

1 April 2016

Dear ,

ATISN 10258 Sale of Welsh Government Land

Thank you for your further request made under the Freedom of Information Act 2000, which was received on 2 March which states:

Please provide the following information under the Freedom of Information Act following the publication of the report of the Public Accounts Committee into sales of Welsh Government land across Wales:

- Please provide any correspondence between the Welsh Government Ministers and Civil Servants and board members of the Regeneration Investment Fund for Wales and Lambert Smith Hampton Ltd and Amber Infrastructure Ltd following the decision by RIFW board to sell government-owned land as a single portfolio in March 2011 until the completion of the sale in March 2012.
- Has any disciplinary action been taken against any Welsh Government civil servants as a result of the mistakes over the sales of Welsh Government land? If so, what was the action taken e.g. warning, suspension, dismissal. If not, is disciplinary action being considered at present?
- Has the Welsh Government considered taking legal action against Lambert Smith Hampton in relation to the advice provided to the RIFW Board on the sale of land? If not, why not?
- Has Welsh Government referred Lambert Smith Hampton to their professional body? If not, is this being considered?

Although you have reduced the scope of your request following advice from me it is still very broad in scope.

In respect to the first element of your request (correspondence), our search has identified at least 1,000 relevant electronic files caught by your request. A similar number of paper files will also need to be considered. I have interpreted your request for correspondence to include any recorded communication between the parties and our search engine is unable to distinguish whether the relevant will contain information specific to your request about the sale of government land assets without active checking. We estimate it will take an average of 2 minutes to check each of these files which would mean it will take more than 33 hours to complete this part of your request – 1000 files multiplied by 2 minutes = 2,000 minutes divided by 60 minutes = 33.33 hours. This is before any member of staff has been asked to conduct a search of their own mailboxes for any information that falls within the parameters of your requests. Checking of the paper files will allow a number to be dismissed very quickly as not containing relevant information. However, I estimate that 4 boxes of paper files will need to be checked more closely and that this will take a further 2

hours. This means that the total estimate for the first point of your request would be in excess of 35 hours.

It follows that we believe the first point of your request is likely to be very time consuming to deal with. We estimate that it will cost more than the appropriate limit established in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to consider your request, and in this circumstance the regulations allow us to refuse to deal with it. The appropriate limit specified for central government is £600. When calculating whether or not your request exceeds the appropriate limit, we are allowed to consider the time it is likely to take to establish if we hold the information, locate the information, retrieve the information and extract it. If these tasks are estimated to take more than 24 hours of working time, the limit will have been exceeded. In this instance, we consider this to be the case.

In the circumstances, we will not take any additional action in relation to this request and any further request for information received from you will be logged and handled as a new request. If you decide to submit a new request, we would suggest that you consider how it might be possible to bring it below the appropriate limit. One option might be to further narrow the range of correspondents involved or provide a shorter time scale for the information you are looking for.

Regarding the remaining three elements of your request, and as advised in my previous letter to you, they pose questions similar to recommendations made by the Public Accounts Committee in its report on the Regeneration Investment Fund for Wales. When I first wrote to you I explained that the Welsh Government would be providing a formal response to this report. This has now been published and can be accessed through the following link which I hope you find helpful.

<http://www.assembly.wales/laid%20documents/gen-ld10615/gen-ld10615-e.pdf>

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: FreedomOfInformationOfficer@wales.gsi.gov.uk

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