



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Designation of The Warren as a Bathing Water**

DATE **20 June 2024**

BY **Huw Irranca-Davies, Cabinet Secretary for Climate Change and Rural Affairs**

Wales is internationally renowned for having some of the best beaches and water quality in Europe. In 2023, 98% of designated bathing waters across Wales met stringent water quality standards, with 80 out of our 109 achieving the highest classification of 'excellent'. These high standards are a testament to the effective collaborative efforts between the Welsh Government, regulators, and communities in protecting our natural environment.

Earlier this year, the Welsh Government conducted a public consultation to consider designating two further sites as bathing waters, including a stretch of the river Wye known as The Warren. The Welsh Government has a duty to consider carefully all views from the consultation. The application for The Warren faced significant opposition from stakeholders, including Natural Resources Wales (NRW), The Hay Warren Trust and Hay Town Council due to environmental concerns about the potential impact on the area from the increased footfall a bathing water designation is likely to attract.

The Warren is located within a Site of Special Scientific Interest (SSSI), an area selected on scientific criteria and protected under the Wildlife and Countryside Act 1981 because it contains wildlife or geological features of national importance for nature conservation. SSSIs are the most important sites for Wales' biodiversity. They are protected to safeguard the range, quality and variety of habitats, species, and geological features including impacts on fish that use the main stem of the Wye for spawning between October and June. Each SSSI has a list of activities that are likely to damage the site. Recreational activities such as bathing are one of those listed activities for The Warren. Before permitting that activity, to carry out that activity, the landowner must obtain consent from Natural Resources Wales, in order to ensure effective assessment of the impacts of bathing on the protected habitats and species. There is no consent currently in place for The Warren.

Taking into account the site-specific environmental considerations, I decided not to designate The Warren as a bathing water until NRW can thoroughly assess the

environmental impact on the protected habitats and species. This did not preclude the Welsh Government from considering a new application in future once these issues had been addressed. The decision was communicated in the [Summary of Response](#) to the public consultation published on the Welsh Government website on 23 April 2024.

The applicant for the designation, Friends of the River Wye, have objected to the decision. The Bathing Water Regulations 2013 establish a narrow legislative framework for determining bathing water designation. Despite significant concerns and objections from various stakeholders, the application to designate the site meets the sole criterion for designation under the Regulations, namely there is evidence of bather numbers. Consequently, I have taken the decision to designate The Warren as a bathing water.

This decision does not remove the requirement for the landowner to obtain NRW's consent for permitting bathing at The Warren. In considering any application for consent NRW would need to assess the potential impact to ensure it does not harm the important habitats and species that the area is designated to protect. The Site Management Statement sets out that *"Increased recreational pressure could affect the river plants and animals through physical damage to habitats and increased disturbance. Recreational uses include canoeing, rafting, fishing, swimming and walking. The statutory and voluntary bodies, owners and occupiers should co-operate to manage recreational use so as to minimise the impact of recreation on wildlife."*

I therefore urge all members of the public entering The Warren to recognise their legal and moral obligation to help ensure that the SSSI's habitats and features remain healthy and managed appropriately for future generations.

My aim in taking the original decision was to support environmental protections at a river already facing so many challenges. Although I am disappointed that the decision was contested and the Friends of the River Wye requested that I reconsider, this outcome will not deter our commitment to protecting and enhancing Wales' natural environment. The Welsh Government remains steadfast in its dedication to environmental protection through legislative frameworks and programmes.

Biodiversity loss and ecosystem collapse pose significant threats to humanity, as our well-being and economic prosperity depend on a sustainable natural environment. To preserve our natural heritage for future generations, we must accelerate efforts to halt biodiversity decline. In response to the 2022 Kunming-Montreal global biodiversity framework, we are committed to setting ambitious targets to protect and restore biodiversity, acknowledging the necessity of sustained, long-term action for transformative change.

Our Special Area Conservation (SAC) rivers face immense pressure from various challenges. Improving the health of our rivers is a shared responsibility across Wales, and it is crucial that we continue to adopt a collaborative approach involving government, regulators, and all relevant sectors. I look forward to reuniting stakeholders at the upcoming fifth River Pollution Summit at the Royal Welsh Show, where I will co-chair alongside the First Minister.

As outdoor swimming and water-based recreational activities continue to grow in popularity in Wales, it is essential that our bathing water programme evolves to reflect changing behaviours. The Regulations, while serving as a framework for bathing water management, unfortunately do not consider wider legislative frameworks and emerging concerns. As we witness shifts in public attitudes towards environmental conservation and recreational water activities, it becomes increasingly evident that our regulatory framework must adapt accordingly.

We are committed to ensuring the bathing water programme in Wales aligns with the evolving needs and aspirations of our communities while maintaining robust framework for protecting Wales' natural treasures.