

20 November 2025

Dear

**ATISN 26292 – Ty Llwyd Quarry, Ynysddu, Caerphilly County Borough**

**Information requested**

Thank you for your request which I received on 24 October 2025. You requested environmental information under the **Environmental Information Regulations 2004 (EIR)**. Your request concerns the **Ty Llwyd Quarry** site in **Ynysddu, Caerphilly County Borough**, and seeks information held by the **Welsh Government** regarding its awareness of, involvement in, and oversight of environmental, regulatory, or public health issues connected to the site as per the below details.

- A. Please provide copies of any environmental information held by the Welsh Government from **2019/20 to 2023/24 inclusive** that relates to **Ty Llwyd Quarry**, including:
1. Correspondence, briefings, or reports shared between the **Welsh Government, Natural Resources Wales (NRW)**, and **Caerphilly County Borough Council** concerning contamination, discharges, emissions, or remediation at Ty Llwyd Quarry;
  2. Internal Welsh Government communications, ministerial briefings, or submissions referencing **pollution incidents, leachate discharges, or public health concerns** linked to the site;
  3. Records of any **meetings, discussions, or inter-agency coordination** regarding environmental risks or regulatory action related to Ty Llwyd Quarry
- B. Between 2020 and 2023, NRW reportedly carried out **five investigations involving Caerphilly County Borough Council**. Please confirm:
1. Whether the Welsh Government was **informed, consulted, or briefed** on any of these investigations;
  2. Whether any of those investigations related wholly or partly to **Ty Llwyd Quarry** or to **contaminated water discharge** from the site;
  3. The **dates, titles, and reference numbers** of any relevant investigations or reports received by the Welsh Government; and
  4. Any **actions, recommendations, or oversight measures** undertaken by Welsh Ministers or officials in response.
- C. Please provide any information held on:
1. Welsh Government awareness of **air quality, leachate, or groundwater monitoring data** at or around Ty Llwyd Quarry;
  2. Any **funding allocations or grant support** provided to NRW or Caerphilly County Borough Council for environmental investigations or remediation at the site;
  3. Any assessments or correspondence with **Public Health Wales** regarding potential health impacts associated with emissions, odour, or contaminated water from Ty Llwyd Quarry.

## **Our response**

Following a search of our paper and electronic records, I have established the information you require for 1a and 1b is held by the Welsh Government. Information required for 1c, 2 and 3 is not held by the Welsh Government for the timeline requested.

I have provided copies below of all correspondence which Welsh Government has recorded. All redactions in this document relate to personal information only. The justification for this is outlined in Annex A.

## **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](mailto: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

## 1. Welsh Government Awareness and Involvement

Please provide copies of any environmental information held by the Welsh Government from **2019/20 to 2023/24 inclusive** that relates to **Ty Llwyd Quarry**, including:

- 1a) Correspondence, briefings, or reports shared between the **Welsh Government**, **Natural Resources Wales (NRW)**, and **Caerphilly County Borough Council** concerning contamination, discharges, emissions, or remediation at Ty Llwyd Quarry;

### **Welsh Government and CCBC**

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**From:** REDACTED <REDACTED@CAERPHILLY.GOV.UK>

**Sent:** 09 June 2023 12:36

**To:** REDACTED (CCRA - ERA - Environmental Protection) <REDACTED@gov.wales>

**Cc:** REDACTED <REDACTED@CAERPHILLY.GOV.UK>

**Subject:** Ty Llwyd newsletter - CCBC

**Importance:** High

Hello REDACTED,

Further to our recent conversation, please find attached the Ty Llwyd newsletter and link to the FAQs as requested.

### **Newsletter - Attachment 1**

<https://www.caerphilly.gov.uk/services/environmental-health-and-pollution/ty-llwyd?lang=en-GB>

Kind Regards

**REDACTED**

Arweinydd Tîm | Team Leader

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** REDACTED <REDACTED@Caerphilly.gov.uk>

**Sent:** Thursday, June 8, 2023 10:44 AM

**To:** REDACTED@assembly.wales' <REDACTED@assembly.wales>;

'REDACTED@parliament.uk' <REDACTED@parliament.uk>

**Cc:** REDACTED <REDACTED@CAERPHILLY.GOV.UK>; REDACTED <REDACTED@CAERPHILLY.GOV.UK>

**Subject:** Ty Llwyd newsletter - CCBC

Hi both

Please see attached.

This is a newsletter about Ty Llwyd quarry which will be distributed to residents in Ynysddu over the coming days.

We are also signposting the community to a series of FAQs that have been created on the CCBC website:

### **Newsletter - Attachment 1**

Regards

**REDACTED**

Pennaeth Cyfathrebu | Head Of Communications  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Further information relating to this question have previously been answered under a Freedom of Information (FOI) requests 17145, 19382 and 23265.

**FOI release 17145: Ty Llwyd Quarry | GOV.WALES (March 2023)**

**FOI release 19382: Ty Llwyd, Ynysddu | GOV.WALES (January 2024)**

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**Welsh Government and NRW**

**From: REDACTED** <REDACTED@cyfoethnaturiolcymru.gov.uk>

**Sent:** 22 June 2023 12:16

**To: REDACTED** (CCRA - ERA - Environmental Protection) <REDACTED@gov.wales>

**Subject:** RE: Ty Llwyd - Meeting

Hi **REDACTED**

Ahead of our meeting week after next I just wanted to drop you a line to inform you that on Tues this week we issued Caerphilly County Borough Council with a warning letter for the pollution incident earlier this year.

Today, we've responded to an enquiry from **REDACTED** with the following info...

*Under the Environmental Protection Act 1990, Local Authorities have a responsibility to inspect sites that may be contaminated by legacy industrial activities. As the owners and lead regulators for Ty Llwyd quarry, Caerphilly County Borough Council (CCBC) has a duty to monitor and review this site and to control the risks of pollution.*

*Our role is to provide technical guidance and advice to help them fulfil their duties, as well as undertake any necessary enforcement action. As the Council considers the possible improvement options, we will continue to provide technical advice and review any remediation proposals to ensure people and the environment are protected.*

*Separate to our advisory role, we have also been dealing with a pollution incident at Ynysddu. Our investigation into this incident that occurred in January 2023 has now concluded and CCBC has been issued with a warning as our enforcement response for an unauthorised discharge activity under the Environmental Permitting Regulations 2016. It is likely that CCBC will require a permit to discharge to water or ground and they have appointed consultants to advise them of the necessary actions to control any further pollution from this site. We understand that CCBC are awaiting these proposals from their consultants. Once the proposals are available and actions are agreed, timescales will be*

*imposed. We are unable to impose realistic timescales on the required actions until these proposals are shared with us.*

*By way of background information:*

- PCBs are a global problem but the regulation we have in place is taking effect. Records show the discharge of PCBs into the environment, has reduced significantly over the years, due to a combination of tighter controls on use and disposal, and remediation of some historically contaminated sites and the passage of time.*
- PCBs were manufactured in south Wales and used for various purposes, such as dielectric and heat transfer fluids, carbonless copy paper and pesticide manufacturing.*
- They are no longer produced and have limited use. Due to their persistence, they are still found in the environment and accumulate in sediments and wildlife.*
- PCBs are listed under the Stockholm Convention on persistent organic pollutants, which came into force in 2004.*

I thought it would be useful for you to sighted on these comms. Please contact me should you require any further info.

Kind regards

**REDACTED**

Operations Manager (South East Wales) / Rheolwr Gweithrediadau (De Ddwyrain Cymru)  
Natural Resources Wales / Cyfoeth Naturiol Cymru

Phone / Ffôn: **REDACTED**

Mobile / Symudol: **REDACTED**

Rivers House, St Mellons Business Park, St Mellons, Cardiff, CF3 0EY  
Plas Yr Afon, Parc Busnes Llaneirwg, Llaneirwg, Caerdydd, CF3 0EY



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**From:** **REDACTED** <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)> <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>

**Sent:** 12 June 2023 09:25

**To:** **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Subject:** RE: Ty Llwyd - Meeting

Thanks **REDACTED**

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**From:** **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Sent:** Monday, June 12, 2023 8:58 AM

**To:** **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; **REDACTED**(CCRA - ERA - Environmental Protection) <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>; **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Subject:** RE: Ty Llwyd - Meeting

Hi, I can do all dates except 11<sup>th</sup> July sorry.

**REDACTED**

Operations Manager (South East Wales) / Rheolwr Gweithrediadau (De Ddwyrain Cymru)  
Natural Resources Wales / Cyfoeth Naturiol Cymru

Phone / Ffôn: **REDACTED**

Mobile / Symudol: **REDACTED**

Rivers House, St Mellons Business Park, St Mellons, Cardiff, CF3 0EY

Plas Yr Afon, Parc Busnes Llaneirwg, Llaneirwg, Caerdydd, CF3 0EY



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**From:** REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Sent:** 09 June 2023 16:26

**To:** REDACTED@[gov.wales](mailto:gov.wales); REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>;

REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; REDACTED

<[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Subject:** RE: Ty Llwyd - Meeting

Hi REDACTED.

I can only make the 11<sup>th</sup> July date.

**REDACTED**

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**From:** REDACTED@[gov.wales](mailto:gov.wales) <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>

**Sent:** 09 June 2023 16:01

**To:** REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; REDACTED

<[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; REDACTED <

[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk) >; REDACTED <

[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk) **Subject:** RE: Ty Llwyd - Meeting

Thanks REDACTED

Grateful if you could provide your availability for the following dates;

30th June 9am – 11am

7th July 12 – 3pm

11th July 9am – 1pm

14th July 9am – 11am or 12 – 3pm

Thanks in advance

**REDACTED**

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**From:** REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Sent:** Friday, June 9, 2023 8:18 AM

**To:** REDACTED (CCRA - ERA - Environmental Protection) <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>;

REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>

**Cc:** REDACTED <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>;

[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk) **Subject:** RE: Ty Llwyd - Meeting

Morning REDACTED

Please invite **REDACTED**, Operations Manager and **REDACTED** a Senior Officer in the environment team. Both are aware of the request for the meeting and copied in for your convenience to contact them.

**REDACTED**

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**From:** **REDACTED**<[REDACTED@gov.wales](mailto:REDACTED@gov.wales)> <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>  
**Sent:** 08 June 2023 13:24  
**To:** **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>; **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>  
**Subject:** Ty Llwyd - Meeting

Hi both

Hope you've both been enjoying all this sunshine!  
I'm currently involved with a number of pieces of correspondence from Members of the Senedd to our Minister in relation to the above site, and have therefore been asked to convene a meeting between Caerphilly Council and NRW for an update on the current regulatory action, and a discussion on any future proposals / considerations for the site. I have been asked to brief the Minister following the meeting.

Could you tell me who else would be best to invite from NRW please and provide their contact details if necessary? From our last chat I understand colleagues responsible for environmental permitting are also now involved?

Thanks in advance

**REDACTED**

Environmental Protection / Diogeli'r Amgylchedd  
Welsh Government / Llywodraeth Cymru  
Cathays Park / Parc Cathays  
Cardiff CF10 3NQ / Caerdydd

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**From:** **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>  
**Sent:** 10 May 2023 16:27  
**To:** **REDACTED** (CCRA - ERA - Environmental Protection) <[REDACTED@gov.wales](mailto:REDACTED@gov.wales)>; **REDACTED** <[REDACTED@cyfoethnaturiolcymru.gov.uk](mailto:REDACTED@cyfoethnaturiolcymru.gov.uk)>  
**Subject:** RE: Ty Llywd Quarry - Caerphilly

Hi **REDACTED**,

See below. Updated to take account of developments since January

Summary of site

*Ty Llwyd was historically a stone quarry. From 1969 and 1972 the quarry was used for the disposal of industrial waste materials. When the tip was closed in 1972 the site was covered with shale and stone dust and overlain with topsoil and seed. In 1990 Caerphilly Council Borough Council (CCBC) took ownership of the site. An interim cap was installed over the site and a shallow, concrete lined ditch was constructed along the top boundary to divert surface water run-off. From 2006 CCBC installed groundwater monitoring points and*

*started monitoring the site. The monitoring results were shared with NRW (Environment Agency Wales at that time) for review on approximately an annual basis.*

### *Part 2A process & responsibilities*

*Land affected by contamination can be managed and regulated in a few different ways, but the main regulatory regime is Part 2A of the Environmental Protection Act (EPA) 1990. Local Authorities are the lead regulator under this regime. NRW have an advisory role providing technical support and guidance to Local Authorities on the controlled waters element(s) of land contamination unless a site is determined a 'special site' in which case NRW would become the lead regulator. This is not the case at Ty Llwyd Quarry and CCBC are the lead regulator. The site was considered by the local authority under Part 2A in 2013 and a report prepared by their appointed consultant. NRW (Environment Agency Wales at the time) reviewed the report and agreed with its conclusions that significant pollution of controlled waters was not occurring at that time. NRW are aware that CCBC and their appointed consultant intend to revisit this incorporating up to date monitoring data. We are awaiting this updated conceptual site model report and will provide comments when requested.*

*Human health risks are the responsibility of Local Authorities, so CCBC will be able to advise on this.*

### *Current status and NRW involvement*

*Occasionally, following prolonged periods of heavy rainfall there are leachate outbreaks on site. In order to manage the visual impact and public concern regarding these outbreaks, CCBC and their consultant Arcadis have implemented a voluntary scheme of works to divert outbreaks through a cascade, slowing down the flow and volatilising potential contamination before it soaks back into the ground. Drainage culverts on site have also been improved to maintain separation of the leachate from surface water courses to protect the environment. Whilst the scheme itself doesn't require any direct input from NRW, members of Geoscience team were invited to a site visit by CCBC officers on the 15/9/22 where they were shown the implemented scheme. It was acknowledged at the time that further improvement works were required to cope with more frequent high rainfall events. NRW Geoscience team understand that CCBC will share the details of the proposed improvement works as and when they are finalised by their consultant. Additionally, NRW are currently in discussions with CCBC over the potential requirement for an environmental permit for the selected remedial solution. Without finalised proposals it is not possible to comment further.*

*The phrase 'potential requirement of an environmental permit' is because not all situations involving discharges require a permit. The remedial solution will need to be chosen by the local authority and what they choose and implement may not require an environmental permit from NRW*

### *Reported Incidents*

*As soon as reports were received of a potential pollution incident in the Ynysddu area in Caerphilly, NRW attended the site to carry out an investigation and take samples. These are being analysed in our laboratory in Swansea and we are continuing to liaise closely with Caerphilly Council as part of the ongoing investigation process. Any appropriate enforcement action will be carried out as necessary. As with any investigation, no case details can be disclosed as this could impede any outcome. NRW's investigation into*



reports of a pollution incident in this area in January are complex and ongoing. Officers took a full suite of samples at that time which are currently being interpreted. No details can be given at this stage as we simply cannot impede any potential enforcement activity. Once this process has been completed, appropriate and proportionate action will be determined.

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**From:** REDACTED@gov.wales <REDACTED@gov.wales>  
**Sent:** 10 May 2023 14:01  
**To:** REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>; REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>  
**Subject:** RE: Ty Llywd Quarry - Caerphilly

Hi both

Hope you had a good bank holiday weekend. Sorry to chase. Any chance of a brief update from NRW's perspective?

Thanks

REDACTED

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**From:** REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>  
**Sent:** 04 May 2023 13:53  
**To:** REDACTED (CCRA - ERA - Environmental Protection) <REDACTED@gov.wales>; REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>  
**Subject:** RE: Ty Llywd Quarry - Caerphilly

Hi REDACTED,

Shouldn't be a problem. We're currently working on a couple of enquiries which we can use to update the below. When do you need it by?

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**From:** REDACTED@gov.wales <REDACTED@gov.wales>  
**Sent:** 04 May 2023 13:47  
**To:** REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>; REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>  
**Subject:** RE: Ty Llywd Quarry - Caerphilly

Afternoon both

We're getting some additional interest in the Ty Llywd site and I've been asked to provide an update on the current status and involvement of regulators.

Grateful if you could add to/ amend / update the previous update which I've added below and also include the current status of the assessment work that NRW have undertaken since the email below, in addition to the potential requirement for the site to have a discharge consent permit.

Many thanks in advance

**REDACTED**

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**From:** REDACTED<REDACTED@cyfoethnaturiolcymru.gov.uk>

**Sent:** 31 January 2023 11:53

**To:** REDACTED(CCRA - ERA - Environmental Protection) <REDACTED@gov.wales>;

REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>

**Subject:** RE: Ty Llywd Quarry - Caerphilly

Hi REDACTED,

As promised, see below:

#### Summary of site

*Ty Llwyd was historically a stone quarry. From 1969 and 1972 the quarry was used for the disposal of industrial waste materials. When the tip was closed in 1972 the site was covered with shale and stone dust and overlain with topsoil and seed. In 1990 Caerphilly Council Borough Council (CCBC) took ownership of the site. An interim cap was installed over the site and a shallow, concrete lined ditch was constructed along the top boundary to divert surface water run-off. From 2006 CCBC installed groundwater monitoring points and started monitoring the site. The monitoring results were shared with NRW (Environment Agency Wales at that time) for review on approximately an annual basis.*

#### Part 2A process & responsibilities

*Land affected by contamination can be managed and regulated in a few different ways, but the main regulatory regime is Part 2A of the Environmental Protection Act (EPA) 1990. Local Authorities are the lead regulator under this regime. NRW have an advisory role providing technical support and guidance to Local Authorities on the controlled waters element(s) of land contamination unless a site is determined a 'special site' in which case NRW would become the lead regulator. This is not the case at Ty Llwyd Quarry and CCBC are the lead regulator. In 2012 CCBC had the site assessed in line with Part 2A with respect to pollution of controlled waters. The assessment concluded that Ty Llwyd should not be determined as contaminated land with regards to controlled waters. NRW (Environment Agency Wales at the time) subsequently agreed with the conclusions of the report at the time. Regulation of the site remains with CCBC.*

*Human health risks are the responsibility of Local Authorities, so CCBC will be able to advise on this.*

#### Current status and NRW involvement

*Occasionally, following prolonged periods of heavy rainfall there are leachate outbreaks on site. In order to manage the visual impact and public concern regarding these outbreaks, CCBC and their consultant Arcadis have implemented a voluntary scheme of works to divert outbreaks through a cascade, slowing down the flow and volatilising potential contamination before it soaks back into the ground. Drainage culverts on site have also been improved to maintain separation of the leachate from surface water courses to protect the environment. Whilst the scheme itself doesn't require any direct input from NRW, members of Geoscience team were invited to a site visit by CCBC officers on the 15/9/22*

where they were shown the implemented scheme. It was acknowledged at the time that further improvement works were required to cope with more frequent high rainfall events. It is understood that CCBC/Arcadis are due to carry out improvements during early 2023. Again, CCBC will have further details.

### Reported Incidents

As soon as reports were received of a potential pollution incident in the Ynysddu area in Caerphilly, NRW attended the site to carry out an investigation and take samples. These are being analysed in our laboratory in Swansea and we are continuing to liaise closely with Caerphilly Council as part of the ongoing investigation process. Any appropriate enforcement action will be carried out as necessary. As with any investigation, no case details can be disclosed as this could impede any outcome.

NRW are due to meet with local councillors and residents at the request of CCBC on March 6<sup>th</sup> 2023 to discuss the site.

Kind Regards

**REDACTED**

Cynghorydd Arbenigol Arweiniol (Tir Halogedig) / Lead Specialist Advisor (Contaminated Land)

Cyfoeth Naturiol Cymru / Natural Resources Wales

**REDACTED**

Ty Cambria / Cambria House

[www.cyfoethnaturiol.cymru](http://www.cyfoethnaturiol.cymru) / [www.naturalresources.wales](http://www.naturalresources.wales)

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**From:** REDACTED@gov.wales <REDACTED@gov.wales>

**Sent:** 30 January 2023 11:52

**To:** REDACTED <REDACTED@cyfoethnaturiolcymru.gov.uk>; REDACTED<REDACTED@cyfoethnaturiolcymru.gov.uk>

**Subject:** Ty Llywd Quarry - Caerphilly

**Importance:** High

Hi both

I'm feeding into two Senedd questions which have been tabled regarding the above site and action under Part 2a, which is due back by noon tomorrow.

Grateful if you could provide a brief summary of NRW's position on this site / involvement to date?

Thanks

**REDACTED**

Environment Quality and Regulation Branch / Y Gangen Ansawdd Amgylchedd a Rheoleiddio

Environmental Protection Division / Diogeli'r Amgylchedd

Welsh Government / Llywodraeth Cymru

Cathays Park / Parc Cathays

Cardiff CF10 3NQ / Caerdydd

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1b) Internal Welsh Government communications, ministerial briefings, or submissions referencing **pollution incidents, leachate discharges, or public health concerns** linked to the site; (2019/20 to 2023/24)



Llywodraeth Cymru  
Welsh Government

Diary case advice

Advice template

4 April 2023

#### Details of the invitation

Councillor **REDACTED** (Ynysddu, Caerphilly) has invited you to visit Ty Llywd, a Quarry and former landfill site, to discuss local concerns over leachate breakouts from the site.

#### Advice

**I recommend you do not accept this invitation.**

Potential leachate breakout incidents at the Ty Llywd site are currently under investigation by Natural Resources Wales (NRW) and officers within the pollution team at Caerphilly County Borough Councils Environmental Health Department. The Council, as lead environmental regulator (and supported by NRW), are assessing the site under the relevant environmental legislation.

There has been some media interest and there is a small local protest group lead by an environmental campaigner (who is not connected with the area). The campaigner continues to lobby a wide range of public bodies and other organisations on the issue of alleged historical disposal of PCB waste at numerous sites across England and Wales.

Officials are in regular contact with the Local Authority and NRW and will provide further briefings on the regulatory actions undertaken at the site to investigate environmental pollution claims in due course. Given this work is ongoing and the matter is being dealt with by the appropriate bodies, there is currently no direct role for Welsh Government in this matter. On this basis, officials advise the Minister does not attend.

Drafted by: **REDACTED**

Cleared by: **REDACTED**

**To: Minster for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/03136/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 5/12/23**

### **Ty Llwyd Quarry**

1. Delyth Jewell MS has written raising her concerns regarding the former Ty Llwyd quarry and landfill. The MS raised this issue previously under Business Statements within Plenary in July this year.
  2. The Council is currently discussing the potential for the site (which is owned by the Council) to have an environmental permit provided by Natural Resources Wales (NRW). This may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed prior to the permit application being submitted.
  3. Officials met with the Council and NRW on the 4 July and 8 November to discuss the roles and responsibilities of both regulators and to obtain an update on the current position. The Council has explained its consultants are currently developing several preliminary remediation proposals, to improve management of the leachate system on the site, which require further site monitoring in order to be refined. Currently, it has restricted public access to the site and adjacent areas.
  4. Alongside this work the Council is fulfilling its statutory duty to assess whether the site meets the legal definition of being 'contaminated land'. This assessment process will be concluded within 6-8 months following a programme of site monitoring over the winter.
  5. A draft reply is attached for your consideration.
-

**To:** Minister for Climate Change  
**From:** REDACTED  
**Ext:** REDACTED

**Date:** 14/11/23

[Ref] JJ/02958/23  
**CC:** REDACTED  
REDACTED  
REDACTED  
REDACTED  
REDACTED

## **Ty Llwyd Quarry**

1. Natasha Asghar MS has written raising her concerns regarding the former Ty Llwyd quarry and landfill, having previously written about this site in June and July – JJ/01648/23 and JJ/02094/23 refers.
  2. The Council is currently discussing the potential for the site (which is owned by the Council) to have an environmental permit provided by Natural Resources Wales (NRW). This may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed prior to the permit application being submitted.
  3. Officials met with the Council and NRW on the 4 July and 8 November to discuss the roles and responsibilities of both regulators and to obtain an update on the current position. The Council has explained its consultants are currently developing several preliminary remediation proposals, to improve management of the leachate system on the site, which require further site monitoring in order to be refined. Currently, it has restricted public access to the site and adjacent areas.
  4. Alongside this work the Council is fulfilling its statutory duty to assess whether the site meets the legal definition of being 'contaminated land'. This assessment process will be concluded within 6-8 months following a programme of site monitoring over the winter.
  5. A draft reply is attached for your consideration.
-

**To:** Minister for Climate Change  
**From:** REDACTED  
**Ext:** REDACTED

JJ/02923/23  
**CC:** REDACTED  
REDACTED  
REDACTED  
REDACTED  
REDACTED

**Date:** 9/11/23

### **Ty Llwyd Quarry**

1. **REDACTED**, of Caerphilly County Borough Council (CCBC), has written to the First Minister regarding the former Ty Llwyd quarry and landfill. The Councillor has written to the First Minister about this site in October - JJ/02715/23 refers.
  2. Caerphilly Council is current reviewing several measures to improve management of the leachate system on the site and have restricted public access to the site and adjacent areas.
  3. The Council are currently discussing the potential for the site (which is owned by the Council) to have an environmental permit with Natural Resources Wales (NRW). This may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
  4. Officials met with the Council and Natural Resources Wales on the 4 July and 8 November to discuss the roles and responsibilities of both regulators and to obtain an update on the current position. The Council has explained their consultants are currently developing several preliminary remediation proposals which require further site monitoring in order to be refined. This includes measures to improve the management of the leachate system on the site.
  5. Alongside this work the Council are fulfilling their statutory duty to assess whether the site meets the legal definition of being 'contaminated land'. This assessment process will be concluded within 6-8 months following a programme of site monitoring over the winter.
  6. A draft reply is attached for your consideration.
-



**To:** Minister for Climate Change  
**From:** REDACTED  
**Ext:**

**Date:** 17 October 2023

JJ/02715/23  
CC: REDACTED  
REDACTED  
REDACTED  
REDACTED  
REDACTED

## **Ty Llwyd Quarry**

1. **REDACTED**, of Caerphilly County Borough Council (CCBC), has written to the First Minister regarding the former Ty Llwyd quarry and landfill.
2. Caerphilly Council is current reviewing a number of measures to improve management of the leachate system on the site and options to restrict access given there is no public right of way for the site or on land immediately adjacent to it.
3. The Council are currently discussing the potential for the site (which is owned by the Council) to have an environmental permit with Natural Resources Wales (NRW). This may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
4. Officials met with the Council and Natural Resources Wales on the 4 July to discuss the roles and responsibilities of both regulators and to obtain an update on the current position. It was confirmed that monitoring by both organisations has indicated low levels of contaminants from the landfill within leachate that has migrated beyond the site boundary during wet weather over the previous winter. Some of the leachate had entered a small unnamed watercourse near the site. Following leachate sampling neither organisation considered the level of contamination identified to constitute 'gross contamination' however they are undertaking further work to prevent future pollution incidents.
5. The Council is current reviewing a series of potential practical measures to improve the management of the leachate system on the site.
6. The Council are also currently discussing the requirement from NRW to have an environmental permit to help manage future discharges by introducing various discharge requirements. The details of which have yet to be agreed.
7. Officials will be meeting with them again for further updates.
8. A draft reply is attached for your consideration.

**To:** Minister for Climate Change  
**From:** REDACTED  
**Ext:**

JJ/02106/23  
**CC:** REDACTED  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date:** 7 August

## **Ty Llwyd Quarry**

1. **REDACTED**, Leader of Caerphilly County Borough Council (CCBC), has written to the First Minister regarding the former Ty Llwyd quarry and landfill. The letter notes the Council has voted in support of a Notice of Motion which requests for the Welsh Government to establish an independent public inquiry and provide financial assistance for the site.

### Meeting between CCBC, NRW and Welsh Government officials

2. Officials met with CCBC and Natural Resources Wales on the 4 July to discuss the roles and responsibilities of both regulators and to obtain an update on the current position. It was confirmed that monitoring by both organisations has indicated low levels of contaminants from the landfill within leachate that has migrated beyond the site boundary during wet weather over the previous winter. Some of the leachate had entered a small unnamed watercourse near the site. Following leachate sampling neither organisation considered the level of contamination identified to constitute 'gross contamination' however they are undertaking further work to prevent future pollution incidents.
3. CCBC is current reviewing a series of potential practical measures to improve the management of the leachate system on the site. They are also working to restrict access given there is no public right of way for the site or on land immediately adjacent to it.
4. The Council are also currently discussing the requirement from NRW to have an environmental permit to help manage future discharges by introducing various discharge requirements. The details of which have yet to be agreed.
5. Officials will be meeting with them again in September for further updates.

### Funding

6. The draft reply highlights that whilst the Welsh Government has previously funded investigations and remediation of Part 2A sites in Wales, this funding programme is no longer in existence. There is no alternative funding scheme currently available. It should also be noted the Council, at present, do not believe the site meets the specific thresholds to declare the site contaminated land under Part 2A of the Environmental Protection Act 1990.
7. As assessment of the site continues, the Council is currently unable to provide details of costs or what level of support would be required. Consequently, the response advises that discussions should continue between officials until further details are available.

## Public Inquiry

8. In relation to the public inquiry request, it is unclear from the Notice of Motion as to the intended scope of the inquiry. Officials have queried this with Council officers who are also uncertain as to the basis for a public enquiry or what it would seek to establish. The motion was brought by two independent Councillors within the Ynysddu Ward (which Ty Llwyd is located) and was voted for by the Council in support of the Council's ongoing work and commitment to managing the site.
  9. Initial legal advice has indicated there is no obvious provision to establishing a public inquiry under the Environmental Protection Act 1990. This would mean any public inquiry would need to be set up either pursuant to the Inquiries Act 2005 (statutory inquiry) or would be a non-statutory one – Welsh Ministers could potentially utilise their general powers under s.58A Government of Wales Act 2006.
  10. Officials do not believe the circumstances associated with site warrant an inquiry, especially given the Council are proactively assessing it and considering options to prevent future incidents. However, no formal advice has been submitted to you on this position and the matter is being kept under review.
  11. A draft reply is attached for your consideration.
-

**To: Minster for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/02094/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 31/7/23**

### **Natasha Asghar MS - Ty Llwyd Former Quarry and Landfill**

Natasha Asghar MS has written raising her concerns regarding the former Ty Llwyd quarry and landfill and has asked for information relating to monitoring at the site.

1. Officials have met with Caerphilly Council and Natural Resources Wales on the 4 July to discuss the roles and responsibilities of both regulators regarding the site and to obtain an update on the current issues and monitoring undertaken. Monitoring by both organisations has indicated low levels of contaminants from the landfill within leachate that has migrated beyond the site boundary during wet weather over the previous winter. Some of the leachate had entered a small unnamed watercourse near the site. Following leachate sampling neither organisation considered the level of contamination identified to constitute 'gross contamination' however they are undertaking further work to prevent future pollution incidents.
2. The Caerphilly Council is current reviewing a series of potential practical measures to improve the management of the leachate system on the site and to restrict access given there is no public right of way for the site or on land immediately adjacent to it.
3. The Council are also currently discussing the requirement from NRW to have an environmental permit to help manage future discharges by introducing various discharge requirements. The details of which have yet to be agreed.
4. Officials will be meeting with them again in September for further updates.

**To: Minster for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/01648/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 21/6/23**

### **Natasha Asghar MS - Ty Llwyd Former Quarry and Landfill**

**Natasha Asghar MS** has written raising her concerns regarding the former Ty Llwyd quarry and landfill and suggesting a solution for the issues at the site could be it being designated 'Contaminated Land'.

1. The Caerphilly Council is current reviewing a series of potential practical measures to improve the management of the leachate system on the site and to restrict access given there is no public right of way for the site or on land immediately adjacent to it.
  2. The Council are also currently discussing the potential for the site (which is owned by the Council) to have an environmental permit with NRW which may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
  3. Officials are meeting with the Council and NRW during early July to obtain an update and learn more about future proposals for the site. We will provide further briefing after this point.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/0167/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date:21/6/23**

### **Rhiannon Passmore MS - Ty Llwyd Former Quarry and Landfill**

1. **Rhiannon Passmore MS** has written requesting an update on the regulatory position of the former Ty Llwyd quarry and landfill and to raise her concerns regarding the site.
  2. The Caerphilly Council is current reviewing a series of potential practical measures to improve the management of the leachate system on the site and to restrict access given there is no public right of way for the site or on land immediately adjacent to it.
  3. The Council are also currently discussing the potential for the site (which is owned by the Council) to have an environmental permit with NRW which may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
  4. Officials are meeting with the Council and NRW during early July to obtain an update and learn more about future proposals for the site. We will provide further briefing after this point.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

Ref] JJ/01556/23  
CC: REDACTED  
REDACTED  
REDACTED  
REDACTED

**Date: 15/6/23**

**Chris Evans MP** Member of Parliament for Islwyn – Ty Llwyd Landfill – Consultant Report and Councillor email.

1. **Chris Evans MP** would like to bring to your attention an extract from a technical report from 2001 relating to pollution monitoring at the site, and the comments from Councillor **REDACTED** which are related to the report and other regulatory issues. You have previously provided replies to earlier enquiries from him on this topic (JJ/521/23, JJ/748/23, JJ/01237/23, JJ/01423/23 refers).
  2. Officials are aware of the report which is over 20 years old. The Council and NRW are currently gathering monitoring data from the site to provide a current assessment of site conditions.
  3. The Council and NRW are currently discussing the potential for the site (which is owned by the Council) to have an environmental permit which may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/01423/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 26/05/23**

**Chris Evans MP Member of Parliament for Islwyn** – Support for Caerphilly Council and other Local Authorities for undertaken their contaminated land regulatory responsibilities.

1. **Chris Evans MP** has expressed his support following a Caerphilly Council meeting to discuss the site. During which the Leader of Caerphilly Council, **REDACTED**, said he intended to request support from the Welsh Government to help remediate the Ty Llywd former landfill site. You have previously provided replies to earlier enquiries from him on this topic (JJ/521/23, JJ/748/23, JJ/01237/23refers).
  2. Officials have not received any formal request from the Caerphilly Council (or any other Council) and continue to liaise with Caerphilly Council and NRW in relation to public concerns relating to pollution issues associated with the Ty Llywd site.
  3. The Council and NRW are currently discussing the potential for the site (which is owned by the Council) to have an environmental permit which may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
-



**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

**Date: 16/5/23**

JJ/01237/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Chris Evans MP Member of Parliament for Islwyn – Request for an Update – Ty Llwyd Former Quarry and Landfill**

1. **Chris Evans MP** has requested an update in relation to the regulatory actions for the Ty Llwyd former quarry and landfill site. You have previously provided replies to earlier enquiries from him on this topic (JJ/521/23, JJ/748/23 refers).
  2. Officials continue to liaise with Caerphilly Council and NRW in relation to public concerns relating to pollution issues associated with this site.
  3. The Council and NRW are currently discussing the potential for the site (which is owned by the Council) to have an environmental permit which may potentially help manage future discharges from the site during heavy rainfall events by introducing various discharge requirements. The details of which have yet to be agreed.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

JJ/00/748/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 11/4/23**

**Chris Evans MP Member of Parliament for Islwyn – Request for Copy of Correspondence – Ty Llwyd Former Quarry and Landfill**

1. **Chris Evans MP** has requested a copy of the previous correspondence (JJ/521/23) you provided to him with the reference to individuals it contains removed so he is able to share it with constituents.
  2. The original correspondence response informed Chris Evans that Welsh Government had not recently corresponded with **REDACTED** (as he has asked for a summary of those conversations) and instead provided a brief update of the status of regulatory actions concerning the Ty Llwyd Quarry landfill.
  3. Officials continue to liaise with Caerphilly Council and NRW in relation to public concerns relating to pollution issues associated with this site.
  4. For ease of reference the relevant information from that correspondence has been included in this letter rather than included as a separate document.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

JJ/00521/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 13/3/23**

**Chris Evans MP Member of Parliament for Islwyn – Request for Copy of Correspondence – Ty Llwyd Former Quarry and Landfill**

1. **Chris Evans** has asked for a copy of the response from the Minister to **REDACTED** in relation to ongoing concerns relating to the former quarry and landfill site at Ty Llwyd, Caerphilly.
  2. Officials have not drafted any recent responses to **REDACTED**. **REDACTED** (an environmental campaigner) emails the Minister or Officials and a number of other individuals almost on a daily basis during some periods.
  3. Officials continue to liaise with Caerphilly Council and NRW in relation to public concerns relating to pollution issues associated with this site.
-

**To: Minister for Climate Change**  
**From: REDACTED**  
**Ext: REDACTED**

[Ref] JJ/00257/23  
**CC: REDACTED**  
**REDACTED**  
**REDACTED**

**Date: 13/2/23**

**REDACTED - Correspondence - Suspected land and water contamination – Ty Llwyd Quarry landfill, Ynysddu, Caerphilly.**

1. The former Ty Llwyd quarry within the Ynysddu Ward in Caerphilly C.B.C operated as a landfill site during the 1960 /70's for the disposal of domestic and industrial waste. Tipping at the site was largely uncontrolled with inadequate measures incorporated into the sites design to mitigate pollution at the time. There is some evidence to suggest the site may have received PCB waste in addition to other forms of chemical waste. The site was purchased by the Council during the 1990's to allow better management of environmental risks associated with the site. They have invested over £240,000 to improve leachate management and other potential environmental risks associate with the site.
2. More recently a period of wet weather had inundated the leachate management system on the site allowing diluted leachate to mix with surface run-off and escape the leachate collection system and run cross an area of adjacent woodland (which is also owned by the Council). Contractors are currently on-site undertaking improvement works to the leachate management system. The Council's Environment Health staff are also undertaking daily site visits to monitor the leachate management system and undertake periodic chemical sampling within the woodland area.
3. The area of woodland which has been impacted by escaped diluted leachate is owned by the Council and does not benefit from any public right of way. The Council intend to fence the area off to prevent further trespass and potential exposure to leachate during extreme weather events, should the leachate collection system suffer future failures.
4. NRW and Public Health Wales have been fully engaged with the Council and are content with the measures currently being employed to minimise environmental and human health risks. NRW have also undertaken an investigation to assess the recent incidents potential impacts to adjacent water courses. The results of this investigation are not yet available.
5. The Council are now reviewing the site again under its duties within Part 2A of the Environmental Protection Act 1990 following a previous review several years ago. This will help identify if further assessment and remediation measures are required.
6. The Council have also explained there are a small number of local environmental groups / activists who have shown an interest in the site and have expressed concerns around the discharge of leachate/ site run-off which is particularly noticeable during very wet periods. It is one of a number of former landfill sites which are suspected of having received PCB waste and this aspect is of particular interest to some of these parties.

1c) Records of any **meetings, discussions, or inter-agency coordination** regarding environmental risks or regulatory action related to Ty Llwyd Quarry.

**Following a search of our paper and electronic records, I have established that the information you require is not held by the Welsh Government.**

## 2. Oversight of NRW Investigations and Local Authority Conduct

Between **2020 and 2023**, NRW reportedly carried out **five investigations involving Caerphilly County Borough Council**.

Please confirm:

- Whether the Welsh Government was **informed, consulted, or briefed** on any of these investigations;
- Whether any of those investigations related wholly or partly to **Ty Llwyd Quarry** or to **contaminated water discharge** from the site;
- The **dates, titles, and reference numbers** of any relevant investigations or reports received by the Welsh Government; and
- Any **actions, recommendations, or oversight measures** undertaken by Welsh Ministers or officials in response.

**Following a search of our paper and electronic records, I have established that the information you require is not held by the Welsh Government.**

### 3. Environmental and Public Health Monitoring

Please provide any information held on:

- Welsh Government awareness of **air quality, leachate, or groundwater monitoring data** at or around Ty Llwyd Quarry;
- Any **funding allocations or grant support** provided to NRW or Caerphilly County Borough Council for environmental investigations or remediation at the site;
- Any assessments or correspondence with **Public Health Wales** regarding potential health impacts associated with emissions, odour, or contaminated water from Ty Llwyd Quarry.

**Following a search of our paper and electronic records, I have established that the information you require is not held by the Welsh Government for the timelines outlined in this request.**

## 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.