

19 July 2022

Dear

Request for Information – ATISN 16392

I wrote to you on 17 June regarding your request for information on Merthyr Rising.

Information requested

You have asked for the following information:

1. How much money has the Welsh Government given to the Merthyr Rising event in 2022?
2. Who made the application for the amount?
3. What processes do you have in place to ensure that the amount given has been used solely to fund the event?
4. Did the amount given go directly to an account in the name of Merthyr rising or was it given to an individual personal account?

Our Response

I can confirm the Welsh Government holds the information captured by your request.

For question one, however, the details of the amount of grant support provided is commercially sensitive and therefore, this information is exempt from disclosure under Section 43 of the Freedom of Information Act 2000, commercial interests. Full reasoning for applying this exemption is appended at Annex A.

For question two, the application was made by the event organisers, Kreelicious Group Ltd.

For question three, all applications are subject to financial due diligence checks. The grant conditions set out how the funding is to be used solely for the purposes of the event and this is verified by the post event report provided by the grant recipient following the event.

For your final question, I can confirm that the funding is paid to the event organisers, Kreelicious Group Ltd upon receipt of an invoice.

Next steps

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

Section 43 (2) – Commercial Interests

The information caught by this exemption relates to your first question where you have asked "How much money has the Welsh Government given to the Merthyr Rising event in 2022?"

Decisions relating to non-disclosure of this information have been taken with due consideration of the exemptions identified under Section 43(2) of the Freedom of Information Act 2000 (FOIA). This exemption states that:

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Section 43 is a qualified (public interest tested) exemption. This means that in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it. I have therefore given consideration to the

effects of disclosure of the information to the world at large as the information is made available to anybody and everybody, not just the requestor.

Public Interest For Release

I recognise the general public interest in openness and transparency and releasing the information would help the public gain a better understanding of the decisions made by Government. It is also recognised that there is a public interest in how public money is to be, or has been, used to ensure that Government gets the best value from the public purse.

Public Interest Against Release

The Welsh Government considers that information relating to the amount of grant is commercially sensitive information of the event organiser, relating to matters for the event staging and operations and the disclosure of which would be likely to cause commercial loss to the company. Publishing the amount of Welsh Government grant funding could give other potential commercial partners a negotiating advantage over that company and weaken their commercial position. It could mean that a potential commercial partner could use it to negotiate a better position for them. Therefore section 43(2) is engaged.

I believe the public interest is satisfied by the amount of information being disclosed in response to this request for information.

I am aware that as a general rule, the sensitivity of information is likely to reduce over time, so that the age of information, or timing of the request may be relevant in determining whether to apply the exemption, or where the public interest may lie. In this case, however, the information captured is very much current information.

In conclusion, I believe that the balance of the public interest therefore falls in favour of withholding the information relating to the amount of funding the Welsh Government has given to the Merthyr Rising event in 2022.