

1 February 2023

Dear

ATISN 17016 – Gilestone Farm

Information requested

Thank you for your request which I received on 4 January 2023. You asked:

Q1: At the time of purchase of the farm, what information in relation to the flood risk did the Welsh Government hold and/or consider prior to deciding to proceed with the purchase?

Q1a: Specifically, at the time of purchase, was the Welsh Government aware of NRW's assessment of flood risk?

Q3: At the time of purchase, what information in relation to the SAC protected area did the Welsh Government hold and/or consider prior to deciding to proceed with the purchase?

Q3a: Specifically, at the time of purchase, was the Welsh Government aware that the activities it intended for the farm would be subject to habitat regulations assessment?

Q4: At the time of purchase, what information did the Welsh Government hold and/or consider in relation to the judicial review of a previous planning consent on the farm?

Q5: At the time of purchase, what was the approximate value of the economic benefit the Welsh Government thought would be generated or protected through its proposal to purchase and lease Gilestone Farm?

Q5a: What was the source of that economic information and what due diligence was completed in relation to that information?

In following your numbering, for your convenience, I note that you did not have a Q2.

Our response

The information you requested is as follows:

Q1: At the time of purchase of the farm, what information in relation to the flood risk did the Welsh Government hold and/or consider prior to deciding to proceed with the purchase?

Welsh Government received valuation reports by Knight Frank and Powell's and independent flooding report by Argyll Environmental which referenced flood risks and which were considered in deciding to purchase of the farm.

We have previously provided under FOI a redacted version of both valuation reports for your convenience, I attach these at annex 1 and 2 of this reply.

The Flooding report is at annex 3

Q1a: Specifically, at the time of purchase, was the Welsh Government aware of NRW's assessment of flood risk?

Welsh Government holds no recorded information that can answer this question, beyond any information provided in 1 above.

Q3: At the time of purchase, what information in relation to the SAC protected area did the Welsh Government hold and/or consider prior to deciding to proceed with the purchase?

Welsh Government received an environmental report from Argyll Environmental (via WG's solicitors Blake Morgan) which referenced the location of the SAC and other sensitive designations. Blake Morgan also provided a planning report which also referenced the SAC, both of which were considered prior to the purchase of Gilestone Farm.

The environmental report is at annex 4.

The relevant sections of the Planning Report is at annex 5. I have omitted sections of the report that speak to other matters not related to flooding, the SAC protected area or previous planning consents.

Q3a: Specifically, at the time of purchase, was the Welsh Government aware that the activities it intended for the farm would be subject to habitat regulations assessment?

Welsh Government holds no recorded information that can answer this question, beyond any information provided in 3 above.

Q4: At the time of purchase, what information did the Welsh Government hold and/or consider in relation to the judicial review of a previous planning consent on the farm?

The valuation reports and planning referred to above (under Q1 and Q3) referenced the previous planning histories of the property, but did not focus on the judicial review of a previous consent of the farm.

Q5: At the time of purchase, what was the approximate value of the economic benefit the Welsh Government thought would be generated or protected through its proposal to purchase and lease Gilestone Farm?

Welsh Government holds no recorded information that can answer this question. The Freedom of Information Act (FOIA) gives the right of access to recorded information, but in this case, the only answer we could give to this question would require new information to be created that answers this

question. The FOIA does not require an authority to create new information to answer a request.

Q5a: What was the source of that economic information and what due diligence was completed in relation to that information?

Welsh Government holds no recorded information that can answer this question.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely