

Access to Public Information Response

July 21st 2015

REQUEST UNDER THE CODE OF PRACTICE FOR ACCESS TO PUBLIC INFORMATION

Request sent on July 21st 2015:

Despite requests from the media, States members and the public, Public Services has so far refused to release the health and safety report that it has relied on to justify changes to cruise tender birthing and then subsequently the changes to the traffic arrangements in Town.

I would like to request a copy of that report under the access to information code.

The code has endorsed a presumption of disclosure and openness.

Importantly it states that the States will release 'any facts and relevant analysis which the Department considers important in framing major policy proposals and decisions' which I believe this request falls under.

The department may rely on a statement made by the chief minister at the public demonstration that suggested the report may be released in part in the future – 2.10 of the code.

I would counter that there has been no firm commitment made to any publication date or extent on what will be published, indeed the background so far has been very much against publication yet it is a document which has framed important policy decisions and changes that have been made. It's release can only help with public understanding at a time when consultation is underway and the States is trying to reinforce a message that it is listening to people's views. Releasing it in full or in part after the consultation would mean that the consultation is carried out with the public not aware of all the relevant facts.

Should the department decide that exceptions apply, I would argue that the code says that these can be waived if it is considered in the public interest. Clearly all parties see this topic as in the public interest otherwise a public consultation would not be underway and we would not have seen a public protest on North Beach with people asking for the H&S report to be released.

States of Guernsey response on August 6th 2015:

Thank you for your information request to the Public Services Department regarding the potential release of risk assessments carried out at the Inter Island Quay and Albert Pier, in relation to the relocation of the cruise passenger tendering operations.

Following advice concerning your request under the Policy for Access to Public Information, it is considered that information contained within the document requested would harm the island's competitive position in this sector if placed in the public domain at this time and should be withheld under the Code of Practice for Access to Public Information under exception 2.3. This is due to the nature of the information contained therein and the nature

of the competitive business environment in which it might get used against the island's interests.

However, it is the intention to carry out further stakeholder engagement concerning the changes around the St Peter Port seafront, led by the Town Seafront Working Group, in the next few months. This should help to increase public understanding, as to the reasons for recent changes and help to identify where options for improvements may be made both in the shorter and long term.