

28 November 2023

Dear

Your Client: Fairness for the Uplands
ATISN 19234 – Request for Information in respect of the Habitat Wales Scheme
(the “Scheme”)

We write further to your letter dated 31 October 2023 where you requested:

1. All information and evidence taken into account in the decision to introduce the interim Habitat Wales Scheme including all consultation responses, supporting data, evidence and rationale. With specific information in relation to the following:
 - a) Evidence as to how the decision of £/ha was reached as well as an account of the data used in deciding on the different payment rates for habitat management for individual farm businesses and for common land;
 - b) An explanation as to the rationale applied in deciding on the capping/tiering of hectares per applicant; and
 - c) Copy of correspondence between the Welsh Government and any farmers’ unions and any other third parties ahead of the introduction of the Scheme.
2. How many applicants have expressed an interest in the interim Habitat Scheme as at the date you respond to this letter.

Our response

Request 1 – Your request does not provide a sufficiently clear description of the information for me to identify and locate the information you are seeking.

Additionally, I consider that this is an excessively broad request. For example, it would be useful to know exactly what data and element of the Scheme you are referring to when you request “*supporting data*”.

I will be unable to process your request any further without these clarifications.

Request 1a - The information you request is enclosed.

Request 1b - There is no requirement to generate information in response to a request, therefore I do not consider your request for an “*explanation*” constitutes a request for information.

Request 1c - Your request does not provide a sufficiently clear description of the information for me to identify and locate the information you are seeking.

Additionally, I consider that this is an excessively broad request.

For example, it would be useful to know if you are only requesting correspondence in which the Scheme is generally discussed or is it just a particular aspect of the Scheme.

I will be unable to process your request any further without these clarifications

Request 2 – There have been 3254 expressions of interest to date.

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

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