

05 October 2023

Dear

**ATISN 18945 – Former Rompney Castle Public House**

Thank you for your request of 10 September 2023, which I received on 11 September 2023.

You asked for copies of all the written and photographic evidence Cadw holds on the above property. A list of the documents to be released is set out in Annex A. A list of the photographs to be released is set out in Annex B.

I have decided that certain personal information is excepted from disclosure under regulation 13 of the Environmental Information Regulations and is therefore withheld. I am also withholding personal data of those who made the requests as this is considered to be personal data protected by the General Data Protection Regulations (GDPR). The reason for applying this is set out in full at Annex C to this letter.

You also asked that we provide written answers to the following specific questions and I have included your numbering for ease of reference but please note that there are two questions with the same number three: -

1. By whom was Cadw asked, and on what dates, to consider the property for listing? Please supply their names and addresses.

[See docs 1-8 and Annex C.](#)

2. In whose presence Cadw's Inspector of Historic Buildings conducted the external assessment on 8 November 2021?

[The Inspector was unaccompanied on his external assessment, which was based on what was visible from the public highway, and pub car park.](#)

3. Did the Inspector survey the interior of the property? If yes, who allowed the access to the interior of the property.

[Yes, an internal inspection was arranged with the Director of Amity Planning and the Director of Sunder Architects and carried out on 4 March 2022. Our Inspector was shown around the property by the landlord and a representative of Sunder Architects.](#)

3. What evidence Cadw has that the property was constructed by 1871. Please supply copies of the cogent evidence. If you have no written evidence then you wrote the Assessment based on hearsay, which is not admissible under the law of evidence. Please explain.

See 1847 Tithe Map at Doc 9, 1886 Ordnance Survey at Doc 10, and Census data within Docs 4a and 5a.

4. What evidence Cadw has that the property was acquired by the American Consul, Harry Harris Davies and by Brains. If you have documentary evidence please supply copies. If you do not have documentary evidence then on what evidence you relied upon to write history of the property. Hearsay is not admissible evidence. Please note there are no such conveyance deed with the title deeds in my possession.

See obituary of Harry H Davies at Doc 11, and Census data within Docs 4a and 5a.

Documentary information about Colonel Harry H Davies is publicly available from Gwent Archives (Doc 5b) and Glamorgan Archives.

Glamorgan Archives has transactional papers about Brains' acquisition of the pub in the 1930s, and some "Brains" stained glass survives in situ (see photos).

5. How was the architectural interest of the property assessed without carrying out an internal inspection on 8 November.

This visit did not include an internal inspection of the property. However, the interior assessment was based on the photographs that were available on the pub facebook page at that time, which showed an extensively modernised interior. This page may no longer exist but you might want to contact the previous landlord directly.

6. Please supply copies of all the photographs showing modernised pub interior. What was the CAMRA work on historic pub interiors? Please explain.

I provided information on CAMRA when I replied to you on 12 September. Please see answer above about the photos showing a modernised interior.

7. Please provide copies of all the evidence relied upon in rejecting the property in the 2000 resurvey of the Rumney Community.

The property was assessed against the published listing criteria contained in [Planning Policy Wales - Technical Advice Note 24: The Historic Environment \(TAN24\)](#), which are intended to ensure that only the very best of our nation's historic buildings are protected. The community of Rumney was surveyed as part of a national programme to identify candidate historic buildings for listing.

The Rompney Castle was assessed externally and judged not to meet the criteria. We have photographs of the building from February 2000, together with a brief catalogue note of the building, which evidence it was inspected (Doc 12).

8. Please provide full details of the all the previous assessments and survey carried out in rejecting the property for listing.

The building was considered during the 2000 resurvey and was assessed again in 2021/22 – See Docs 13 & 14.

9. Please explain and define your statement “**the building is of limited and architectural and historic interest**” for whom and for what purpose and for how long, bearing in mind the building is derelict shutdown former disused public house, which is haven for shelter for drug users.

To be listed at the national level, a building has to have special architectural or historic interest. Buildings are included for the interest of their architectural design, decoration and craftsmanship, including particular building types and techniques criteria. While the Rompney Castle has some architectural and historic interest, we considered this had been largely compromised by later alterations and extensions.

10. What is meant, in plain terms, by, “[the building] might be considered to be of local interest, which could acknowledge its community value”.

Buildings considered to be of local interest are those that are valued by the local community or neighbourhood and contribute to the character of a place or district, but do not meet the published criteria for listing at the national level.

Cadw has produced guidance on buildings of special local interest at this weblink: [Historic assets of special local interest | Cadw \(gov.wales\)](#)

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  
[FreedomOfInformationOfficer@gov.wales](mailto:FreedomOfInformationOfficer@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,

## Annex A - ATISN 18945 – Documents for release

Item	Description	Date
01	Listing request (1)	6 July 2021
02	Listing request (2) & acknowledgement	22 October 2021
03	Listing request (3) & acknowledgement	25 October 2021
04	Listing request (4)	18 November 2021
04a	Listing request (4) – Supporting information	undated
05	Listing request (5) & acknowledgement	30 November – 9 December 2021
05a	Listing request (5) – Supporting information	Undated
05b	Listing request (5) – Supporting information - Note from Gwent Archives	16 November 2021
06	Listing request (6)	22 February 2022
07	Listing Enquiry - Cardiff Council	9 February 2022
08a	Letter from Vaughan Gething MS	29 March 2022
08b	Reply to Vaughan Gething MS	17 May 2022
09	<a href="#">The Parish of Rumney in the County of Monmouth.</a> published on the National Library for Wales online archive.	1846
10	<a href="#">First Edition Ordnance Survey map (Glamorgan Sheet XLIII)</a> , published on the National Library for Scotland online archive.	1886
11	<a href="#">Death of Colonel Harry Davies, of Rompney Castle, Rumney. Weekly Mail.</a> published on the National Library for Wales online archive.	8 May 1886
12	Resurvey Photograph catalogue note	Undated – c.2000
13	Initial Desk Assessment	2 September 2021
14	Cadw Assessment No.2	14 March 2022

## Annex B - ATISN 18945 – Photographs for release

2x	Resurvey Photographs	February 2000
5x	Photos of the exterior, taken by the inspector	8 November 2021
25x	Photos of the interior and exterior, provided by the Director of Sunder Architects	25 February 2022
40x	Photos of the interior and exterior, taken by the inspector (images 5, 8, 9, 12, 32, 33 & 36 have been withheld)	4 March 2022
Misc	<a href="#">Rumney Image Gallery - Cardiffians.co.uk</a>	undated
Misc	A number of historic photos, undated, are included in the information provided in Doc 4a.	Compiled c.November 2021

## Annex C - ATISN 18945

### Regulation 13 of the Environmental Information Regulations 2004

I have decided to withhold the following information:

Information being withheld	Section number and exception name
Personal information of members of the public engaging with Cadw over the listing process.  Photographs that include people.	Regulation (13) of the Environmental Information Regulations: the information requested includes personal data of which the applicant is not the data subject.

### Engagement of Regulation 13

Regulation 13 of the EIRs sets out an exception from the duty to disclose if the information requested is personal data protected by the General Data Protection Regulations (GDPR).

Personal data means information which relates to a living individual who can be identified from that data; or from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller.

I consider that information regarding names and addresses of members of the public, as well as information relating to their private lives to be personal information.

Guidance from the Information Commissioner's Office states:

- The starting point is to consider whether it would be fair to the data subject to disclose their personal data;
- If disclosure would not be fair, then the information is exempt from disclosure.

I have assessed that the individuals concerned would have a reasonable expectation that their personal data would be kept confidential and not disclosed to the world at large. It would be unfair to the individual concerned to release their personal data. Disclosure would give rise to unfair and unwarranted intrusion on the individuals' privacy in the circumstances of this case, and has the potential to cause unnecessary and unjustified harm to the individual in this case.

Release of this information may also breach article 8 of the European Convention on Human Rights – a right to respect for one's "private and family life, home and correspondence."

I have thus concluded that in in this case, disclosure would not have been within the reasonable expectation of the individual and the loss of privacy would cause unwarranted distress. It is my view that disclosure of would breach the first data protection principle, and thus are exempt from release under regulation 13 of the Environmental Information Regulations 2004.