



Eich cyf/Your ref:
Ein cyf/Our ref: **ATISN 25053 (A0003837)**

Dyddiad/Date: 9 September 2025

Dear ,

ATISN 25053 - Request for Information.

I refer to your letter of 18 July 2025 and email of 7 August 2025 requesting the following information in relation to Radnor Common Land CL 20 (Cwmgwyn and Medwalleth):

- Has a claim been submitted on Radnor Common Land CL 20 (Cwmgwyn and Medwalleth) under the Basic Payment Scheme (BPS), Glastir Scheme or any other related scheme in the past 10 years?
- The name of the individual(s) or group(s) who made the claim.
- The total area of the common that has been claimed and any recorded payment information.

Response

I can confirm Rural Payments Wales (RPW) received claims under the Basic Payment Scheme (BPS) using rights on Radnor Common Land Entry 20 and there are no records of applications to the Glastir Commons or Habitat Wales Commons schemes.

I am unable to provide the names of the BPS claimants as I consider this the personal information of a private person, and I have been unable to obtain consent to release the information. Therefore, I am withholding the information under Regulation 13 of the Environmental Information Regulations 2004 as it unduly interferes with the right of the beneficiary to respect for their private life in general and to the protection of their personal data in particular. See annex A for an explanation of the public interest considerations.

Information published for recent Common Agricultural Policy (CAP) beneficiaries can be found at <https://cap-payments.defra.gov.uk>.

Please see below links to the historic published UK data on CAP beneficiaries:



Tel: 0300 062 5004

Rural Payments Wales
PO Box 251
Caernarfon
LL55 9DA

https://webarchive.nationalarchives.gov.uk/*/http://cap-payments.defra.gov.uk/Default.aspx

I can confirm the current available grazing area on CL 20 is 757.05 ha.

Further information on the Sustainable Farming Scheme (SFS), can be found on the Welsh Government website using the link below:

[Sustainable Farming Scheme 2026: scheme description \[HTML\] | GOV.WALES](#)

If you wish to join the scheme, then this can be done via the Single Application Form (SAF) from 2026.

Your request for information also asks for confirmation of whether RPW has you recorded as having active rights to the common.

I can confirm that you declared you had rights to Radnor CL 20 on your 2015 Single Application Form (SAF) and on this basis BPS payment has been paid on these rights from 2015 to 2024. The 2025 BPS is currently being validated.

However, the current Common Land register held by RPW does not include any entries in your name and no communication has been received from the Local Authority regarding any update. Therefore, for the Common Land register to be updated you will need to contact your Local Authority for them to amend the register to reflect the change in registered rights holder.

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

Application of exemptions/exceptions

The Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR) provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided that the name of the claimant who received a payment is excepted from the requirement to disclose by virtue of regulation 13 of the EIRs.

Engagement of Regulation 13 (personal data) of the Environmental Information Regulations (“EIR”)

Regulation 13(1) together with the conditions in Regulation 13(2)(a)(i) and 13(2)(a)(ii) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

Personal data is defined in the UK GDPR as follows:

‘Personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

We have concluded that, in this instance, the information requested contains third party personal data.

Under Regulation 13(1) of the EIRs, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

“processed lawfully, fairly and in a transparent manner in relation to the data subject”

The lawful basis that is most relevant in relation to a request for information under the EIRs is Article 6(1)(f). This states:

“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.

In considering the application of Article 6(1)(f) in the context of a request for information under EIRs it is necessary to consider the following three-part test:-

- **The Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information;
- **The Necessity test:** Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
- **The Balancing test:** Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

1. Legitimate interests

Welsh Government recognises the inherent public interest in openness and transparency that release of this information would engender.

2. Is disclosure necessary?

Although a system exists internally to review payments to ensure that public money is not being misdirected, disclosure would be necessary to ensure full transparency of this process.

3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

The information requested, being personal information and of a financial nature, is sensitive and disclosure would constitute unfair processing of the data, contrary to the first data protection principle, for the individuals in receipt of payments. Disclosure of the payments on these parcels would be identified to living individuals and would constitute part of the private income of those individuals. Understanding this, the scheme has been set up with a level of internal scrutiny and audit.

Whilst there is an argument for transparency in payments with public money, I do not find this to be of sufficient weight to countervail the fundamental data protection rights of the data subjects, particularly to their right of fair processing with respect to the privacy of their personal income and financial management. As there is an existing scrutiny process in place, I conclude that the balance of the legitimate interests and the data subject's fundamental rights lies with withholding the information.

Regulation 13 is an absolute exemption and not subject to the public interest test.