



23 March 2020

Dear

Request for Information – ATISN 13856

Thank you for your request for information dated 7 March regarding speed reduction measures put in place to improve pollution levels on the stretch of A494 between Deeside Park Junction and the A55 Junction at Ewloe. You have asked for the results of air quality monitoring and emissions measuring in the twelve months prior to the implementation of speed limit reduction, and the latest results from tests undertaken since the change of speed limit

I can confirm that we do hold the information requested. Roadside air quality monitoring has been undertaken on the A494 since December 2017, i.e. 6 months prior to the initial imposition of the 50mph speed limit in June 2018. Before this data, annual concentrations of nitrogen dioxide for this location were identified via the national DEFRA Pollution Climate Mapping (PCM) model. The roadside data and the data modelled via PCM is contained within the interim data report that we published last October and is therefore considered exempt from disclosure under Section 21 of the Freedom of Information (FOIA) – information accessible to the applicant by other means. Please use the following link to access the data - (<https://gov.wales/interim-data-no2-concentrations-motorway-and-trunk-road>).

Data recorded in the 12-months following initial implementation of the 50mph speed limit is also contained with the interim data report. Data for the remainder of the 2019 calendar year will be included in the next data report that is due for publication later this month and is therefore considered exempt from disclosure under section 22 of the FOI Act, information intended for future publication. Full reasoning for applying this exemption is attached 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.



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Llywodraeth Cymru /
Welsh Government
Parc Cathays / Cathays Park
CF10 3NQ

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.

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

Section 22 states that Information is exempt information if –

- a) The information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not)
- b) The information was already held with a view to such publication at the time the request for information was made, and
- c) It is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph a).

I am of the opinion that subsections (a) and (b) above are met because the information is held with a view to its publication. This information is expected to be published by after the end of the next financial year.

With regards to part (c), I have given consideration as to whether it would be 'reasonable in all the circumstances' that the information should be withheld from disclosure until the proposed publication date. I am of the opinion that releasing the information at this time would cause disruption to the Welsh Government's intentions in relation to its publication arrangements. Thus I am content that the exemption is engaged.

Section 22 is a public interest exemption. This means that, in order to withhold information, I must show that the public interest in withholding is greater than the public interest in releasing it.

In terms of the public interest, it is recognised that there is public interest in there being openness and transparency within Government.

The information relating to the data requested is currently being collated and verified. The proposed publication date for this information has been agreed as part of normal business and in line with the Code of Practice for Official Statistics and will be published on the Welsh Government website at the end of March

The Welsh Government has committed to publishing information of this nature on our website however there is a thorough validation process which is undertaken on the on the information to ensure its accuracy. By restricting access to the reports ahead of publication, we will be publishing the information in a co-ordinated manner to all people at the same time, and will ensure an editorial process is adhered to which will confirm the quality and integrity of data. Ultimately, this will improve the quality of information published and follow the Code of Practice for Official Statistics.

An accelerated release of reports which involve research, drafting preparation and meticulous inspection might result in inaccurate, unchecked information being disclosed prematurely, misleading the public.

To that end, I do not think it is reasonable in all the circumstances or in the public interest to release this information prematurely. Rather, I believe the public interest would be best served if the information were released as scheduled along with all other transactions for that period. I am satisfied therefore that the balance of the public interest falls in favour of withholding the information.