

Sewage pollution

Lines to take

- Pollution in rivers comes from a wide range of sources including agricultural land use, surface run off and from sewage.
- As a Government, we have always been clear that we expect water companies in Wales to work hard to deliver both operational and environmental improvements in addition to delivering excellent services to their customers.
- We are working closely with water companies and NRW to tackle pollution from storm overflows and build long-term strategies that will improve water quality across our waterways.
- While we know that there is work to do in addressing storm overflow spills, it is important to recognise that they provide a controlled point of relief at times of heavy rainfall. The Welsh Government is concerned with ensuring that no storm overflow causes environmental harm to the ecological status of our rivers.
- I welcome DCWW's commitment to invest £140m between 2020-2025 and a further £420m between 2025-30 to tackle storm overflows and ensure that they all have 'no or very low environmental impact' by 2040.
- We are also working closely with Dŵr Cymru Welsh Water (DCWW), Hafren, environmental regulators and industry stakeholders through the Better River Quality Taskforce to evaluate the management and regulation of storm overflows in Wales and drive rapid improvement via a series of Action Plans.
- Tackling SO spills is one key component of the wider, holistic approach that the Welsh Government is taking to improve water quality. We are advocating for a collaborative approach to tackling phosphate pollution in our Special Area of Conservation (SAC) Rivers.
- The evidence is clear: while varying from catchment to catchment, a significant proportion of phosphorus pollution in many of our SAC rivers can be attributed to rural land use. It is the leading contributor of phosphates in 6 of the 9 SAC rivers, including 4 of the 5 SAC rivers that are failing phosphate targets.

Background

NRW investigations have identified 35 water bodies (out of 933) where intermittent SO discharges are identified as part of the reason for not achieving Good Ecological Status. **ALL** of these 35 water bodies fail for multiple reasons e.g. diffuse pollution from agriculture, abandoned metal mines, urban runoff.

We are working closely with delivery partners, regulators and the relevant sectors to identify and implement sustainable solutions which not only deliver on desired water quality improvement outcomes but also support climate change adaptation, improved biodiversity and deliver against our net zero target.

Natural Resources Wales (NRW) regulates storm overflows (SOs) and there are strict controls for their use. SOs are only allowed to discharge when the sewer network has reached capacity due to heavy rainfall and there is a risk of sewage backing up into properties. The water companies must report all assets which overflow to NRW.

DCWW have installed Event Duration Monitoring (EDM) on over 99% of its storm overflow assets, which provides data on the length, duration and location of SO discharges. All relevant data is available on their [website](#). DCWW has recently established a [Storm Overflow Map](#), which provides near real-time information on SO activity.

Addressing spills from storm overflows alone will have little impact on ecological status. In all cases we need to develop solutions that will address other causes of pollution. Tackling overflows is one of the key priority components of a wider, holistic approach Welsh Government is taking to improve water quality.

Water Governance/Regulation

Lines to take

- My officials regularly discuss performance issues with Dŵr Cymru Welsh Water (DCWW) across all areas of operation and will be increasing scrutiny of wastewater performance to ensure performance improvement plans are in place.
- Natural Resources Wales (NRW) are an independent regulator. They have strong regulatory powers to enforce where water companies fail to deliver and I expect the appropriate enforcement action to be taken. NRW will prioritise cases for prosecution where they have clear evidence of serious environmental impact, and where enforcement action will lead to a positive benefit to the environment.

Bathing Waters in Wales

Lines to take

- Wales is recognised internationally as having some of the best beaches and water quality in Europe.
- Each year, the water quality at designated bathing waters in Wales is tested by Natural Resources Wales (NRW) during the bathing season, which runs from 15 May to 30 September.
- In 2023, 98% of designated bathing waters across Wales met stringent bathing water quality standards, with 80 of the 109 bathing waters achieving the highest classification of 'excellent'.
- Earlier this year, the Welsh Government ran a public consultation to seek views on whether to designate a further two sites as bathing waters for the 2024 bathing season: Nefyn Beach, Nefyn and The Warren, Hay-on-Wye.

- Following careful consideration of all the consultation responses received and the information and evidence provided, the Cabinet Secretary on 23 April made the decision to designate Nefyn Beach, as a bathing water for the 2024 bathing season.
- We now have 110 beautiful locations across Wales that are designated as bathing waters and will be monitored by NRW during the bathing season.

Background

The Bathing Water Programme is designed to protect bathers' health against pollution and provide information to the public to enable them to make informed decisions about where and when they bathe.

There are 110 designated bathing waters in Wales; 109 coastal bathing sites and 1 inland bathing site (Llyn Padarn Lake). These are monitored for water quality by Natural Resources Wales (NRW) throughout the bathing season, which runs from 15 May to 30 September. The current designated sites, classifications and information on the water quality is available online and at the bathing site in the form of public signage.

NRW test for two bacteria at all designated bathing waters: *Escherichia coli* (E. coli) and intestinal enterococci (IE). The bathing water classifications are based on these two parameters alone.

Bathing waters are classified as 'poor', 'sufficient', 'good' or 'excellent'. If a designated bathing water is classified as 'poor' for five consecutive years this will result in the loss of designated bathing water status. NRW will also then be required to issue permanent advice against bathing in respect of the site. The site will no longer be subject to water quality testing by NRW.

Bathing Waters Regulatory Framework

Background

The Bathing Water Regulations 2013 set in place a requirement that from 2015 the Welsh Ministers must exercise functions so as to ensure a level of water quality in bathing waters that is "at least sufficient" rather than simply "sufficient". Another key aspect of the regulations is the requirement to provide bathers with information on water quality at each designated bathing waters, so they can make an informed choice on going into the water.

The Regulations also removed responsibilities from the private controllers for informing the public and responding to pollution at bathing waters. These duties now fall to the relevant local authority. This responsibility includes providing public signage on the quality of the water and advice against bathing for bathing waters where the water quality is poor.

Natural Resources Wales (NRW) are required to exercise its "relevant functions" to ensure that the tighter water quality standards are met, which will primarily involve requiring farmers and local authorities to tackle diffuse water pollution from

agricultural and urban sources, as well as requiring the water companies to make further improvements to sewerage infrastructure to reduce point source pollution.

In the case of a bathing water that is classified as 'poor' for 5 consecutive years, the Regulations require NRW to introduce permanent advice against bathing.

Bathing Waters Reform

Lines to Take:

- I am aware that the UK Government has announced their intention to reform the Bathing Water Regulations 2013.
- While the Regulations are shared between England and Wales, the operation and management of our bathing water programme is fully devolved. My priority is to ensure that any regulatory changes are in the best interest of Wales.
- Wales boasts some of the best beaches and water quality in Europe and we are continuing to see growing popularity in outdoor swimming. It is important that our bathing water programme continues to adapt to changing behaviours and so I am supportive of the proposal to introduce reforms.
- My officials have been working closely with UK Government officials on the proposed reforms to determine how they would work in practice and understand what benefits they would provide to the bathing water programme in Wales.
- We will continue to engage collaboratively with the UK Government on this programme of work to ensure that we reach a positive outcome Wales.
- While I understand that the UK Government will be pausing new applications for bathing waters in England, we will continue to accept applications in Wales.
- Protecting and enhancing water quality is a priority for this government and we want to ensure that popular bathing sites are being identified and their water quality monitored. This is reflected in our Programme for Government commitment to begin to designate more of Wales' inland waters for recreation and strengthened water quality monitoring.
- We will work with our stakeholders to ensure any queries or concerns regarding the application process are addressed during this time.

Background

Proposed Reforms

There are three proposed reforms that Defra will be consulting on in June 2024:

1. Remove the automatic de-designation of bathing waters after five consecutive 'poor' classifications

2. Take into account the feasibility of improving a site to 'sufficient' standard when deciding whether to designate a site as a bathing water
3. Remove the current fixed dates of the monitored bathing season.

Defra will also flag two additional reforms in the consultation that they intend to include in a second phase of reforms from mid-2025:

1. Expand how we define 'bathing' to include a wider range of water users
2. Make the location of the sampling point at each bathing water more flexible.

WG officials have been engaging with Defra on the proposed reforms, however we have not formally committed to adopting them in Wales as they are still in their preliminary stages and more detail is required on how they will be implemented.

The Cabinet Secretary was briefed in April and agreed to officials continuing to work with Defra to refine the proposals with the intention of formalising an agreement for Defra to consult for both England and Wales in late June 2024.

Pausing applications

Defra is pausing applications to avoid confusion for applicants basing their applications and guidance on a regulatory regime that is being revised. The pause will also allow Defra to review the application process and address any weaknesses and inefficiencies.

In contrast to Defra, officials do not believe that the reform programme warrants a pause on applications for Wales. The proposed reforms are unlikely to have a significant impact on the application process, and officials will seek to ensure that the commencement date for the statutory instrument aligns with the beginning of the application process should Wales choose to adopt the changes.

Additionally, a decision to pause applications in Wales would affect our ability to deliver on a PFG commitment to designate more inland bathing waters, and it is unlikely that it would be well-received given the public and media focus on water quality and increasing interest in bathing water designation.