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Dear Mark

## The Welsh Government's purchase of Gilestone Farm

On 31 March 2022, the Welsh Government bought the freehold of Gilestone Farm near Talybont-on-Usk, Powys (within the Brecon Beacons National Park), in a private sale, for £4.25 million. Simultaneously, to support its ongoing management of the site, the Welsh Government entered into a short-term lease arrangement with the vendor, at a peppercorn rent, to maintain the property and harvest existing crops. This lease agreement expired on 31 October 2022. At that point, the Welsh Government had not finalised its long-term intentions for the site. Subsequently, the Welsh Government has agreed a new short-term lease with the vendor to continue existing operations on what we understand are now commercial terms, including a profit-share. This new lease is due to expire on 31 October 2023.

By setting out key facts from our review of the Welsh Government's decision, this letter and appendices are intended to support any further PAPAC scrutiny<sup>1</sup>, building

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<sup>1</sup> On 14 July 2022, the Senedd's Public Accounts and Public Administration Committee (PAPAC) heard evidence from Welsh Government officials about the transaction.

on oral and written evidence that the PAPAC and the wider Senedd has already received and other public domain information. Appended to this letter is a detailed timeline identifying key events and relevant documents supporting the acquisition process. Also appended is a schedule of the Welsh Government's responses to Freedom of Information requests in the public domain as at 31 December 2022.

Good decision-making by the Welsh Government (and other public bodies) requires acting fairly, within the law; and respecting principles of accountability, accessibility, and transparency<sup>2</sup>. Doing so, leads to decisions that are capable of withstanding scrutiny, and any legal challenge by someone directly affected by the decision.

Key areas of focus for our review<sup>3</sup> were whether:

- the Welsh Government had the legal powers to purchase Gilestone Farm, and exercised these powers appropriately within its policy framework;
- the decision to buy the Farm was taken properly; made within the correct administrative processes and control framework, and taken by those with the appropriate authority;
- the Welsh Government gave due consideration to all relevant information when making its decision, and excluded irrelevant information;
- the Welsh Government took appropriate steps to safeguard value for money from public funds; and
- the Welsh Government has given a proper account of its actions and the reasons for them, in response to legitimate Senedd and public scrutiny.

We have not examined the merits of future uses of the site by the Welsh Government, its tenants, or any onward purchasers; particularly by companies

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<sup>2</sup> These principles underpin the terms 'regularity' (compliance with legislation, delegated authority, and relevant guidance, including using public funds for their intended purposes); and 'probity' (meeting high standards and expectations of public conduct).

<sup>3</sup> We have referred to the Welsh Government's own publications, [Managing Welsh Public Money](#) and [Making Good Decisions](#).

associated with the Green Man Festival<sup>4</sup>, held on the nearby Glanusk Estate. Nor have we examined the basis on which the Welsh Government has now decided on a commercial lease agreement with the vendor through to late September 2023. However, we have reviewed the extent to which the Welsh Government's consideration of potential future uses informed its own actions in relation to the purchase.

We have not sought full disclosure on all evidence pertaining to the transaction. The key parties that we met and corresponded with include Welsh Government officials, the vendor, the Managing Director of Green Man, and external parties that provided professional advice to the Welsh Government. To support our review, we inspected publicly available information about the Gilestone Farm site and location, valuation and survey reports, legal advice/reports, environmental reports, Green Man's business plan outline, advice and correspondence provided to Ministers and correspondence between key parties. However, the Welsh Government did not keep a record of matters discussed with Green Man in various virtual meetings during its consideration of Green Man's business plan outline and the process leading up to acquisition of Gilestone Farm. We consider that notes of those discussions would have better supported the audit trail for the Welsh Government's decision-making, particularly from the point at which Gilestone Farm was identified as a potential purchase.

To date, the Welsh Government has purchased freehold land and property at Gilestone Farm supported by an independent professional valuation, as is particularly important for any purchase under private treaty; intrinsically a relatively straightforward transaction. At the time of our review, plans for future use of the Farm were still under consideration and will be subject to further decisions. When it decided to buy the Farm, the Welsh Government had anticipated a further decision on whether or not it would support Green Man's business plan before the end of October 2022 when the initial short-term lease with the previous owner expired.

In our view, the most significant contributing factor driving the pace of the Welsh Government's decision-making process for the purchase decision itself was the opportunity to use an in-year underspend within the Economy Main Expenditure

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<sup>4</sup> Several related companies are associated with the Green Man Festival. For convenience we refer to them collectively as 'Green Man', unless otherwise identified.

Group (MEG) to fund the purchase, along with the consequential requirement (emphasised in officials' advice to the Minister for Economy) to complete the purchase by 31 March 2022.

It is important for the Welsh Government to have sufficient flexibility to make decisions properly, but still at pace, where this enables it to take advantage of opportunities as they arise which clearly support its policy objectives. We also recognise that the Welsh Government had been in discussions with Green Man about potential sites for some time. However, in relation to Gilestone Farm, we consider that avoidable haste driven by the financial year-end compromised the Welsh Government's ability to clearly articulate and fully consider as part of its decision-making process the underlying rationale for purchasing that site, linked to Green Man's intentions for it. In our view, these issues do not fundamentally undermine that decision's procedural integrity if regarded, in the first instance at least, as a straight property transaction. Nevertheless, it is clear that the Welsh Government would not have bought the Farm had it not been approached by Green Man with what, at the time, and based on the evidence we have reviewed, was little more than a high-level outline of Green Man's aspirations.

We will not speculate about whether, given a longer timeframe, the Minister would still have made same decision. However, with more time the Welsh Government could have undertaken greater due diligence before making any decision. By buying Gilestone Farm when it did, the Welsh Government accepted an avoidable financial risk, albeit one which officials have emphasised to us was, in their view, low and manageable. And, in our view, if the Welsh Government had concluded its consideration of Green Man's plans before taking any decision about buying or not buying the Farm, the Welsh Government's external communication of its actions could also then have been clearer.

## **Whether the Welsh Government had the legal powers to purchase Gilestone Farm, and exercised these powers appropriately within its policy framework?**

In making decisions, the Welsh Government must act within its legal authority<sup>5</sup>. Its legal powers are usually set out in legislation and may be limited by case law.

Advice provided on 23 March 2022 by Welsh Government officials to the Minister for Economy, requesting a decision on the Gilestone Farm purchase transaction, identified the necessary legal powers under the Welsh Development Agency Act 1975, Section 1 (as amended by the Government of Wales Act 2006). This advice also contextualised the Minister's decision within Welsh Government duties, including the Well-being of Future Generations (Wales) Act 2015; and policies to support tourism, and social and economic regeneration.

## **Was the decision to buy the Farm taken properly; made within the correct administrative processes and control framework, and taken by those with the appropriate authority?**

In practice, ministers' duties are often carried out by officials, acting within a framework of delegated authority<sup>6</sup>. However, important decisions are frequently made by ministers in person. This includes decisions which set precedents, are novel, potentially contentious, or could cause repercussions elsewhere in the public sector.

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<sup>5</sup> In constitutional and administrative law, acting without legal authority is termed 'ultra vires'.

<sup>6</sup> The 'Carltona case' provides that where sufficiently experienced officials make a decision on the Minister's behalf, the decision remains the Minister's decision and his or her responsibility.

Following earlier discussions with Green Man about finding an appropriate site, and soon after Green Man had brought to the Welsh Government's attention the potential availability of Gilestone Farm, on 7 February 2022 officials secured the Minister for Economy's agreement for them to continue dialogue about a potential acquisition. Following formal Ministerial Advice dated 22 March 2022 setting out a range of options, on 24 March 2022 the Minister for Economy decided to proceed with the preferred option of purchasing the site for £4.25 million by 31 March 2022. This option included a lease-back arrangement with the vendor, from sale completion until 31 October 2022, at peppercorn rent. The Ministerial Advice presented six alternative options to the Minister with a brief explanation for each on why that option was not viable or preferred. The alternative options presented to the Minister were:

- Green Man to acquire or lease the entire subject property without Welsh Government involvement.
- The Welsh Government does not acquire the subject property.
- The Welsh Government acquires an alternative property.
- The Welsh Government provides grant support to Green Man, enabling them to acquire the property.
- The Welsh Government provides loan support to Green Man, enabling them to acquire the property.
- Powys County Council acquires the subject property.<sup>7</sup>

In advance of the formal advice, officials had appropriately referred the decision about whether to purchase Gilestone Farm to the Welsh Government's internal Corporate Governance Unit (CGU) because, at that point, the Welsh Government had not received a full business plan from Green Man. The CGU confirmed that the

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<sup>7</sup> The advice dated 22 March 2022 explained that Powys County Council did not have the funding available to purchase the site although we have been unable to determine the basis of this conclusion. We have seen e-mail exchanges between the Welsh Government and Powys County Council that simply concern potential activities at the site rather than questions of funding for the purchase. The Council has confirmed to us that it did not receive any formal request about purchasing the site.

decision was therefore novel and/or contentious and then provided the relevant clearance on the basis that they were satisfied that the risks and issues arising specifically from the novel and/or contentious basis of the decision had been properly disclosed and mitigated within the advice note, prior to it being referred to the Minister.

The Deputy Director of Finance for Economy Skills and Natural Resources also had sight of the advice and confirmed to the CGU they were content to accept the risk relating to the novel/contentious issue; noting the amount and risk were relatively low. Additionally, financial clearance was provided by the relevant finance group and the Budget & Government Business Division. The Director General for Economy, Treasury and Constitution (the Additional Accounting Officer) was not copied into the advice and (as confirmed in the Welsh Government's response to a freedom of information request) was not one of the senior officials who knew about the interest in and purchase of Gilestone Farm at the time. The Welsh Government's Scheme of Delegation does not necessarily require the Additional Accounting Officer's approval of Ministerial Advice, stating that 'the overriding principle is that accountability rests with the Deputy Director who clears the MA, or somebody more senior'. However, where decisions are novel or contentious, we would consider it prudent for the Director General to at least be kept informed.

In our view the advice provided to the Minister could have made clearer exactly why the contents of the advice were novel/contentious, and how specific risks arising would be mitigated. In addition, the advice provides limited information on how the site's suitability for Green Man's intended uses could be constrained by the identified potential issues in relation to, the physical access to the site; others' rights of access to the site; planning requirements; and parts of the site being environmentally sensitive i.e., being designated as a Site for Special Scientific Interest and Special Area of Conservation.

A separate, earlier, Ministerial Advice note (dated 10 March 2022) requested a Ministerial decision to authorise expenditure of up to £60,000 on professional fees for legal and property advice in relation to the potential purchase transaction, to be procured under existing framework contracts. The Minister for Economy approved the expenditure on 16 March 2022. The Ministerial Advice did not make clear that the chosen professional advisors had already been commissioned and had started undertaking their work before officials had sought approval for the expenditure.

The advice dated 22 March 2022 was copied for information to the Minister and Deputy Minister for Climate Change, and the Deputy Minister for Arts and Sport. It was not copied to the Minister for Rural Affairs, due to what we understand was an administrative oversight, despite it being relevant to their portfolio. The Deputy

Minister for Climate Change replied after the decision to purchase been agreed by the Minister for Economy, stating that if the Green Man option did not proceed that the Welsh Government should consider using the property for alternative policy objectives such as tree planting and renewable energy, prior to placing the property onto the open market. In a written statement by the First Minister on 12 August 2022 in relation to alleged breaches of the Ministerial Code<sup>8</sup>, the First Minister identified that, while information had been copied to the Minister for Climate Change, neither the Minister for Climate Change nor the Minister for Education and Welsh Language were involved in making decisions about Gilestone Farm and no breaches of the Code had taken place. However, due to their friendships with the Managing Director of Green Man, both Ministers would be recused from any further decisions.

The purchase and lease-back arrangements were supervised by the Welsh Government's Property Leadership Team (PLT), in accordance with what the Welsh Government has emphasised to us are the usual arrangements for such transactions, including independent professional advice. We have not reviewed the Welsh Government's wider property purchasing practices as part of this work.

### **Did the Welsh Government give due consideration to all relevant information when making its decision, and exclude irrelevant information?**

A decision by a public body may be judged to be unreasonable if it is based on a conclusion that is not supported by any evidence or good reasons; or where no reasonable person would consider the evidence to be sufficient to support the conclusion drawn<sup>9</sup>.

The decision-maker is not required to consider all material but should have as much information as possible about the decision to ensure that no relevant considerations are ignored. They must take relevant considerations into account and must not be

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<sup>8</sup> On 16 May 2022, the Minister for Climate Change, and the Minister for Education and Welsh Language both attended a social event in their personal capacities. The Managing Director of Green Man also attended.

<sup>9</sup> The 'Wednesbury' reasonableness test.

influenced materially by irrelevant considerations. Irrelevant factors include the need to get something done quickly; and expected media reaction to the decision.

Officials' advice which supported the Minister's decision on whether to purchase the Farm (dated 22 March 2022) emphasised that, for funding reasons, the acquisition needed to be completed on or before 31 March 2022. Welsh Government officials confirmed that the Creative Wales capital budget for 2022-23 (which we understand is just £5 million) did not include any available funds for the purchase. It is clear that the Welsh Government's choice to use an in-year budget underspend from its wider budget to fund the purchase before the end of the financial year was the primary driver for a quick transaction because:

- The vendor had not openly marketed the Farm and a potential private buyer, to whom property details had been provided in February 2020<sup>10</sup>, subsequently withdrew their interest later that year – there was no imminent prospect of the property being sold to another party;
- Green Man's own plans did not necessitate a quick purchase decision and were not yet fully formed. The Welsh Government did not receive an initial version of a full business plan from Green Man until 29 June 2022;
- Securing ownership of Gilestone Farm was not necessary to support the 2022 Green Man Festival, staged over 18 – 21 August 2022 at Glanusk Estate, Crickhowell, Powys; and
- There was no immediate threat to the retention of the Green Man festival in Wales, although Ministerial Advice noted that Green Man had received approaches to buy the brand which could potentially result in the Festival moving from Wales. Green Man's current agreement with the Glanusk Estate runs until 2030.

The immediate consequences of transacting on 31 March 2022 were that the Welsh Government:

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<sup>10</sup> These details dated from 2015 and valued the property at £3.25 million; predated the subsequent development of holiday accommodation; and do not reflect wider increases in property values since that date.

- provided a short-term lease to the vendor (to 31 October 2022) at peppercorn rent, to enable them to harvest crops and fulfil holiday accommodation bookings; and
- needed to maintain a range of options for the site, including extending the current short-term lease-back arrangement to the vendor; a longer-term lease to Green Man, or another lessee; or an onward sale.

If the Welsh Government had been able to use a different capital budget with funds available for 2022-23, it would have avoided the funding-driven purchase completion deadline of 31 March 2022, with its associated option risks. This would have allowed a later purchase decision, transaction process, and completion date; all determined by the Welsh Government's detailed assessment of Green Man's full business plan. The options presented to the Minister did not include using a different funding budget and deferring the purchase of Gilestone Farm until due diligence on a full business plan from Green Man had been completed; thus avoiding the time constraint of 31 March 2022 (see above). In our view, proper consideration should have been given to that option.

Officials' explanations to the Minister of the Welsh Government's rationale for buying Gilestone Farm were based on an initial proposal / business plan outline from Green Man, which the Welsh Government received in October 2021, and were set out in the relevant Ministerial Advice. The Ministerial Advice dated 22 March 2022 (regarding the purchase and lease-back to the vendor) stated that the property acquisition was being progressed to support future expansion of the Green Man Festival by enabling Plant Pot Limited<sup>11</sup> to buy or lease the Property, because the current festival is constrained by the lack of available land to accommodate the number of visitors that

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<sup>11</sup> Plant Pot Limited ('PPL') is the company which organises the Green Man Festival. In fact, Green Man's intentions do not involve PPL operating the Gilestone site. Instead, Green Man formed a new company for the venture, Cwningar Ltd, incorporated on 22 February 2022. The Ministerial Advice suggested that if the Welsh Government were to support Green Man's business plans, Plant Pot Limited would enter into a short-term lease to manage the entire property from November 2022 to January 2023, during which period negotiations about it purchasing or leasing the property on a longer-term basis would be concluded.

could be attracted to the event.<sup>12</sup> In our view, these statements suggested that increasing the Festival's visitor capacity was the primary objective for the Farm's acquisition and that some of the existing Festival activities would relocate from Glanusk Estate to Gilestone Farm. The Welsh Government has since emphasised that this is not and was not actually their intention, which is to support extension of the Green Man brand and help to secure its future in Wales.

Following sale completion, on 15 May 2022, Green Man executives attended a meeting of Talybont-on-Usk Community Council and clarified that the Green Man Festival would not be relocating to Gilestone Farm but may host several smaller events each year; they intend farmland to remain in agricultural use; to utilise the accommodation for residential and tourism use; and to support selected small enterprises to develop under the Green Man brand.

### **Did the Welsh Government take appropriate steps to safeguard value for money from public funds?**

Before buying Gilestone Farm and leasing it back to the vendor under a short-term agreement, the Welsh Government commissioned independent property valuation, lease advice and legal searches, consistent with making such decisions; recognising that further advice may be necessary in relation to any additional lease, onward sale, or changes in future use.

The sale was agreed at £4.250 million, against an independent Welsh Government-commissioned valuation of market price of £4.325 million. Prior to receiving its own independent valuation, the Welsh Government had sight of a separate valuation report commissioned by Green Man which valued the property at £4.250 million. The Ministerial Advice stated that if Green Man did not buy or lease the Farm from the Welsh Government it could market the site for sale on the open market and recover its investment.

The Welsh Government had received a summary of findings from the building survey on 16 March 2022 and the valuation report on 17 March 2022, before the submission of advice to the Minister on 23 March, although full building survey and legal title

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<sup>12</sup> This latter statement was also included within the Ministerial Advice note of 10 March 2022 which related to professional fees.

reports were only received on 28 and 30 March respectively; just prior to sale completion on 31 March and leaving limited time for full consideration.

The Ministerial Advice note for the purchase decision contained a summary risk analysis, the financial implications and a summary of legal issues which highlighted the following:

- Possible property costs of £166,000, including managing the property generally;
- Uncertainty over access rights and shooting rights, held by third parties; and
- That the need for any future uses to comply with regulations relating to planning, and biodiversity would be the responsibility of Green Man.

Furthermore, it remains to be seen whether the Welsh Government feels it can support Green Man's business plans for the Gilestone Farm site. Should the Welsh Government decide not to support Green Man's plans, an alternative use may need to be identified or (as suggested within the Ministerial Advice) disposal of the asset on the open market. Despite obtaining an independent valuation of the site which was £75,000 higher than the actual purchase price, in the event of an onward sale, the Welsh Government may not be able to recover:

- The full purchase price, either due to market conditions or to separation of the site into separate lots<sup>13</sup>, which are in total worth less than the whole site in a single lot.
- Costs of undertaking repairs, including to the farmhouse (a Grade II listed building). The full professional building survey report (dated 28 March 2022)

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<sup>13</sup> The proposal for splitting the property was for Green Man to purchase the farmhouse and surrounding buildings, and for the Welsh Government to purchase the farmland and agricultural buildings and then lease these parts of the property to Green Man.

identified repair costs of £168,600 during the first year and an additional £27,750 in 6 – 10 years.<sup>14</sup>

- Professional fees associated with the initial purchase and onward sale.
- Welsh Government staff time costs associated with the transaction; the ongoing assessment of Green Man's business case and subsequent communication which includes briefing Ministers; providing information to respond to written questions in the Senedd; and responding to the public and media. All of which has required significant input, including from senior officials.

Consequently, in acquiring the property speculatively, the Welsh Government has accepted financial risks that would not have arisen if it had delayed a final purchase decision until after its full consideration of Green Man's plans, and the suitability of Gilestone Farm for intended future uses, had been concluded (see above).

The Welsh Government has confirmed to us that to the end of November 2022 it has incurred direct costs related to the acquisition of approximately £60,000, and currently anticipates further costs relating to the management of the Farm of approximately £57,000<sup>15</sup>. Some of these costs may be offset by letting income and profit shares generated by farming and other commercial operations at the site.

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<sup>14</sup> Knight Frank had previously (on 16 March 2022) provided the Welsh Government with a lower estimate of repair and statutory compliance costs of £54,000 plus fees, for the farmhouse alone, which was used to inform the advice provided to the Minister.

<sup>15</sup> Costs are approximate as the final VAT position is unclear. The Welsh Government bought the property exclusive of VAT and has not yet elected to charge VAT. Also, these figures do not include any potential costs arising from an asbestos survey to be undertaken early in 2023.

## **Has the Welsh Government given a proper account of its actions and the reasons for them, in response to legitimate political and public scrutiny?**

On 13 May 2022, the BBC published a news item that the Green Man Festival organisers would run Gilestone Farm, which had been bought by the Welsh Government. The article stated that the festival itself was expected to remain at its current site on the Glanusk Estate. The Welsh Government and Green Man declined to provide comments.

On 18 May 2022, a question was tabled in plenary in the Senedd, asking the Minister for Economy to provide a statement on the purchase. In reply, the Minister confirmed the purchase price and that this had been supported by an independent valuation. The Minister also said that discussions were ongoing with Green Man, subject to receipt of a full business plan. The Minister went on to emphasise the Welsh Government's wish to retain the festival in Wales. Subsequently Members of the Senedd tabled various written questions to the Minister for Economy.

On 19 May 2022, and seemingly prompted by the news that had broken, the Welsh Government published its decision reports relating to the decisions on 16 March 2022, authorising spend on professional services related to the purchase and on 24 March 2022, approving the Farm purchase and leaseback to the vendor. These decision reports simply record the decisions taken, without providing any details, reasons, or context.

The Welsh Government has advised that decision reports are routinely published as soon as a decision has been made by Ministers, but that policy officials will be aware of any publicity or sensitives surrounding a decision and may therefore advise Ministers regarding when a decision report is published. We note that 8 weeks elapsed between the purchase decision and decision notice publication. Welsh Government officials suggested to us that the reason for the apparent lag was due to a combination of factors, including wanting to manage the communication and publicity around the transaction, the commercial sensitivities of the transaction and, more generally, competing workload priorities. We have not been made aware of any direct communication with the Minister for Economy about the arrangements for publication of the decision reports in advance of the news about the acquisition breaking, other than:

- The Ministerial Advice of 22 March 2022 noted that the decision required a Decision Report, which may be published, and also that a planned media announcement would be made following the decision; and

- The Minister's written decision on 24 March 2022, which states that the Decision Report is to be held until any announcement.

As at 31 December 2022, the Welsh Government has published responses to 26 Freedom of Information requests relating to the purchase of the Farm (between 14 June 2022 and 27 October 2022). Of these, on three occasions, following internal reviews, the Welsh Government decided to release information. Our own review of the Freedom of Information responses identified two instances where the Welsh Government stated they did not hold information within the scope of the requests, but where it appears from subsequent responses that the Welsh Government did hold the information requested. We have highlighted these examples in **Appendix 2** to this letter which sets out the chronology of publicly available requests for information and the approach taken to each request. In our view, there have been inconsistencies in the approaches taken in response to similar requests for information relating to the purchase of the Farm.

There has also been significant media reporting and speculation about plans for Gilestone Farm and its suitability, as well as correspondence to PAPAC from a range of interested parties. In our view, much of this attention could have been avoided if the purchase decision had followed rather than preceded full business plan consideration; in which case the Welsh Government could have given a more detailed and timely account of its actions and rationale.

### **Possible future audit work**

So far, we have not directly considered the site's future or related potential support to Green Man. In due course, we may undertake further audit work retrospectively examining the Welsh Government's decision-making relating to these matters, and in particular:

- Procedural fairness, how decisions to provide or not provide direct or indirect financial support to particular organisations or individuals are taken, including the presence of bias or favourable treatment;
- Whether decisions taken previously fetter the discretion to take subsequent decisions on their merits; and
- Value for money, including the impact and outcomes of any such decisions.

In making any future decisions relating to the site, given its location within the Brecon Beacons National Park and the presence of protected species and habitats, we

would expect the Welsh Government (and other public bodies with relevant responsibilities) to consider in-depth, duties under:

- The Well-being of Future Generations (Wales) Act 2015, to act in accordance with the sustainable development principle to improve the economic, social, environmental, and cultural well-being of Wales;
- The Environment (Wales) Act 2016, to maintain and enhance biodiversity; and
- Any legal requirements or reasonable expectations for public consultation.

In his letter to you dated 26 September 2022, following the PAPAC evidence session on 14 July 2022, Andrew Slade explained that the Welsh Government does not intend to undertake economic analysis of the Green Man Festival itself but will undertake robust due diligence of the economic benefits of the activities proposed at Gilestone Farm. The Welsh Government has said that it will also examine the finances and group structure of companies associated with Green Man and assess how third-party shooting and fishing rights, and ecological and environmental constraints might impact on the activities proposed for the site. Any future audit work could include checking that the Welsh Government has given these matters due consideration in any further decisions.

Yours sincerely



**ADRIAN CROMPTON**  
**Auditor General for Wales**

## Appendix 1 - Acquisition of Gilestone Farm Timeline

Event / Key Milestone	When	Explanation of Event / Key Milestone
The Welsh Government and Green Man engage in discussions about the potential to support the growth of the brand in Wales, resulting in the Welsh Government undertaking a search of Welsh Government owned land.	September 2019	The search of Welsh Government owned land did not identify any suitable properties for Green Man.
Fiona Stewart of Green Man expresses her interest in Gilestone Farm to the [then] owner.	2019 - 2020	<p>As a resident of Powys, we understand that Fiona Stewart became aware through word of mouth that Gilestone Farm would be a suitable location for Green Man's ambitions.</p> <p>Both parties explained to us that they had discussions during this period but were unable to be precise about when. No formal offers were made, and discussions were inconclusive.</p>

Event / Key Milestone	When	Explanation of Event / Key Milestone
<p>McCartneys Prospectus<sup>16</sup> provided to a prospective buyer.</p>	<p>February 2020</p>	<p>We have confirmed with McCartneys that a property prospectus was created in December 2015 for the [then] owner and shared privately with a small number of prospective purchasers in 2016. At that time the asking price quoted within the prospectus was £3.25 million.</p> <p>In February 2020, we understand that the same prospectus was shared with one interested party accompanied with an e-mail which clarified that there was an updated asking price of £4.25 million. The interested party withdrew their interest in Gilestone Farm later the same year. At the time of issuing this letter we had requested, but had not received, a copy of the e-mail.</p>
<p>The Welsh Government receive a 'Business Plan Outline' from Green Man.</p>	<p>01 October 2021</p>	<p>The Welsh Government received a 'Business Plan Outline' from Green Man. The high-level document provides an overview of what the brand would like to achieve by securing a permanent site in Wales, enabling the existing business to triple in size over five years. The document details the following:</p>

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<sup>16</sup> The "McCartneys Prospectus" referenced here is the set of particulars that were shared with the Public Accounts and Public Administration Committee for the meeting held on 14 July 2022 and part of which was also circulated online by a Member of the Senedd on 21 June 2022.

Event / Key Milestone	When	Explanation of Event / Key Milestone
		<ul style="list-style-type: none"> <li>• The economic impact of the existing Festival, citing a consulting report commissioned by Green Man (BOP Consulting Report 2018).</li> <li>• A proposal for site use, including glamping and holiday accommodation; incubating small businesses to diversify the Green Man brand; hosting a programme of annual festivals and smaller events; developing a wellness business and spa-style facility</li> <li>• Green Man’s specific requirements for a suitable site.</li> <li>• An overview of the events market.</li> <li>• Case studies of product development and branding.</li> </ul> <p>Further correspondence from Green Man explained that their proposal would consist of two stages:</p> <ul style="list-style-type: none"> <li>• Stage 1 - The purchase by the Welsh Government of a permanent site (farm/estate) in Wales to be leased to Green Man at the rate of commercial activity currently taking place on the land. Subsequently, Green Man would have an opportunity to purchase the site from the Welsh Government at the original purchase price.</li> <li>• Stage 2 – Further business development to be undertaken once the site has been procured.</li> </ul> <p>Green Man also suggested that the additional economic benefits of their proposal of obtaining a permanent site could generate £10 million to the Welsh economy on top of its existing assessment of benefits from the Green Man Festival. We have not seen any evidence to suggest that these claims about additional benefits formed part of the Welsh Government’s</p>

Event / Key Milestone	When	Explanation of Event / Key Milestone
		<p>formal decision-making about the acquisition, although issues relating to retention of existing economic benefits from the Festival were considered.</p>
<p>Welsh Government officials meet with Green Man</p>	<p>22 October 2021</p>	<p>Welsh Government officials meet with Green Man virtually. No meeting notes were recorded and therefore we are unable to confirm what was discussed.</p>
<p>Welsh Government officials meet with Green Man to discuss Gilestone Farm</p>	<p>26 &amp; 28 January 2022</p>	<p>Welsh Government officials confirmed to us that a phone call held on 26 January was when they were first informed of the potential availability of Gilestone Farm.</p> <p>A virtual meeting was held on 28 January, introducing the Welsh Government official who would eventually lead on the transaction.</p> <p>This phone call and subsequent meeting were not included in the response provided to the written question '<a href="#">WQ85337</a>' tabled on 30 May 2022 which sought details about meetings between the Minister or officials with Green Man in relation to Gilestone Farm.</p> <p>The Welsh Government stated in its <a href="#">written submission</a> supporting the PAPAC evidence session on 14 July 2022, and in subsequent follow up <a href="#">correspondence</a> on 26 September 2022, that Green Man first brought Gilestone Farm to its attention in February 2022.</p>

Event / Key Milestone	When	Explanation of Event / Key Milestone
<p>Fiona Stewart of Green Man contacts the Leader of Powys County Council via e-mail</p>	<p>30 January 2022</p>	<p>Fiona Stewart contacts the Leader of Powys County Council to elicit support for potential ventures at Gilestone Farm, including a festival, and written assurance to provide to the Welsh Government that a licence application for events would be supported.</p> <p>Powys County Council released the e-mail in response to a Freedom of Information request on 24 October 2022.</p>
<p>Welsh Government officials seek approval from the Minister for Economy to explore the opportunity for the Welsh Government to purchase Gilestone Farm</p>	<p>02 &amp; 07 February 2022</p>	<p>On 02 February, Welsh Government officials e-mailed the private secretary to the Minister for Economy seeking approval for further discussions on the acquisition of Gilestone Farm. Background information on the transaction and Green Man was explained to the Minister. It was also explained that the transaction could be financed provided that the transaction was concluded within the financial year. The estimated price referenced in the communication with the Minister was £3.5 million. Welsh Government officials could not explain to us the basis for this estimate.</p> <p>On 07 February, the Minister for Economy agreed that officials should continue discussions.</p>
<p>The Welsh Government contacts Knight Frank via e-mail confirming background information on the proposed</p>	<p>09 February 2022</p>	<p>This is the first documented correspondence between the Welsh Government and its valuers Knight Frank. At this stage the transaction proposed was for Green Man to purchase the farmhouse and surrounding buildings and for the Welsh Government to purchase the farmland and</p>

Event / Key Milestone	When	Explanation of Event / Key Milestone
transaction after a phone call discussion on the same day.		agricultural buildings, and subsequently lease that part of the property to Green Man.
Welsh Government officials meet with Green Man	11 February 2022	Welsh Government officials meet with Green Man virtually. No meeting notes were recorded and therefore we are unable to confirm what was discussed.
Green Man forwards to the Welsh Government an e-mail from Powys County Council expressing in principle support for the development of Gilestone Farm	11 February 2022	The Welsh Government was made aware that the Council was supportive of Green Man's proposals. Green Man shared an e-mail it received from the Executive Leader <sup>17</sup> of the Council on 10 February 2022 which displays support for the project in principle, in response to Fiona Stewart's e-mail of 30 January.
E-mail exchange between a Welsh Government official and a Powys County Council officer.	1 March 2022	The Welsh Government official asks for advice or observations regarding the development of Gilestone Farm for events and associated businesses from a licensing perspective. The Council officer responds that each

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<sup>17</sup> The Executive Leader for Powys County Council on 11 February 2022 was Councillor Rosemarie Harris.

Event / Key Milestone	When	Explanation of Event / Key Milestone
		application is considered on its merits but that the Council is supportive in principle.
E-mail instructions to Knight Frank	01 March 2022	<p>This is the formal instruction to Knight Frank to undertake a valuation and surveys on Gilestone Farm under the SEWTAPS framework. Knight Frank were instructed to:</p> <ul style="list-style-type: none"> <li>• Provide a Market Valuation and a Market Rental Valuation and other supportive reports of the Subject Property. The valuation work will be done on the bases of splitting the farm (<i>as above</i>), and as a whole.</li> <li>• Undertake a building and asbestos survey.</li> <li>• Provide advice on the Heads of Terms<sup>18</sup> for the potential purchase and future letting of the Subject Property.</li> </ul> <p>Although this instruction included a requirement for an asbestos survey, Knight Frank confirmed to us that they do not undertake asbestos surveys but had provided the Welsh Government with advice that asbestos was likely to be present on the site. The Welsh Government confirmed to us that while it initially instructed Knight Frank to undertake an asbestos survey, it later became apparent that the survey would not be possible by</p>

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<sup>18</sup> A document which sets out the terms of a commercial transaction agreed in principle between parties during negotiations

Event / Key Milestone	When	Explanation of Event / Key Milestone
		31 March 2022 because it would have needed to be sub-contracted. Therefore, no asbestos survey was procured in advance of the acquisition. <sup>19</sup>
Knight Frank Valuation and Inspection Date	02 March 2022	Knight Frank undertook their inspection on this date and provided a valuation as at this date.
Blake Morgan (Welsh Government appointed external solicitors) start legal enquiries.	04 March 2022	Blake Morgan started their initial enquiries, further correspondence/enquiries were also completed during March 2022.
Welsh Government officials meet with Green Man	07 March 2022	Welsh Government officials meet with Green Man virtually. No meeting notes were recorded and therefore we are unable to confirm what was discussed.

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<sup>19</sup> As at 31 December 2022, the Welsh Government has commissioned an asbestos survey through its facilities management service provider but has not yet received the results.

Event / Key Milestone	When	Explanation of Event / Key Milestone
Ministerial Advice for the appointment of professional advisors used for the acquisition of Gilestone Farm sent to the Minister for Economy.	10 March 2022	<p>The Minister was asked to approve expenditure of up to £0.06 million including VAT for legal and property advice associated with the potential acquisition and leasing of the subject property. The advice to the Minister also included background information covering the purpose of the transaction, the proposal that was being explored at that time and the 'requirement' to conclude the transaction within the current financial year (i.e. by 31 March 2022).</p> <p>The Ministerial Advice did not make clear that the chosen professional advisors had already been commissioned and had started undertaking their work before officials had sought approval for the expenditure.</p>
Building Survey completed by Knight Frank	11 March 2022	Knight Frank completed a Building Survey on the 10 properties at Gilestone Farm. A summary of the survey was provided to the Welsh Government on 16 March 2022 with the formal report being issued on 28 March 2022.
Heads of Terms agreed by the Vendor	14 March 2022	The Heads of Terms for the Sale and Leaseback were agreed by the Vendor, subject to confirmation of price and formal approval.

Event / Key Milestone	When	Explanation of Event / Key Milestone
<p>Finance staff and Corporate Governance Unit provide clearance on the Ministerial Advice for the Acquisition of Gilestone Farm.</p>	<p>15 &amp; 16 March 2022</p>	<p>The draft Ministerial Advice note was shared with the relevant teams for financial and Corporate Governance Unit clearance on 15 March 2022.<sup>20</sup></p> <p>The Corporate Governance Unit confirmed that the advice was novel and contentious, as there was a lack of a business case to support the proposal and sought further confirmation from the Deputy Director of Finance in Economy, Skills, and Natural Resources that they are content to accept the risk and the proposal.</p> <p>The Deputy Director of Finance in Economy, Skills and Natural Resources confirmed they were content, noting the relatively low risk and amount on 16 March 2022.</p> <p>Additionally, financial clearance was provided by the relevant finance group and the Budget &amp; Government Business Division.</p>

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<sup>20</sup> Due to limitations on the Welsh Government’s document management system, we have not been able to obtain the version of the Ministerial Advice document which was sent on 15 March 2022. We understand the amendments between this version and the final version sent to the Minister were amendments made upon receipt of further professional advice and in response to recommendations by the Property Leadership Team (PLT).

Event / Key Milestone	When	Explanation of Event / Key Milestone
Minister for Economy agrees the recommendation in Ministerial Advice for the professional services relating to the acquisition of Gilestone Farm.	16 March 2022	The Minister for Economy agrees the recommendation in Ministerial Advice dated 10 March 2022. The advice relates to the professional services required for the acquisition of Gilestone Farm.
Summary of Building Survey results received	16 & 17 March 2022	<p data-bbox="1041 635 2078 743">Knight Frank provided the Welsh Government with a summary of its findings of the building survey via e-mail. The e-mails provide a summary of buildings at the farm and some legal clarifications.</p> <p data-bbox="1041 794 2085 938">Additionally, an estimate of costs for internal repairs, statutory compliance issues and external repairs for the farmhouse were provided totalling £54,000 plus fees. A further estimate of costs for all buildings onsite was provided by Knight Frank totalling £166,000.</p>
Terms of engagement with Knight Frank signed	17 March 2022	The terms of engagement between the Welsh Government and Knight Frank for property services was signed on 17 March 2022. Welsh Government officials explained that they were able to engage with Knight

Event / Key Milestone	When	Explanation of Event / Key Milestone
		Frank under the SEWTAPS <sup>21</sup> framework before terms were signed in order for work to start immediately.
Valuation Report received	17 March 2022	The Knight Frank valuation report was received providing a valuation of the whole property of £4,325,000. The proposal to split the property into two lots would result in the properties being valued separately at £1,620,000 and £2,200,000. This proposal would result in a loss in 'marriage value' of £505,000 and as advised by Knight Frank, would reduce the Welsh Government's asset management potential and control over the entire property.
Welsh Government's Property Leadership Team (PLT) considers the acquisition of the land	17 March 2022	The PLT considered the proposed acquisition on 17 March 2022 and provided recommendations to be incorporated into Ministerial Advice. However, PLT advised for the Case Officer <sup>22</sup> to seek approval for the subsequent leaseback via the PLT panel responsible for lease transactions.

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<sup>21</sup> SEWTAPS is the South East Wales Technical and Professional Services framework.

<sup>22</sup> The Welsh Government official that submitted the transaction to the Property Leadership Team for consideration.

Event / Key Milestone	When	Explanation of Event / Key Milestone
<p>Final Ministerial Advice clearance obtained from the Economy Skills and Natural Resources Governance and Compliance group.</p>	<p>22 March 2022</p>	<p>Clearance was obtained on the latest version of the Ministerial Advice after amendments were made upon receipt of further professional advice and recommendations from the PLT.</p> <p>It would have been for the Deputy Director who signs off on the Ministerial Advice to decide whether any previous clearances needed to be reobtained following the amendments. In this instance, we understand that they decided the changes made were not significant enough to require this. Upon requesting final clearance, the relevant finance group and the Budget &amp; Government Business Division were included as copy recipients.</p>
<p>The Ministerial Advice for the acquisition and subsequent short-term leaseback was sent to the Minister for Economy.</p>	<p>23 March 2022</p>	<p>The Minister was asked to agree the following recommended option:</p> <ul style="list-style-type: none"> <li>• the freehold purchase of Gilestone Farm Talybont-on Usk, Powys for £4.25m; and</li> <li>• the short-term lease back of property to the current owner/vendor for a peppercorn for management and maintenance purposes.</li> </ul> <p>The advice included background information to the transaction and the Subject Property. The advice was considered novel and contentious, therefore the Corporate Governance Unit had sight and cleared the advice on 16 March 2022 confirming “the risks and mitigations associated with the novel or contentious matter have been properly set out in the advice”</p> <p>The advice also explains that in the event that Green Man does not purchase and/or lease Gilestone Farm, the Welsh Government would be</p>

Event / Key Milestone	When	Explanation of Event / Key Milestone
		<p>able to market the site for disposal on the open market. The advice explains that the purchase and/or lease of the property will be subject to the outcome of the Welsh Government's review of Green Man's Business Plan.</p> <p>The advice sets out the reason as to why the acquisition needs to be completed on or before 31 March 2022, citing there is no provision in the Creative Wales budget for the financial year 2022-23.</p> <p>Copied recipients of the advice included:</p> <ul style="list-style-type: none"> <li>• Julie James MS, Minister for Climate Change</li> <li>• Lee Waters MS, Deputy Minister for Climate Change</li> <li>• Dawn Bowden MS, Minister for Arts &amp; Sport, and Chief Whip</li> </ul> <p>The preparer of the advice confirmed that it was an administrative oversight not to include the Minister for Rural Affairs as a recipient of the advice.</p>
Welsh Government officials meet with Green Man	23 March 2022	Welsh Government officials meet with Green Man virtually. No meeting notes were recorded and therefore we are unable to confirm what was discussed.
Minister for Economy agrees the recommendation in	24 March 2022	The Minister for Economy agrees the recommendation in Ministerial Advice dated 22 March 2022. The advice relates to the professional

Event / Key Milestone	When	Explanation of Event / Key Milestone
Ministerial Advice for the acquisition and short-term leaseback of Gilestone Farm.		services required for the acquisition and short-term leaseback of Gilestone Farm.
Welsh Government's Property Leadership Team (PLT) considers the short-term leaseback. <sup>23</sup>	24 March 2022	As advised within the PLT panel dated 17 March 2022 the tenancy agreement was considered at another PLT panel meeting on 24 March 2022. The panel provided recommendations to be included within the tenancy agreement.
Building Survey Report received from Knight Frank	28 March 2022	Knight Frank provided the full Building Survey report which was summarised to the Welsh Government on 16 and 17 March 2022. The final report included estimates of £168,600 for short term costs and a further £27,750 in the long term.
Deputy Minister for Climate Change responds to advice note dated 22 March 2022	28 March 2022	The Deputy Minister for Climate Change noted the advice as a copy recipient and commented if the Green Man option does not proceed that consideration into tree planting and renewable energy options be given before any resale onto the market.

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<sup>23</sup> The short-term leaseback legal form was a Farming Business Tenancy agreement.

Event / Key Milestone	When	Explanation of Event / Key Milestone
Final report on title received from Blake Morgan	30 March 2022	<p>Blake Morgan provided their legal advice/report on title to the Welsh Government on 30 March 2022. Draft versions of this report were provided to the Welsh Government on 25 March 2022.</p> <p>As part of the final report on title, a separate planning report was provided on the 30 March 2022.</p>
Acquisition and subsequent leaseback completed	31 March 2022	The acquisition and subsequent leaseback transaction was completed on 31 March 2022 and legal ownership transferred to the Welsh Government, the legal documents were signed and sealed on the same date.
Detailed Flood Report received	01 April 2022	Blake Morgan recommended the Welsh Government to undertake a detailed flood risk assessment based on their initial searches as the initial basic flood search identified the flood risk as “High”. The further flood report received on 01 April 2022 assessed the overall flood risk as “Moderate to High”.
Welsh Government Decision Reports published	19 May 2022	The Welsh Government published Decision Reports relating to the professional advice fees, and the purchase and leaseback transaction.

## Appendix 2 – Freedom of Information Request Schedule

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
<u>ATISN 16312</u>	14 June 2022	<ol style="list-style-type: none"> <li>1. How much the Welsh Government have paid for Gilestone Farm, Talybont, Brecon.</li> <li>2. A copy of the business plan and any other accompanying information which must have been created in order for the Welsh Government to have made their decision.</li> </ol>	<ol style="list-style-type: none"> <li>1. £4.25 million</li> <li>2. Information withheld on the basis of / by virtue of exemption at Section 43<sup>24</sup> the Freedom of Information Act 2000 (FOIA).</li> </ol>
<u>ATISN 16331</u>	15 June 2022	<ol style="list-style-type: none"> <li>1. When did the Welsh Government buy Gilestone Farm, Talybont on Usk, LD3 7JE; Land Registry title</li> </ol>	<ol style="list-style-type: none"> <li>1. March 2022</li> <li>2. £4.25 million</li> </ol>

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<sup>24</sup> Section 43 is a qualified (public interest tested) exemption. Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>number CYM515641?</p> <ol style="list-style-type: none"> <li>2. How much did Welsh Government pay for this property?</li> <li>3. Why has the Welsh Government entered into an agreement with Fiona Stewart and the Green Man Festival for Ms Stewart and others to run this expensive piece of real estate – paid for with Welsh public money?</li> <li>4. What exactly is the agreement entered into with Ms Stewart et al?</li> <li>5. Was there an open tendering process for the renting or leasing of this property, or was it a 'done deal' and the property bought specifically for Ms Stewart and her associates?</li> </ol>	<ol style="list-style-type: none"> <li>3. The Welsh Government has not entered into an agreement with Fiona Stewart and the Green Man Festival.</li> <li>4. Please see Q3.</li> <li>5. There was no open tendering process and the purchase was made by the Welsh Government for economic development purposes.</li> </ol>
<p><u>ATISN 16343</u></p>	<p>16 June 2022</p>	<ol style="list-style-type: none"> <li>1. Copies of e-mails, written correspondence, minutes of meetings, and decisions made, from</li> </ol>	<p>Information withheld on the basis of / by virtue of section 12 of the Freedom of Information Act 2000.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>and to and within the Department of the Economy containing the words “Gilestone Farm” and/or “Green Man”.</p> <ol style="list-style-type: none"> <li>2. Copies of e-mails &amp; correspondence to &amp; from Vaughan Gething mentioning “Gilestone Farm” and/or “Green Man”.</li> <li>3. Copies of all communications with the planning department of Powys County Council &amp; the Beacons National Park authority.</li> <li>4. Has there has been any environmental study concerning Gilestone Farm.</li> <li>5. Copies of all valuations pertaining to Gilestone Farm.</li> </ol>	<p>We note that point 4 would simply have required a confirmatory response and that a copy of the Welsh Government commissioned valuation report on Gilestone Farm was later released in response to a separate request <a href="#">ATISN 16423</a> (see below).</p>
<p><a href="#">ATISN 16354</a></p>	<p>24 June 2022</p>	<ol style="list-style-type: none"> <li>1. A copy of all correspondence between The Minister for Economy (including any other Welsh Minister</li> </ol>	<ol style="list-style-type: none"> <li>1. Having searched records no correspondence was found between The Minister for Economy and Fiona Stewart</li> </ol>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>or Welsh Government staff) and Fiona Stewart (MD Green Man Festival).</p> <ol style="list-style-type: none"> <li>2. A copy of all correspondence between The Minister for Economy and Mr Legg-Bourke of the Glan Usk Estate (or staff members of either).</li> <li>3. A list of Welsh Government staff members who knew about the interest and purchase of Gilestone Farm.</li> <li>4. Was the Permanent Secretary aware that Welsh Government were purchasing Gilestone Farm.</li> </ol>	<p>relating to the purchase of Gilestone Farm. Correspondence between Welsh Government staff and Fiona Stewart, was not disclosed under exemption from disclosure under Section 43.</p> <ol style="list-style-type: none"> <li>2. No information found.</li> <li>3. Only senior officials are named in relation to freedom of information requests, the lead officials in this case are Jason Thomas, Director Culture Sport, and Tourism, Gerwyn Evans, Deputy Director Creative Wales, Chris Munday, Deputy Director Business Solutions. Tim Howard, Deputy Director Property, Steve Hudson Head of Governance and Compliance and Kim Jenkins, Chief Accountant &amp; Deputy Director Corporate Governance.</li> <li>4. The Permanent Secretary wouldn't have been aware of the purchase as it was a standard economic transaction approved by the Minister for Economy.</li> </ol>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
<a href="#"><u>ATISN 16366</u></a> <sup>25</sup>	30 June 2022	<ol style="list-style-type: none"> <li>1. Did you make the First Minister and/or the Minister for Economy aware of your connection to Gilestone Farm by being author of the 'James Report'.</li> <li>2. Did you declare an interest in the Welsh Government purchase of Gilestone Farm?</li> <li>3. A copy of correspondence with the Minister for Economy relating to the purchase of Gilestone Farm.</li> <li>4. A copy of any correspondence between John Parson and Welsh Government.</li> </ol>	<p>No information held for Questions 1-5.</p> <p>Questions 6-9 – Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000</p> <p>Q10 – A link to Managing Welsh Public Money was provided.</p>

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<sup>25</sup> It appears this request was directed specifically to the Minister for Climate Change based on the response provided to the request.

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<ol style="list-style-type: none"> <li>5. Information relating to Mr Parson's investigation of BBNP handling of Gilestone Farm.</li> <li>6. A copy of the valuation report.</li> <li>7. A copy of the completion certificate.</li> <li>8. A copy of the 'submissions document' prior to purchase.</li> <li>9. Copies of invoices, surveys, legal fees and any additional spend relating to the purchase.</li> <li>10. Copy of 'Ministerial Procedures Document' relating to Welsh Government spend on assets and cap on spending for individual Ministers.</li> </ol>	
<p><a href="#"><u>ATISN 16383</u></a></p>	<p>07 July 2022</p>	<ol style="list-style-type: none"> <li>1. How many acres of land at Tan-y-Fedw, Cray, Brecon, Powys LD3 8RA has Welsh Government purchased?</li> </ol>	<p>The Welsh Government confirmed that it has not purchased and does not currently intend to purchase any land as referred to.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>2. How many acres of land at Tan-y-Fedw, Cray, Brecon, Powys LD3 8RA are Welsh Government intending to purchase? (For reference, the address known as The Wainhouse, tan-y-Fedw, Cray, Brecon, Powys LD3 8RA belongs to Gilestone Leisure Limited. This request refers to the land at the address in Cray)</p> <p>3. Does the purchase of Gilestone Farm include a parcel of land at Tan-y-Fedw, Cray, Brecon, Powys, LD3 8RA which is the registered address of Gilestone Leisure Limited?</p> <p>4. How much land has Welsh Government purchased or are looking to purchase in the Cray, Brecon area, LD3 8RA since the end September 2020?</p>	

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
<a href="#"><u>ATISN 16316</u></a>	08 July 2022	Who now owns the rights to the substantial deposits of sand and gravel beneath Gilestone farm	<p>This information is available in the Land Registry titles (i.e. CYM5155577, WA515967, CYM515641, WA521251). The Welsh Government own the rights to the sand and gravel deposits.</p> <p>We note this information was disclosed upon internal review.</p>
<a href="#"><u>ATISN 16388</u></a>	11 July 2022	<ol style="list-style-type: none"> <li>1. All communication relating to the purchase of Gilestone Farm</li> <li>2. All communication between the government and Green Man relating to the purchase of Gilestone Farm</li> <li>3. Document relating to the independent certification of Gilestone farm's market value by the government's consultant surveyors</li> </ol>	Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).
<a href="#"><u>ATISN 16402</u></a>	13 July 2022	<ol style="list-style-type: none"> <li>1. Any environmental studies or assessments of Gilestone Farm considered by the Welsh</li> </ol>	Standard environmental reports were commissioned prior to the purchase and

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>Government prior to its purchase by the government?</p> <p>2. Details of any consultations with Environmental organisations/departments either internal to the Welsh Government, or external?</p>	<p>further reports would be carried out for any future use of the property as appropriate.</p>
<a href="#"><u>ATISN 16408</u></a>	14 July 2022	<p>The outline business plan relating to Gilestone Farm that was provided to the government in October 2021 by Green Man.</p>	<p>Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).</p>
<a href="#"><u>ATISN 16405</u></a>	14 July 2022	<p>You asked for copies of any correspondence or e-mails with the Brecon Beacons National Park Authority (BBNPA) in relation to Welsh Government's purchase and plans for Gilestone Farm, Talybont on Usk.</p>	<p>Confirmed that there was no contact with BBNPA in relation to the purchase and plans for Gilestone Farm, Talybont on Usk. However, there will be consultation with the Authority as statutory consultees.</p>
<a href="#"><u>ATISN 16419</u></a>	18 July 2022	<p>1. Was the Minister for Economy aware of an agreement between Charles</p>	<p>No recorded information is held for questions 1 and 4.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>Weston and Mr G Thomas regarding mineral rights after the sale.</p> <ol style="list-style-type: none"> <li>2. Was the Minister aware of the flooding risk in all but 2 fields.</li> <li>3. A copy of the 'submission paper' sent to the Minister for Economy relating to the purchase of Gilestone Farm.</li> <li>4. A copy of any correspondence between Charles Weston and Welsh Government.</li> <li>5. Why did the Minister buy a farm.</li> </ol>	<p>Welsh Government officials are aware that the property is in a flood risk area. Information withheld for question 3 on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).</p> <p>The purchase of Gilestone Farm was approved by the Minister for Economy for economic development purposes.</p> <p>We note that regarding question 1 of ATISN16419, the Welsh Government were aware of the mineral rights agreement prior to the purchase, although we have seen no evidence that the Minister for Economy was aware. Regarding question 4 of ATISN16419, Welsh Government officials had corresponded directly with the vendor, however it is possible that this information would not be disclosed under Section 43 of the Freedom of Information Act 2000.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
<a href="#"><u>ATISN 16411</u></a>	19 July 2022	<ol style="list-style-type: none"> <li>1. Please publish the correspondences between Welsh Government and Plant Pot Limited/Green Man Festival.</li> <li>2. Please publish minutes of meetings between Welsh Government and Plant Pot Limited/Green Man Festival.</li> </ol>	Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).
<a href="#"><u>ATISN 16423</u></a>	19 July 2022	Copies of all valuations undertaken for Gilestone Farm prior to its purchase by the Welsh Government	<p>Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).</p> <p>However, was subsequently disclosed under the same request upon internal review on 07 September 2022.</p>
<a href="#"><u>ATISN 16348</u></a>	19 July 2022	<p>The following information including all minutes and correspondence:</p> <ol style="list-style-type: none"> <li>1. Dept of Economic Affairs – ‘independent valuation’ of Gilestone farm copy of the valuation and the fees paid.</li> </ol>	<p>Q1 – Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000</p> <p>Q2-5 and A-E: No information held.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<ol style="list-style-type: none"> <li data-bbox="880 368 1402 475">2. Media reports quote the creation of 174 jobs – all information relating to ‘jobs’ at Gilestone.</li> <li data-bbox="880 517 1402 655">3. Environmental assessment of the impact of an economic development project Gilestone farm – all information.</li> <li data-bbox="880 697 1402 1027">4. Discharge of the Department’s statutory duty under the Environment Act to have due regard to the purposes of a National Park in buying Gilestone Farm as a ‘permanent base’ for the Green Man festival? Information relating to this statutory duty.</li> <li data-bbox="880 1069 1402 1246">5. Dept of Economics Affairs correspondence and information with Powys CC relating to the Council’s apparent support for the use of the farm.</li> </ol>	<p data-bbox="1462 368 2092 655">We note that in relation to Q5, Powys County Council has since released e-mails exchanges between a Welsh Government official (the Deputy Director of Creative Wales) and a Powys County Council officer, relating to licencing and general support for Green Man’s potential activities at Gilestone Farm.</p>

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		<p>Additionally requested the following information relating to the procedures of the Welsh Government in the Gilestone Farm purchase</p> <ul style="list-style-type: none"> <li>a) The process that was followed for identifying alternative location options. Can we see the outputs?</li> <li>b) The process that was followed for evaluating alternative location options. Can we see the outputs?</li> <li>c) What process was followed for establishing the suitability of the Gilestone location? Can we see the outputs?</li> <li>d) On what legal and policy basis does the purchase of Gilestone Farm rest?</li> <li>e) On what legal and policy basis does the proposed leasing or sale of Gilestone Farm to a private company without tender or market testing rest?</li> </ul>	

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
<a href="#"><u>ATISN 16447</u></a>	21 July 2022	You asked for all material/correspondence and reports of the Green Man festival' economic benefits.	The Welsh Government provided the following link for the information requested – <a href="#"><u>PowerPoint Presentation (gov.wales)</u></a>
<a href="#"><u>ATISN 16483</u></a>	12 August 2022	The total annual payments made to Green Man each year (as grants, subsidies, handouts, whatever etc.) for each of the years from 2013 through to (and including) 2022.	Breakdown of funding as follows: <ul style="list-style-type: none"> <li>• 2014: £170,000 – Major Events Grant</li> <li>• 2015-2016: – £276,000 – Creative Industries/Tourism Grant, Commercial Sponsorship to develop an enhanced media profile and launch a partnership with BBC6 Music</li> <li>• 2016 - £50,000 – Tourism, Creative Industries and Food – Sponsorship Support</li> <li>• 2017 - £150,000 – Major Events Grant – To Increase Capacity</li> <li>• 2017-2019 – £100,000 – Tourism Product Innovation Fund – Development of Courtyard Welsh Beer and Cider Festival</li> </ul>

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			<ul style="list-style-type: none"> <li>Under the Cultural Recovery Fund in 2020, Green Man received funding totalling £526,111</li> </ul>
<p><u>ATISN 16480</u></p>	<p>12 August 2022</p>	<p>In relation to the attendance of members of the Welsh Government to the Green Man festival at Glanusk in any official or work capacity over the last five years</p> <ol style="list-style-type: none"> <li>The names of any attending other than in a private capacity</li> <li>Did they go as invited guests, if so who were they invited by?</li> <li>Did they go with any official brief?</li> <li>What years did they attend?</li> <li>Was any attendance recorded in register of interests?</li> </ol>	<p>The exemption under Section 21 of the Freedom of Information Act 2000 was applied as the information was reasonably accessible to the applicant by other means.</p> <p>All Ministerial Engagements are published on <a href="https://gov.wales/ministerial-meetings-and-engagements">https://gov.wales/ministerial-meetings-and-engagements</a></p>
<p><u>ATISN 16481</u></p>	<p>12 August 2022</p>	<ol style="list-style-type: none"> <li>The outline business plan submitted by Green Man Festival, or Plant Pot Ltd,</li> </ol>	<p>Questions 1 and 2 - Information withheld on the basis of / by virtue of Section 43 of the</p>

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		<p>or any companies run by Fiona Stewart in relation to the purchase of Gilestone Farm by the Welsh Government.</p> <p>2. The full business plan that was submitted to the Welsh Government by Fiona Stewart on 29 June 2022.</p> <p>3. Which music industry companies or organisations were consulted by the Welsh Government in relation to its purchase of Gilestone Farm?</p>	<p>Freedom of Information Act 2000.</p> <p>Question 3 – No consultations were made.</p>
<u>ATISN 16494</u>	31 August 2022	The BOP Consulting report referenced in a PowerPoint presentation released in ATISN 16447 on the matter of Gilestone Farm. You released to me the PowerPoint presentation file (for a second time) instead of the actual report.	The Welsh Government confirmed it did not hold the 'BOP Consulting Report'.
<u>ATISN 16611</u>	01 September 2022	The BOP Consulting Report that has been mentioned in correspondence	No information held.

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
		relating to Gilestone Farm Talybont on Usk	
<a href="#"><u>ATISN 16593</u></a>	21 September 2022	<p>Copies of all minutes and correspondence relating to the purchase and future use of Gilestone Farm, Talybont on Usk between Dept of Economic Affairs or Creative Wales and the following:</p> <ul style="list-style-type: none"> <li>• departments with responsibility for the biodiversity emergency</li> <li>• departments with responsibility for the climate emergency</li> <li>• departments with responsibility for the environment</li> </ul>	No information held.
<a href="#"><u>ATISN 16545</u></a>	<p>04 October 2022*</p> <p>This freedom of information request was</p>	A copy of all correspondence between the Welsh Government and representatives of the Green Man Festival relating to the purchase of Gilestone Farm.	Upon internal review, correspondence between the Welsh Government and representatives of the Green Man Festival starting on 01 October 2021 and 22 March 22 was disclosed.

FOI Request Number	Date	Summary of FOI Request	Summary of FOI Response and audit observation (where relevant)
	reopened upon complaint and internal review		
<a href="#"><u>ATISN 16636</u></a>	06 October 2022	A copy of correspondence by letter and e-mail between Knight Frank and the Welsh Government during 2022.	Information withheld on the basis of / by virtue of section 12 of the Freedom of Information Act 2000.
<a href="#"><u>ATISN 16658</u></a>	13 October 2022	A copy of the "Cost v Benefit analysis" undertaken by Welsh Government officials to inform the ministerial decision to purchase Gilestone Farm in the sum of £4.25 million.	No information held.
<a href="#"><u>ATISN 16695</u></a>	27 October 2022	The outline business plan relating to the purchase of Gilestone Farm	Information withheld on the basis of / by virtue of Section 43 of the Freedom of Information Act 2000 (FOIA).