

23 June 2023

Dear

## **ATISN 18551– Kilvey Hill Development**

### **Information requested**

Thank you for your request which I received on 1 June 2023. You asked for:

1. Full background information on the proposed Kilvey Hill development with Skyline Enterprises including the details of the amount and nature of any public money which has been offered or provided in support of the project by either the Council, Welsh Government or any other public body in the form of grants and direct or indirect support.
2. Full details of the consultation events between Skyline Enterprises and the Council, Welsh Government or any other public body as part of the planning process.
3. Any details of the discussions had to date with Skyline Enterprises including details and copies of any such agreements entered into or to be entered into with Skyline Enterprises.
4. How much funding the Council, Welsh Government or any public body provided in support of the project to date in the form of grants, direct or indirect support.
5. Any additional funding (in the form of grants, direct or indirect support) the Council, Welsh Government or any other public body is planning to provide in support of the project.
6. To what extent the required support (whether in the form of public funding, direct or indirect support) varied in comparison to Council's, Welsh Government's or any public body's initial understanding of the support which would have been required.
7. Full details of the returns that Skyline Enterprises, Council, Welsh Government or any public body is expecting in relation to the funding (in the form of grants, direct or indirect support).
8. How the Council, Welsh Government or any public body would expect for any future funding (in the form of grants, direct or indirect support) to be spent.

### **Our response**

I can confirm we hold the information you have requested. Please see our response below, detailed point by point.

1. The Skyline project to create a destination visitor attraction at Swansea has been under discussion for a few years, with the key parties being the Welsh Government, the City & Council of Swansea and Skyline Enterprises Ltd. The Group's first luge development was at Rotorua, New Zealand. It is an experienced attraction operator,

a market specialist and proven developer of this type of attraction, its speciality being both gondola and luge destinations. Skyline proactively look for new locations and opportunities, and Skyline Swansea will be an all-year-round visitor attraction, and the Group's European regional hub.

The project is to create a destination 'Skyline' attraction, with the signature activities being a gondola (cable car), luge rides, sky swing and ziplines. The gondola route will be from Hafod Morfa Copper Works to Kilvey Hill summit. Further activities will include a 1.2km zipline and a skyswing rising to 50m above ground level. At the summit will be a Food & Beverage offer. This is at concept stage, but initially will be a mix of Skyline operated spaces, alongside rented pitches leased to food artisans promoting local produce and 'street foods'.

The total project cost will be £34m, taking about two years to complete. The Welsh Government has offered funding of up to £4m (of which £1m is repayable) towards the project and this has been accepted by the applicant.

2. The consultations events were organised by Skyline, and the planning process is the responsibility of the Council. The Welsh Government has not undertaken any consultation events.
3. The Welsh Government has issued a formal funding offer in respect of the project, as detailed under the response to question 1, and has not entered into any other agreements. The funding offer has been accepted by the applicant.
4. Please see response to question 1.
5. The Welsh Government is not planning to provide any further support towards the project beyond what has already been offered.
6. We have interpreted that you are looking for details of any variation from the applicant's original funding request to what was finally offered. I have concluded that this financial information is exempt from disclosure under Section 41, information provided in confidence, of the Freedom of Information Act 2000. The reasoning for withholding the information is given at Annex A.
7. The Welsh Government offer of funding includes £1m, which is to be repaid.
8. Please see response to question 5.

### **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](mailto: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

**Section 41 – Information Provided in Confidence**

This applies to question six of the request.

Section 41 sets out an exemption from the right to know where the information requested was provided to the public authority in confidence and disclosure of the information would give rise to an actionable breach of confidence.

Section 41 states that:

*(1) Information is exempt information if—*

- (a) it was obtained by the public authority from any other person (including another public authority), and*
- (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.*

The details of any variation from the applicant's original funding request to what was finally offered contains detailed financial information. As such, the information is neither trivial nor is it, at this point in time, publicly accessible. This information is confidential to the Welsh Government and the applicant. Releasing this financial information would breach the applicant's confidentiality, as this information was provided to the Welsh Government on the explicit understanding that access to it would be closely restricted. Disclosing the figure that was originally requested by the applicant, may harm Skyline's reputation and subsequently negatively impact the business when it opens.

The applicant has not provided consent for us to make this information available to any party who asks for it.

Consequently, I believe that the information is owed a legal duty of confidence and that disclosure without consent would result in an actionable breach of that confidence.

Section 41 is an absolute exemption and is not, therefore, subject to the public interest test.