

08/2025

Dear

ATISN 25027 – Petroleum exploration

Information requested

Thank you for your request which we received on 04/08/2025. You asked for details of any arbitration proceedings pursued against the Welsh government since 2018 in respect of petroleum exploration and development licences. Particularly, you asked for:

1. The names of the parties
2. The name of the arbitrator(s) that decided the case
3. The names of the lawyers/law firms that represented the parties
4. The nature of the relief sought
5. A summary of the outcome, including the amount of any damages and costs awarded.
6. Whether the award has been satisfied or is under challenge.

Our response

A copy of the information we have decided to release is enclosed at Annex A.

We have decided that some of the information is exempt from disclosure under regulation 12 (5)(b) of the **Environmental Information Regulations** and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex B to this letter.

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

1. UK Onshore Gas Limited, Coastal Oil and Gas Limited, Adamo Energy (UK) Limited, U.K. Methane Limited, Thistle Gas Limited (Claimants) v Welsh Ministers, sued as the Welsh Government (Respondents)
2. Lord Neuberger of Abbotsbury
3. Baker Botts LLP (Dorine Farah, Duncan Saunders, Valeriya Kirsey, Laurence Ridgway) for the Claimants. Blake Morgan LLP (Michael Colledge and Amy Taylor Morris) for the Respondents. Counsel for the Claimants was Jason Isaacs KC and Malcolm Birdling and Counsel for the Respondents was Gordon Nardell KC, Gethin Thomas and Fiona Whiteside.
4. Exempt under regulation 12 (5)(b) of **Environmental Information Regulations**
5. Exempt under regulation 12 (5)(b) of **Environmental Information Regulations**
6. The Partial Award is under challenge in a claim by the Claimants against the Welsh Government

Annex B

Application of exemptions/exceptions

The Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

4. The nature of the relief sought - under regulation 12(5)(b) of the Environmental Information Regulations
5. A summary of the outcome, including the amount of any damages and costs awarded - under regulation 12(5)(b) of the Environmental Information Regulations

This Annex sets out the reasons for the engagement of regulation 12(5)(b) of the Environmental Information Regulations and our subsequent consideration of the Public Interest Test.

Engagement of regulation 12(5)(b) of the Environmental Information Regulations

The Welsh Government believes that the nature of the relief sought and a summary of the outcome, including the amount of any damages and costs awarded should be exempt from disclosure. This is an ongoing case which is under challenge. Release of this information would breach the terms of the arbitration.

1. The nature of the relief sought
2. A summary of the outcome, including the amount of any damages and costs awarded.

Public Interest Test

In order to satisfy the public interest test in relation to the exemption(s), it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

Public interest arguments in favour of disclosure

The release of information can enhance public understanding of environmental issues. Disclosure may help ensure that justice is seen to be done. It supports procedural fairness and may help correct misleading claims. Information that reveals

or prevents misconduct or helps avoid the miscarriage of justice, is generally considered to be in the public interest to disclose.

Public interest arguments in favour of withholding

This is an ongoing case which is under challenge. Release of the information would breach the terms of the arbitration. Release of this information could impact the ability of the affected parties to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature.

Balance of public interest test

On balance, we consider that the public interest in disclosing information is outweighed by the public interest considerations in favour of withholding the information for the reasons above. We have therefore withheld information, namely points 4 and 5 requested.