

22 September 2026

Dear

Complaint in respect of ATISN 27233 - Mynydd Maen Wind Farm, Trecelyn Wind Farm, Rhyswg Wind Farm and the Mynydd Llanhilleth Wind Farm

Thank you for your email which was received on 6 August 2026. I have now concluded my review with sincere apologies this has taken longer than was at first anticipated.

In your letter, you asked me to review the following:

1. The scope of the request – you state that the request was not for everything, but targeted to recorded information evidencing communications with two named companies, RES and Pennant Walters, about four named developments (the Mynydd Maen, Trecelyn, Rhyswg and Mynydd Llanhilleth wind farms, with their DNS references), over a defined period from 1 January 2024.
2. That the response did not give any explanation of the searches required, or why they could not be targeted, and thus did not demonstrate the threshold of manifestly unreasonable was met.
3. That there was no public interest test applied

On the first point, I find our response quoted your request exactly, and that is the definition officials were working with when they assessed what effort would be required to locate, extract and collate information in answer to your request.

You asked:

Under the Environmental Information Regulations 2004, I request all recorded information — including emails, letters, meeting notes, minutes, and diary or calendar entries — evidencing communications between the Welsh Government (including Welsh Ministers, special advisers, and officials) and any of the following, **or their agents, consultants, land agents, solicitors or other representatives**, from **1 January 2024** to the date of this request:

- RES (Renewable Energy Systems Ltd), concerning the Mynydd Maen Wind Farm (DNS/3276725);
- Pennant Walters Ltd, concerning the Trecelyn Wind Farm (DNS CAS-02114-J9X4S6), the Rhyswg Wind Farm, and the Mynydd Llanhilleth Wind Farm (DNS CAS-03540-M8J8M5).

For the avoidance of doubt, this includes any communications concerning site visits or tours offered to, or attended by, Members of the Senedd or Welsh Government officials.

On the second and third points, however, I agree that our response did not provide a summary of the evidence we have that the request would be excessively burdensome, and thus manifestly unreasonable. I also agree that we failed to apply a public interest test. I apologise for these errors in our response.

I have asked officials to provide me with the evidence they had found that the threshold of manifestly unreasonable was met. They have indicated that in initial searches of files in our electronics document management system show that, from the date given, the Mynydd Llanhilleth application comprises 411 documents. Mynydd Maen comprises 987 documents. Trecelyn comprises 745 documents. The Rhyswg Wind Farm is at pre-application stage so only 10 documents are currently available.

Your request captures all such documents “evidencing communications between the Welsh Government (including Welsh Ministers, special advisers, and officials) and any of the following, or their agents, consultants, land agents, solicitors or other representatives. As documents may evidence communications that are not themselves direct communications, it is not possible to filter the above documents by recipients. In any case, your request did not ask just for direct communications but also minutes, meeting notes and diary or calendar entries (which would exist in addition to the above preliminary search). It is thus not possible to locate all the information you have requested without extracting each of the documents above and reviewing them individually to establish if they have information within the scope of this request. This is a manual process, and cannot be automated.

In an exercise, we found that the time required to locate, extract and manually review files to determine if they are within scope of the request was, on average, 3 minutes. Based on this, and the fact that we have at least 2153 files to review, I estimate that the time required to comply with this request would be in excess of 107 hours. This would be excessively burdensome and thus meets the definition of manifestly unreasonable under EIR Regulation 12(4)(b).

Public Interest Test

As you have noted, EIR Regulation 12(4)(b) is subject to the public interest test. I will now consider that public interest test.

I have given consideration to the public interest in disclosing the information. The Welsh Government recognises the general public interest in openness and transparency and that releasing the information would help the public gain a better understanding of the projects in question and decisions made according to our policies. The matters relate to areas of clear of public interest and a public policy process.

However, the public policy process is also designed with openness and transparency in mind, and there are opportunities for public scrutiny via the Planning Casework Portal on the Welsh Government website where representations from applicants are published <https://www.gov.wales/appeal-or-search-planning-decision-or-notice>.

As explained above, the request would be very burdensome to comply with, and require officials to spend a disproportionate amount of time in extracting and reviewing such a large volume of documents. This would take them away from the delivery of their policy work. It would not be in the public interest for that policy work be stopped to enable substantial resources to be diverted to dealing with this request, beyond that already allowed for in the normal mechanisms of public scrutiny.

I therefore consider the balance of the public interest lies in favour of refusing your request. This is because we believe your request would place a substantial and unreasonable burden on Welsh Government resources and on balance, we consider the public interest would be better served by not deploying our resources away from core work. As part of these considerations we have applied the statutory presumption in favour of disclosure under Reg12(2) of the Regulations but our view is that the significant burden that this request would impose outweighs the public interest in releasing this information.

Your request is therefore refused under Reg 12(4)(b) – manifestly unreasonable, of the EIRs, for the reasons outlined above.

Even though I am upholding the decision to refuse your request, I again apologise that our letter did not create the consideration of the public interest test, and we will seek to ensure such lapses do not recur.

I note that at the end of your letter, you say you are submitting a new narrower request, and my officials will respond to that in due course.

I have considered your complaint in accordance with the procedure outlined in the Welsh Government's Practical Guide for Making Requests for Information which is available by post on request or via the internet at: [Requesting information from the Welsh Government](#).

If you remain dissatisfied with this response you 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

Yours sincerely

(Job Share) Director, Local Government and Planning