

Partnership Meeting

Agenda

Wye Catchment Nutrient Management Board

Date: **Wednesday 16 October 2024**

Time: **2.00 pm**

Place: **Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE**

Notes: Alterations are being undertaken to the reception area of the Plough Lane offices. Please allow extra time to reach the meeting room, as alternative access arrangements may be in place.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Ben Baugh on 01432 261882 or e-mail NutrientManagementBoard@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Wye Catchment Nutrient Management Board

Membership:

Chairperson

Councillor Elissa Swinglehurst (ES)

Herefordshire Council

Voting Members

Merry Albright (MA)

Jamie Audsley (JA)

Liz Bickerton (LB)

Cllr Jackie Charlton (JC)

Helen Dale (HD)

Nick Day (ND)

Simon Evans (SE)

James Hitchcock (JH)

Christine Hugh-Jones (CH-J)

Daniel Humphreys (DH)

Georgie Hyde (GH)

Sarah James (SJ)

Cllr Catrin Maby (CCM)

Cllr Andrew McDermid (AM)

Andrew McRobb (AM)

Claire Minett (CM)

Martin Quine (MQ)

Stuart Smith (SS)

Tom Tibbits (TT)

Richard Tyler (RT)

Herefordshire Construction Industry Lobby Group

Herefordshire Wildlife Trust

Bannau Brycheiniog

Powys Council

Country Land and Business Association

The Friends of the Lower Wye

The Wye and Usk Foundation

Radnorshire Wildlife Trust

Council for Protection of Rural Wales

Dwr Cymru/Welsh Water

National Farmers Union

Farm Cymru

Monmouthshire Council

Forest of Dean District Council

Council for Protection of Rural England

Natural England

Environment Agency

Wye Salmon Association

The Friends of the Upper Wye

Save the Wye

Agenda

		Pages
1.	<p>WELCOME AND APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence and to note any substitutes.</p>	
2.	<p>NOTES OF THE PREVIOUS MEETING</p> <p>To receive the notes of the meeting held on 31 July 2024.</p> <p>HOW TO SUBMIT QUESTIONS</p> <p>The deadline for the submission of questions for this meeting is 5.00 pm on Thursday 10 October 2024.</p> <p>Questions must be submitted to nutrientmanagementboard@herefordshire.gov.uk</p> <p>Questions sent to any other address may not be accepted. Accepted questions and the responses will be published as a supplement to the agenda papers.</p>	7 - 10
3.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive any written questions from members of the public.</p>	
4.	<p>UPDATES ON ACTIVITY</p> <p>To receive updates on activity from members of the Wye Catchment Nutrient Management Board.</p>	To Follow
5.	<p>REPORT OF THE RIVER WYE STATUTORY OFFICERS' GROUP</p> <p>To receive the update report from the Statutory Officers' Group (SOG); the meeting notes of the latest meeting will be circulated as part of a supplement to the agenda.</p>	11 - 24
6.	<p>THE SEAT ON THE BOARD FOR THE RIVER</p> <p>To consider the process and the proposed criteria.</p>	25 - 26
7.	<p>LETTER TO THE CHAIR FROM THE DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS</p> <p>To note the attached response to Councillor Swinglehurst from the Department for Environment, Food & Rural Affairs regarding the River Wye Action Plan.</p>	27 - 28
8.	<p>UPDATE ON THE RIVER WYE ACTION PLAN</p> <p>To receive a verbal update from the Chair.</p>	Verbal Report
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| <p>9. LETTER TO THE WELSH GOVERNMENT FROM THE FUTURE GENERATIONS COMMISSIONER FOR WALES</p> <p>To note and discuss the letter to the Welsh Government from the Future Generations Commissioner for Wales and the report 'Changing Course? Analysing the effectiveness of Welsh Government's Rivers Summits'.</p> | <p>29 - 54</p> |
| <p>10. LETTER TO THE SECRETARY OF STATE FROM THE OFFICE FOR ENVIRONMENTAL PROTECTION</p> <p>To note the letter to the Secretary of State for the Environment, Food and Rural Affairs from the Chair of the Office for Environmental Protection regarding 'EIP (Environmental Improvement Plan) Rapid Review'.</p> | <p>55 - 60</p> |
| <p>11. FINES LEVIED AGAINST WATER COMPANIES</p> <p>To receive a verbal update from the Chair.</p> | <p>Verbal Report</p> |
| <p>12. DATE OF THE NEXT MEETING</p> <p>The date of the next scheduled meeting is Wednesday 15 January 2025, 2.00 pm.</p> | |

The Seven Principles of Public Life

(Nolan Principles)

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Notes of the meeting of the Wye Catchment Nutrient Management Board held in Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 31 July 2024 at 2.00 pm

Attendees:

Voting Members present, in person:

Merry Albright (MA)	Herefordshire Construction Industry Lobby Group
Simon Evans (SE)	The Wye and Usk Foundation
Daniel Humphreys (DH)	Dwr Cymru/Welsh Water
Cllr Andrew McDermid (AM)	Forest of Dean District Council
Andrew McRobb (AM)	Council for Protection of Rural England
Claire Minett (CM)	Natural England
Martin Quine (MQ)	Environment Agency
Councillor Elissa Swinglehurst (ES)	Herefordshire Council
Richard Tyler (RT)	Save the Wye

Welcome and apologies

The Chair welcomed attendees to the meeting.

83. NOTES AND MATTERS ARISING FROM LAST TIME

The minutes of the previous meeting, dated 26 April 2024, were approved.

84. PUBLIC QUESTIONS

No public questions were received.

85. UPDATE ON ACTIVITY

The key updates from Nutrient Management Board members included:

1. It was noted that at the Royal Welsh Summit, on farming, Farm Cymru were invited to speak alongside NFU, FUW, the Future Generations Commissioner, and the Nature Friendly Farming Network.
2. It was added that Welsh Government had been asked to do a review of anaerobic digestion through Wales which has been since signed off for completion in the next six months.

86. STATUTORY OFFICER GROUP REPORT

The key points made included:

1. There will not be a further progress update of the Nutrient Management Plan (NMP) at the next NMB meeting, but this was to give board members a picture of the actions and where they are at currently.
 - a. There will be actions in addition to the recent plan that were not captured in the 2021 Nutrient Management Plan.

2. Moving forward the focus of the Nutrient Management Plan will be set out measures and actions to restore the river to favourable conservation status. All plans and projects likely to impact upon the River Wye SAC are the subject of Habitats Regulations Assessment. Within the Lugg catchment where the river is failing to meet its conservation targets Nutrient Neutrality is applied on development proposals.
3. It was noted that Herefordshire Council link up with all the local authorities who received funding from DLUHC.
 - a. For example, Norfolk commissioned a report on septic tank upgrades and the report author is willing to make that available for learning.
4. The SOG have agreed that the primary spend will be on updating the Welsh evidence feeding into the NMP.
5. The Chair argued that the Phosphate Action Plan forms a useful baseline to have within the agenda papers of the NMB so that the board can refer to it and change things included in it.
 - a. Emma Johnson responded that she would take that request back to the SOG.
6. The Chair asked about actions that sit with DEFRA.
7. Martin Quine responded that evaluations will be made on where the DWPP is at before the next NMB meeting and an update can be provided on that.
8. It was asked if it was possible for a summary on what progress has taken place regarding the plans in place.
 - a. It was agreed that an executive summary would be helpful for newcomers onto the committee to outline the facts and an update on the direction of travel of the plans.
9. The Chair asked who would be willing to produce a summary.
 - a. Claire Minett responded that the SOG could take the request away and consider a summary to be produced.
10. It was noted that the Wye Catchment Partnership are trying to create a plan for the river that deals with the defined problems and slots in the elements of the DWPP and the Upper Wye SAC Restoration Plan in order to work in a more coordinated way.
11. It was asked what timescale is expected for the Welsh Government funded work in Wales of the NMP to be done by.
 - a. Liz Duberley responded that that the project brief is being worked through with the SOG and NRW have provided feedback. Discussions will then be had with Welsh local authorities to get their feedback before developing the specification to go out to tender.
12. It was asked if there are any outcomes from TAG groups.
 - a. Martin Quine responded that when the governance for the NMB was looked at, there were six TAG sub-groups. It was felt that it was more

appropriate to focus on the key things that needed to be focused on first subject to a review to ensure that funding and resourcing is placed in the right areas. The ambition with the review of the NMP and the Catchment Plan is that existing groups need to be used to avoid duplicating groups that already exist.

87. FARMSCOPER PHOSPHATE LOSS TOOL UPDATE

1. Claire Minett noted that the key outcome from the Farmscoper update is that 50% of phosphates come from soil loss. Natural England work closely with catchment sensitive farming programme and have initiated extra targeted activity on the Wye to encourage the voluntary measures in place to provide buffers, cover crops, and that work is ongoing.
2. Merry Albright asked in relation to the APHA numbers whether the 30 million poultry figure in the catchment is correct.
 - a. Claire Minett responded that it was the best evidence available at the time to be used. The figure cannot be regarded as definitely right; however, it was the APHA data at that moment in time.
3. Claire Minett added that this is one piece of evidence feeding into the DWPP that will add to the evidence-based understanding and options appraisal.

88. IMPORTATION AND USAGE OF BIOSOLIDS IN THE CATCHMENT

The Chair introduced Tom Powell to speak on the item.

Tom Powell noted that he would provide a brief overview on how biosolids work and answer questions from members. The key points included:

1. The Biosolids Assurance Scheme (BAS) exists to ensure that the biosolids works are tested every three months and is tested every day for nitrogen and phosphate. There are different criteria as to whether it can be exported to land. Welsh Water are not prohibited to recycle to land with elevated levels of nutrients.
2. The Chair asked in relation to nutrients what controls are in place not to apply or sell to land that is full of phosphate.
 - a. Tom Powell responded that for a farm, Welsh Water will visit and test the soil for a range of determinants including phosphates. They are tested every five years to see where those levels are.
 - b. If a field has a phosphate index of 4 and above, then biosolids are not applied.
 - c. Once the farm is tested for nutrients, it is ensured that the farm's Nutrient Management Plan is seen before biosolids are taken there.
3. It was asked that Welsh Water apply according to the ADHB Nutrient Management Guide 'RB209' guidance.
 - a. Tom Powell responded that biosolids do not only contain phosphate but nitrogen as well. The phosphate that goes on is not the only thing that the agronomist considers when using RB209 and working out what crops need.

4. Concern was noted that if the soil is tested only every five years, how is it known what has happened the following year, for example.
5. Tom Powell added that Welsh Water can provide copies of the paperwork which shows the different mapping risks including distances from water courses, for example.
6. Martin Quine mentioned that Project TARA is focusing on the transport of digestate from anaerobic digesters. Once the section on anaerobic digestion is complete, the project will examine sludge from water companies across the catchment area. Records of where the sludge is currently being spread can then be requested, helping to identify specific localities that need to be targeted.
7. It was asked whether the five-year test is a standard cycle of testing for water companies in general.
 - a. Tom Powell responded that it is standard as part of the Biosolids Assurance Scheme (BAS) every five years and then every 10-15 years, there is a more in-depth suite testing at different levels looking at heavy metals. Details of the tests that Welsh Water conduct could be provided at request.
8. The Chair asked in relation to phosphate through land drains whether the drains are tested by Welsh Water.
 - a. Tom Powell responded that the drains are not tested, however, they are required to find out where the land drains are located.
9. It was asked whether the testing is done unannounced or whether it is done on a regular basis every five years.
 - a. Tom Powell responded that it is not unannounced, and it must be arranged with the farmer. There must be a relatively long period of the fertiliser being applied or otherwise the tests are invalid.

89. DATE OF NEXT MEETING

The date of the next meeting is 16th October 2024, 14:00.

The meeting ended at 3.43 pm

Chairperson

River Wye Statutory Officers Group Meeting Slide Deck

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26 September 2024

River Wye SOG

Purpose

A collaboration of the statutorily responsible organisations operating within the catchment to restore the Conservation Status for the River Wye Special Area of Conservation.

The group as a whole does not have any formal powers or resources and as such cannot make any decisions collectively but it's members can on behalf of their individual organisations and Government. The purpose of this group is for members to reach agreement (subject to ratification within their own organisations as necessary) on how they will collectively use their powers and resources to improve the catchment condition. The SOG will share this via a revised Nutrient Management Plan.

Operating Principles

- Meetings will be held quarterly (monthly initially) in order to allow the SOG to task work resulting from its discussions. Ad-hoc meetings can be called if needed.
- Meetings will be held privately with updates and progress against the plan being shared publicly – this will be reviewed after 6 months.
- The group will work openly and collaboratively with the NMB, seeking and taking into account the NMBs views in its decision making and seeking collaboratively discussion.
- Individual officers will make decisions on behalf of their organisations in line with delegated powers for specified remits and spend.

River Wye SOG

Membership

Voluntary forum made up of officers from the bodies with relevant statutory responsibilities within the catchment.

- Bannau Brycheiniog Brecon Beacons National Park
- Cyfoeth Naturiol Cymru Natural Resources Wales
- Dwr Cymru Welsh Water
- Environment Agency
- Forest of Dean District Council
- Herefordshire Council
- Monmouthshire County Council
- Natural England
- Powys County Council

SOG - Meeting Headlines

Date of latest meeting: 26 September 2024

Headlines

1. Upper Wye Restoration Project newsletter has now been published by Cyfoeth Naturiol Cymru Natural Resources Wales (NRW) with the project formally launched at the Royal Welsh Agricultural Show on 22 July 2024.
2. Dwr Cymru Welsh Water confirmed that further storm overflow sites have been added to their Storm Overflow map with further sites being added up until March 2025.
- ⇒ 3. Environment Agency confirm that the Wye Diffused Water Pollution Plan, which serves as part of the Nutrient Management Plan (NMP) for England is on track to be completed by end of March 2025.
4. SOG discussed the need for a focus on River Lugg nutrient data and its failing targets compared to the River Wye.
5. Herefordshire County Council is finalising the paper on what Welsh Government funding will be spent on – supporting NRW in developing their part of the NMP – and will be going out to tender shortly.
6. Powys Council has awarded tender for Enabling Nutrient Neutrality in Powys.

Date of next Meeting

18 December 2024

River Wye SOG – September Updates

Updates from:

- Cyfoeth Naturiol Cymru Natural Resources Wales
- Dwr Cymru Welsh Water
- Environment Agency
- Herefordshire Council
- Natural England
- Monmouthshire County Council
- Powys County Council

1. Upper Wye Restoration Project

This 5-year project aiming to protect species and enhance habitats by addressing a range of pressures affecting the Upper River Wye has now published its first newsletter – link below if you would like to sign up to receive this newsletter

[Natural Resources Wales / Upper Wye restoration: Ambitious new project launched to help restore beloved river](#)

2. Amended Planning Advice now published on NRW Website (v4 28/June 2024)

This advice now covers ammonia as well as phosphorus and a move to referring to nutrient sensitive rivers. Advice on agricultural developments is also covered. [Natural Resources Wales / Advice to planning authorities for planning applications affecting nutrient sensitive river Special Areas of Conservation](#)

3. Completion of review of Environmental Permits

Our review of phosphorus limits on Environmental Permits for waste water treatment works discharges which exceed a dry weather flow of 20m³/day has now been completed – 28 of these permits are within the Welsh Wye catchment. [Natural Resources Wales / Phosphorus limits on environmental permits for waste water treatment work discharges](#)

4. NRW Financial Position

- In September NRW started a consultation with Trade Unions and the process of engagement with staff on how we propose to reduce our grant in aid staff budget by £13 million for the 1 April 2025.
- The purpose is to refocus resources on the activities that will have the most impact on nature, climate, and minimising pollution, as well as the statutory work that only NRW can do. The aim is to mitigate job losses as much as possible.
- Some of these changes, if implemented, will impact our partners, customers, and stakeholders.
- Following our consultation, the NRW Board will make a final decision on changes and at that point we will explain what the changes mean in the delivery of services.

5. Position on citizen science data published

Following a number of requests and to provide some reassurance to all of our citizen science groups.
[An assessment of the use and acceptability of citizen science data to support better water quality for Wales \(naturalresources.wales\)](#)

Asset Management Plan AMP 7 (2020 – 2025)

- Work has been completed to support Natural Resources Wales’ Review of Permits (RoP) programme.
- Majority of AMP 7 schemes are complete ahead of schedule. Outstanding work is on course to meet the permit requirement dates.
- Dwr Cymru have accepted new protective P limits at 28 Wastewater Treatment Works (WwTW). Many of these have already come into effect but five will require further work on site to ensure we can meet the new requirements, limiting the amount of phosphorus in our effluent further.

Asset Management Plan AMP 8 (2025 – 2030)

- We expect our phosphorus removal programme to achieve a reduction of approximately 13kg/day as part of our fair share commitments, this builds on the P load removed over the current AMP 7 period.
- Whilst we continue our programme, we do expect further changes in future, in line with an updated compliance assessment of SAC rivers from NRW due in 2025.
- Following [link](#) to NRW’s website shows when revised permits with new Phosphorous limits will be scheduled.

Storm Overflow Map

- In September 2024, further storm overflow sites were added to the DCWW Storm Overflow map. We now have over 900 assets reporting near-real time data and shared publicly. Additional sites will be added up until March 2025. Link can be found [here](#).

Diffuse Water Pollution Plan

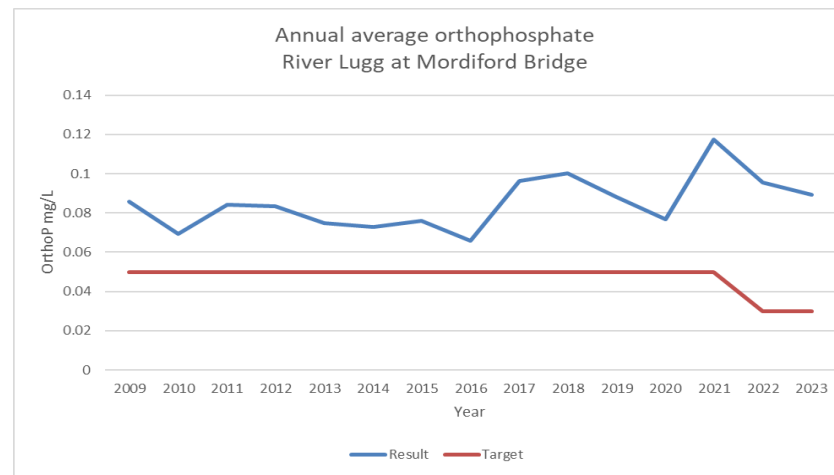
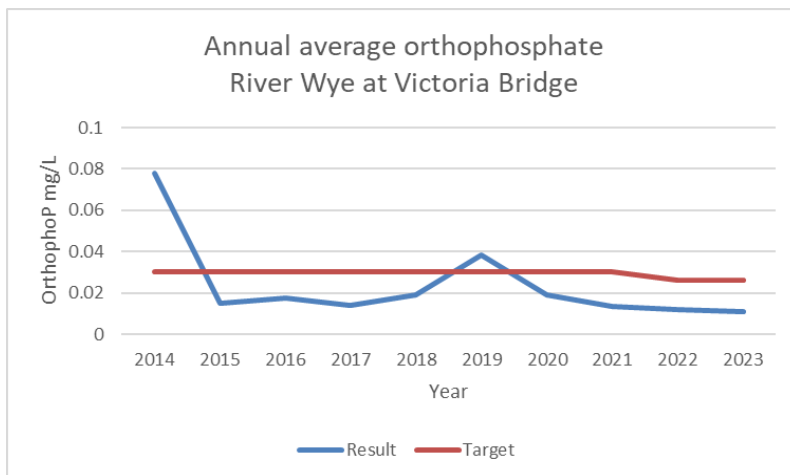
The Diffuse Water Pollution Plan (DWPP) will serve as the review of Nutrient Management Plan for England and is on track to be completed by 31 March 2025 – this will be an iterative process after this date.

Task	Indicative timescale
Modelling (source apportionment update)	Winter – Spring 2024
Modelling of current work/measures within catchment*	Spring – Summer 2024
Review of model outputs	Summer 2024
Options appraisal of phosphate reductions	Summer - Autumn 2024
Updated Action Plan	Winter 2024 – Spring 2025
Sign-off of DWPP	Spring 2025

*England only

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The River Wye is not failing its nutrient target, but the River Lugg is:



-
- Following on from our Options Appraisal workshops with partner organisations in July, we held a second workshop with farmers through the Herefordshire Rural Hub in September. At both workshops, participants considered what additional measures and mechanisms could support nutrient reductions.
 - Many constructive ideas were presented, including wanting to see a more level playing field in terms of farming standards, better tools for nutrient budgeting, and more information about how farms might be contributing to nutrient issues.
 - We are now reviewing the outcome from both workshops and considering the range of investigations and mechanisms that may be needed to deliver water quality improvements.

Strategic Mitigation:

- The Design and Build contract for Tarrington has been awarded and the construction of the site is due to commence in Spring 2025.
- We are seeking to acquire a further site in the north of the county for the construction of a wetland.
- Investigative work is also underway around the phosphate reduction obtained from seeking upgrades to Package Treatment Plants.

Homes Released

- To date 739 homes have been released within the Lugg catchment. The Council has recently published the updated allocations list of credits which extends to November 2023 of this list a further 300 units have been allocated credits, with a further 50 awaiting allocation.
- The specification for the update of the Welsh catchment evidence base and the delivery of a catchment wide Nutrient Management Plan has been drafted and reviewed by members of the SOG. The tender is due to be issued shortly.

Luston Monitoring

- Monitoring undertaken at Luston wetland during the first 12 months of the site being operational is indicating a 68% reduction in Total Phosphorous.

Rivers Conference

- The Council is hosting a second rivers conference on 21st November with a focus on sustainable practices for arable farming.

Farm & land management advice

Both Landscape Recovery schemes are making progress in the 2-year development phase.

- **Ridge to River** now 6 months in are commencing Whole Farm Plans and agreed contracts for baseline work eg peat monitoring, deer and hydrological surveys etc.
- **Wyescapes** has commenced baseline assessments (carbon, biodiversity and carbon) on farms and is scoping out land options with some example case studies. Consultants in place to progress the 'blended finance investors' required for the project.
- **38 farm visits** during the last quarter . Top 3 topics – Nutrient Management (25%), Soil Management (16%) and Land Use (10%).
- RPA data on SFI: 771ha of buffer strip in place, which is equivalent to 800 miles of grass margin in the county. 22% of land covered by SFI soil management plan and 25% of grassland managed as low input.
- **SSSI Monitoring** The River Habitat survey and macrophyte survey was conducted over the summer, other aspects of the assessment will continue over the next year.
- **Consents and Planning** 28 consents issued for the Wye and Lugg and attendance and engagement at Wharton Farm event to ensure collaborative and efficient process in place.
- **LNRS** Ongoing support with the development of the LNRS strategy, including targeted landowner engagement via CSF officers.

Updates from MCC:

Flood: Natural flood management works have now commenced at three locations within the Wye Catchment in Monmouthshire as part of our Welsh Government grant funded project that runs until March 2025.

Nature Recovery: The Public Consultation for two Strategies that form part of the Climate & Nature Emergency response has been launched.

The Monmouthshire Local NRAP, produced by MCC on behalf of the Monmouthshire Local Nature Partnership, will be a guide to conservation work in Monmouthshire to deliver outcomes to benefit nature recovery.

The Monmouthshire Green Infrastructure Strategy sets out the Council's approach to enhancing biodiversity and increasing ecosystem resilience through Green Infrastructure. It also sets out the Council's approach to improving health and wellbeing outcomes and seeking to deliver climate action through landscape scale projects and partnerships.

<https://www.monlife.co.uk/outdoor/green-infrastructure/local-nrap-and-gi-strategy-consultation/>

Nature and Sustainable Food: We are holding a Nature & Sustainable Food Celebration at County Hall on Friday 27th September (hosted jointly by the Sustainable Food Partnership and the Local Nature Partnership).

The event aims to bring together nature recovery and sustainable food practitioners, showcase the wonderful work being delivered, share best practice, and create opportunities for future collaborations through networking.

Latest Information

- Awarded tender for Enabling Nutrient Neutrality in Powys. This will cover:
 - Wetland feasibility study.
 - Private Treatment Works investigation / feasibility.
 - Policy and regulations review.
 - Credit / Trading schemes.
- The new “Powys River Special Areas of Conservation” webpage: [River Special Areas of Conservation](#) This has three sections: background, implications for development and other actions and regulations
- Continue to play a role in collaborative working through meetings like the All-Wales SAC Rivers Planning Sub-Group and Nutrient Management Officers Meetings.
- Continue to support the Usk Catchment Partnership across the Core Group, Knowledge Hub and various Task and Finish Groups.
- Continue to monitor Environmental Permit (phosphate limit) changes which may impact development across Powys.

The Seat on the Board for the River

During the development of the new governance arrangements for the Nutrient Management Board it was agreed by all parties that we would have a seat on the board for the river.

This is a pioneering effort to translate into reality the concept behind rights for nature.

The board welcomed the input of Paul Powesland and Lawyers for Nature who were willing to assist in developing the idea and a working group met with Paul to discuss it further. The working group comprises: Cllr Charlton, Cllr Maby, Cllr Swinglehurst, Andrew McRobb and Sarah James.

At that meeting we agreed to draft a set of criteria to best describe the person we are looking to recruit. Once the criteria are agreed with the board the next step will be to advertise through social media. The initial selection may remain with the working group with a final selection being made by the board. We are seeking agreement on this process and on the proposed criteria.

1. Someone who cares about the river
2. Someone who understands the science
3. Someone who knows what has already been done and has a strong, balanced sense about what needs to be done
4. Someone who will not politicise
5. Someone who is a skilled advocate
6. Someone who has knowledge of existing legislative frameworks
7. Someone who can work constructively with others

It is not proposed that there is any remuneration for this person although reasonable expenses might be considered.

Proposed timescale

Agree the criteria with the board. October 2024

Advertise the position. November 2024

Consider candidates. December 2024

Shortlist by the next board meeting

Elect candidate at the next board meeting or soon after.

This is an innovative development and, as such, there is every expectation that we will have to navigate our way through carefully. All suggestions for candidates are welcome and need to be relayed to the Chair at the earliest opportunity.

Councillor Elissa Swinglehurst
Chair of the Wye Catchment Nutrient Management Board



Department
for Environment
Food & Rural Affairs

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SW1P 4DF

T: +44 (0) 3459 335577
E: defra.helpline@defra.gov.uk
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Cllr Elissa Swinglehurst

Our ref: TO2024/11914

Elissa.Swinglehurst@herefordshire.gov.uk

23 August 2024

Dear Cllr Swinglehurst,

Thank you for your letter of 6 July about the Action Plan for the Wye and for your kind words of congratulation to the Secretary of State. We have been asked to reply and we apologise for the delay in doing so.

Cleaning up our waterways and supporting nature's recovery are top priorities for the government. Moreover, we are committed to delivering the Environment Act targets, which include reducing nitrogen, phosphorus and sediment losses from agricultural lands. As you may be aware, we have committed to review the Environment Improvement Plan. We will develop a new statutory plan with delivery plans to meet each of our Environment Act targets. Cleaning up our waterways will be a focus of this.

We share your concerns around the decline of the River Wye and the level of pollution is unacceptable. The river is of great importance for biodiversity, home to native species such as Atlantic Salmon and White Clawed Crayfish, and it is cherished by residents and visitors alike.

We are continuing to work with the Welsh Government to assess how best to move forward on the River Wye, including coordinating local action and influencing the right changes on the ground. Your feedback and that of other stakeholders is incredibly valuable as this collaborative input will help us understand how best to proceed and address ongoing challenges.

Nonetheless, we recognise the impact diffuse pollution from agriculture continues to have in catchments across England, including on the River Wye. In the catchment, and nationally, we want to work with local partners and farmers – including through our regulations, advice programmes and incentive schemes – to reduce diffuse pollution whilst boosting food security and enabling growth. This includes through our commitment to the steady rollout of the Environmental Land Management schemes.

Yours sincerely,

Ministerial Contact Unit



Huw Irranca-Davies MS,
Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs,
Welsh Government,
Pierhead Street,
Cardiff. CF99 1NA.

2nd of September 2024

Dear Huw,

I am writing to provide you with my advice regarding the workings of the Rivers Summits. The issue of water and river quality is a matter of huge concern to the public and one of the issues on which I receive most correspondence. It is clear we need to manage our rivers and waterways in a sustainable way for both current and future generations.

Whilst this advice is specific to the working of the Rivers Summits given their important function, I am committed to making river and water quality a priority for my time in this role and am taking action in other areas. For example, you will be aware I am also working with the Interim Environmental Protection Assessor for Wales on a review to inform how Wales can improve its laws to reduce water pollution and protect our environment and people's health.

In preparing this advice, I employed the services of the Institute of Welsh Affairs (IWA) to benefit from their expertise and objectivity. The IWA team spoke to many of the key stakeholders that attend the Rivers Summits. This has enabled me to provide you with advice and recommendations that enjoy broad support, and in many cases consensus, amongst the relevant organisations.

I enclose the full report which provides further information about the methodology used in preparing this advice as well as full details about the findings and recommendations. The key points in my advice are summarised as follows:

1. Welsh Government must renew commitment to Rivers Summits under the First Minister and a Cabinet Secretary to reinforce their credibility, purpose and urgency. Political leadership, ownership and accountability of tackling river pollution is vital.
2. Welsh Government should restate the key purpose of the Summits, indicating a broader remit, which focuses on river health more broadly, taking into consideration:
 - . Nutrients beyond phosphates (which should remain a consideration as a major polluter), such as nitrates, ammonia as well as soil health;
 - . Include rivers beyond SAC (Special Area of Conservation) rivers (notwithstanding that these should continue to be a priority, merely not an exclusive one);

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- . A focus beyond impact on housebuilding and development;
 - . The need to hold stakeholders to account as well as to turbocharge the delivery of actions.
3. Welsh Government should consider:
 - . Reviewing and renewing the Summits' governance structures
 - . Setting up smaller sub-groups of stakeholders to tackle issues in-depth, reporting back to River Summits as the overarching forum.
 4. Welsh Government should co-produce a map of stakeholder roles and responsibilities when it comes to tackling river pollution, which will be co-produced at a future Rivers Summit. This should:
 - . State the roles and responsibilities for each stakeholder (including agricultural businesses, water companies, NMBs and regulators), and ownership of actions;
 - . Identify who is funded to deliver what, and how;
 - . Be long-term in focus to provide certainty.
 5. Welsh Government should use the Rivers Summits to clarify the role of Nutrient Management Boards over the long-term. This should aim to establish:
 - . Their long-term remit;
 - . Their responsibility for action and measurement of improvement in water quality in SAC rivers and beyond;
 - . What their long-term funding settlement is.
 6. Future Rivers Summits should expressly focus on putting in place long-term funding arrangements for tackling river pollution.
 7. Future River Summits should place a greater focus on outputs and evidence including:
 - . Data on outputs of investment projects, including from water companies;
 - . Effective monitoring against actions;
 - . Nutrient management readings to analyse improvement or lack thereof;
 - . Producing a clear set of progress indicators to tie in action for the future.
 8. Future Summits should showcase more innovative, nature-based approaches to tackling river pollution and their effectiveness to be rolled out at pace and scale.
 9. Future Summits should focus on the production of a clear action plan for tackling agricultural sources of river pollution including:
 - . Public subsidy regimes for the sector to tackle pollution;
 - . Ring-fenced support for farms to invest in nature-based solutions alongside an education budget to inform best practice. This should encompass clear, practical guidance and support for how farms can use nature based, regenerative farming practices to limit run-off of nutrients, adopt effective slurry storage and to reduce legacy phosphates in soils;
 - . Compliance and enforcement of existing regulations.
 10. Consider appointing an independent Chair for future Rivers Summits.

11. The Rivers Summits must improve public communication and engagement. The health of rivers and waterways is a matter of considerable public interest, yet the communications from Welsh Government are considered to be poor and opaque.

Future Summits should:

- . Provide a clear list of actions agreed at each Summit;
- . Provide a greater overview of presentations made;
- . On contentious areas, co-produce and consult with stakeholders, including members of the public.

12. Future Rivers Summits should examine the long-term role of citizen science which leads to longer term action on identified trends.

Thank you for the opportunity to present my early findings at the last Rivers Summit at the Royal Welsh Show. As I said at that meeting, I am planning to share this letter and the enclosed report with members of the Rivers Summit as well as publicly in the spirit of openness and transparency, which are values I am committed to honouring in carrying out this role.

Given the necessity to act urgently to protect our rivers and waterways for future generations, I hope you and your team can consider my advice without delay with a view to making changes in time for the next Rivers Summit in the Autumn.

If you require any further information, I would be pleased to provide it.

Yours sincerely,



Derek Walker

Future Generations Commissioner for Wales



Changing Course? Analysing the effectiveness of Welsh Government's Rivers Summits

An IWA report, commissioned by the Future Generations Commissioner for Wales
July 2024

Context

The Institute of Welsh Affairs (IWA) was commissioned by the Future Generations Commissioner for Wales, Derek Walker, to produce this report, to support the Commissioner's recommendations to Welsh Government on the effectiveness of the Rivers Summits, ahead of the Fifth Summit, which will take place at the Royal Welsh Show in July 2024. It is also intended to inform the Commissioner's planned intervention at the Summit. Whilst an interim version of this report was presented to the Commissioner ahead of the Fifth Summit, additional interviews have taken place subsequently, and have further informed this final report.

The purpose of this paper is to examine existing Welsh Government structures of engagement with key stakeholders on the issue of river pollution and consider whether these are impactful, fit for purpose and future-proof for the challenges ahead. Importantly, this means suggesting some ways in which the Summits could be improved and their effectiveness enhanced.

As a new First Minister and Cabinet Secretary for Climate Change and Rural Affairs take over from their predecessors, it is an opportune moment to consider the effectiveness of current governance, fora and actions aiming to tackle the health of rivers in Wales.

Key recommendations from the IWA are included **at the end** of the report.

The problem

River pollution and the health of river ecosystems is a significant problem in Wales, as indeed, it is across the UK and on a global scale.

The key issue which is negatively impacting river health in Wales is that too many nutrients, such as phosphates, nitrates and ammonia, are entering water courses causing chemical imbalances. This can trigger enhanced algae growth, which consumes the oxygen within a river and eventually leads to the killing off of biodiversity (a process known as Eutrophication)¹.

¹ [Welsh Government, 2022, First Minister SAC Rivers Summit: Tackling Phosphorus Pollution in Wales' Special Area of Conservation Rivers: Information & Evidence Pack](#)

River pollution comes from a variety of sources, yet the most significant polluters are, broadly speaking, the agricultural sector and water companies². Agricultural sources come from run-off from farm and slurry storage, and are a significant source of nitrate, ammonia and phosphorus pollution³. Likewise, pressure on sewage systems following periods of heavy rainfall are a significant contributor to river pollution. Whilst it is beyond the scope of this report to delve deeper into this in significant depth, it is important to note that there is no comprehensive, pan-Wales measurement of river pollution which considers all nutrients which cause damage.

The above issues are also exacerbated by the climate crisis. Intensive farming practices alongside enhanced periods of drought and rainfall all lead to greater risk of pollution. The climate crisis and the health of rivers are therefore intersecting issues. It is important to state that rivers can be useful barometers of wider elements of environmental health.

Water quality in Wales is at crisis point, with popular discontent seen around the lack of progress and accountability on river health. The cost of river pollution is beyond the economic; access to clean riverways contributes to nature protection and is vital to community health delivering a host of health, social, cultural and wellbeing benefits to people across the nation.

Rivers Summits - current format

Currently, the Welsh Government's stakeholder engagement activities on river pollution primarily take place through the Rivers Summits.

The Rivers Summits seek to bring together high level stakeholders to discuss, specifically, phosphorus pollution in rivers in Wales and coordinate how organisations can effectively work together to tackle this. From the outset, the focus has been reducing phosphorus levels in Special Areas of Conservation (SAC) rivers as a distinct area of focus. Reference to blockages of social housebuilding due to high SAC pollution levels has also been a key consideration since the outset of the Summits. But where did this particular focus come from?

Remit and focus

The establishment of the Rivers Summits followed a distinct journey, which I will lay out below in reference to the important regulation that has formed the basis for the focus of the Summits to date.

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017⁴ (WFD) transposed water quality standards from the European Union's Water Framework Directive⁵. The WFD placed a statutory duty on Ministers in Wales to prevent

² [Natural Resources Wales, 2021, NRW technical clarification for the Senedd Economy Trade and Rural Affairs Committee: Review of Control of Agricultural pollution \(Wales\) Regulations 2021 \(COAPR\)](#)

³ [Welsh Government, 2022, Evidence to inform Committee on The Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021](#)

⁴ [UK Government, 2017, The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017](#)

⁵ [European Commission, 2000, Water Framework Directive](#)

deterioration and improve all water bodies to good status by 2027⁶. Natural Resources Wales (NRW) are responsible for monitoring and implementing WFD in Wales⁷. In addition, the Conservation of Habitats and Species Regulations 2017⁸ enabled the designation and protection of areas that host important habitats and species, one of which includes Special Areas of Conservation (SACs). This means that permits are required for developments in SACs, which mitigates negative impact.⁹.

In 2021, NRW published a report on phosphorus pollution in Wales' nine SAC rivers¹⁰ against newly stringent monitoring guidance (as laid out in the 2017 revisions to Joint Nature Conservation Committee guidance¹¹). The report found that 61% (of the 125 water bodies surveyed) failed to meet phosphorus targets. These results demonstrated to NRW that 'phosphorus pollution is a significant problem in Welsh SAC rivers that requires catchment level action'¹².

Following this report, NRW advised local planning authorities in SAC catchment areas to adopt a policy of nutrient neutrality¹³ for new developments. Nutrient neutrality means that new developments have to demonstrate that their proposals do not add any increase in the amount of phosphorus in a SAC river. Nutrient impact of development has to be reviewed according to the Habitats Regulations Assessment.

The result of these increasingly strong targets for phosphorus levels in SAC rivers has been to stall a number of housing projects. It is because of this that more stringent targets for phosphorus levels in SAC rivers have been brought to the attention of Welsh Government. It is also why housebuilders have become key stakeholders in the discussion around river pollution, most specifically in the context of the Rivers Summit forum.

These more stringent phosphate measures and the stalled housing projects have brought considerable political pressure, stemming from Welsh Government's policy to build 20,000 new social homes by 2026 (as laid out in the 2021 Programme for Government¹⁴). This led to criticism in the Senedd¹⁵ and in the media¹⁷ surrounding the new measures. Therefore, the matter of tackling phosphorus pollution in SAC rivers and its impact on the Welsh Government's ability to hit its social house building targets, set the context for and shaped the inaugural Rivers Summit in 2022. Whether this was the correct way for river pollution to be brought to the top of the Welsh Government's political agenda will be explored later in this report.

⁶ [Senedd Research, 2023, Water Quality in Wales: Research Briefing](#)

⁷ [Natural Resources Wales, \[N.d, updated 2023\], Improving Water Quality](#)

⁸ [UK Government, 2017, The Conservative of Habitats and Species Regulations 2017](#)

⁹ [Natural Resources Wales, \[N.d, updated 2024\], Habitats regulations for your environmental permit](#)

¹⁰ [Natural Resources Wales, 2021, Compliance Assessment of Welsh Rivers SACs against Phosphorus Targets](#)

¹¹ [Joint Nature Conservation Committee, 2016, Common Standards Monitoring Guidance for Rivers](#)

¹² Op cit, P.12

¹³ [Natural Resources Wales, \[N.d, updated 2022\], Principles of nutrient neutrality in relation to development or water discharge permit proposals](#)

¹⁴ [Welsh Government, 2021, Programme for Government](#)

¹⁵ [Senedd Record, 2021, Plenary 30/06/2021, Item 9. Short Debate: The impact of Natural Resources Wales's phosphate regulations](#)

¹⁶ [Andrew R.T. Davies, 2023, Written Question \(WQ87459\(e\)\)](#)

¹⁷ [BBC News, 2021, New builds in Wales 'at standstill' due to pollution targets](#)

Additionally, we should note that there are also a number of other fora which focus on water quality in Wales. These include (to name but a few):

- Special Area of Conservation River Oversight Group (SACROG) (set up as part of the Rivers Summit Action Plan¹⁸)
- Better River Quality Taskforce¹⁹
- Nutrient Trading Task and Finish Group (again set up as part of the Action Plan).

Rivers Summits should, therefore, be seen as a key forum amongst a host of other, more specific fora, although the latter have been set up as a result of the River Summits themselves and so are intended to be tighter groups of stakeholders involved in the delivery of the River Summits Action Plan.

Summary of Summits One-Four

Summit One

The First River Pollution Summit was convened by then First Minister Mark Drakeford at the Royal Welsh Show in July 2022²⁰. The purpose of the summit was to discuss phosphorus pollution in rivers in Wales and brought together stakeholders to explore how to improve the situation. The fact that the Summit was convened by the First Minister highlighted the importance of river pollution to the government in Wales. Such commitment was politically significant. Key stakeholders in attendance included senior representatives from regulators, water companies, developers, local government, farming unions, academia and environmental bodies, in an effort to develop a strategic and collaborative approach to tackling the issue. This so-called ‘Team Wales’ approach has been touted by Welsh Government in order to tackle wider environmental issues²¹.

To consider the remit and focus of the Rivers Summits it is best to examine the evidence pack which was produced ahead of the First Summit. This evidence pack²² provided the basis for the Summit's particular focus on phosphorus pollution in SAC rivers in Wales as well as foregrounding the associated impact on housebuilding. The evidence highlights agriculture as the key contributor of phosphorus pollution with storm overflows from water companies are distant second.

Key pledges made at the first Summit included:

- The establishment of Nutrient Management Boards (NMBs) (set up by Local Authorities and National Parks), with up to £415k made available in 2022-23 to support their work, with funding over subsequent years indicated. This was supplemented by the intention to develop and promote an all-Wales nutrient calculator to ensure consistency of approach.
- Commitment to publish a SAC Rivers Action Plan, co-created with stakeholders

¹⁸ [Welsh Government, 2023, Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support the delivery of affordable housing: action plan](#)

¹⁹ [Welsh Government, \[N.d\], Wales Better River Quality Taskforce](#)

²⁰ [Welsh Government, 2022, Written Statement: River Pollution Summit at the Royal Welsh Show](#)

²¹ [Welsh Government, 2020, Team Wales approach to tackle climate change](#)

²² [Welsh Government, 2022, First Ministers SAC Rivers Summit: Tackling Phosphorus Pollution in Special Area of Conservation Rivers: Information and Evidence Pack](#)

- Commitment to produce a set of immediate actions and a good practice guide for addressing pollution.

Summit Two

River Summit Two²³ took place on 8th March 2023. At this Summit, key stakeholders agreed to work together to deliver ‘Relieving Pressures on SAC River Catchments to Support Delivery of Affordable Housing’²⁴, which was produced following Summit 1 (henceforth referred to as the Action Plan).

This Action Plan focused on:

- The need for a joined-up approach and the need for fit-for-purpose governance and oversight arrangements to support decision making in failing SAC rivers
- The need to use natural solutions more effectively
- The need to work constructively with the agriculture sector to find solutions to reduce and address excess nutrients in the soil and SAC rivers in Wales
- Delivering short-term solutions to address existing planning constraints
- Development of a unified nutrient calculator to aid planning decisions on nutrient neutrality
- Provide clarity to stakeholders on the suitability of potential mitigation actions and interventions to reduce pollution
- A unified approach to catchment consenting in failing SAC rivers
- Increasing understanding of practical measures within catchments which could be provided by Nutrient Trading.

Accompanying the Action Plan was a Mitigations Menu²⁵ produced by NRW, which provided information on means to mitigate phosphate levels in SAC rivers.

‘I am confident’, the First Minister stated²⁶, ‘that delivering the actions identified will allow housing development in the affected SAC river catchments to restart’. The Plan itself does, however, highlight that ‘whilst the action plan focuses on the issue of unlocking development, we are also mindful of our commitment to improve the general health of rivers in Wales’²⁷. Meanwhile, the Plan also highlights that there is no ‘quick fix’ to improve water quality, noting that long-term improvements will only take place with a sector-wide approach, an approach the plan attempts to incubate.

Yet, the Action Plan is primarily focused on the socio-economic elements of tackling river pollution. This is particularly seen through the need to build new houses in Wales, which is seen as being inhibited by stricter planning regulations in SAC areas, in which water quality is poor. Water quality, then, is portrayed as an inhibiting factor which constrains Welsh Government from hitting their 20,000 social homes target.

Summit Three

²³ [Welsh Government, 2023, Written Statement: Second River Pollution Summit](#)

²⁴ [Welsh Government, 2023, Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support the delivery of affordable housing: action plan](#)

²⁵ [Welsh Government, 2023, Mitigation Measures Menu](#)

²⁶ [Welsh Government, 2023, Written Statement: Second River Pollution Summit](#)

²⁷ [Welsh Government, 2023, Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support the delivery of affordable housing: action plan](#)

Summit Three was chaired by Julie James, then Welsh Government Minister for Climate Change, on 30th November 2023. The Minister opened her statement on the Summit noting her extreme concern about phosphorus pollution ‘both on the quality of our water environment, and our ability to unlock much-needed housing development’²⁸. The focus of this Summit was to assess progress against the Action Plan, with Welsh Government noting that ‘we have made great strides’ in ‘driving forward our ambition’ to ‘unlock development in our failing SAC rivers’ whilst ‘laying some of the groundwork for longer term improvement within our rivers’²⁹.

Welsh Government highlighted its work:

- Implementing structures to oversee and monitor delivery of the Action Plan
- Providing Nutrient Management Boards with nearly £1.5 million of funding to support the delivery of priority action in failing SAC catchment areas
- Providing NRW funding to help accelerate their work on the review of permits (providing the example of a new permit to enable the Local Planning Authority to make decisions on just under 3,000 dwellings near the Dee)
- Established several Task and Finish Groups including to report on the feasibility of nutrient offsetting and trading.

The Summit saw case studies presented by NRW, Newton Farm and Clwyd Alyn Housing Association, including the Teifi Demonstrator Catchment Project³⁰, a study on targeted soil and nutrient management, and an outline of how NRW’s review of permits helped to unlock housing developments, respectively.

Summit Four

Rivers Summit Four took place on 18th March 2024, and was chaired by Sir David Henshaw, Chair of NRW. It was stated that ‘most of the actions’ from the Action Plan have been completed, which allowed ‘some development’ to be unlocked ‘without further impacting on these rivers’³¹.

The Summit saw NRW provide a number of updates on their projects, including their progress in undertaking a review of water discharge permits, delivering almost 75% to date. This has enabled Local Planning Authorities to make planning decisions within failing SAC catchments.

NRW gave a presentation on the progress of their Teifi Demonstrator Catchment project³², a cross-sector collaborative project aimed at improving water management in the Teifi catchment. NRW also provided an update on their Four Rivers for LIFE project³³, which is taking place on four SAC rivers: Teifi, Cleddau, Tywi and Usk.

²⁸ [Welsh Government, 2023, Written Statement: Third River Pollution Summit](#)

²⁹ [Ibid](#)

³⁰ [Welsh Government, 2023, Written Statement: Launch of the Teifi Demonstrator Catchment’ project](#)

³¹ [Welsh Government, 2024, Written Statement: Fourth River Pollution Summit](#)

³² [Welsh Government, 2023, Written Statement: Launch of the Teifi Demonstrator Catchment’ project](#)

³³ [Natural Resources Wales, \[N.d, updated 2024\] Four Rivers for LIFE](#)

Current membership

The membership of the Summits to date includes a large list of organisations with an interest in protecting river quality in Wales. This can be broken down roughly into the following groups:

- Those with a statutory duty: OFWAT, NRW, Dŵr Cymru, Hafren Dyfrdwy
- Representative organisations for farming (NFU, FUW, NFFN, Farm Cymru, Tenant Farmers Association Organisation, National Beef Association, Agriculture and Horticulture Development Board, FARM Cymru, Wales Federation of Young Farmers), land owners (CLA, WLMF) and Forestry (Confor)
- Non-governmental organisations and charities: WWF Cymru, Afonydd Cymru, Wales Environmental Link, Bangor University, Wildlife Trusts Wales, Future Generations Commissioner, Red Tractor Food Assurance and Pembrokeshire Coastal Forum
- Housing Sector: Home Builders Federation, Federation of Master Builders, Community Housing Cymru and Clwyd Alyn Housing
- Nutrient Management Boards: Cleddau, Teifi, Dee, Wye, Usk, and Tywi
- Others: Audit Wales, Local Authorities (Powys, Monmouthshire, Carmarthen and association the WLGA), Chief Planning Officers Society Wales.

It is clear from the membership of the Summits to date (and the forthcoming Fifth Summit) that housebuilding and agriculture are the two sectors most represented, alongside statutory bodies and water companies. This is a fair mix considering the current focus of the Summits on house building targets. Having a strong presence from the agriculture sector and water companies is also vital as these represent the bulk of contribution to river pollution.

Analysis of relevant documentation, including reports presented to the Rivers Summits

The latest progress report against the Rivers Summit Action Plan is seemingly not available publicly, with the latest update coming in 2023³⁴. Members of the Summit, however, have access to a later update on progress, which this report has gained access to via the Office of the Future Generations Commissioner³⁵.

Actions that have been fulfilled against the Action Plan include:

- The setting up of NMBs as well as mechanisms for each to meet
- A menu of phosphorus mitigating measures³⁶ published by NRW
- Welsh Government convened a Nutrient Trading Task and Finish Group, which produced a briefing to consider ways forward
- NRW was resourced by Welsh Government to carry out a one-off permit review to try and identify ways to enable stalled developments to move forward. This enabled 3,000 developments in the Wrexham area to continue through the planning process.
- Welsh Government has made £4.6 million available over the next two years through their Natural Floor Management Accelerator Programme to examine nature based solutions to SAC pollution.

³⁴ [Welsh Government. 2023. Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support the delivery of affordable housing: action plan](#)

³⁵ [\[Internal Document\] Welsh Government. 2024. Progress Summary for Priority Lists: Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support delivery of affordable housing: Action Plan](#)

³⁶ [Natural Resources Wales \[N.d, updated 2024\]. Advice for planning authorities for planning applications affecting nutrient sensitive river Special Areas of Conservation](#)

Areas yet to see progress include:

- The publishing of an All-Wales Nutrient Calculator
- Constructive working with the agricultural sector to find solutions to excess nutrients in SAC rivers.

Overall, therefore, the picture of progress since the Action Plan was published after Summit One has been decidedly mixed. Yet, Nutrient Management Boards have been established, guidance and investment through NRW has been rolled out and some exemptions have enabled developments to take place in SAC catchments.

Nonetheless, considering the scale of the challenge of phosphorus pollution in SAC rivers in Wales, the progress is slow and fails to match the urgency of the problem. Notably absent in the reporting of progress: actual improvement to the state of rivers, any long-term funding commitment or any specific action plan for improvement needed from the agricultural sector.

Therefore, the way in which the Rivers Summits are reporting against their actions is unfit for purpose. Indeed, for some elements there is no concrete tactical direction with clearly defined roles, responsibilities and timeframes. This results in reporting and action grossly inhibiting the Summit's ability to tangibly improve the health of rivers in Wales. It is thus difficult to ascertain what impact the Summits have had in reality.

Finally, the lack of publicly available progress updates in over a year is a significant problem for an issue of such concern to communities across the nation.

Wider actions or inactions of organisations

So what are stakeholders doing against the recommendations and actions arising from the Rivers Summits and Welsh Government more broadly? The IWA have looked at related policy documents from key organisations, synopsisising commitments and progress.

Natural Resources Wales

NRW as a regulator have produced a webpage which outlines all of the work they are doing to tackle river pollution³⁷. This page references directly their work on tackling phosphorus pollution in SAC rivers. On this aspect specifically, the main piece of evidence and monitoring collection by NRW was the Compliance Assessment³⁸ of Welsh river SACs against recently introduced targets which highlighted failures in compliance.

Their work since the iterations of the Summits involved setting up Nutrient Management Boards and working on short term measures to enable planning permission permits to aid the impact on halting developments.

They have also worked on demonstrator projects³⁹ alongside partners, which are aimed at showing effective interventions to tackle phosphorus pollution in river SACs. Whether or not

³⁷ [Natural Resources Wales. \[N.d. updated 2024\]. River water quality: our responses to your questions](#)

³⁸ [Natural Resources Wales. 2021. Compliance Assessment of Welsh Rivers SACs against Phosphorus Targets](#)

³⁹ [Welsh Government, 2023. Written Statement: Launch of the Teifi Demonstrator Catchment' project](#) & [Natural Resources Wales. \[N.d. updated 2024\] Four Rivers for LIFE](#)

these projects were innovative or were using existing knowledge and data was a subject of concern to some of this project's interviewees (details highlighted later in this report).

Dŵr Cymru Welsh Water

As Wales' largest water company, Dŵr Cymru represents a key sector's response to river pollution. Importantly, they also represent a significant source of capital investment into our water networks.

Dŵr Cymru published their *Manifesto for Rivers in Wales* in 2023⁴⁰. The document highlights plans to increase investment in their wastewater systems to £1.4bn between 2025-2030, up from £1bn in the five years to 2025. The investment strategy's focus was aided by Welsh Government's priority, as outlined by the Rivers Summits. The Manifesto states that Dŵr Cymru:

'fully support the Welsh Government's First Minister's focus on reducing nutrient pollution as the main priority to gain the biggest and fastest level of river water quality improvement in Wales. We are working with others to help deliver the eight commitments that came out of his Phosphate Summit held in July 2022 [Rivers Summit One]. We are investing an additional £60m specifically to reduce phosphate in the five failing Special Area of Conservation (SAC) rivers in our operating area' (p.4).

This Manifesto continues to focus investment on phosphorus pollution:

'In the next investment period to 2030, we will target investment with the ambition that none of our wastewater treatment works are the cause of ecological failure. Through our phosphorus investment plan, we will have removed 90% of the phosphorus load from our wastewater treatment works discharging to failing SAC rivers. We need to do this to ensure we are doing our part to allow these special rivers to meet their water quality targets, this work will also help to relieve pressure on development restrictions' (p.4).

To this extent, the focus of the Rivers Summits has had a major impact on Dŵr Cymru's infrastructure investment programme, which in many cases represents critical investment in rivers and waterways, and on phosphorus levels in SAC rivers. Now, the argument could be made of whether this is chicken or egg. Did Dŵr Cymru effectively shape the agenda of the Summits and Welsh Government's focus or did it react to it? The answer is likely somewhere in between.

Broadly speaking, the scale of investment and intention to tackle the problem by Dŵr Cymru was welcomed by other organisations interviewed as part of this project. One example is Afonydd Cymru, who welcome the organisation's commitment and investment on SAC river pollution and on their intention to utilise nature based solutions to reduce their impact on SAC rivers across Wales⁴¹.

Nutrient Management Boards

⁴⁰ [Dŵr Cymru, 2023, Our Manifesto for Rivers in Wales](#)

⁴¹ [Afonydd Cymru, 2023, Welsh Water's Plan to Reduce Phosphorus Entering Rivers](#)

Nutrient Management Boards were established as part of the First Rivers Summit and have been set up by NRW in all SAC catchments in Wales to produce Nutrient Management Plans, identifying and delivering actions to tackle phosphorus levels. To date, none of these Plans have been publicly released. Whilst the governance of setting up NMBs and coordinating action has been completed, we have yet to see what impact the Plans will produce. Yet, their Welsh Government funding is set to run out at the end of the year, so it is unclear what their role will be in the future and how they are expected to deliver on their plans, given the lack of clarity in their role as delivery agents in and of themselves. Certainly, a high level of resource, both capital and revenue would be needed for them to be effective at delivery.

Afonydd Cymru

Afonydd Cymru have produced two progress reports for the Interim Environment Protection Assessor for Wales on water quality in rivers in Wales, one focusing on water companies⁴² and another on agriculture⁴³.

Both reports highlight a lack of progress on tackling river pollution. Firstly, the water companies report highlights lack of adequate monitoring and communication of sewage spills and their ecological impact. The report also points out the ineffectiveness of regulation enforcement by NRW.

The report on the agricultural sector also makes for sober reading, noting poor compliance with legislation to protect rivers and details ineffective regulatory enforcement of the sector.

Afonydd Cymru have also worked alongside the Nutrient Management Boards to support their governance as well as the production of their Plans for SAC rivers.

Farming Unions

Based on our interviews and publicly available information, we can conclude that representative bodies of a large number of farms in Wales are resistant to newly stringent river quality measures. The National Farmers Union Cymru (NFU) are concerned about increasing the regulatory burden on farmers⁴⁴. This is linked to wider concerns of the sector over the Sustainable Farming Scheme⁴⁵ and broader subsidy regimes post the UK's exit from EU (and with it, leaving the EU Common Agricultural Policy⁴⁶ rules) . In 2020, NFU and partners (including Dŵr Cymru and NRW) worked on *The Water Standard*, a project which sought to help farmers to evidence measures they could take to protect Wales' water environment. However, this plan was devised before new, more stringent regulations came into force⁴⁷. The plan was still used as the NFU's evidence presented to the First River Summit⁴⁸. In their interview as part of this report, the NFU pointed to a 2018 report on agricultural pollution from the Wales Land Management Forum⁴⁹ as a basis for action, which

⁴² Afonydd Cymru, 2023, Report to the Independent Environment Protection Assessor for Wales on Water Quality Impacts to Rivers in Wales: Water Company Operation

⁴³ Afonydd Cymru, 2023, Report to the Independent Environment Protection Assessor for Wales on Water Quality Impacts to Rivers in Wales: Agriculture

⁴⁴ [NFU Cymru, 2024, Review of the Control of Agricultural Pollution Regulations 2021](#)

⁴⁵ [Welsh Government, 2024, Sustainable Farming Scheme](#)

⁴⁶ [European Union, N.d., Common agricultural policy](#)

⁴⁷ [National Farmers Union Cymru, 2020, The Water Standard](#)

⁴⁸ [Farmers Weekly, 2022, Farmers asked to curb river pollution by minister at Royal Welsh Show](#)

⁴⁹ [Wales Land Management Forum, 2018, Progress report by the Wales Land Management Forum \(WLMF\) sub-group on agricultural pollution](#)

went largely ignored, in their view, in later years. A agricultural stakeholder did reference a 2023 report from Wales Land Management Forum sub-group on agriculture pollution, which was reported to Welsh Government, but not publicly available (from desk-based research)⁵⁰.

Findings

Method

As part of the project, the IWA undertook 13 interviews with senior representatives from the following organisations:

- Dŵr Cymru
- WWF Cymru
- Citizen campaigner
- NFU Cymru
- Afonydd Cymru
- Monmouthshire County Council
- Nutrient Management Board (West Wales)
- Planning Officers Society Wales
- Nature Friendly Farming Network
- Archbishop of Wales
- Agriculture and Horticulture Development Board (AHDB)
- Ofwat
- Natural Resources Wales

In the given timeframe, the IWA are pleased that this sample is a representative cross-section of the make-up of the Summits to date, as it includes environmental organisations, farming stakeholders, local authorities, regulators and water companies.

The primary research was supplemented by desk-based research on activities of key stakeholders (some of which are detailed above) and their strategic plans on areas of relevance, which highlighted a broadly unsatisfactory state of progress on improving river health. It is important to state, however, that this report is not attempting to re-litigate the existing evidence on river health, but attempts to meaningfully engage and interpret discussions with key stakeholders, which, at times, included conflicting opinions. Where this is the case, the author has used their remit as a policy and governance generalist to summarise findings and attempt to draw out recommendations to Welsh Government (and others) from the perspective of the role, remit and purpose of the Future Generations Commissioner.

Below is a summary of the desk-based research and an analysis of the key findings of the interviews, contextualising the evidence and providing an indication of ways forward. This has been broken down into key topics.

River Summits are a vital forum

Firstly, a recurring theme among all stakeholders is that the Rivers Summits are valued by organisations as a vital forum for high-level discussion on river pollution. Political leadership

⁵⁰ Alluded to in: [Natural Resources Wales, 2024, Wales Land Management Forum \(WLMF\) Sub Group on Agricultural Pollution: Minutes](#)

to date has been present and the fact that the agenda was driven directly by then First Minister Mark Drakeford signalled the importance of both the issue and the forum. Interviewees noted that the political prioritisation given to river pollution mobilised buy-in and action from stakeholders. The Summits created a respectful space for stakeholders to challenge one another and coordinate actions. One interviewee noted how the Summit was the envy of other nations in the UK, with comparable organisations in other devolved nations lamenting the lack of ability for government engagement on key issues. It would appear that the fora are an effective example of Welsh Government embedding its *Team Wales* approach, underpinned by both the Future Generations Act and the much-touted social partnership approach (as established in the Social Partnership and Public Procurement Act⁵¹).

The high-level nature of the Summits has consistently been mentioned as their key strength, with leadership level representatives from key organisations such as Dŵr Cymru, Ofwat, NRW and others bringing status and importance. Interviewees suggested that such high-level representation led to the Summits (originally at least) being action-focussed, reflecting a feeling that ‘the right people’ to solve the issue were in the room.

Therefore, if calling for a broader attendance list at future Summits, this should be taken into careful consideration as this may dilute the ability for the Summits to create meaningful change at the decision-making level.

Narrow focus of the Summits: economic development SACs and phosphorus pollution

Several interviewees expressed concerns about the narrow remit and focus of the Summits, concentrating predominantly on the issue of phosphorus pollution in SAC rivers. This matter comes to the heart of the Summits, their purpose and their impact.

From the outset, the focus of the Summits has been tackling phosphorus levels in SAC rivers. This focus has come directly from the impact that new stringent regulations imposed by NRW have had in constraining development projects that affect vital Welsh Government targets. This is reflected in the Welsh Government evidence pack⁵², which made the case for their focus as well as identifying the key problem of constraining the ability of the government to reach house building targets as well as identifying key sources of pollution.

Unsurprisingly, most interviewees noted that the impact on developments and housebuilding successfully led to the buy-in from Welsh Government leadership to improve the quality of SAC rivers. This resulted in significant resource and time allocated to the issue, catalysing a sense of urgency and the need for taking a collaborative approach.

A range of perspectives were provided regarding the aforementioned Summits’ focus.

Some stakeholders highlighted that this narrow focus was a key strength of the Summits, giving them purpose, direction and a bigger impact. Importantly, for those supportive of this approach, the specific theme separated this forum from other similar events and discussions

⁵¹ [Welsh Government, 2022, Social Partnership and Public Procurement \(Wales\) Act](#)

⁵² [Welsh Government, 2022, First Ministers SAC Rivers Summit: Tackling Phosphorus Pollution in Special Area of Conservation Rivers: Information and Evidence Pack](#)

looking at related issues, which were discussed above (in this case, it is important to note that the respondents in question had seats around those other fora, which is not the case for many organisations who attend Rivers Summits). In these interviewees' opinion, the priority of the Summits tackling phosphorus pollution in SAC rivers has mobilised action on river pollution not seen previously.

On the other hand, other organisations interviewed believe that the Summits should focus on the overall protection of vital and precious river environments and ecosystems in Wales. The focus on phosphorus pollution in SAC rivers to enable development inherently ignores other, equally important aspects of river health including other concerning nutrients such as: nitrates, ammonia, sediments, soil, chemicals and plastic pollution. Focusing on river health as a whole would include examination of these issues, but these have been background issues at the Summits to date and therefore in policy and decision making. Some interviewees argued that the issue of river health is well beyond phosphates in SACs, with the need for nature recovery rather than an economic driver around housing needing to be the focus (a focus an interviewee noted, that was now lost, a subject returned to later in the report).

The aim of interventions and policy on phosphates also aims to make development in SAC catchments 'nutrient neutral'. Some interviewees questioned whether this was ambitious enough. Merely not making the problem of river health worse seems a low bar to some. What about actively working to improve the quality of rivers?

Some organisations also noted that the narrow focus on phosphorus levels in SAC rivers could lead to adverse consequences, such as silage and nutrient dumping in non-SAC rivers, for example. Taking a more holistic approach to river health, would avoid such siloed action and would enable a focus on river health in its broadest sense.

Whilst both perspectives have their merits, if our priority is improving river health and biodiversity, it is arguable whether phosphates in SAC rivers should be the Summits sole priority. Indeed, whilst SACs contain some of the most precious and at-risk river environments, and phosphorus is a major source of excess nutrients, it should not be seen as the sole issue. Consequently, the Rivers Summits, as the high-level forum that they are, should be utilised as an opportunity to collectively challenge and act on river health in its broadest sense.

A related point to the purpose of the Summits is that their focus on phosphates in SAC rivers was set at the outset by Welsh Government. This meant that broader issues on river health were never fed into the process. This constrained co-ownership of the direction of the Summits and led to some organisations being frustrated at the narrow focus from the start.

Summit Locations

The First River Summit and the Fifth Summit have taken place at the Royal Welsh Show: Wales' flagship animal agriculture showcase and thus an event which focuses attention on the state of the farming sector more broadly. To some extent, this makes the Show more than a mere showcase of livestock, produce and farming practices, but an event which has featured a degree of politicisation in recent years. Just last year (2023), the Royal Welsh Show signalled the sector's lack of support for the Welsh Government's proposed Sustainable

Farming Scheme⁵³, which became the focus of the week's media coverage⁵⁴ (which may be replicated in 2024).

With research suggesting that the agricultural sector is one of the key phosphorus polluters in SAC rivers in Wales, the location of the Summits could be seen as a divisive topic. One perspective highlights that the Royal Welsh Show is the ideal location to mobilise action from the agricultural sector. On the other hand, according to one of the farming unions we interviewed, the Show could be seen as an inopportune moment to challenge the sector on lack of policy progress, at a moment when it feels considerable pressure from legislation and government. As the Show aims to set out positive culture, value and impact for the agricultural sector, hosting the Summits risks alienating a sector which is already dealing with the effects of policy and funding decisions.

Additionally, the Royal Welsh Show involves a flurry of activity for agricultural organisations and their leaders, meaning that a two-hour Summit could distract from other diary priorities. Practically and logistically, therefore, having the Summits at the Royal Welsh Show can be seen as ineffective if the intention is to carve out time for deep, focused conversations on policy priorities for the sector.

Finally, attempting to focus on rivers as a distinct issue could be eclipsed by broader areas of frustration the farming sector is experiencing with Welsh and UK Governments. Namely, the future of agricultural payments systems, in this case, the Sustainable Farming Scheme and COAP (the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021)⁵⁵ at a Welsh level and grievances with the replacement of funding guided by the EU's Common Agricultural Policy⁵⁶. In this environment, hosting the Summits at the Royal Welsh Show can be considered to be an inopportune moment to address the subject of river health, given the broader issues facing the sector.

Losing momentum?

A number of interviewees highlighted how they felt that momentum of the Rivers Summits had substantially fallen. There was a general consensus that the First Summit was an effective forum for successful challenge of Welsh Government and high-level stakeholders. This Summit was described as 'action focused', with an emphasis on constructive challenge, collaboration to achieve shared goals and the production of an action plan coalescing tangible impact from the group.

Importantly, the inaugural Summit catalysed action. It led directly to the production of the Rivers Summits Action Plan⁵⁷. This formed the basis for all of the actions and investment by Welsh Government, NRW and other stakeholders, such as Dŵr Cymru. The Action Plan created, in part, at the First Summit, led to the establishment of Nutrient Management Boards (with accompanying resourcing), a set of immediate action on permits, and setting

⁵³ [Welsh Government, 2024, Sustainable Farming Scheme](#)

⁵⁴ [ITV Wales, 2023, Key discussions over future of farming ahead of Royal Welsh Show 2023](#)

⁵⁵ [Welsh Government, 2021, The Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021: guidance for farmers and land managers](#)

⁵⁶ [FUW, 2024, FUW sends clear message to incoming UK Labour Government for a fair annual funding for Welsh agriculture](#)

⁵⁷ [Welsh Government, 2023, Relieving pressures on Special Areas of Conservation \(SAC\) river catchments to support the delivery of affordable housing: action plan](#)

clear standards for action. Whilst there is argument about what the Summits have achieved to date, it is clear that the majority of progress to date has been catalysed by the First Summit and not subsequently built upon in the following three Summits.

Later Summits were deemed by some attendees to be less effective, primarily focussing on case studies of projects rather than analysing whether progress against targets was made. A number of interviewees noted that they no longer have confidence that recent Summits have achieved anything at all. An interviewee stated that recent Summits have merely showcased work that was already underway. A reset in intention and activity of the Summits is therefore urgently required as well as timely in a political sense.

Finally, it was noted by numerous interviewees that the success of the initial Summits may have been due to the strict focus on phosphorus pollution in SAC rivers. This strict focus enabled a set of actions to be agreed at pace, driven, in part by high level political leadership and funding being allocated. Some interviewees noted that recent Summits have broadened the scope of the discussions, onto wider issues of river pollution. This broadening has happened despite the remit of the Summits remaining about phosphorus pollution in SAC rivers. As such, momentum has been lost, with a lack of leadership on what the focus of the Summits should be.

Opportune moment for a refresh

With a new Government incoming and a relatively new Cabinet Secretary for Climate Change and Rural Affairs, in Huw Irranca-Davies, the majority of stakeholders felt that the Fifth Summit (and beyond) presents an opportunity to refresh the mechanisms of the Rivers Summits.

Some stated that the political commitment to the Summits appeared to be waning, with a lack of activity in actioning outputs and kicking on the agenda of tackling river pollution. It is also important to note that the Summits came directly from the Welsh Labour Government's Programme for Government⁵⁸, which was established under a prior government. As commitments in other areas have waned (such as Council Tax reform and the Sustainable Farming Scheme rollout), perhaps this agenda has as well.

This being said, there is certainly a degree of political space for the Cabinet Secretary to operate in, and show his leadership on the issue of river pollution, particularly as he has seemingly successfully managed to reset relationships with the farming sector (although with the contentious for the sector Sustainable Farming Scheme only delayed⁵⁹, this may have a limited effect). Interviews with farming representative bodies attested to this positive progress in their relationship with Welsh Government.

To sum up, if there is a need to reset and refresh the mechanisms for the Summits, to ensure they address issues with improving river quality in Wales, it would appear that now is an opportune time.

Agriculture - the key issue

⁵⁸ [Welsh Government, 2021, Programme for Government](#)

⁵⁹ [BBC Wales, 2024, Protest-hit farm subsidy plan pushed back a year](#)

A number of interviewees considered that the key issue with river pollution, in terms of numbers, comes from the agricultural sector, with figures showing that circa 75-80 percent of pollution comes from agriculture and 20-25 percent from water companies (mainly from flood water overflow and sewage leaks).

A number of interviewees, however, noted that the agenda of the Summits to date seemed to focus more on water companies than on agriculture, which is a larger source of phosphate (and other harmful nutrients, such as nitrate and ammonia). Respondents highlighted that whilst some progress has been made on influencing water companies (future investment decisions by Dŵr Cymru, for example), the Summits have not 'led to any substantial change to the activities of the agriculture sector'.

Indeed, several interviewees flagged up the lack of effective engagement from the agricultural sector so far. This is also reflected by the view of some in the sector contesting the evidence base produced at the beginning of the Summits process⁶⁰.

From desk based research and interviews, it is clear that this comes at a time of profound uncertainty and stress for the agricultural sector. Post-EU farming support schemes at UK and Welsh Government level have led to significant challenges for the industry, including the delay of the Sustainable Farming Scheme hampering the creation of a truly sustainable agricultural payments system. The sector clearly needs more clarity and certainty, and this includes funding to support farms of all sizes in Wales, enabling them to divert away from the intensive farming model of recent generations. This upending of the sector will require not only funding to support non-market based investments and activities, but also stringent enforcement of environmental legislation designed to protect the environment and our ecosystems.

A number of interviewees stated that enforcement of and compliance with existing regulation on river pollution was weak. Additionally, funding mechanisms continue to focus on income support for farmers rather than rural and environmental development. Using funds to incentivise longer-term sustainable land management is vital. Whilst some of this is beyond the scope of this report, it is important that such issues are addressed by the Summits, as a key forum to catalyse action on river health.

It is a pivotal moment for stakeholders to take urgent action to tackle river pollution. Yet, past Rivers Summits have failed to recognise the agricultural and farming sector as the key issue, and to identify key stakeholders who are able to address the problem. Many farmers want to do the right thing, but are either unsure on how to do so, or are unable to due to lack of funding to support action (this is especially the case for the capital investment required).

The need to tackle agricultural sources of river pollution at the Summits also speaks to the need to take a broader approach, looking into a wider group of nutrients. An interviewee highlighted that current regulations⁶¹ are focussed on nitrogen, but not on phosphorus or

⁶⁰ [Welsh Government, 2022, First Ministers SAC Rivers Summit: Tackling Phosphorus Pollution in Special Area of Conservation Rivers: Information and Evidence Pack](#)

⁶¹ [Welsh Government, 2023, The Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021](#)

ammonia. Taking this into consideration at the Summits could, therefore, be useful in tackling the wider challenges of river pollution.

Ironically, the agricultural sector is also best positioned to benefit from the investment into our rivers' health, with improvements to water quality also supporting habitats, ecosystems and alleviating local flooding risk.

Our interviews acknowledged that agriculture and land use present the hardest challenges to address when it comes to river pollution and that potentially that is another reason why focussing on the sector has been avoided to date.

Note, however, that the above does not mean a lack of focus on improving the performance of water companies in Wales, which is amongst the worst in the UK.

Ownership and challenge - independent facilitation?

A stakeholder noted that Welsh Government have led all Rivers Summits to date, apart from Summit Four, which was chaired by NRW, presumably due to the presentation of NRW related projects.

One interview respondent proposed that the Future Generations Commissioner could take the position of an independent convenor of the summits in the future. This was suggested not merely because of the culture of constructive challenge between the Commissioner's Office and the Welsh Government, but also due to the five ways of working as laid out in the Act⁶². Using the five ways of working as an approach to underpin the work of the Summits could be useful.

It is important to note here that The Churches in Wales are planning to host their own summit on rivers, entitled *Restoring Welsh Rivers Summit*, in autumn 2024⁶³. Part of the reason for this is to have the Church as an independent broker of broad conversations on river health and biodiversity, acknowledging that the government shouldn't act as the sole provider of discussions on such an important issue for communities in Wales. The summit will attempt to bring together similar stakeholders to the Welsh Government's River Summits, attempting to encourage dialogue and change between actors who may disagree on elements of focus to tackle river pollution.

For the Summits to be successful they must effectively cultivate an environment of constructive challenge and collaboration with a shared mission. This sense of shared endeavour appears to have slipped as the Summits have progressed.

Independent facilitation could also lead to a parity of ownership of the focus of the Summits, enabling all organisations to contribute to the agenda. It was noted by an interviewee that whoever hosts the conversation and relevant evidence has a large sway over the direction of the Summits and their subsequent outputs. Some interviewees stated that they didn't have an opportunity to contribute much at all, and this has even further reduced over recent editions of the Summit.

⁶² [Welsh Government, 2015. Well-being of Future Generations \(Wales\) Act 2015: the essentials](#)

⁶³ [The Church in Wales. 2024. Restoring Welsh Rivers Summit](#)

Marine SACs - an incoming issue?

Interviews highlighted that NRW are in the middle of collecting evidence on marine SACs (as opposed to river SACs). This could potentially see coastal SAC waterways fall under phosphate legislation, which led to action on river SACs. When this work is completed and published, it is expected to have an impact on development in different areas of Wales than those in river SACs. Namely, the majority of river SAC catchments are situated in rural parts of Wales, whereas marine SACs are present in more populous parts of the country, close to Wales' urban population base. It was highlighted by a couple of interviewees that this could result in a major issue potentially constraining development across housebuilding, commercial and industrial sites, and having a negative economic impact in areas of Wales' coastline and along estuaries.

As with river SACs, such a designation could lead to an urgent need for action from Welsh Government as this could have a detrimental impact on many Welsh (and UK) Government policy areas, such as transport infrastructure and renewable energy projects. As both endeavours sit at the heart of government plans for green economic growth, this could present a significant challenge.

Whilst it is unclear whether this designation will happen until NRW report their findings, it poses another question over the mechanism through which Wales looks at the issue of river health, pollution, nutrient management and protection of precious habitats. Rather than centering progress on these issues, the Summits consider the protection of natural environments as a by-product of enabling development projects. In this, ecosystems are seen as a barrier to overcome, rather than a primary end in and of themselves. The potential emergence of marine SACs as a challenge may result in further interest in the health of coastal waterways, which will be welcome, but it need not be seen as a means to an end.

Accelerating progress: Establishing key roles, responsibilities and actions

Several interviewees referred to a 'frustrating' lack of progress on tackling river pollution since the first Rivers Summit. Whilst some positive actions have happened, such as the setting up of Nutrient Management Boards, the longer term set of actions have failed to progress.

Delving into the role of NMBs specifically is a good example to illustrate the argument. NMBs have been set up to co-produce nutrient management plans for all SAC river catchments in Wales (although these are yet to be published). Yet, their funding settlement, agreed at the first Summit, is currently scheduled to come to an end at the close of the financial year in 2025, despite not achieving much tangible difference to river quality (yet). There will be no improvement unless action is taken against the plans. Yet, it is not clear whether NMBs will be the bodies which are in practice tasked with implementing their action plans or not (and importantly, whether they will be adequately resourced to do so).

Throughout each interview it was clear that stakeholders were unsure who was responsible for what. A number suggested that Welsh Government need to fill this gap in responsibility and take ownership of the actions. Summits would appear a key place to fill this gap, providing certainty to different stakeholders tackling a complex and long-term set of challenges facing river health.

Investment at scale has also been highlighted across several interviews, whether that is incentivising agriculture to invest in tackling pollution, creating innovative nature-based projects, or in sustainably funding NMBs to produce results. There is a need for Welsh Government to restate their commitment to combating river pollution and commit to a long-term funding plan alongside a clear plan of actions to tackle river pollution in its widest sense. Making the most of the Summits as a forum to do so is vital. This is particularly the case if innovative finance methods are needed to be used due to the current constraints on the Welsh Government's budget.

As with many policy areas in Wales, the policy is largely good and the delivery is poor. As the issue of river health continues to stagnate, implementation of action is urgently required. The Rivers Summits can play a key role in pledging funding, taking effective case studies and projects, scaling them up and mainstreaming nature-based solutions to river pollution, an issue of great concern to communities across the nation.

Lack of innovative methods planned

A number of respondents highlighted how the Summits could enable the roll-out of more innovative methods to tackle river pollution. Some interviewees noted that case studies presented to the Summits showed 'business as usual projects,' the type of which have been 'seen for twenty years' (although this was contested by those involved with said 'demonstrator' projects).

It was noted that planning constraints inhibit innovative projects. This is particularly the case for the agricultural sector, with small farms unable to take the financial risk of investing in innovative projects for fear of becoming stuck in the planning process.

The Summits could thus have a role in platforming more innovative, nature-based solutions to river pollution. Importantly, this would need to be reflected in the need to sustainably and adequately finance wholescape, nature-based solutions, which are fit to tackle the problem.

Broadening the scope of the Summits may also enable the provisioning of a wider set of innovative solutions to tackle river pollution at large. Interviewees stated that, when taking a wholescape approach, river pollution, from all sources, is a complex problem that requires an (at times) complex mix of solutions to tackle. Broadening the scope of the Summits (including allocating appropriate funding) could lead to more impactful interventions which tackle all sources of pollution.

Citizen Engagement

Some interviewees raised a concern that citizen engagement in regards to the work of the Summits and their purposes was sorely lacking. It was noted that public awareness and concern of river pollution has been substantially raised over recent years with effective campaigning catalysing activism on the issue.

The growth of citizen science and monitoring of water quality led NRW to produce an assessment on the use and acceptability of citizen science to support better water quality for Wales⁶⁴ as well as an evidence report on the use of citizen science in their monitoring

⁶⁴ [Natural Resources Wales, \[N.d\]. An assessment of the use and acceptability of citizen science data to support better water quality for Wales](#)

processes⁶⁵, both intended to identify a role for citizen science. Nonetheless, a river pollution activist who we interviewed stated that these projects do not work in reality, as they do not use citizen science readings as the basis for enforcement. It was argued by the interviewee that in England there is a better consideration of the use of citizen science in monitoring water quality.

Identifying a clear role for citizens when it comes to contributing to the conversation on river pollution is important, and the Summits can play a part in creating this space. But it is equally important to note that citizen-led projects should not be taking the role of either statutory bodies or government (such as citizens doing water monitoring). Defining a clear role for citizens is therefore important to mobilise energy and enthusiasm against river pollution. For example, how can citizens co-produce river health and landscape regeneration projects? They shouldn't just be involved in making up for the deficiencies of regulatory monitoring, or merely holding decision-makers to account. They should be empowered to come up with solutions in the communities in which they work and live. Importantly, this involves funding community groups to contribute to solving shared problems.

In addition, public communication of the Summits should improve: a press release at the end of each Summit has been described as 'inadequate' considering the importance the Summits bring to an issue of high public concern. Committing to a set of actions and outputs, owning both progress and failure at all levels, is the only way to rebuild trust between stakeholders and the public, who are justifiably concerned about river ecosystems.

Whilst this issue is potentially beyond the scope of this piece of work, and more in line with the wider Commissioner's Call for Evidence,⁶⁶ it was still raised in interviews.

Summit size, membership and management

The high level membership of the Summits were regarded by most interviewees as their key strength. Yet, ahead of the Fifth Summit, a number of organisations stated that they were not being invited to attend due to a lack of space at the Royal Welsh Show, as well as no accompanying online function for those that couldn't attend in person.

This has led to frustration and dissatisfaction from key organisations who feel they have been shut out of the conversation. With organisations, who have this as a key cause of their charitable role, unable to attend, this raises concern around the representation and purpose of the group as a meaningful opportunity to challenge action and inaction. It was also noted that some of those that had been 'uninvited' to the Fifth Summit had to consistently chase Welsh Government to see whether they were allowed to attend or not. Such feelings can quickly lead to a sense of apathy for the Summits as a forum to drive change. This is especially the case for third sector organisations, who are under significant resource and time constraints.

This comes on top of the Summits' perceived loss of momentum as already expressed in this report.

⁶⁵ [Natural Resources Wales, \[N.d.\], Evidence report 90: Monitoring Review - Citizen Science and the delivery of monitoring in NRW](#)

⁶⁶ [Future Generations Commissioner for Wales, 2024, Call for Evidence announced as Future Generations Commissioner for Wales, Derek Walker, says people are fed up of the state of our waters](#)

Evidently, there is a need to treat all stakeholders with respect as well as valuing the critical role they have in protecting the environment in Wales. For the Summits to be effective they require the input of all, including our communities, free to robustly and constructively challenge progress.

On a related note, some stakeholders noted that the group has increased in numbers since its first iteration and that this could inhibit the ability for Summits to fulfil their purpose.

There are risks associated with having such a large group, yet, organisations rightly feel they need to be present at such an important forum focused around a key policy area shared by many. Importantly, this means continuing to welcome and include input from organisations with environmental protection as their remit.

What is clear from the above is that improvements can be made to the governance of the Summits, especially in their communications to organisations.

Recommendations

The above findings detail some of the issues identified in the desk research, and brought up in the 13 interviews the IWA undertook as part of this project. Below are a set of recommendations for the Future Generations Commissioner to consider as part of their work on assessing river pollution challenges and practices.

1. Welsh Government must renew commitment to Rivers Summits under a new First Minister and Cabinet Secretary to reinforce their credibility, purpose and urgency. Political leadership, ownership and accountability of tackling river pollution is vital.
2. Welsh Government should restate the key purpose of the Summits, indicating a broader remit, which focuses on river health more broadly, taking into consideration:
 - a. Nutrients beyond phosphates (which should remain a consideration as a major polluter), such as nitrates, ammonia as well as soil health
 - b. Include rivers beyond SAC rivers (notwithstanding that these should continue to be a priority, merely not an exclusive one)
 - c. A focus beyond impact on housebuilding and development
 - d. A clear decision on whether the focus of the Summits is holding stakeholders to account, or turbocharging delivery of actions.
3. If point 2) is established, and a broader approach taken, Welsh Government should consider:
 - a. Reviewing and renewing the Summits' governance structures
 - b. Setting up smaller sub-groups of stakeholders to tackle issues in-depth, reporting back to River Summits as the overarching forum.
4. Welsh Government should co-produce a map of stakeholder roles and responsibilities when it comes to tackling river pollution, which will be co-produced at a future Rivers Summit. This should:
 - a. State the roles and responsibilities for each stakeholder (including agricultural businesses, water companies, NMBs and regulators), and ownership of actions
 - b. Identify who is funded to deliver what, and how?

- c. Be long-term in focus to provide certainty.
- 5. Welsh Government should use the Rivers Summits to clarify the role of Nutrient Management Boards over the long-term. This should aim to establish:
 - a. Their long-term remit
 - b. Their responsibility for action and measurement of improvement in water quality in SAC rivers and beyond
 - c. What their long-term funding settlement is.
- 6. Find a suitable, neutral venue to host future Summits.
- 7. Future Rivers Summits should expressly focus on putting in place long-term funding arrangements for tackling river pollution.
- 8. Future River Summits should place a greater focus on outputs and evidence including:
 - a. Data on outputs of investment projects
 - b. Effective monitoring against actions
 - c. Nutrient management readings to analyse improvement or lack thereof
 - d. Producing a clear set of progress indicators to tie in action for the future.
- 9. Future Summits should showcase more innovative, nature-based approaches to tackling river pollution and their effectiveness to be rolled out at pace and scale.
- 10. Future Summits should focus on the production of a clear action plan for tackling agricultural sources of river pollution including:
 - a. Public subsidy regimes for the sector to tackle pollution
 - b. Ring-fenced support for farms to invest in nature-based solutions alongside an education budget to inform best practice. This should encompass clear, practical guidance and support for how farms can use nature based, regenerative farming practices to limit run-off of nutrients, adopt effective slurry storage and to reduce legacy phosphates in soils
 - c. Tackle lack of compliance and enforcement against existing regulations.
- 11. Consider the role of an independent Chair for future Rivers Summits.
- 12. The Rivers Summits must improve public communication and engagement. The health of rivers and waterways is a matter of considerable public interest, yet the communications from Welsh Government is poor and opaque. Future Summits should:
 - a. Provide a clear list of actions agreed at each Summit
 - b. Provide a greater overview of presentations made
 - c. On contentious areas, co-produce and consult with stakeholders, including members of the public.
- 13. Future Rivers Summits should examine the long-term role of citizen science which leads to longer term action on identified trends.



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The Rt. Hon. Steve Reed
Secretary of State for the Environment, Food and Rural Affairs
2 Marsham Street
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12 September 2024

Dear Secretary of State,

EIP Rapid Review

Thank you for your letter of 22 August requesting our advice on reviewing and updating the Environmental Improvement Plan (EIP). In launching this review, you stated that without nature there is no economy, no food, no health or society. We wholeheartedly agree. Investment in improving the environment will deliver benefits that go far beyond Defra's five priorities, underpinning Government's wider objectives of securing economic growth, clean energy infrastructure, and housing as well as delivering a healthier, fairer and more prosperous society.

The review is an opportunity to make the EIP this Government's central strategic plan to raise environmental ambition and momentum and ensure that actions match the real and significant challenges we now face.

As I know you appreciate, the EIP should set out how the steps government intends to take 'stack up' towards achieving Environment Act targets and other commitments. Transparent delivery planning is fundamental to the accountability Parliament intended in providing for an EIP and targets. It can clarify risks and inter-dependencies and make your priorities clear and certain for all.

I know you are already considering the recommendations from our January 2024 EIP progress report, including those relating to delivery planning. Those recommendations remain highly pertinent and form the context within which the OEP provides its independent advice.

Advice on prioritising actions within a revised EIP

You asked for our recommendations on prioritising actions that have the biggest impact on significantly improving the natural environment. You have already set five priorities for Defra that, alongside the Government's continuing commitment to Net Zero, address important areas for environmental improvement. In our view, government should focus on the right *actions* to deliver against those priorities, as well as statutory environmental targets.

Ideally, prioritisation should be underpinned by sound analysis of the main drivers and pressures and an assessment of the impact of proposed policy actions, individually and collectively. The evidence base published by government falls short, but in our work, we

regularly analyse the evidence that is available and from that we propose five priority actions.

In our view, these actions will deliver benefits **across** EIP goals and your priority areas and contribute to meeting several targets. Greater scale and pace is needed with respect to each of these actions if government is to secure the long-term improvements it has committed to.

- 1. Get nature friendly farming right.** The engagement of farmers and landowners is essential to government achieving Environment Act targets and its other environmental ambitions. Our analysis shows the latest Environmental Land Management schemes (ELMs) are promising with respect to landscape recovery and halting the decline in species abundance on land. However, we identify limited capacity for reducing water pollution, supporting your priority of cleaning up rivers and lakes, without both changes to the current schemes and changes to the regulatory approach (see point 7 below).
- 2. Maximise the contribution of protected sites for nature.** Protected wildlife sites contribute towards achieving the suite of national biodiversity targets and international commitments such as 30 by 30, as well as providing wider environmental, economic and social benefits. However, the current framework is not working well enough. Levels of legal protection not only need to be maintained but enhanced and enforced. Further steps should be taken urgently to correct underinvestment in site designation and management (including via ELMs) and improve overall governance and engagement with partners.
- 3. Speed up action in the marine environment.** Government is unlikely even to meet its limited commitment this year to ban all damaging activities in Marine Protected Areas. The latest data from OSPAR confirm the UK will more than likely not have met marine good environmental status, a legal requirement. This lack of progress highlights the need to more rapidly deliver current steps to achieve targets and commitments. Remaining Marine Protected Area byelaws need to be urgently put in place. Government needs to implement a new UK Marine Strategy that focuses action on those descriptors not at good environmental status to maximise progress and minimise the delay in achieving that overall objective.
- 4. Set out clear mechanisms for reconciling competing demands for use of land and sea.** The way land and sea are used is one of the biggest drivers of biodiversity loss. Environmental pressures will become more acute with the need to develop clean energy infrastructure and housing, while delivering your priorities of food security and protecting communities from flooding. We await further progress on mechanisms such as Local Nature Recovery Strategies, a Land Use Framework, and detailed catchment and marine spatial plans. These can secure coherence between environmental and other priorities but need to be expedited and effectively integrated in practice into planning decisions. The Prime Minister has made plain the prospect of difficult decisions. We encourage you to be bold. These tools can do so much if drafted with purpose and real intent.
- 5. Develop a circular economy framework.** Progress in this area has been too slow. Government has an opportunity through an update of the Resources and Waste Strategy to establish the framework for a circular economy. This would deliver economic benefits and improve environmental outcomes across many areas, including nature recovery, but it requires the efforts to go beyond waste. This includes the acceleration of a new UK policy and regulatory framework for chemicals, since clean material cycles and products being sustainable by design are crucial steps to

achieving residual waste targets and progress towards your priority of a zero-waste economy.

In addition, there are three cross-cutting areas where government can take steps to enable progress and secure effective implementation of the EIP:

- 6. Mobilise investment at the scale needed.** Government's target of private investment for nature recovery will be challenging to deliver but is a key enabling step, alongside continued and well targeted public investment. Biodiversity net gain makes a good start, but more private investment is required. Government needs to provide strong incentives, oversight and regulation to create the market confidence to deliver rapid, substantial growth in investment and the capability and capacity of the environmental sector to make the most of that investment.
- 7. Regulate more effectively.** We welcome the commitment you made to Parliament this morning to review regulation to ensure that it is fit for purpose across Defra. In my view, both harder-edged regulatory tools and incentives will be crucial in achieving Defra's priorities, including for clean rivers, lakes and seas. Regulation is all about knowing in sufficient detail how things stand and then using regulatory tools and approaches in a considered way to get people to act in ways they would not otherwise choose, for the purpose of addressing root causes. I (rather than the OEP) have advised previously on effective regulation in this sphere. To create and restore wildlife habitats, such as through tree-planting, more certain and generous incentives may help to overcome known barriers, but I suspect more radical solutions are also required if both tree planting and nature recovery are to happen at the scale needed.
- 8. Harness the support needed to achieve ambitions.** Clear leadership is needed at the highest level to ensure cross-government delivery and wider stakeholder buy-in. A revised EIP should be far more transparent and better communicated. It should explicitly state who will do what, how much and by when and detail what the intended outcomes of actions are. This should be coupled with engagement with non-government bodies and the public to harness their willingness to contribute. Steps in the EIP to enhance engagement are important in building public support for action. The Environmental Principles Policy Statement could also be linked directly to the EIP as a tool for you to use to secure cross-government delivery of environmental ambitions alongside government's other priorities.

You asked for our recommendations on re-prioritising actions with less significant impact. We have always taken the view that, although government needs to respond to all environmental pressures, some pressures are more urgent, more harmful and more widespread than others. We have long advocated prioritisation.

No doubt you will give precedence to steps to deliver statutory targets. Good prioritisation criteria and good analysis can help but there will inevitably be judgement to be exercised, taking into account, for example, where environmental tipping points may be reached. We hope that the advice we have provided here will assist. In addition, we recommend you are transparent about the basis of any prioritisation decisions.

We also recommend that you consider prioritisation over the right timescales. While government will need to focus resources over the short term (i.e. the next five years), the 18-year period remaining for the EIP enables re-prioritisation and the phasing of activities over a longer horizon to maximise impact and secure timely progress. A revised EIP should set out steps with a view to their phasing within this longer-term context i.e. up until January 2043.

Phasing and re-prioritisation should be supported by the assessment of the likely impact of steps, their timeframes and feasibility. This assessment will need to factor in the often considerable time lag between interventions and improvements in environmental outcomes. Given the pace and scale of improvements needed, some significant frontloading of actions and investments will be essential.

Advice on highlighting risks and inter-dependencies within a revised EIP

Our advice here is to focus on the big risks and the most critical inter-dependencies, to be sufficiently clear and precise about them in a revised EIP, then to actively manage them through delivery. Greatest attention should be paid to those actions prioritised for the significance of their contribution.

An essential part of addressing risks and inter-dependencies is a monitoring, evaluation and learning framework to identify and react to risks and opportunities as they materialise or change over time. Defra's Annual Progress Reports should play an important part in monitoring and evaluating progress and enabling timely course correction where needed. Our 2023/24 EIP progress report provides recommendations on how this could be achieved.

Inter-dependencies across government are also deserving of particular attention. More could be done to press this home and actively manage these. True cross government working will be needed to ensure the opportunity to enhance nature is taken, for example between Mission Control for clean energy and Defra. The EIP identifies cross cutting themes which are intended to cover inter-dependencies and increase coherence by tying together delivery across policy areas. However, there is insufficient action in areas such as enabling green choices. Society can be made greener by design, the public better engaged, and businesses, communities and citizens empowered by removing practical barriers to action.

In reviewing the EIP, Defra will of course have due regard to the Environmental Principles Policy Statement. The environmental principles (such as the integration and precautionary principles) can be a means of identifying and managing risks and inter-dependencies, with the EIP explaining how government has done so.

The risks and interdependencies between statutory targets and domestic implementation of other commitments should be clearly set out in a collated form in a revised EIP. This facilitates better alignment in environmental outcomes. The value of this is illustrated by government's recent submission to the Clearing-House Mechanism of the Convention on Biological Diversity. Our review of the submission shows that the domestic commitments and actions submitted for England fall short of what would be required to achieve many of the associated targets, including 30 by 30 targets. Hence, the submission clearly shows inter-dependencies and lays bare the gaps, which should facilitate them being addressed.

Streamlining EIP content

We recommend that the ten over-arching goal areas set out in the current EIP are retained. They provide a useful framework covering the main aspects of environmental protection and improvement.

However, the EIP's focus needs to be on the steps government intends to take, when, and how those steps 'stack up' to achieving targets and other commitments. The EIP needs to clearly identify the intended steps and explain the improvement each is expected to achieve. If the EIP is to act as a transparent delivery plan, each step needs to be linked explicitly, and in quantified terms wherever possible, to progress against specific

Environment Act targets, interim targets and/or other commitments. Our last EIP progress report identified 40 important targets and commitments that we believe are most relevant.

Fewer than half the measures mentioned in the current EIP are unambiguously linked to delivering Environment Act targets, and very few indeed are quantified. This makes it challenging to understand whether or how measures create a pathway towards meeting government's targets, albeit they may well do so. The 700 plus statements in the current EIP about actions are duplicative and there is scope for consolidation. This could reduce the number by over half, making it easier for readers to navigate the EIP and identify the priority actions.

Implementing commitments effectively

We very much welcome your recent announcement of a fundamental and comprehensive review of water in the round and confirmation that our recommendations will inform it.

Much rides on getting the approach to water right for the longer term. Meanwhile, we have produced relevant reports on how key regulations governing water quality are working in practice, with specific recommendations on improving this.

We are also finalising studies into the effective implementation of laws relating to bathing waters, and (more broadly) on protected wildlife sites and environmental inspections. We will be publishing reports on these issues in the coming months. We would be happy to discuss our findings from these studies with your officials in advance of publication, where it would be feasible and helpful to the EIP review.

Government will need to act quickly to make up lost ground and meet its Environment Act targets and other environmental commitments. In recent years progress on both nature recovery and tackling climate change has been slow. The EIP review presents an opportunity to improve EIP delivery and integration with climate and wider policies. This will help ensure that EIP steps take a changing climate into account and demonstrate that this is a government not only for Net Zero but also for nature.

The OEP stands ready to provide further independent advice or expand on any of the points above in discussion with your officials. We look forward to working with you further on the EIP review.

Yours sincerely,



Dame Glenys Stacey
Chair, Office for Environmental Protection

