Dyddiad/Date: **3 November 2026**

Dear

ATISN 27412 - Request for Information.

Thank you for your email of 25 August 2026, requesting information held by Rural Payments Wales on actual livestock grazing pressure on parts of the Carneddau which was forwarded to me on 8 October 2026.

You have requested information held through RPW or relevant agri-environment schemes for the period 1 January 2015 to present concerning:

- Aber and Llanfairfechan Commons, including Common Land units CL3, CL7, CL9 and CL11; and
- Llanllechid Common

Response

Points 1 -4 & 7

Please find attached copies of relevant documents for the period 1 January 2015 to present. Where those documents include information relating to individuals I have redacted that information as I consider this the personal information of a private person(s), and I have been unable to obtain consent to release the information. Therefore, I am withholding the information under Regulation 12 and 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** attached).

Point 5

I have not provided funding details as payment information to farm businesses in Wales is publicly available. This can be accessed by searching the links below and selecting Welsh Government (WG) as the Paying Agency.

https://cap-payments.defra.gov.uk/Search.aspx

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

Point 6

The name of the grazing associations or collaborative groups receiving or administering those payments is CYMDEITHAS PORWYR ABER A LLANFAIR.

Point 8

Details of management recommendations/requirements can be found in the Glastir Commons Guidance and the Habitat Wales Guidance.

Llanllechid Common

No information held.

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

Annex A

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 names of individuals 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 individuals who received a payment 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 off 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.