

8 July 2022

Dear

**Complaint in respect of Request for Information – Reference ATISN 16316**

Thank you for your letter of 15 June 2022 asking us to review our handling of the above request. In your letter you say:

I am unhappy with the response given to my question 7. The response claims that the information held is exempt from disclosure under Section 21 of the Freedom of Information Act 2000, because the information is available elsewhere. This I take to mean, the Land Registry.

But I have consulted the Land Registry website and either the Welsh Government's purchase of Gilestone Farm has not yet been registered with the Land Registry or else the Land Registry has yet to update its records. (I am aware of a backlog due to Covid.) Whatever the answer, the fact remains that the information is NOT publicly available at the Land Registry.

Question 7 of your original request asked:

7. Who now owns the rights to the substantial deposits of sand and gravel beneath Gilestone farm?

I have consulted on the answer to this question, both whether it is available from the Land Registry and also whether we can simply provide an answer. On the question of whether the information is in the public domain, I am advised that it is available in the Land Registry titles (i.e. CYM5155577, WA515967, CYM515641, WA521251). Nevertheless, I can tell you that the answer is that Welsh Government own the rights to the sand and gravel deposits.

You also say in your letter:

Also, given that the Land Registry charges just £3 per title document, why did the response direct me to a commercial entity providing the same information but charging much more?

The Freedom of Information Act provides the public with freedom of access to information, but does not require that information that is available elsewhere at a cost be made available for free. This would undermine the remuneration arrangements between agencies, publishers and others, whose costs are offset by

the provision of information. The land registry holds information on titles, and the cost of the titles defrays their expenses in providing this service.

On this occasion I have taken the view that, as you are not seeking the whole title, but only the answer to one question that could be answered from the title, that it is appropriate that I provide you the answer, and I have done so above. I apologise that we did not make this answer available in our original response.

If you remain dissatisfied with this response you also have the right to complain to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745  
Fax: 01625 524 510  
Email: [casework@ico.gsi.gov.uk](mailto:casework@ico.gsi.gov.uk)

Also, if you think that there has been maladministration in dealing with your request, you have the option to make a complaint to the Public Services Ombudsman for Wales who can be contacted at:

Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae  
Pencoed  
Bridgend  
CF35 5LJ

Telephone: 0845 6010987 (local rate)  
Email: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)

Yours Sincerely