

FOI Release

Information released under the Freedom of Information Act

Title: Pubs consultation April 2013 — individuals and organisations providing evidence

Date of release: 7 August 2013

Information request

The requestor made 20 requests for information relating to the Pubs consultation paper, including:

- * The criteria and methods government used to select and consult individuals and organisations and the evidence that they represent specific elements of the pubs industry; in particular, the representative function and evidence provided by Intertainment and Liberation Group.

- * Information concerning the representativeness and evidence provided by the Association of Licensed Multiple Retailers; how representative the government considers it and other members of the Independent Pub Confederation to be as tenants of large pub companies; how government will ensure no 'double counting' of evidence provided by IPC members; and other information about the tenants IPC represents. Also, the number of pubs forming part of ALMR's evidence that government considers to be struggling or suffering from serious hardship.

- * Evidence of communications between government and ALMR and/or IPC while formulating the Consultation and/or Impact Assessment and any follow-up communications following publication between 22 April and 30 May 2013.

- * The weight that government attributed to the evidence of ALMR and IPC and the other individuals and organisations listed in Annex B in drafting/formulating the Consultation/Impact Assessment.

- * Sources of the above information.

Information released

This request is one of a number of FOI requests relating to Pubs that BIS has received. Many of the documents provided as an answer to this request are also relevant to the others. Therefore, rather than repeat the same documents many times, documents relevant to all these Pubs-related FOI requests have been listed together in a single file of 149 documents.

The large majority of these documents either have no redactions or only redactions made under s.40 of the FOI Act relating to withholding of certain

personal information. However, some documents have been redacted either wholly or in part because of one or more of the other exemptions provided by the Act. Ten documents in the attached file (nos 28-37) contain redactions under one or more of these other exemptions. In each case the document shows clearly where text has been redacted and which exemption is being used.

The exemptions that have been used are as follows:

- * s.21 exempts information from the right of access if that information is reasonably accessible to the applicant by other means.
- * s.35 covers information that 'relates to' -
 - (1)(a)— formulation or development of government policy,
 - (1)(b) — ministerial communications,
- * s.36 exempts information if disclosure would prejudice -
 - (2)(a)(i) the maintenance of the convention of the collective responsibility of Ministers of the Crown, or
 - (2)(b) inhibit i) the free and frank provision of advice, or ii) the free and frank exchange of views for the purposes of deliberation;
- * s.40 exempts the release of personal data where disclosure would breach the Data Protection Act 1998.
- * s.41 provides an exemption if release would constitute an actionable breach of confidence.
- * s.43(2) exempts information, disclosure of which would be likely to prejudice the commercial interests of any person.

We received some questions about the Pubs Consultation which did not request recorded information and were therefore out of scope of the FOI Act. We have however created a 'Questions and Answers' document – the first one listed in the file of documents – to respond to these questions.