**Date issued:** 03 October 2022

**Freedom of Information Request**

We are writing in response to your Freedom of Information request. Your request has been considered in accordance with the requirements of the Freedom of Information Act and our Data and Information Management Policy.

You asked for the following information:*the cost of sponsoring of the weather on I T V. Wales*

Having reviewed your question, we have determined that this information is commercially sensitive and we have been applied S43(2) (Prejudice to Commercial Interests) of the Freedom of Information Act (2000). This exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any legal person (an individual, a company, the public authority itself or any other legal entity).

The use of this exemption is subject to an assessment of the public interest in relation to the disclosure of the information concerned. Those arguments in favour of disclosure are:

* Transparency in relation to commercial transactions – there is a clear public interest in ensuring that commercial transactions are undertaken on a competitive commercial basis.
* Disclosure of the requested information would help assure the public that the process has been completed properly.
* Promoting understanding of decisions – disclosure may promote understanding of the process and decision reached by TfW.

Those arguments against disclosure are:

* Release of the information in question has significant potential to impact upon the willingness of parties to deal with TfW in future. Even where parties do deal with TfW they may not be prepared to disclose certain information for concern that it may be disclosed. This would not be conducive to open and transparent negotiations and dealings between TfW and third parties. The public have an interest in TfW being able to conduct its affairs in an appropriate manner intrinsic to which is the requirement to achieve best value and efficiency. If parties were unwilling to deal with TfW this would distort contract or procurement negotiation processes and would be prejudicial to achieving best value and efficiency.
* ITV operates in a commercial environment. To release the information could prejudice ITV’s interests to participate competitively in a commercial activity when negotiating other sponsorship contracts.

Transport for Wales recognises the need for openness and transparency by public authorities, but in this instance as disclosure of this information would be likely to prejudice Transport for Wales’ ability to obtain best value and ITV’s ability to commercially negotiate with other companies, it is considered that the public interest favours the use of the exemption.

Yours Sincerely,

**Transport for Wales**

**Appeal Rights**

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at either Transport for Wales, 3 Llys Cdwyn, Pontypridd, CF37 4TH or [freedomofinformation@tfw.wales](mailto:freedomofinformation@tfw.wales). Your request must be submitted within 40 working days of receipt of this letter. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision.

The Information Commissioner (ICO) can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or you can contact the ICO through the 'Make a Complaint' section of their website on this link: <https://ico.org.uk/make-a-complaint/>

The relevant section to select will be "Official or Public Information".