



3rd September 2025

Dear ,

Request for Information

ATISN 25030 – Minutes of Welsh Contaminated Land Working Group

Thank you for your 5 August 2025 request in which you requested:

‘Please release in full the last three year’s minutes of the Welsh Land Contamination Working Group reference here’

Our Response;

The Welsh Contaminated Land Working Group chair and secretariate roles are provided by Local Authorities who arrange these meetings. Welsh Government officials are attendees. You may wish to approach the current chair (who is the Contaminated Land Officer at Flintshire) to [enquire](#) if there are additional minutes available for these meetings. I have provided copies below of all minutes provided by the groups secretariat which Welsh Government has recorded. All redactions within this document relate to personal information only. The justification for this is outlined in Annex A.

Welsh Land Contamination Working Group

Minutes of Meeting

20th March 2024 - (Teams) 10.30am

Present:

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Redacted (Chair) – Flintshire County Council (NW Group)

Redacted – Natural Resources Wales

Redacted – Natural Resources Wales

Redacted – Welsh Government

Redacted – UKHSA

Redacted – Wrexham County Borough Council (NW Group) (Secretary – on rotation)

Redacted – Powys County Council

Redacted – Caerphilly County Borough Council

Apologies:

Redacted – Carmarthenshire County Council

Welcome:

Redacted – UKHSA

Redacted – Powys County Council

Redacted – Carmarthenshire County Council

Trace Metal Mine Project Workshops – Nottingham University

The findings of the research project have been published and are now in the public domain.

The Financial Times published an article on the findings which has raised questions about lead and implied lead is in private water supplies, that vegetables grown downstream of the metal mine area growing in contaminated mine spoil, and that duck/poultry eggs contain high levels of lead and might be sold in local markets.

NRW were consulted on the article and their response explained the terms of the WG funding for the NRW metal mines project to NRW, i.e. that the funding for NRW was to be spent on water quality improvement works in water courses in lead mining areas and not to explore other issues that the Nottingham Uni' research report identifies (i.e. other receptors).

The Welsh Affairs Select Committee are going to look into this further (according to a statement made by Steven Crabb).

WG and other agencies may be contacted on this topic. Mark Drakeford's discussion in FMQ's (on Tuesday) raised the metal mine issue. The NRW metal mine program will potentially be funded for a further 2 years.

Members of the WLCWG who have attended the workshops so far, all expressed and were in agreement that they'd provided feedback from the workshops attended, explaining that legislation to address the issues raised by Nottingham University already exists in the Part 2A regulatory framework and it is the Part 2A system which should be used. Members of the WLCWG in attendance at the workshops had also expressed their concern that much of the work suggested has either been completed or is in the course of completion by

regulators, primarily Contaminated Land Officers, again because the risk based approach required is already legislated and in effect through the Part 2A system.

Requests for the provision of environmental information relating to historical lead mining and Part 2A activity have been received by a number of Local Authorities including, Flintshire & Wrexham. Responses are being prepared by those in receipt of the requests.

UKHSA has received many enquiries and has concerns about the approach taken and the science behind the report, interpretation of the data and the lack of attention to feedback provided to Nottingham Uni' researchers at their workshops.

The enquiries received have generated a lot of work for and concern amongst CLO's and other regulators/organisations. The presence of lead in areas around historical mines doesn't necessarily translate into risks to public health or indeed public exposure.

As a result, UKHSA have taken the decision to did-engage with the researchers at Nottingham Uni' and this project. If genuine concerns from a public health perspective are raised then they will continue look into those concerns.

A transcript has been circulated from the workshops and does not reflect the views raised in the workshop by attendees and there was an implication that all agencies in attendance at the workshops were supportive and endorse the work. This is not the case.

The Financial Times has been furnished with a summary of the 1st workshop transcript.

From UKHSA perspective, lead surveillance is not undertaken in Wales, for a number of reasons, not least that from a public health perspective there is no need to at present. Concerns reported to WKHSA primarily focus on pica children and those cases are dealt with on case by case basis.

WG had sent letter of support for the Nott Uni project, but have not financially supported it. NRW and UKHSA had also been supportive of the work initially. However, WG is no longer hosting or involved with the workshops, as the Nottingham University's focus seems to have changed over time as has their commencement of liaison with journalists over the findings.

This statement has been published in the press:

"A UK parliamentary committee has launched an investigation into the human health risks posed by abandoned metal mines in Wales following revelations from a Financial Times investigation.

Stephen Crabb, the Conservative chair of the House of Commons Welsh affairs committee, said on Tuesday: "The information uncovered by the Financial Times about metal mine pollution in Welsh rivers is deeply concerning."

His comments came after the FT revealed Welsh government estimates showing that at least 500 tonnes of harmful metals leak into the Welsh environment each year from abandoned mines. Natural Resources Wales (NRW) estimates obtained through a Freedom of Information request revealed that 129 sites are "certainly, or highly likely, to be causing failures of water quality criteria".

"Given the reported volumes of harmful metals being discharged from abandoned mines, there is an urgent need for transparency about the scale of the problem and especially the potential health impacts," said Crabb, MP for the west Wales constituency of Preseli Pembrokeshire.

Crabb, a former minister, added that his committee would investigate the “impact of metal mine pollution on human health, plans for remediation, the information available to the public, and whether existing regulations and standards are fit for purpose”.

Metals leaking into the environment from mines can accumulate in soil and floodplain used for homegrown and agricultural food production.”

A Local Authority and the WLCWG were intending to be represented at the next workshop, as they had attended the workshops so far, with the intention of informing a decision as to any further attendance.

Nottingham University have been provided with a copy of Flintshire’s Contaminated Land Inspection Strategy, to illustrate concerns raised at the workshops to date, that the legislative framework already exists in Part 2A and that a significant amount of work has already been undertaken by CLO’s.

NRW had also planned to attend the upcoming workshop, considering how high a profile the issue of historical lead mining has now become.

To continue discussion on this at the next meeting, by which time the next workshop will have taken place.

ACTION – Redacted Flintshire CC add to agenda for next meeting.

Training

£4-5k likely available for CLO training in the next financial year from WG. There could be flexibility if more funding required then the Group can ask.

ACTION – Redacted (WG) to confirm funding allocation for CLO training at the next meeting.

TAN/CPO letter

A response from WG has been chased up and is awaited. Concerns were raised over the level of information that the group has provided at WG request and the slippage of the timescales and assurances that have been given to the WLCWG.

ACTION – Redacted(WG) to contact planning policy team at WG to find out where this matter is up to.

WG update

Metal mine discussion covered earlier in the meeting. (see above).

Counterparts in UK meeting next week. No updates yet.

Review of Part 2A – DEFRA have now stepped back from this for the time being and more of a light touch will be applied going forward. More committed to State of CL report, but no internal discussions about commissioning a Wales version yet. NRW continuing discussions with EA, and if funded, then non-devolved so Wales should be included.

ACTION – Redacted(WG) to raise at meeting with counterparts next week

NRW update

At the last training event in October 2023, the presenter discussed a draft SOBRA Betterment Guide. The EA have been consulted on it, NRW liaised with EA – because it is not a risk based approach they are not going to be supportive of betterment or a betterment approach. On a site by site basis EA do sometimes approve betterment so this guidance could be helpful, but in limited circumstances and the current risk based approach is always preferred.

Brownfield Forum – seeking nominations for Deputy Chair.

NRW office closures - confirmation of which, by next meeting.

PFAS remediation – few sites coming in, reflection of it being a hot topic, some schemes involved with solidification and stabilisation of soils then re-using under DoWCoP. But needs more consideration as contaminants last longer than remediation. NRW may have funding for a project.

LA regional updates

Caerphilly

- Ty Llwyd, it's been a bit quiet but there's an implication that the EIR enquirer is planning something big, talked about their legal team. Nearly finished a year's worth of monitoring, scaled back a couple of years ago but started it back up again due to public interest, does it meet Part 2A threshold or not will be concluded soon. Also H1 assessment data gathering for permit. Also looking at remedial options for the tip too. All interlinked and works are carried out alongside each other and getting towards a plan to move forward but funding not resolved, going to be a significant cost. On continued EIR requests now going down the vexatious route, over 50 requests received, all information has been provided but continuing to make requests, although it has gone quietly recently.
- Behind on reviewing the Inspection Strategy

SE Wales

- Other Councils in SE Wales have reviewed their inspection strategies and they are likely to be published shortly.
- RCT – PFAS contamination on a school site, g/w re-contaminating the clean cap.
- Merthyr Tydfil – g/w issues on a restored site.
- Torfaen – PFAS concerns at a fire station and they have issues with another site.
- Monmouthshire – no specific issues.
- Blaenau Gwent – busy with planning work.

Powys

- Inspection strategy revised light touch, published soon.
- Just *Redacted* as CLO now, his former colleague is now involved with other EH duties but occasionally still helps with CL matters when assistance needed.
- Mines gas risk assessment, rolling out with SW group.
- Had problems at a site where the mishandling/improper use of Materials Management Plan & U1 Waste Exemptions. Been going on for years, NRW waste crime team involved, there has been a long investigation, company to be reported to landfill tax administrators.

Carmarthen

- Busy with planning, just started to revise their strategy.

Neath Port Talbot

- Busy with planning.

Pembrokeshire

- *Redacted* has moved to another job in the Council now, a third party is assessing contamination assessment reports for planning.

Ceredigion

- They have a site with a flooding issue, working with NRW.

Swansea

- PFAS site.

Flintshire

- Large landfill in Deeside, early stage of Part 2A assessment.
- Review of all lead mining assessment work undertaken to date
- Strategy updated, formally adopted and published.
- Planning – several planning applications for Developments of National Significance e.g HyNet pipeline. Several large scale developments underway, e.g. former RAF Sealand sites, received some exemplary verification reports in some cases, planning workstream continues to be busy, as does Part 2A.

Wrexham

- in final stages of completing 3 new contracts for the upcoming year for collection/disposal of landfill leachate, pump operation and water monitoring.
- very busy with planning applications.
- coal tips works progressing, entering 3rd year of funding, on site remedial works forthcoming for one of the sites.
- Still receiving queries regarding Monsanto sites, we've been informed the focus will be on Wrexham in 2024. Also receiving quite a few EIRs on Part2a and lead mining areas.

UKHSA Update

- PFAS toxicology still uncertain, they are aware there are a lot of sites with high levels and their internal group are looking to produce an advice note on the contaminant soon. There is a site in NW England, it is unclear what the public health implications are.
- LAs to use UKHSA generic email address for CL queries. To manage workload the UKHSA might need to start focusing more on public health risks than provision of advice on risk assessment or remediation proposals for specific sites.

Date/Time of next meeting

03 July 2024 at 10:30 – Teams

18 September 2024 at 10:30 – Teams

Welsh Land Contamination Working Group

Minutes of Meeting

6th December 2023 - (Teams) 10.30am

Present:

Redacted (Chair) – Flintshire County Council (NW Group)

Redacted – Natural Resources Wales

Redacted – Natural Resources Wales

Redacted (Minute taker – on rotation) – Wrexham County Borough Council (NW Group)

Redacted – UKHSA

Redacted – Welsh Government

Apologies:

Redacted – Powys County Council (New representative of SW Group)

Redacted – Carmarthenshire County Council (New representative of SW Group)

Welcome:

Redacted – Natural Resources Wales. NRW's Metal Mine work is moving out of the GeoScience Team and TJ has more availability to re-join the Group.

Redacted (Flintshire CC) has emailed *Redacted* (Pembrokeshire CC) (former Chair) and *Redacted* NRW to thank them for their work with the Group – the previous meeting was the last meeting they attended having taken on new roles in their organisations.

Secretary role will be fulfilled on a rotational basis. *Redacted* (Wrexham CC) will record minute for this meeting.

Minutes of the Last Meeting:

Accepted

Knowledge Hub:

Redacted (Pembrokeshire CC) updated the Knowledge Hub before starting her new job.

Developers Guide:

CL:AIRE have added the Developers Guide to their Wall. *Redacted* (Flintshire CC) has thanked them.

Brownfield Forum:

Redacted (Flintshire CC) unwell so missed their last meeting.

Training:

04/10/23 Training Day held in MRC, Llandrindod Wells. Speakers –

Redacted, CL:AIRE - Talk on DoW CoP & additional talk 'Managing Asbestos in Soils: A Contractors Perspective'

Redacted, Remediation Society – Talk on 'A Practitioners Guide to Betterment in Remediation'

Redacted (Short Presentation on Wrexham's involvement with the WG Coal Tip Safety Program)

CPO letter:

Redacted (Flintshire CC) has submitted 3 business cases for this now. Nothing further has since happened. 12 months have passed. Ministerial support has been given, no date for when it will be issued.

NRW Update;

- Defra are considering a review of Part 2a. DEA doing an initial study.
- EA have started an Update for a State of Contaminated Land Report. NRW will be checking with WG to see if a Welsh version will be prepared. Cranfield University prepared the last Report, it looks like the EA will do it internally this time. If NRW prepare a report it may have a wider remit because of the limited Part 2a work that has been undertaken in Wales.
- Contingency Plan Guidance for Category D & C Coal Tips is being prepared for site owners/operators. It will cover things like DoW CoP permits – potential for streamlining this work.
- The Piling on Contaminated Sites Guidance is being reviewed.
- NRW have signed up to a CIRIA project – best practice guidance for climate change and brownfield development. The LCRM latest update says should consider 'extreme weather events, the project is in the early phases, considering who will be involved and bringing a consultant in.
- Defra £78m available, Autumn Statement, from the Landfill Tax Scheme & grant for remediation of contaminated land in England. NRW have raised this with WG in the past but no indication something similar will happen for Wales because it doesn't promote sustainability. The grant can only be applied for if there is no other alternative to landfill, it is only for landfilling. NRW to raised with WG again. **ACTION**

Regional updates:

North (Flintshire, *Redacted*)

- Inspection Strategy updated.

- FCC's own Developers Guide is on their website.
- 3 significant heating oils spills have occurred, all dealt with through home owners insurance, 1 also involved NRW due to controlled water issues (1500lt went straight out of a hole in the tank into a mill race but it didn't get into the river, 1 house downstream significantly impacted). All have been remediated. Environmental Damage Regs issue as tank not checked before charged.
- Phase 1 being done on a Part 2a landfill site next to the River Dee – liaison with NRW, there are ecological concerns.
- Assessment of 10 houses and 10 schools in the metal mining area being undertaken. 250 houses being done in total, will look at overall results spatially. Lead, silver and zinc CoC. Triggered by nearby developments showing high results. Council owned properties & POS being done first. Findings to be considered in relation to prevailing wind direction and position of mines.
- No recent update from NW Group, to ask if *Redacted* (NRW) can join. **ACTION**

North (Wrexham, *Redacted*)

- The Council is paying for the assessment of potential land contamination impacts on the garden of a property following the chemical spill/lorry fire incident.
- Planning sites are picking up, there has been a significant lull due to the phosphate/drainage strategy issue required for new planning applications, no permissions were being granted but this has now progressed and some areas are now having permissions granted.
- Significant amount of time being spent on the 3 Category C coal tips, we have a consultant advising on the works required.
- New procurement packages are being prepared for collection/disposal of landfill leachate at 2 sites, pump operation for collection of leachate at 1 site and water monitoring across various former landfill sites.

WG update;

- Query on frequency of meeting of regional groups – informed that SW have regular meetings, SE met a few weeks ago but there is a gap for c/l issues, *Redacted* is going though. NW – meet quarterly & *Redacted* feeds info back a summary and update to the All Wales Expert Panel.
- *Redacted*(WG) met Defra, Scotland & NI recently, there has been a gap in communication but a new team is being formed.
- Defra have started a State of Contaminated Land Report, WG are unlikely to join that but have asked.
- *Redacted*(WG) to look at possible links with the landfill grant scheme for Part 2a works.
- No further update on CPO letter from *Redacted*. Email to go at the beginning of Feb to see ask time scales with it being nearly 12 months now. Minister has approved it, it is just waiting to go on the website. *Redacted*(WG) to be cc'd into email. **ACTION**
- Metal Mine Project – Nottingham Uni are keen to keep the focus on the area and maintain responsibility for pushing the project forward for 3 years funding, currently looking into companies for this, unlikely to be WG. WG still looking into what policy area it sits in – could

be Metal Mines, Part 2a or Coal Tips, or Health. There has been a bit of media interest in it, mostly environment focused at present but just a matter of time for the health focus to start.

UKHSA;

- UKHSA have been approached about comms for the Nottingham Uni metal mine project but as it's an academic study at present they are not going to be involved at present. Aware there are FAQs re lead on the internet currently.

- UKHSA quite regularly involved with potential lead health impact cases, pica can be on the spectrum and looking at spatial trends. Welsh Water and ST sample water and manage exposure. They have internal guidance which might involve contacting a LA. 60 tests last month, 5 above limit. It seems to be going up, maybe due to rise in awareness. 2022 400 tested, 20 over (20-30 each year on average over), only suspected, often rule out water. UKHSA have prepared a Report and they're going to do a map. *Redacted* (WG) looking into what records are kept, *Redacted* (UKHSA) and *Redacted* (UKHSA). Not obvious trends to metal mine areas.

ACTION

Date/Time of the next meetings:

20 March 2024 at 10:30 – Teams

03 July 2024 at 10:30 – Teams

18 September 2024 at 10:30 – Teams

Welsh Land Contamination Working Group

Minute of meeting – 28/09/2022 10.30am (Teams)

Present:

Redacted (Chair) – Pembrokeshire County Council

Redacted (Secretary) – Flintshire County Council

Redacted – Natural Resources Wales

Redacted – Natural Resources Wales

Redacted – Wrexham County Borough Council

Redacted – Caerphilly County Council

Redacted – Public Health Wales

Redacted – Welsh Government

Apologies:

Redacted – Natural Resources Wales. *Redacted* attended on behalf of *Redacted*.

1. Last meeting, actions & matters arising

Redacted (NRW) sent information relating to climate change to *Redacted (NRW)*.

Redacted (NRW) added a section on climate change to TAN business case and circulated to the Group for comment.

Redacted (Flintshire CC) sent business case to *Redacted(WG)* and *Redacted (WG)* at Welsh Government. Response is awaited.

Redacted (Pembrokeshire) received approval from YALPAG for use of their gas verification guide content.

2. Election of Chair and Secretary

Redacted (Pembrokeshire CC) re-elected as Chair

Redacted (Flintshire CC) re-elected as Secretary

3. Training

Redacted (Chair) and *Redacted (Caerphilly CC)* to lead on arranging training event to take place and to be invoiced before 31st March 2023. Invoices to be sent directly to *Redacted (WG)* as they have been previously and *Redacted (WG)* stressed importance of this in line with financial year end accounting requirements.

4. WLCWG Terms of Reference

Need to be checked and updated as appropriate.

ACTION – *Redacted (Chair)* to review and update ToR and to approach LA's in South Wales for their representative.

5. TAN – Land Contamination

Actions from last meeting completed by *Redacted*. Business case sent by email to *Redacted (WG)* and *Redacted (WG)*. Response from WG is awaited.

ACTION – *Redacted (WG)* to contact *Redacted(WG)* for an idea of WG position and for a response to the email sent by *Redacted (Flintshire CC)* on behalf of the Group.

Redacted (Flintshire CC) and *Redacted(Wrexham CC)* to draft document as agreed at previous meetings.

6. Gas Protective Measures Verification Guide

Redacted (Chair) is in throes of drafting.

ACTION – *Redacted (Chair)* to check for any issues with Copyright if images are reproduced. Group may have some of their own if required.

ACTION – *Redacted (Chair)* to complete draft and circulate to Group before next meeting.

7. Developer Guide

Redacted (Chair) circulated draft. Comments received from *Redacted (NRW)*, *Redacted (NRW)* and *Redacted (Flintshire CC)*.

Concerns were raised across the Group over level of compliance conditions, poor quality submissions. Further with and enforcement of planning concerns were raised by PHW where this involved publicly funded projects/developments and where land affected by contamination has undergone development without In contamination having been duly addressed.

The Group reviewed the draft and a number of minor changes were agreed. The reference to the CIEH gas guide is to be removed.

ACTION – Redacted (Chair) to arrange for accessibility of final document to be checked to ensure it is compliant and be ready with final document to be published and circulate with gas protective measures verification guide for next meeting.

ACTION – Redacted (NRW) and **Redacted** (WG) to enquire about translation, **Redacted** (Flintshire) to enquire about the same with WLGA.

8. Training – Budget

A £4k budget has been approved by WG for CLO training for this financial year. This cannot be 'rolled over' and it is acknowledged that the payment of VAT and the limited time to arrange a training event are constraints upon the Group.

Event to be arrange for end of November 2022.

ACTION – Redacted (NRW) to contact Metropole and MRC to enquire about availability and to ask LQM (**Redacted**) to deliver/present.

Free on-line training will also be looked into for the remainder of the financial year.

9. WG Update

An enquiry has been received from CIRIA in respect of funding toward a project looking into the climate change and remediation.

SOBRA have archives relating to climate change.

Redacted involvement with the project looking at single-use plastics is on-going but drawing to a close and **Redacted** (WG) hopes to return to focussing on land contamination very soon.

WG has commented on the Landfill Tax Grant project (England).

10. NRW Update

The metal mines project; including the research elements, is on-going.

Research into PFA's and the associated project is also on-going.

At present, NRW's resources are focussed upon the drought conditions affecting Wales this year.

A remediation project continues to be worked through.

A project relating to new and emerging chemicals is developing and methodology is being reviewed.

NRW continues to meet with EA and CL:AIRE (JAGDAG) to develop and update guidance and will arrange to meet with Group to review and develop guidance for Wales.

11. LA updates

A regional PC meeting hasn't taken place for the northern region but WCBC/FCC CLO's have chased this up.

WCBC – Looking at educational land and undertaking a screening exercise to identify sites where PRA or further assessment may be necessary. Continuing to work on historical coal mine tip legacies project.

FCC – Also experiencing issues with poor quality planning submissions, which take an inordinate amount of time to work through. Planning relates work streams continue to be busy. Working on Part 2A PRA's with a view to commencing 2 projects by the end of March '23. NUAR project related enquiry received, requesting information relating to historical land uses for whole County but CLO hasn't been consulted by project team.

Other members of the group haven't been consulted on this project either.

Caerphilly - Inundated with EIR requests. Responding to these is dominating work and diverting resources from dealing with land contamination at present.

Pembrokeshire – Looking at active gas extraction at a leisure centre. System has been in operation for some time but longevity and necessity are to be assessed going forward. Seasonal activity associated with escape of historical waste oils at the golf club site are on-going and specialist legal advice to consider future activity has been sought.

Date and time of next meeting

ACTION – Redacted (Chair) to identify dates and circulate meeting dates up to and including September 2023. Group wish to keep meetings to a Wednesday.

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

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.