

30 September 2026

Dear

ATISN 27461

Thank you for your request which I received on 4 September. You asked for:

Information in relation to the Technical Task and Finish Group considering the recommendations from the statutory review of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

You have sought information about the Task and Finish Group (the group), its technical competence and the proposals currently being considered on the points below:

A copy of the information I have decided to release is enclosed.

I have decided that some of the information described in the enclosed list below is exempt from disclosure under regulation 12 (3) and 12 (4) (d) of the Environmental Information Regulations and is therefore withheld. The reasons for applying these exceptions are set out in full at Annex 1 to this letter.

1. The names and organisations of the appointed members of the Task and Finish Group.

The organisational names and a contact email address for those organisations that make up the group are attached at Document 1. Personal information regarding individual members is withheld under Regulation 12 (3) and Regulation 13.

2. The selection criteria used when choosing members and the original call for expressions of interest.

The selection criteria and the original call for expressions of interest when seeking members to the group is at Document 2.

3. The relevant professional qualifications and areas of expertise represented within the group, without disclosing unnecessary personal information.

This information was not provided by all organisational representatives when expressions of interest to the group were sought. As this process is incomplete Regulation 12 (4) (d) has been applied as it is incomplete. It could potentially be obtained by contacting those organisations direct at Document 1.

4. Confirmation of whether the group includes any currently practising FACTS-qualified advisers, BASIS-qualified agronomists, soil scientists, agricultural engineers, slurry contractors or independent farm nutrient-management specialists.

This information was not provided by all organisational representatives when expressions of interest to the group were sought. Therefore Regulation 12 (4) (d) has been applied as it is incomplete. It could potentially be obtained by contacting those organisations direct at Document 1.

5. Details of any external scientific or agronomic contractors commissioned to support the group, including the expertise and professional qualifications required under their technical specifications.

Specialist agricultural advice has been procured via a pre-existing framework with RSK ADAS. Individual expertise and qualifications were not required and Regulation 12 (4) (d) applies as it is incomplete. Details of qualifications available within the ADAS group can be found by contacting ADAS directly.

6. The group's terms of reference, work programme and anticipated timetable for recommendations.

Details of the terms of reference and the work programme can be found in the attached at Document 3, with the anticipated timetable for recommendations shown below: -

- | | |
|--------------------------------------|-----------------------------------|
| • Short-term recommendations | Within 18 months |
| • Medium term recommendations | Within 18 months - 3 years |
| • Long term recommendations | 3+ years |

7. The agenda, attendance list, papers, presentations, meeting note, action log and any recorded decisions from its July 2026 meeting.

This information is to support the group in the development of proposals and discussions forms part of its policy development process.

The terms of reference state: -

'Documentation provided and any discussions and recommendations, made in any meetings of the CoAPR Review Recommendations Task and Finish Group, should remain confidential and should not be disclosed.

Any decisions or recommendations will need to remain restricted to the CoAPR Review Recommendations Task and Finish Group and the Welsh Government, unless the DFM/CSCCRA has given prior consent to the release of information.'

Therefore Regulation 12 (4) (d) has been applied and the information as the items under discussion are currently incomplete.

8. Details of the options currently being considered to replace fixed slurry closed periods, including how soil condition, rainfall forecasts, crop requirement and pollution risk would be assessed.

The group is currently in the process of gathering evidence to replace the fixed slurry closed period and this remains incomplete. Evidence will form part of the groups policy development process when considering options and its findings will be announced by the minister.

As this process is incomplete Regulation 12 (4) (d) has been applied.

9. Whether any temporary flexibility or exceptional-weather provision is being considered for autumn and winter 2026-27.

On 23 September 2026 the Welsh Government published a press notice available [here](#) outlining changes to the 2026-2027 closed period requirements.

With reduced grass growth throughout the summer, disrupting normal cutting and grazing patterns and leaving many farms unable to spread slurry as they normally would concerns that storage levels are now higher than normal heading into the autumn have been raised.

The Welsh Government has recognised the concerns raised by both Farmers and Natural Resources Wales and will bring forward legislation amending the closed period for spreading slurry and manure, during which farmers are restricted from applying it to the land for all soil and land types, with spreading permitted up to 15 November 2026.

This change gives farmers more time to reduce storage levels responsibly and reduce the risk of slurry stores failing in Winter. With storage levels running higher this year, the minister recognises that giving farmers extra time to spread safely and reduce those levels is now the more responsible environmental choice, helping to prevent the greater risk of pollution from stores overtopping or failing.

The change, which applies for autumn 2026 and winter 2027 spreading period only, includes safeguards to protect water quality, including a limit on the volume of slurry that can be spread at any one time and a minimum gap between applications.

Poultry manure is excluded from the change, as it can be safely managed through alternative storage methods.

Yours sincerely

Annex 1

Application of exemptions/exceptions

This Annex sets out the reasons for the engagement of regulation 12 of the Environmental Information Regulations and our subsequent consideration of the Public Interest Test.

I have decided to withhold the following information:

- 1. The names and organisations of the appointed members of the Task and Finish Group.**

Engagement of regulation 12 (3) To the extent that the information requested includes personal data of which the applicant is not the data subject, the personal data shall not be disclosed otherwise than in accordance with regulation 13 of the Environmental Information Regulations

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

We understand there is a legitimate interest in the personal data for transparency and visibility of individuals engaged in the policy development process

2. Is disclosure necessary?

Disclosure of personal data is necessary inasmuch as it meets the legitimate interest in visibility and transparency.

3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

Information released under these regulations is released to the world and not just to the requestor. Publishing the names of individual members would open group members to unsolicited contact including potential malicious communications directly relating to their involvement on the group.

Although this would lead to greater visibility of individuals engaged in the policy development process, the release of this personal information into the public domain would be likely to lead to direct lobbying or malicious targeting of group members.

Although information on the names of group members is of interest to the public and the information is available there is a strong presumption in the regulations towards the upholding of the information rights of the individuals the data relates to. We need to respect the rights of the individual in relation to their personal information as well as the risk of malicious use of this information for unsolicited contact. Therefore, the balance of legitimate interest and the data subject's interests is to withhold the information.

I have decided to withhold the following information:

3. **The relevant professional qualifications and areas of expertise represented within the group, without disclosing unnecessary personal information**
4. **Confirmation of whether the group includes any currently practising FACTS-qualified advisers, BASIS-qualified agronomists, soil scientists, agricultural engineers, slurry contractors or independent farm nutrient-management specialists.**
5. **Details of any external scientific or agronomic contractors commissioned to support the group, including the expertise and professional qualifications required under their technical specifications.**
7. **The agenda, attendance list, papers, presentations, meeting note, action log and any recorded decisions from its July 2026 meeting.**
8. **Details of the options currently being considered to replace fixed slurry closed periods, including how soil condition, rainfall forecasts, crop requirement and pollution risk would be assessed.**

Engagement of regulation 12 (4) (d) the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data of the Environmental Information Regulations

The Welsh Government believes that publishing the partial, incomplete or non-updated qualification status information could potentially damage the stakeholder relations. In addition, the publication of unfinished documents and unapproved meeting notes used for the purposes of facilitating group discussion would be detrimental to the work of the group and required policy development process. Therefore, the information is not suitable to be published and regulation 12 (4) (d) is applied.

Public interest arguments in favour of disclosure

- Greater visibility of individuals and engaged in the policy development process and their expertise
- Build public trust in the knowledge and expertise of individuals participating in the group
- Greater public visibility of the policy development process for a complex policy area
- Demonstrates group progress against review recommendations

Factors favouring the release of the information.

- Information is known to Welsh Government, even where it is partially held

Public interest arguments in favour of withholding

- Reduce likelihood of misinformation on unconfirmed and unfinalised policy positions

- Potential loss of trust from stakeholders resulting from in-group discussions being publicised impacting on the future policy development areas

Factors favouring the withholding of the information:

- Information has not been uniformly provided and the group would be required to confirm current qualification statuses and consent to be provided.
- Providing partial and incomplete information could damage stakeholder reputation of the group by not providing a full demonstration of the group's experience and qualifications.
- Group terms of reference stating publication of the documents of the group should not be published outside the group without ministerial approval. This includes documents relating to the administration of the group.
- Reports have not currently been finalised required quality assurance has not been undertaken by officials on the outputs.
- Risk of undermining a formal consultation process on finalised policy development questions and regulatory change, prejudicing resulting assessments.

Balance of public interest test

Although there is public interest in the subject matter of this request it is currently not complete and has not been quality assured in full by either members of the group or Welsh Government officials. Publishing partial, incomplete or non-updated status information could potentially damage the stakeholder relations within the group. For meeting information and current status of draft documents to be released not would prevent the group from being able to undertake it's role in line with the terms or reference in regards to the publication of information. Releasing unfinished policy documents would likely detract from the work of the group and risk stakeholder disengagement with an important process. There will be opportunities if the group identify legislative change options for public consultation on these finalised proposals. Therefore, the balance of public interest is to withhold the information.