

26 February 2024

Dear

ATISN 20150

Thank you for your request which I received on 31/01/2024. I have interoperated this as being:

“you would like to know what additional information the review panel requested when appraising the Gwyr CLT business case”.

Our response

In researching our archives for information pertaining to the Gwyr CLT business plan I found 34 file records which may be captured by the request. There are 8 files in particular which either contain the business case or which were received from Cwmpas regarding additional information requested by the review panel. The total word count associated with these 8 files are over thirty three thousand.

I have reviewed all of the documentation records and files and have decided that exemptions from disclosure would need to be applied, these are:-

Section 38 – endangering health and safety

The additional information sought by your request holds information relating to the health and wellbeing of individuals of the CLT and to release such might cause distress and endanger physical or mental health or safety of those individuals.

Section 43 – trade secrets and prejudice to commercial interests

The additional information sought by your request contains commercial information as it refers to the business case. For me to release the redacted information I would firstly need to seek specialist legal advice pertaining to its release. I would then need to balance that advice with the public interest test and form a conclusion regarding release or withholding on every separate detail. I do not think that seeking this specialist advice will result in its release as it will cost more than £600 to receive which is the limit specified for central government for servicing Fol's. I hope that you will see that I have endeavoured to keep within the spirit of your enquiry by releasing the pertinent sections of the discussion which shows the direction of travel the panel took when assessing the business case.

I have published the information you seek in the below appendix 1.

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

Appendix 1 – Additional information sought by the review panel (not in any particular order).

- How will the “sweat equity” work in practice?
- How would the development financially stack up without sweat equity?
- How will the work done by the CLT members be quality controlled?
- What contingency is planned for the site to bring it forward i.e., what is the completion date and what will happen if that is passed?
- Is the growing land linked to planning consent?
- Can a more detailed analysis of costs and cost inflation for groundworks, services and roads and access be provided?
- Could a legal charge be put in place to protect the investment of Welsh Government?
- Has any consideration been given to whether VAT will be charged and if so, can it be reclaimed?
- Up to *[Redacted]* ownership over how many years of occupation? I would not expect that someone could take a *[Redacted]* stake immediately. Will it be staircased? i.e. a restriction on the amount of equity one can purchase per year?

Section 43 – trade secrets and prejudice to commercial interests

- Welsh Government would like to understand the sweat equity element a bit more. When is the *[Redacted]* hours per wk. expected to be invested? i.e., from foundations to building control sign off

Section 43 – trade secrets and prejudice to commercial interests

- Who does sign off? Building Control?
- What amount of “sweat” will be required of residents after the site is completed to keep it ship shape? Or will all site maintenance be contracted out?
- What happens if residents don’t pull their weight?
- What happens if a home goes into disrepair?
- What does “responsible” board of directors mean? I presume there is a board currently in place who will be replaced by residents. Who will guide the board? i.e., give professional advice?

- Can occupation rights be passed from parent to siblings?
- *Section [Redacted]. [Redacted] hours per wk. this differs from the [Redacted] hours a week in the affordability doc. [Redacted] hours a week is high to working people, is it realistic?*

Section 43 – trade secrets and prejudice to commercial interests

- *Section [Redacted]. If [Redacted] restricted to families and [Redacted] restricted to over [Redacted] not much left couples and single people. How does this statement dovetail with the table in [Redacted] of the application form?*

Section 43 – trade secrets and prejudice to commercial interests

- New members will be assessed by existing members. Who chooses the pioneers?
- Will the homes meet WDQR?

- Need more detail on what planning discussions have taken place. In particular what are the planning restrictions proposed on the site?
- How does the financing work? When do the future tenants start to pay? Who pays for the interest payments during the build?
- The application stated the benefits of the proposal, but some will see this as a “commune” and that has negative connotations. This needs to be addressed within the application.
- Why is a barn needed?
- Why is a workshop needed?
- Why is an *[Redacted]* space needed?
Section 38 – endangering health and safety
- Plant room for what purpose?
- Shared amenity space for pantry, freezer and laundry. How is this going to work?
- Need to have breakdown of costs associated with the application and where the private sector finance will come from.
- Are the current GCLT the proposed homeowners? Who are the board? What is the difference between GCLT and the Board? What are the links between the CLT two groups (planning and design) to the CLT membership/Board?