



Llywodraeth Cymru
Welsh Government

Dear

Complaint in respect of ATISN 15143 – Nitrate Vulnerable Zones, Internal Review

Thank you for your email which was received on 17 May 2021. You asked us to review our handling of your request for information of 02 February 2021. In particular you wrote to us on 10 March 2021 to draw our attention to an omission in our response to that request. The information you asked for was:

‘A copy of the original Regulatory Impact Assessment [R I A] prepared by Welsh Government prior to the review and update and presentation of the final version for scrutiny by Senedd Cymru.’

The Regulatory Impact Assessment is a document which develops alongside regulations and as such there is no ‘original’ version only drafts which are developed over time. As your initial request came shortly after the publication of the regulations you were sent links to the RIA which had been published alongside the regulations as the final version.

You asked us to review this decision, and in our acknowledgement to you of 20 May, we asked you to clarify if the document you were interested was as follows:

‘As part of the development process stakeholders were consulted on a draft version of the RIA on 16 July 2019.’

You confirmed that this was the version that you were seeking via email on 20 May 2021.

The information caught by your request constitutes environmental information so has been considered for disclosure under the Environmental Information Regulations (EIRs).

A copy of the information you requested is enclosed.

I also would like to apologise for our late handling of this request.

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.

Rhodfa Padarn
Llanbadarn Fawr
Aberystwyth
Ceredigion
SY23 3UR

Following advice your initial request was handled as a correspondence item and not a Freedom of Information request as the information that we had interpreted the request to refer to (the published RIA) was in the public domain. A link to this was provided.

When you requested for an internal review on 10 March 2021, the request was not picked up as a request for an internal review under access to information regulations because the original request had been handled as normal correspondence. This was a lapse on our part and we can only apologise that this happened, and assure you we have taken steps to address this in future cases.

After your follow up email of the 17 May 2021 your request for internal review was accepted. Thank you for following up your request and your patience.

As stated above, the information you have requested is now attached in full.

Next steps

I have considered your complaint in accordance with the procedure outlined in the [Welsh Government's Practical Guide for Making Requests for Information](#) which is available by post on request or via the internet.

If you remain dissatisfied with this response you 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.

Yours sincerely