

1 December 2025

Dear

**ATISN 26344 – woodburning stoves**

Thank you for your request which was received on 5 November 2025. You asked for the following information.

1. Whether the issue of wood burning stoves was raised at any of the meetings referenced in my response of 5 November 2025 to your previous query.
2. Copies of the following correspondence:
  - Briefing from the Stove Industry Association about the Environment (Air Quality and Soundscapes) (Wales) Bill and the response issued 13/07/2023.
  - Introductory letter and congratulations from the Stove Industry Association on the Minister's appointment and offer of support for the AQS Act's general principles and the response issued 14/05/2024.

**Our response**

I have decided that some of the information is exempt from disclosure under regulation 13 of the Environmental Information Regulations (personal information) and is therefore withheld. The reason for applying this exemption is set out in full at Annex A to this letter.

With regards to your above two requests: -

1. The Welsh Government does not hold records of what was discussed in the meetings referenced in your response of 5 November.
2. Correspondence:
  - Briefing from the Stove Industry Association about the Environment (Air Quality and Soundscapes) (Wales) Bill and the response issued 13/07/2023.

The following, attached documents relate to this request: -

1. 20230630 - Stove Industry Association (SIA) letter to Minister for Climate Change
2. 20230630 - SIA briefing Environment Air Quality and Soundscapes Bill
3. 20230713 - Response to SIA from Minister for Climate Change
4. 20230728 - SIA follow up letter to Minister for Climate Change

- Introductory letter and congratulations from the Stove Industry Association on the Minister's appointment and offer of support for the AQS Act's general principles and the response issued 14/05/2024.

The following, attached documents relate to this request: -

5. 20240503 - SIA letter to Cabinet Secretary for Climate Change and Rural Affairs
6. 20240514 - Response to SIA on behalf of Cabinet Secretary for Climate Change and Rural Affairs

### **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

## **Annex A**

### **Application of exemptions/exceptions**

The Freedom of information Act/Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

- Names and email addresses of correspondents – Regulation 13 – Personal information

This Annex sets out the reasons for the engagement of regulation 13 of the Environmental Information Regulations and our subsequent consideration of the Public Interest Test.

### **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.

### **1. Legitimate interests**

We have been unable to identify a legitimate interest the requester may have in accessing the personal data of the correspondent in the Stove Industry Association (SIA) letter to the Cabinet Secretary nor in the response. The context of the letter contains all the relevant information without a need to name the correspondent, the context is clear that they wrote on behalf of the SIA.

### **2. Necessity test**

We do not believe it is necessary to release the personal data for the letters to be understood and to meet the identified information requirement.

### **3. Balancing test**

As we don't believe there is either a legitimate interest nor is it necessary to release the personal data, we are of the view that disclosure would breach the GDPRs and, as such, should be withheld under Reg 13.