

Response to your request

1. You asked for:

The date on which this and any subsequent meetings between the Scottish Government and Michelle Thomson took place, on the subject of the potential purchaser of the Grangemouth refinery.

The answer to your question is:

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have requested because the First Minister did not meet with Michelle Thomson to discuss a potential buyer of the Grangemouth refinery following their exchange in Parliament on 12 September 2024.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in information about the First Minister meeting with Michelle Thomson to discuss a potential buyer for the Grangemouth refinery, clearly we cannot provide information which we do not hold.

2. You asked for:

Any documentation relating to meetings between the Scottish Government and Michelle Thomson on the subject of the potential purchaser of the Grangemouth refinery, including agendas, presentation materials, minutes, notes, or briefings.

The answer to your question is:

Regulation 10(5)(e) (substantial prejudice to confidentiality of commercial or industrial information) of the EIRs apply to some of the information requested. This exception applies because disclosure would, or would be likely to, substantially prejudice the confidentiality of commercial or industrial information pertaining the Grangemouth refinery.

Regulation 10(4)(e) (Internal Communications) of the EIRs apply to some of the information requested. This exception applies because officials need to be able to provide free and frank advice to Ministers on matters which have been shared in confidence or are sensitive, and their ability to do this may be impacted by the knowledge that information may be published.

Regulation 11(2) (personal data of a third party) of the EIRs applies to some of the information you have requested.

The application of regulation 11 is subject to the 'public interest test' in some specific circumstances, however the Scottish Government does not disclose the names of individuals who are below Senior Civil Service level or equivalent to below this level in the instance of private sector individuals. This approach has been taken in the respect of the names of individuals in the minutes being disclosed as part of this request. It is in the public interest to protect the personal information of junior civil servants and equivalent private sector actors and that is why the exception has been used.

Returns for your request are as follows:

Grangemouth Refinery information session for MSPs / MPs

Friday 13 September 2024

13:00-13:30

Microsoft Teams

Present

Gillian Martin MSP, Cabinet
Secretary for Net Zero and Energy, SG

Michael Shanks MP, Minister for
Energy, DESNZ

Claire Baker MSP, Mid Scotland and
Fife

Sarah Boyack MSP, Lothian

[Redacted - Regulation 11(2)],
Private Secretary to Dr Allan

[Redacted - Regulation 11(2)],
Private Secretary to Mr Shanks

Maggie Chapman MSP, North East
Scotland

Christine Jardine MSP, Edinburgh
West

Brian Whittle MSP, South Scotland

[Redacted - Regulation 11(2)]
Scottish Labour Party

Graeme Downie MP, Dunfermline and
Dollar

Jackie Dunbar MSP, Aberdeenshire
Donside

Joe Fitzpatrick MSP, Dundee City
West

Monica Lennon MSP, Central
Scotland

Maurice Golden MSP, North East
Scotland

Colin Beattie MSP, Midlothian North
and Musselburgh

Graham Simpson MSP, Central
Scotland

Carol Mochan MSP, South Scotland
(Region)

Patrick Harvie MSP, Glasgow
(Region)

Michelle Thomson MSP, Falkirk East

Euan Stainbank MP, Falkirk

Melanie Ward MP, Cowdenbeath and
Kirkaldy

Martin Whitfield MSP, South Scotland
(Region)

Beatrice Wishart MSP, Shetland
Islands

Alison Johnson MSP, Lothian
(Region)

Douglas Lumsden MSP, North East
Scotland

Michael Marra MSP, North East
Scotland

Ivan McKee MSP, Glasgow Provan

Paul McLennan MSP, East Lothian

Carol Mochan MSP, South Scotland
(Region)

Clare Haughey MSP, Rutherglen

Michael Matheson MSP, Falkirk West

Paul Sweeney MSP, Glasgow
(Region)

Gillian MacKay MSP, Central
Scotland (Region)

Stephen Kerr MSP, Central Scotland

Michelle Quinn, Director of Offshore
Wind, SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Unit
Head, SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Team
Leader, SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Team
Leader, SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Team
Leader, SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Team,
SG

[Redacted - Regulation 11(2)],
Critical Energy Infrastructure Team,
SG

Camilla Pierry, Department of Net
Zero and Energy, UK Government

[Redacted - Regulation 11(2)],
Ministerial Private Office, Scottish
Government

Minute

[Redacted - Out of Scope]

Michelle Thomson asked the Ministers to engage with Petroineos and INEOS to ensure they are fully engaged with the potential buyer who has been in touch with her, and take seriously any proposal on its merits, which they confirmed they would. The Ministers confirmed that no credible proposal had been seen and Ms Martin stressed that this is a commercial matter for the business to consider. There **[Redacted - Regulation 10(4)(e)]**.

[Redacted - Out of Scope]

Ms Martin brought the meeting to a close.

3. You asked for:

All correspondence between the Scottish Government and the potential purchaser of the Grangemouth refinery.

The answer to your question is:

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have requested because there have been several media reports as to potential buyers of the Grangemouth refinery and you have not specified which party you are seeking information on.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in information about the Scottish Government corresponding with a potential buyer for the Grangemouth refinery, clearly we cannot provide information which we do not hold.

4. You asked for:

The dates of any meetings (in person or virtual) between the Scottish Government and the potential purchaser of the Grangemouth refinery.

The answer to your question is:

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have

requested because there have been several media reports as to potential buyers of the Grangemouth refinery and you have not specified which party you are seeking information on.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in information about the Scottish Government meeting with a potential buyer for the Grangemouth refinery, clearly we cannot provide information which we do not hold.

5. You asked for:

Any documentation relating to meetings between the Scottish Government and the potential purchaser of the Grangemouth refinery, including agendas, presentation materials, minutes, notes, or briefings.

The answer to your question is:

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have requested because there have been several media reports as to potential buyers of the Grangemouth refinery and you have not specified which party you are seeking information on.

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6. You asked for:

All correspondence between the Scottish Government and Petroineos on the subject of the potential purchaser of the Grangemouth refinery.

The answer to your question is:

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have requested because there have been several media reports as to potential buyers of the Grangemouth refinery and you have not specified which party you are seeking information on.

This exception is subject to the 'public interest test'. Therefore, taking account of all

the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in information about the documentation related to meetings between the Scottish Government meeting and a potential buyer for the Grangemouth refinery, clearly we cannot provide information which we do not hold.

7. You asked for:

The dates of any meetings (in person or virtual) between the Scottish Government and Petroineos on the subject of the potential purchaser of the Grangemouth refinery.

The answer to your question is:

The Deputy First Minister met Petroineos Manufacturing Scotland Limited's Head of Legal and External Affairs on 18 September 2024 to discuss the closure of the Grangemouth Refinery and reports of a potential buyer for the asset were discussed.

8. You asked for:

Any documentation relating to meetings between the Scottish Government and Petroineos on the subject of the potential purchaser of the Grangemouth refinery, including agendas, presentation materials, minutes, notes, or briefings.

The answer to your question is:

Regulation 10(5)(e) (substantial prejudice to confidentiality of commercial or industrial information) of the EIRs apply to some of the information requested. This exception applies because disclosure would, or would be likely to, substantially prejudice the confidentiality of commercial or industrial information pertaining the Grangemouth refinery.

Regulation 10(4)(e) (Internal Communications) of the EIRs apply to some of the information requested. This exception applies because officials need to be able to provide free and frank advice to Ministers on matters which have been shared in confidence or are sensitive, and their ability to do this may be impacted by the knowledge that information may be published.

Regulation 11 (2) (personal data of a third party) of the EIRs applies to some of the information you have requested.

The application of regulation 11 is subject to the 'public interest test' in some specific circumstances, however the Scottish Government does not disclose the names of individuals who are below Senior Civil Service level or equivalent to below this level in the instance of private sector individuals. This approach has been taken in the respect of the names of individuals in the minutes being disclosed as part of this request. It is in the public interest to protect the personal information of junior civil

servants and equivalent private sector actors and that is why the exception has been used.

Returns for your request for question 8 are as follows:

1. Ministerial Engagement Briefing:

Kate Forbes, Deputy First Minister and Cabinet Secretary for Economy and Gaelic

Briefing for Meeting with Petroineos

What	You are meeting Petroineos' Head of Legal and External Affairs to discuss the closure of the Grangemouth Refinery
Where	Microsoft Teams
When	Wednesday 18 September 2024 09:10-09:25
Key message(s)	<ul style="list-style-type: none"> • [Redacted - Out of Scope] • [Redacted - Out of Scope] • [Redacted - Regulation 10(4)(e)]. • We have not received details of any serious or credible buyer to purchase the Refinery, however it would of course be for Petroineos as a potential seller to consider such offers on their merits. • [Redacted - Out of Scope]
Who	Iain Hardie – Head of Legal and External Affairs, Petroineos Manufacturing Scotland Limited
Why	[Redacted - Regulation 10(4)(e)].
Supporting official	[Redacted - Regulation 11(2)] – Head of Critical Energy Infrastructure & Commercial Projects, DECC: Energy Industries [Redacted - Regulation 11(2)]
Briefing contents	<p>Annex A: Issue and Lines to take Annex B: Refinery Announcement Annex C: [Redacted - Out of Scope] Annex D: information supplied to Petroineos by Scottish Enterprise</p>

ANNEX A – ISSUE AND BACKGROUND

Issue

During FMQs on 12 September 2024, Michelle Thomson (Falkirk East) said:

I can today make members aware that I have been working with a third party that hopes to purchase the refinery in its entirety. The matter is, of course, commercially sensitive and confidential, but will the First Minister meet me so that I can share what information I can, with the permission of the potential buyer?

Ms Thomson clarified with the media afterwards that she had signed a confidentiality agreement (NDA) with the interested buyer and therefore is unable to share any details about the buyer's proposal for the site. **[Redacted - Regulation 10(5)(e)]**.

On 17 September 2024, The Herald reported that Aberdeen-based Stacey Oil Services has confirmed its involvement in the takeover bid **[Redacted - Regulation 10(5)(e)]**. According to the article, the firm is representing a Canadian company who are interested in purchasing the asset.

We understand that the **[Redacted - Regulation 10(5)(e)]**. Petroineos confirmed to The Herald that it had not seen any evidence of a credible bid for the refinery and stated *"If a genuine offer is forthcoming, we will engage seriously with it."*

Lines to take

- **[Redacted - Regulation 10(4)(e)]**.
- **[Redacted - Regulation 10(4)(e)]**.
- **[Redacted - Regulation 10(4)(e)]**.
- **[Redacted - Regulation 10(4)(e)]**.
- **[Redacted - Out of Scope]**

ANNEX B – [Redacted - Out of Scope]

[Redacted - Out of Scope]

[Redacted - Out of Scope]

ANNEX D – SCOTTISH ENTERPRISE

INFORMATION SUPPLIED TO PETROINEOS FROM SCOTTISH ENTERPRISE

[Redacted - Regulation 10(5)(e)].

Summary

- [Redacted - Regulation 10(5)(e)]

[Redacted - Regulation 10(5)(e)].

Scottish Enterprise 17th September, 2024

**2. Deputy First Minister and Cabinet Secretary for the Economy and Gaelic meeting with Petroineos
18 September 2024
0910 - 0925**

Kate Forbes MSP

Iain Hardie Petroineos Head of Legal and Public Affairs

[Redacted - Regulation 11(2)] Scottish Government Head of Critical Energy Infrastructure

Davie Hutchison Special Advisor

[Redacted - Regulation 11(2)] Private Secretary

- Welcome and introductions
- [Redacted - Out of Scope]
- He noted that [Redacted - Regulation 10(5)(e)].
- IH noted the intervention of Michelle Thomson MSP and the talk of a potential buyer. IH noted [Redacted - Regulation 10(5)(e)] however [Redacted - Regulation 10(5)(e)] this business and concluded it is not credible.
- IH noted [Redacted - Regulation 10(5)(e)].
- KF – noted her willingness to engage on this issue. [Redacted - Out of Scope]
- [Redacted - Out of Scope]
- [Redacted - Out of Scope]
- [Redacted - Out of Scope]
- [Redacted - Out of Scope]
- [Redacted - Out of Scope]

- [Redacted - Out of Scope]
- [Redacted - Out of Scope]