.

Yours sincerely

Ken Skates AC/AM
Ysgrifennydd y Cabinet dros yr Economiaeth a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

Ken Skates
AC/AM
Ysgrifennydd y Cabinet dros yr Economiaeth a Thrafnidiaeth
Cabinet Secretary for Economy and Transport

20 May 2018