



Minister for Water and Flooding
Defra
Seacole Building
2 Marsham Street
London
SW1P 4DF

2nd December 2025

Dear Emma Hardy MP,

I hope this letter finds you well.

I am writing to highlight my concerns with the Bathing Water (Amendment) (England and Wales) Regulations 2025 (SI, 2025, No. 1129), dated 27th October 2025.

Although a reform to the Bathing water regulations is welcome, this amendment falls short of what is needed, so I will take my time in this letter to outline the areas of dispute.

Firstly, the reforms do not implement the Wider Reforms from the Bathing Water Review, most notably the inclusion of all water users such as rowers and paddleboarders. Instead, it notes they will be considered, and that policy development and research has begun, anticipating that changes will be made no sooner than 2027.

The delay of this Wider Reform will have damaging implications on Henley and Thame, in recent times news surrounding the Henley Royal Regatta has been tainted by sewage, unnatural levels of E-Coli and warnings for participants to reduce contact with the water. In May 2025 Henley Swim, who organise mass swimming events, closed after two decades of successful events with the pollution levels damaging the business viability. We have already lost one important community event and without clear action to bring forward Wider Reform 1, we risk losing another.

Secondly, I would like to consider the problems highlighted by the Secondary Legislation Scrutiny Committee.

In their Forty Second Report they consider the Amendment, stating: ‘We note, however, that key aspects of the practical implementation of the changes, including guidance on the new flexible approach and the new feasibility assessment, are still being developed, and that wider reforms in the water sector which will impact on public bathing will be outlined later this year. **We regret that the lack of published feasibility criteria in particular means that Parliament is unable to scrutinise properly this important aspect of the new regulatory approach.**’



Also: ‘The Department’s statement that the “level of monitoring required will be [...] dependent on available funding”, suggests that, in practice, funding constraints will be a key factor in any plans to increase the designation of safe bathing sites. In this context, we note the Independent Commission’s recommendation that future water monitoring programmes “should be reviewed and adequately resourced, to accurately reflect the state of the environment”.⁶ **The House may wish to pursue these issues further with the Minister.**’

The Committee’s report clearly shows that the amendment does not contain sufficient detail for members of both houses to properly consider whether it provides beneficial reform and therefore gives too much power for government to change the nature of commitments at a later date. Further, it seems funding has not been properly accounted for, and although the government has set out reforms, their long-term viability is uncertain.

The report also noted that DEFRA did not chose to comment on the suggestions by Surfers Against Sewage to introduce testing for emerging pollutants, such as microplastics, real-time monitoring of bathing sites to reflect that pollutant concentrations fluctuate and ending the possibility of disregarding “the worst pollution events” when classifying bathing water.

It goes without saying that the government must respond to all questions posed by stakeholder organisations and parliamentarians. Therefore, I would be grateful for your response to all the points raised in this letter before the end of the objection period. Without explanation it is impossible for stakeholders to properly consider the amendment.

I look forward to your response by the 6th of December.

Yours Sincerely,

Freddie van Mierlo MP
Member of Parliament for Henley and Thame