

13 November 2023

Dear

### **Complaint in respect of ATISN 19071**

Further to my acknowledgement letter of 31 October, I confirm that I've now completed my internal review of your Freedom of Information (FOI) request, ATISN 19071.

In your original FOI request of 25 September you asked for:

- Copies of emails or letters sent to Lee Waters supporting the 20mph implementation in Wales.
- These should be all emails or letters he or his office has received between 17-24th September.

In its response to you on 23 October, Welsh Government advised that the requested information was exempt from disclosure under regulation 12(4)(b) of the Environmental Information Regulations and was therefore withheld.

Later the same day you requested an internal review be undertaken regarding Welsh Government's decision. In your email, you referenced that "Lee Waters used the information from that email period (17 – 24 September) to inform the media of the level of public support." You added that Welsh Government's response, to your FOI request, "only seems to lend itself to the Minister not having evidence of that support. If this is correct then the Minister has not told the truth to the media."

On first appearances, your FOI request appeared to me to be wholly reasonable, especially since you had limited your request for Ministerial correspondence received for the period 17th to 24th September 2023. However, when I learned of the inordinate volume of correspondence received by the Minister during this period, regarding Page 2 of 3 20mph speed limit, and the time it would take to process said data, I changed my mind. I therefore uphold Welsh Government's decision to withhold this correspondence.

A later component of your complaint appears to suggest that during media interviews held during 17-24 September, the Deputy Minister for Climate Change, made reference to receiving positive correspondence from the public, in respect of his 20mph policy. On this basis you believe this correspondence should be made available to yourself. Further, you speculated that Welsh Government's decision to withhold said Ministerial correspondence to yourself was because: i) such positive correspondence re 20mph speed limit was unlikely to exist and ii) Welsh Government sought to protect the Deputy Minister from grounds that he misled the media.

It is not clear which Ministerial media statement/s you refer to in this context. From a summary review of the internet I only found statements to the contrary, where the Deputy Minister explicitly acknowledged the unpopularity of his policy by the public. I attach two examples below:

An article appeared in the Guardian on 17 September 2023 where the Climate Change Deputy Minister was quoted (my emphasis in bold): "Wales becomes the first country in the UK to introduce a nationwide 20mph limit, a move that has been welcomed by road campaigners but is unpopular among many voters.... "Three years ago we polled and got 80% support. A year ago we got 60% support. There was a poll last week showing it had gone down to 35%. I'm not surprised it's dipping particularly given the misinformation there is. We're expecting it to rise as people get used to it." [Welsh minister says Tories waging 'culture war' over new 20mph limit | Wales | The Guardian](#)

Then in the Senedd, on September 27, the Deputy Minister was quoted as saying: "I recognise the strength of feeling there is against the change in the speed limit. The number of people who have signed the Senedd petition speaks for itself and we certainly take it seriously. I understand that lots of people are angry and frustrated and my message to the more than 400,000 people who have signed this petition is simple; We are listening to what you're saying."

I have failed therefore to find any evidence for the claims that the Deputy Minister artificially inflated the policy's popularity. That being so there would be no motivation for Welsh Government to hide the contents of his mailbox. Rather I'm persuaded that this controversial policy resulted in an inordinate mailbox for the Minister which is the reason for your request being declined. Consequently I uphold the Welsh Government's decision to withhold the information you requested.

Yours sincerely