



Date issued: 27 September 2017

Land at Swansea Marina (West) Storage Yard

I am writing in response to your request for information dated 30 August 2017 in which you requested information regarding Land at Swansea Marina (West) Storage Yard.

For ease of reference, I have reproduced your question below and set out our corresponding response.

Could you please provide copies of all and any reports and/or documents you hold regarding the valuation of land at Swansea Marina (West) Storage Yard, also known as 'Celtic Marine', and regarding the process of the sale/leasing of this land?

We hold a copy of the report prepared by the appointed auditor, with the assistance of PricewaterhouseCoopers, in respect of the Celtic Marine lease negotiation. This report is publically available on the Swansea City and County Council website at:

<https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=123&MId=4446&Ver=4&LL=-1> Accordingly this information is reasonably accessible to you by other means and is exempt from disclosure under section 21 of the Freedom of Information Act 2000.

We do not hold other recorded information relating to the valuation of the land at Swansea Marina or the process of the sale/lease of that land. As mentioned above, PricewaterhouseCoopers assisted the appointed auditor in the preparation of the report on the Celtic Marine lease negotiation and may hold some information on behalf of the appointed auditor in relation to the preparation of that report. The office of appointed auditor no longer exists due to the Public Audit (Wales) Act 2013, as under that Act the Auditor General for Wales became the auditor of local government bodies in Wales. The appointed auditor was not a public authority under the Freedom of Information Act 2000 (FOIA), and as such, you do not have a right of access to information that was held by or on behalf of the appointed auditor.

We think that it may be helpful to explain that in the event that other recorded information, such as comments or advice from Solicitors or RICS valuers, was held by, or on behalf, of the Auditor General for Wales we would carefully consider the application of relevant exemptions under the Freedom of Information Act to that information, including the exemption at s42 relating to legal professional privilege and s33 regarding prejudice to audit functions.

If you wish to complain about the handling of your request, please write to Martin Peters, Law and Ethics Manager, by email to martin.peters@audit.wales or by post to 24 Cathedral Road, Cardiff, CF11 9LJ.

I must also refer you to section 50 of the Freedom of Information Act under which you may apply to the Information Commissioner for a decision on whether or not your request has been dealt with in accordance with the Act. The Information Commissioner's contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
email : casework@ico.gsi.gov.uk
Tel: 01625 545745
Fax: 01625 524510

You should note, however, that the Information Commissioner would normally expect you to have exhausted our internal complaints procedures before dealing with such an application. Further guidance may be found on the Information Commissioner's website: <https://ico.org.uk/>

If you have any queries, please do not hesitate to contact me.

Yours sincerely,