



Llywodraeth Cymru
Welsh Government

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Bathing Water Review Wales 2024: summary of response

Identification of Nefyn beach, and The Warren, Hay-on-Wye
as Designated Bathing Waters.

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Overview

The Welsh Government held a consultation on proposals to designate Nefyn beach, (Nefyn) and The Warren (Hay-on-Wye) as designated bathing waters under the Bathing Water Regulations 2013. The consultation ran from 8 January to 19 February 2024.

The consultation asked respondents whether they supported the proposals to designate Nefyn beach, and The Warren as designated bathing waters for 2024 and provide reasons/evidence to support their views.

This document provides a summary of responses to the consultation and shows how the Welsh Government is responding to them. It does not offer a detailed opinion on individual comments.

The Welsh Government is grateful to all those who took the time to submit their views.

Context

The objective of designating a site as a bathing water is to protect bathers' health against faecal pollution and provide information to the public to enable them to make informed decisions about where and when they bathe.

Natural Resources Wales (NRW) monitors water quality during the bathing season, which in Wales runs from 15 May to 30 September. Bathing Waters are classified each year as 'excellent', 'good', 'sufficient' or 'poor'. If water quality does not meet the legally required standards, NRW will investigate the sources of pollution and recommend remedial measures to make improvements.

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Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Consultation documentation

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Introduction

This document provides a summary of responses to the Welsh Government's consultation on the proposed designation of Nefyn beach, Nefyn and The Warren as well as the Government response and policy statement that outlines next steps.

The consultation asked respondents to answer whether they agreed or disagreed with the proposal to designate Nefyn beach and The Warren as bathing waters for the 2024 bathing season and what were their reasons/evidence to support their view.

The consultation comprised a combination of multiple choice and narrative questions.

Overview of response numbers and respondent type

The consultation received 161 responses. Of these, 119 were received via the online portal and a further 42 responses were received directly via email and post.

Respondent	Number of Responses
Individuals	151
NRW	1
Water company	1

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Local Authority	1
Town Council/ local Councillor/Community Council	2
Professional Bodies	0
Local water using clubs and organisations	5
Non-government environmental body	0
Total	161

A full list of responding organisations is included at Annex A (minus individuals and groups who requested their response be anonymous), with a number of respondents choosing to keep their response confidential.

Questions asked

We asked the respondents five questions in relation to the proposed designations. These were:

Question 1

Do you agree or disagree with our proposal to designate The Warren, Hay-on-Wye as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

Question 2

Do you agree or disagree with our proposal to designate Nefyn Beach, Nefyn as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

Question 3

We would like to know your views on the effects the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Question 4

Please also explain how you believe the proposed actions could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 5

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

A thematic analysis of the responses was undertaken. This categorised the

opinions, comments, statements and issues raised by respondents into overarching themes, for each of the consultation questions.

Consultation responses

There were a number of themes arising from individual responses in relation to designation:

The Warren, Hay-on-Wye

- Widely recognised as being a popular site with families and social groups of all ages.
- Emphasis on the benefits to community and the local tradition for families to bathe at this location.
- Mental and physical health benefits of open swimming in this location.
- Support for water quality monitoring to improve water quality and to protect bathers' health.
- The river is a natural asset which attracts visitors and increases tourism.
- Wider benefits to the community, environment, and wildlife.
- Recognition of the site as part of the town's heritage which needs protecting.
- General concerns of pollution in the river Wye and poor water quality at this location.
- Detrimental environmental impacts from existing usage to this designated Site of Scientific Special Interest (SSSI) / Special Area of Conservation (SAC) site.
- General lack of facilities such as bins, changing area, toilets and no adequate parking.
- Concerns that designation conflicts with the interests of people who use, care for, and appreciate the surrounding area.
- Concerns designation would dramatically increase the number of visitors and

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negatively impact on biodiversity.

Nefyn Beach, Nefyn

- General view that the location is already popular with large numbers of people, swimmers, paddleboarders, kayakers and others in this popular holiday destination throughout the year.
- Recognition that water quality monitoring would give Bathers' data to make informed choices on when to enter the water.
- Belief that designation would help to protect the water quality.
- Recognition of the Mental health benefits of open swimming.
- Potential to increase tourism and to apply for Blue Flag status.
- General view that the public have a right to clean and safe bathing waters.

Table of responses

The tables below summarise the questions and the number of responses to the questions. A further detailed summary of the comments received for all of the questions is also provided.

Question 1: Do you agree or disagree with our proposal to designate The Warren, Hay-on-Wye as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

Number of respondents	Agree	Disagree	Neither or no opinion
158	147(93.04%)	8 (5.06%)	3 (1.90%)

Question 2: Do you agree or disagree with our proposal to designate Nefyn Beach, Nefyn

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as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

Number of respondents	Agree	Disagree	Neither or no opinion
128	107 (83.59%)	1 (0.78%)	20 (15.62%)

Question 3: We would like to know your views on the effects the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Number of respondents	Narrative response
103	

Question 4: Please also explain how you believe the proposed actions could be formulated or changed, so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Number of respondents	Narrative response
72	

Question 5: We have asked a number of specific questions. If you have any related

issues which we have not specifically addressed, please use this space to report them:

Number of respondents

Narrative response

40

Question 1

Do you agree or disagree with our proposal to designate The Warren, Hay-on-Wye as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

There were 158 responses to question one, with 147 (93.04%) respondents saying they agreed with the proposal to designate The Warren. Three respondents stated they either had no opinion on the designation or were not specifically familiar with the site, while eight respondents disagreed with the designation.

Many respondents identified the site as being particularly popular with families, children and the local community, as well as visitors of all ages. Some respondents identified themselves as daily swimmers at the site, with a high number regularly using the site for water-based activities.

The majority of respondents welcomed water quality monitoring at the site to protect bathers' health, identifying its importance to the health of water users and the need for the provision of information about how clean the water is. Responses highlighted pollution concerns and a perceived degradation of the water quality over the last few years because of pollution from agricultural

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practices, poultry farms and sewage being discharged into the river Wye. Many also shared the view that entering the water could lead to illness and a general feeling of anxiety, and therefore welcomed water quality testing to give confidence to those bathing at the site that it was safe to do so.

There was a general view that designation would lead to an improvement in the water quality and would have a benefit to the wider environment and local wildlife.

A high number of responses identified a broad range of health and wellbeing benefits from engaging in water-based activities at this site, particularly swimming. There was clear recognition in many responses of the valuable social opportunities water-based activities create. Some respondents also highlighted the positive impact bathing water designation could have on tourism in the area and the local economic benefits it could provide.

A key reason raised by respondents for disagreeing with bathing water designation was the negative environmental impact at the site. There were concerns that activities associated with a bathing water designation would have a detrimental impact on biodiversity and impact local wildlife and many protected and endangered species. The Warren, and its surrounding area, nature, and wildlife, is already under stress from recreational activities during the summer season causing litter, both human and dog fouling, and cars parked blocking gateways.

Respondents also raised concerns about the detrimental impact of an expected increase in footfall as a result of designation. For example, respondents highlighted the existing erosion of footpaths through protected meadows. An increase in visitor numbers at the site and "Bathing Water Status" would likely make the situation worse. Respondents also noted there is already no sufficient access or parking to the site and raised concerns regarding any new development for additional parking to accommodate a potential increase in footfall from designation.

Hay Town Council disagree with the proposal. Having debated at length, they concluded that any increase in swimmers will have a negative impact on biodiversity. Adding as part of their responsibilities under Section 6 of the Environment (Wales) Act 2016, Hay Town Council engaged with other stakeholders to develop “The Warren Nature Recovery Management Plan” and view any such bathing water designation as putting at risk the success of this plan.

Responses which disagreed with designation also identified the landowner does not support the proposal and, as custodians of The Warren, their views should be respected.

Hay Warren Trust (Landowner)

The Trust identified themselves as the owners of The Warren including the riparian rights with no other interested parties to consider. Like other responses, the trustees highlighted the lack of facilities of any kind at the Warren and none aimed at bathers; the nearest public toilets are probably 1 kilometre away. The Trustees expressed their great concern upon the request to designate the site as a bathing water as the area is part of a SSSI and is within Bannau Brycheiniog National Park.

The trustees expressed their support for the aims of environmental campaign groups to improve the quality of the River Wye by increasing testing and monitoring. However, The Warren is already under considerable pressure from the number of users of the area; path erosion, litter and fouling both by dogs and people. The trust identifies a significant increase in these issues in the last 3 years alone and any increase to visitor numbers would exacerbate these issues.

Natural Resources Wales (NRW)

NRW do not recommend that The Warren is designated as a bathing Water, as the site is located within the Upper Wye Site of Special Scientific interest (SSSI) and River Wye Special area of Conservation (SAC). In accordance with the Wildlife and Countryside Act 1981, recreational activities taking place within a SSSI, such as Swimming, canoeing, and walking, must be assessed and granted consent by NRW, provided they do not adversely affect the river, plants and animals at the site.

To date no application has been received by NRW and therefore NRW have not assessed the potential impacts to the site in accordance with the Wildlife and Countryside Act 1981.

Dŵr Cymru Welsh Water (DCWW)

DCWW has advised that there are no wastewater treatment works assets within 4 kilometres of the site, although two relatively small wastewater treatment works are located at around 4 kilometres, Llanigon and Llowes wastewater treatment works. DCWW have not run water quality investigations for this kind of inland Bathing Water and therefore cannot provide further information regarding the likely water quality or source apportionment.

Question 2

Do you agree or disagree with our proposal to designate Nefyn Beach as a bathing water for the 2024 bathing season? What is your view on the proposal and your reason/evidence to support your view?

There were 128 responses to question two, with 107(83.59%) respondents saying they agreed with the proposal to designate. 20 respondents stated they either had no opinion on the designation or were not specifically familiar with the site, while only one response was against designation.

A high number of respondents identified Nefyn Beach as a well-used and popular site for swimming and water-based activities which is highly valued by the local community. Many respondents recognised that a local swimming group regularly use the site all year round and provided figures of participation in swimming at the site on a regular basis. A number of respondents advised they take part in, and have witnessed, a wide range of water-based activities at the site, including swimming, dipping, paddle boarding, surfing, kayaking, rowing and canoeing.

Many respondents were not aware of any problems with water quality and highlighted that designation would have a beneficial effect on tourism and the local economy.

A high number mentioned the importance of monitoring to protect the water quality, to inform the public and to safeguard bathers' health.

One respondent did not support designation, citing inadequate road/transport infrastructure and lack of impact assessment on the marine ecosystem.

A number of respondents were unfamiliar with the location and these can be divided into two groups, those who support the application regardless of any local knowledge with the purpose of monitoring water quality, and others who did not wish to comment on the proposal.

Nefyn Town Council and Gwynedd Council both support the proposal to designate the site.

NRW

NRW has no objection to designation of Nefyn Beach. Initial consultation response comments from NRW were provided to Welsh Government on 29 November 2023. This included the need for consideration of nearby designated sites (both SSSI and SAC). The beach itself is outside any designated sites and no pathways to adverse impacts are anticipated.

DCWW

There are 2 storm overflow assets in the catchment at around 2 kilometres from the proposed new Bathing Water at Nefyn Beach. DCWW have not previously run coastal investigations for this particular coastal area with respect to their impact on Nefyn Beach and therefore cannot provide further information regarding the expected water quality and the potential impact from these assets.

Questions 3 and 4

We would like to know your views on the effects the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating

the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposed actions could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

It is clear from the responses collected that members of the public enjoy and support the use of these areas as bathing waters. There was a definite support shown for use of Welsh and recognition of the benefits of being able to use the language socially, though some responders were unable to see how the review would impact the language.

Some responses for Nefyn specifically mentioned the positive experiences of learning; using and being inspired to learn Welsh because of their involvement with swimming groups, proving that just a little bit of Welsh can have an impact.

Several responses highlighted the question was irrelevant whilst others thought there would be no negative impact on the Welsh language. However, many suggested the use of bilingual signage and information for bathers would have a positive effect on the Welsh language and an opportunity to encourage tourists and visitors to learn Welsh.

Question 5

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In addition to the two named sites, a number of responses were generally supportive for water quality monitoring and designation of all bathing areas in Wales.

A number of respondents also commented on the need to address sewage discharges and other forms of pollution on beaches and in rivers that can have an impact of bathing water quality in order to preserve these environments for future generations.

Several concerns were raised over the conflict between swimmers, canoeists and paddleboarders and right of access to the Warren, stating that paddle sport users continue to be denied access. A behavioural code was suggested to minimise the risk of conflict between users.

Surfers Against Sewage (SAS) suggested a number of changes to the programme, including revision of short-term pollution provisions which allow for the disregarding of samples during the worst pollution events, and the adoption of novel sensor technologies to provide accurate and real-time water quality information. SAS also suggested an extension to the official 'bathing season' to reflect the wide range of water users who access our waterways throughout the year and an extension to the testing regime to provide a full picture of water quality and risk water users. This view aligns with some responses that stated they would like to see water quality testing all year round.

Hay Town Council welcomes practical ideas to clean up the River Wye but not

bathing water designation. Practical ideas suggested include; Update all sewage works, Reopen the salmon hatchery, A river wide programme to re-plant ranunculaceous weed beds, and a river wide programme from source to sea to remove Himalayan Balsam.

Government response

Consultation outcome

When reaching a decision on identifying a Bathing Water, the main consideration is numbers of bathers. However, we have not set a formal numerical figure, as all bathing waters are different, and one figure may not be suitable for all sites. We look for evidence of numbers of swimmers, people paddling at the water's edge and people on the beach. We also look at past trends, any infrastructure or facilities provided, or measures taken to promote bathing, as set out in the Bathing Water Regulations 2013.

We recognise that some respondents supported designation for reasons which fall -outside the purpose of the Bathing Water Programme and citing that designation appears be the only way to increase pressure on Dwr Cymru Welsh Water, the agricultural sector and other pollutants who currently face no consequences for polluting the river and forcing those with power and responsibility to act. These were identified as reasons behind supporting designation of the Warren, however, such wider issues are not considered, as the purpose of the programme is to provide bathers with an informed decision of where they choose to bathe.

Nefyn beach

Following full consideration of all responses received and information and

evidence provided, the Welsh Ministers are satisfied that Nefyn Beach has met the criteria as set out in the Bathing Water Regulations 2013. Therefore, the Welsh Ministers have taken the decision to identify Nefyn Beach, Nefyn as a bathing water for the 2024 bathing season.

The Warren, Hay-on-Wye

While the Welsh Ministers believe that there is appropriate evidence on the number of bathers at The Warren, there are significant concerns regarding the environmental impacts if the site was designated as a bathing water.

As the site is located within a Site of Special Scientific interest (SSSI) and Special Area of Conservation (SAC), it is granted protections under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. The proposed designation is not supported by the landowner (Hay Warren Trust) and the site has not been granted consent from NRW for recreational activities including bathing. There are also concerns that designation will generate additional adverse impacts to both the environment and local habitats from its usage as a bathing water which includes increased footfall, erosion of the banks and paths, damage to the site, issues with littering and the presence of both human and dog fouling.

There is also little supporting evidence as to the availability of any infrastructure or facilities provided at the site which was identified within this consultation. This includes no bins, changing areas, toilets, adequate and nearby parking or transport links with no evidence to promote bathing at the location.

The Welsh Government is committed to supporting nature recovery and enhancing our biodiverse natural environment with due regard to the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. Therefore, the Welsh Ministers have taken the decision not to designate The Warren as a bathing water until a time where NRW have had the

opportunity to consider a request for consent to be granted.

Burry Port West and East Beach

Last year, the Welsh Ministers postponed a decision on bathing water designation for Burry Port West and East Beach due to the significant physical safety risks that were raised during the consultation process.

Following further consultation with stakeholders, it is evident that the site poses significant safety risks associated with tidal hazards in the area, including fast-incoming tides that result in people being trapped on the sandbank, large undulating ripples, quicksand and unexpected depth change and as a result, swimming is not advised at this location by Carmarthenshire County Council (CCC). The Burry Port RNLi advise that almost 25% of lifeboat launches are already due to this site and these issues. Furthermore, NRW as part of their considerations undertook a pre-monitoring field assessment at both East and West beach and identified the locations as too hazardous to sample safely.

Noting that swimming is not advised at this site due to the high level of physical safety risks identified by CCC and who continue to communicate the risks to the local public, the significant response required by the RNLi due to these issues and NRW unable to ensure the safety of their monitoring staff, the Welsh Ministers have taken the decision not to designate Burry Port West and East Beach as designated bathing waters until a time where the competent authorities can be satisfied the risks can be mitigated for the safety of bathers and NRW monitoring staff.

Monitoring of designated bathing waters

NRW has responsibility for monitoring bathing water quality at designated bathing water sites in Wales. Where a surface water is designated as a bathing

water, NRW is required to produce a detailed profile and monitoring programme, as it does for each identified bathing water in Wales.

Bathing water profiles include a description of the bathing water and surrounding area, any rivers and streams feeding into each site and details about how they will manage pollution at the site.

These profiles also set out bathing water quality compliance results and explain the work they are undertaking with other partners to identify where water quality improvements are needed. This includes working with water companies, agriculture sector and Local Authorities to identify problems that could affect bathing water quality.

In addition, every Local Authority, which controls an identified bathing water, must ensure that detailed information about the bathing water is available in an easily accessible place in the near vicinity of the bathing water during the bathing season (15 May to 30 September).

Local Authorities are also required to display further information in the form of water quality classification symbols during the bathing season at each identified bathing water.

Next steps

We will advise NRW of the Welsh Ministers' decision to identify Nefyn beach, Nefyn as a designated bathing water and ask them to prepare a bathing water profile and to keep the profile under review.

Anyone can recommend a surface water area used for bathing for identification as a bathing water. In the first instance, we recommend approaching the Local Authority and to gain the support of the landowner, as they will often hold helpful

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information about a beach / inland water site in their area and will be responsible for meeting various requirements under the Bathing Water Regulations 2013 in the event of the water being designated as a bathing water.

The Welsh Government would like to thank those who responded to the consultation on the 'Bathing Waters Review Wales 2024'.

Annex A: list of responding organisations

This list of responding organisations is not exhaustive and is based on those that declared their Organisation. This may include responses from individuals who are members of specific organisations and therefore does not necessarily reflect that organisation's views. This list also does not include those that asked their response to be kept confidential or those that did not include the name of the organisation. 2 organisations wished to keep their responses anonymous.

- DCWW
- NRW
- Cyngor Tref Nefyn / Nefyn Town Council
- Llamwyr Llyn
- Hay Warren Trust
- Sustainable Wales
- A to Z Expeditions
- Surfers Against Sewage
- Friends of the Wye
- Angling Club
- Live2Flow (Freelance Outdoor Sports Leaders and Personal Coaches)
- Hay Community Woodland Group, Hay Warren Anglers
- Woodlands OEC, Oxfordshire Outdoors
- Hay Town Council
- Angela Jones swim wild wye

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- Cyngor Gwynedd
- A number of individual responses

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