

28 August 2025

Dear

**Request for Information - ATISN 24933**

Thank you for your request which I received on 11 July 2025. You asked for the following information:

- Documents relating to Subsidy Control/State Aid advice and decision in relation to Cardiff Airport including but not limited to
  - Internal and external specialist advice
  - Emails and reports relating to interpretation of the advice Emails and reports relating to decision to allow the Subsidy/State Aid
  - Any other documents that may be pertinent to the advice given and decision made.

You asked for the information to be provided in the form of email response.

You also asked for assistance in refining your request.

On 25 July, we requested clarification on the details of your request. On the same day, you confirmed that your request was seeking:

1. Any external or internal legal advice in relation to any subsidy provided to the airport.
2. Any correspondence from AMs or Civil Servants relating to subsidies specifically relating to legal advice given - this should include email correspondence and any meetings held in relation to subsidies.
3. Any reports, internal communications or emails/electronic recordings of meetings.

You also confirmed that your request was in relation to any subsidy/state aid from 2018 to present.

**Our Response:**

Firstly, please accept our sincere apologies for the lateness in providing this response.

Thank you for the clarification of your request. Your request is still very wide ranging and three (3) different grant subsidies to Cardiff Airport are captured by your request.

From my assessment I estimate it will cost more than the appropriate limit set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 to answer your request. The appropriate limit specified for central

government is £600. This represents the estimated cost of it taking over 24 hours of time to determine whether we hold the information and to thereafter locate, retrieve and extract the information.

We believe the number of policy divisions that could hold the information is 12 and that the number of officials in each division who would need to be asked if they hold information is 5.

To ascertain where information is in scope, we would need to ask 60 officials at 1 minute each to determine if they may have information in scope. This would take 1 hour.

Having located officials who may have information in scope, we would need to access each of their email systems and locate relevant emails. Although we can semi-automate the task by using keywords, such as "Cardiff Airport" or "subsidy" or "Cardiff Airport legal advice", keywords alone will not find all information in scope, as there are many ways a message may be obliquely about subsidy to Cardiff Airport without mentioning those specific words.

To see if an email is captured by this request, it is necessary to review the email. This is a manual process.

In an exercise, I looked at the email system of one official in an appropriate policy division and found 997 potential messages in scope relating to "subsidy".

Allowing on average 2 minutes per message to read and understand if every record had information in scope, it would take me 1,994 minutes. Dividing that by 60 to get the number of hours, works out to be 33 hours.

The time taken to review and locate all such information across all relevant Welsh Government officials' emails would be more. Even if there were only 50 records per additional person across the Welsh Government, that would mean 50 records multiplied by 2 minutes per record = 100 minutes. Dividing that by 60 gives me 1.6 hours, then multiplying that by the estimated number of officials who may hold relevant records (60 people) would result in an additional 100 hours. For email searches alone this would result in 133 hours (33 plus 100).

Further, I undertook a search on the Welsh Government filing system. The result of those searches returned 1,030 records within only three specific project file areas; so when multiplying that by 2 minutes per record (2,060); then dividing by 60 to get the number of hours, this works out to be 34 hours. I thus estimate the size of this combined task to be 167 hours (133 hours plus 34 hours). This is substantially over the appropriate limit, and so I believe this request is subject to section 12 (Cost of compliance exceeds the appropriate limit) of the Freedom of Information Act, and the information is thus withheld.

Despite the above, I would also like to advise that the legal advice information you are asking for would also likely be withheld under section 42 (Legal professional

privilege), of the Freedom of Information Act 2000, should your request be further refined and brought within the parameters of appropriate limits, as described above.

If you have any queries about this request, please do not hesitate to contact me at the address below. Please remember to quote the reference number above in any future correspondence.

The request you sent me contains personal information about you - for example, your name and address. The Welsh Government will be the data processor for this information and, in accordance with the General Data Protection Regulation, it will be processed in order to fulfil our public task and meet our legal obligations under the Act to provide you with a response. We will only use this personal information to deal with your request and any matters which arise as a result of it. We will keep your personal information and all other information relating to your request for three years from the date on which your request is finally closed. Your personal information will then be disposed of securely.

Under data protection legislation, you have the right:

- to be informed of the personal data we hold about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

For further information about the information which the Welsh Government holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ  
Email: [DataProtectionOfficer@gov.wales](mailto:DataProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Website: [www.ico.org.uk](http://www.ico.org.uk)

Any information released under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 will be listed in the Welsh Government's Disclosure Log (at <https://gov.wales/about/open-government/freedom-of-information/responses/?lang=en>).

Yours sincerely,