

Dear

ATISN 26399 – Water Quality
ATISN 26498 – Ogmore Catchment Programme

Thank you for your requests which I received on 21 November 2025 and 11 December. You asked for:

- Information on the Vale of Glamorgan Bathing Waters Project, in particular regarding Ogmore-by-Sea.
- Any documents relating to the water quality model being developed by Welsh Water under AMP8 and any catchment investment.
- Evidence for sources of pollution in the Ogmore catchment and at Ogmore-by-Sea.
- Information regarding Pen-y-Bont Wastewater Treatment works, sewage volumes, and monitoring.
- Documents relating to targeted measures and oversight for the Ogmore-by-Sea bathing water.

Our response

We have included the following documents on the Vale of Glamorgan Bathing Waters project:

- **Attachment 1** – The business case submitted by NRW proposing the Vale of Glamorgan Bathing Waters Project and a Strategic Bathing Water Programme post.
- **Attachment 2** – Advice to the Deputy First Minister informing him of the business case and funding arrangements.
- **Attachment 3** – Approval of the business case by the Deputy First Minister.
- **Attachment 4** – Advice to the Deputy First Minister updating the funding arrangements.
- **Attachment 5** – Approval of the updated funding arrangements by the Deputy First Minister.
- **Attachment 6** – Grant offer letter for the Vale of Glamorgan Bathing Waters Project and Strategic Bathing Water Programme post.

As the project is still in the establishment stage, we hold no further information or documents relating to this project.

We have also included the following documents referencing pollution sources at the Ogmore-by-Sea bathing water:

- **Attachment 7** – Failing Waters Brief from NRW regarding Ogmore-by-Sea in 2023.
- **Attachment 8** – End of 2024 season bathing water briefing note from NRW.

The Welsh Government does not hold information relating to:

- The water quality model being developed by DCWW under AMP8, nor catchment investment.
- Evidence for sources of pollution in the wider Ogmore catchment.
 - o Identifying these is the aim of the Vale of Glamorgan Bathing Waters Project.
- Information regarding Pen y Bont Wastewater Treatment works, sewage volumes, and monitoring.
- Targeted measures and oversight for the Ogmore-by-Sea bathing water, as these will be set following the establishment of the Vale of Glamorgan Bathing Waters Project.

However, these topics are likely to fall within the remit of other stakeholders, such as industry bodies or regulatory authorities, who may hold more detailed or authoritative information. It is recommended that inquiries on these matters be directed to those parties for comprehensive guidance and clarification.

Parts 5 and 6 of your submission dated 11 December are not valid FOI/EIR requests as they do not seek recorded information. Welsh Government holds no information that would answer these points.

We have decided that some of the information is exempt from disclosure under section 13 of the Environmental Information Regulations (EIRs) and is therefore withheld. The reasons for applying these exceptions are set out in full at Annex A to this letter.

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

Annex A

Environmental Information Regulations **Regulation 13– Personal data**

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 sections 3(2) and (3) of the Data Protection Act 2018 (‘the DPA 2018’) and means any information relating to an identified or identifiable living individual. An identifiable living individual 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 the individual.

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 FOIA 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 FOIA 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 acknowledges the general public interest in openness and transparency that release of the information would engender. However, we cannot identify any particular legitimate interest in the provision of personal data for individuals working in this area.

2. Is disclosure necessary?

We do not believe it is necessary to release the names of individuals for the discussions and exchange of information to be understood. The provision of this data would not add to the understanding of the information provided or provide any additional context.

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

As we do not believe disclosure would further the understanding of the information released, we do not believe any interest in accessing these details outweigh the data subjects' interests, fundamental rights or freedoms.

As release of the information would not be legitimate under Article 6(1)(f), and as no other condition of Article 6 is deemed to apply, release of the information would not be lawful within the meaning of the first data protection principle. It has therefore been withheld under Reg13(1) of the Environmental Information Regulations. Reg 13 is an absolute exception and not subject to the public interest test.