



Ein cyf/Our ref: ATISN 18676

Llywodraeth Cymru
Welsh Government

23 August 2023

Dear ,

Complaint in respect of ATISN 18676

Thank you for your request for internal review on the above request, which I received on 31 July 2023. You did not state in what way you were dissatisfied with our handling of your request in that message, but in your follow up of 1 August you stated:

that there were significant delays between responses and no effort to understand the request or to help with the request as set out and required by the FOI guidelines.

You also indicated that you would accept the information request in “percentage form.” That is, a summary of the data.

Your request asked for:

Information on compensation paid to claimants relating to section 4 and 5 of A465 Head of the Valleys project. You requested a breakdown the information to include detail on injurious severance and value of Compulsory Purchase orders. In other words. What agreements have been made with claimants and what are the values, broken down in terms of how the compensation was allocated and calculated.

We interpreted this request to be financial compensatory information regarding payments to individuals in the above work.

Further to my acknowledgement letter of 1 August 2023, I confirm that I've now completed my internal review of your previous Freedom of Information (FOI) request.



Llywodraeth Cymru /
Welsh Government
Parc Cathays /
Cathays Park
CF10 3NQ

FOI.ETCC@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Following a thorough review of its handling, I **uphold** the original decision to withhold the release of financial compensatory information payments made to individuals in respect of the A465 road scheme. The rationale for my decision is shown below and a Chronology of your FOI request can be found at Appendix A.

While reviewing your case I noted a perceived lack of clarity around your FOI request that prompted a number of exchanges between yourself and the Welsh Government case handler. No doubt this had the potential for frustration for both parties, however I did not detect any obduracy on the part of the case handler given in their letter to you dated 6 July they sought to help you refine your FOI request by: i) encouraging you to “focus only on precise pieces of information you want” and ii) offering to arrange a face to face meeting with yourself, that you did not respond to. (I understand that other offers to meet have also not been taken up by yourself.)

Despite these exchanges, the FOI request was reviewed and concluded in a timely manner and within the statutory deadline, and officials made repeated requests for clarification in an effort to assist you.

. As part of my review I did question whether some indicative anonymised information may be releasable to you. However it appears that discussions with landowners regarding compensation, due to related Compulsory Purchase Order/s (CPO), are still very much in their infancy We therefore do not hold average or aggregate data at this time.

Yours sincerely

Carolyn Hughes
Governance & Legislation Manager
Climate Change & Rural Affairs Group

Tel / Ffôn: 07796 991263

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

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

Appendix A.

CHRONOLOGY of Freedom of Information Request – Ref: ATISN 18676

3 July 2023 14:40	Email from Mr Watkins to Welsh Government.	Original FOI request relating to compensation payments made to claimants re Junctions 5 & 6 of A465. (Ref: 18676)
6 July 2023 19:45	Letter of response - from WG Project Engineer to Mr Watkins	Seeking clarification on scope of FOI by 21 July and asked for “a more specific request for information”.
6 Jul 2023, 20:05	Email from Mr Watkins	Re-stating / clarifying his original FOI request.
9 Jul 2023, 10:35	Email from Mr Watkins	Seeking acknowledgement of his email dated 6 July 2023.
13 July 2023 08:04	Email from Mr Watkins	Seeking WG confirmation that information had been received and requesting FOI information be provided by 5 August 2023
21 July 2023	Letter 2 from WG Project Engineer	Seeking further clarification on scope of FOI and offering face to face meeting
21 July 2023 14:23	Clarification response by Mr Watkins	Re-stating / clarifying his original FOI request but now with reference to Junctions 4 & 5 (not 5 & 6 as per original request)
31 July 2023	FOI Decision letter issued by WG Project Engineer	Requested information withheld - Section 41 of the Freedom of Information Act (Information Provided in Confidence)
31 July 2023 14:49	Email from Mr Watkins requested internal review of FOI – ATISN 18676.	“I am not satisfied with the way that the request has been handled. I would like to follow this process before taking this to the Information Commissioner's Office and I would appreciate a prompt acknowledgment and response.”
1 August 2023 11:25	Email from Mr Watkins	Seeking confirmation WG review would be undertaken urgently. Further clarifying complaint related to: i) significant delays between responses ii) no effort by WG to understand the request or to help with the request.
1 August 2023	Letter emailed to Mr Watkins from Carolyn Hughes (WG Internal Reviewer).	Acknowledgement letter that CH would undertake WG Internal Review and report to Mr Watkins by 29 August 2023.
23 August 2023	Letter emailed to Mr Watkins by Carolyn Hughes (WG Internal Reviewer)	