

Partnership Meeting

[Post meeting] Supplement A to the agenda for

Wye Catchment Nutrient Management Board

Wednesday 22 October 2025

2.00 pm

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

		Pages
2.	MATTERS ARISING FROM THE 16 JULY 2025 MEETING Further to the discussion at the 16 July 2025 meeting (link to the notes) and referenced at the 22 October 2025 meeting, in relation to the Natural Resources Wales (NRW) press release 'Environmental permit change consultations launched', Ann Weedy has provided the following update: In the July NMB, I provided the Board with an update to say that NRW were about to consult on the issue of 3 environmental permits for expansions of existing poultry farms in Powys. Our press release issued at the time is attached. Following this consultation, which closed in August, and the consideration of the responses received, the documentation is now going through its final internal review. NRW will issue a further press statement with our decision as soon as this review is complete.	3 - 10

13. CORRESPONDENCE WITH WATER COMPANIES ABOUT BIOSOLIDS

11 - 12

Further to the discussion at the 22 October 2025 meeting, the following updates are provided:

- The response of the Severn Trent EIR team to Councillor Swinglehurst's query about biosolids is attached.
- Councillor Swinglehurst has spoken with Tom Lissett from United Utilities and he has confirmed that they do not sell biosolids into the catchment.

Environmental permit change consultations launched

Consultations have been launched for environmental permit applications for the expansion of three existing poultry farms.

Natural Resources Wales (NRW) is consulting on permit variations at Llanshay Farm (Knighton), Neuadd Isaf Farm (Llandrindod Wells), and Rhosddu Farm (Llansantffraid-ym-Mechain), under the Environmental Permitting Regulations (England and Wales) 2016.

Following our assessment of the proposed changes to the three farm permits, and having taken into account all the relevant considerations and legal requirements, we are minded to grant the requested changes.

Each of the proposed permits contain conditions and limits to protect human health and the environment, and ensure best available techniques are followed by site operators.

The consultations run between Thursday, July 10 and Thursday, August 14 and you can find out more information via NRW's [consultation hub](#).

Nick Bettinson, NRW's Permitting Service Manager, said: "We understand there is likely to be public interest in these applications, so we want to give the public and interested parties an opportunity to comment on our draft decisions.

"Having carefully assessed these three applications, we are minded to grant the variations and are now inviting local residents, community groups, stakeholders and businesses to take part in the consultations and have their say.

"We want to reassure the public that we only grant a permit variation if the proposal meets the requirements of the Environmental Permitting Regulations, and the operator has the ability to meet the conditions of the permit."

Operators of poultry farms with more than 40,000 birds need both a permit from NRW and planning permission from the local authority to operate - both of which are applied for and issued independently.

Where a poultry farm is subject to both Environmental Permitting Regulations and planning consent, it is the Local Planning Authority's remit to consider the implications of off-site manure management.

The permitting process can only consider emissions from permitted sites for which NRW has the power to regulate. NRW cannot legally regulate manures from permitted sites through permit conditions, once it has left the permitted boundary.

You can find out more information for each consultation by visiting:

[Llanshay Farm](#)

[Neuadd Isaf Poultry Farm](#)

[Rhosddu Farm](#)

Or you can request a copy of the information from us by emailing
permittingconsultations@naturalresourceswales.gov.uk

Notes to editors:

- An Environmental Permitting Regulations (EPR) permit is required for all poultry units with capacity for over 40,000 birds.
- Where intensive poultry farm applications fulfil the requirements of the Environmental Permitting Regulations, we are legally obliged to issue the requested changes to the permit, including for those farms located within Special Areas of Conservation (SAC) river catchments.
- Environmental permitting decisions are separate, independent processes and permissions from those required by the planning process and operators need both a permit from NRW and planning permission from the Local Planning Authority. They can be applied for and issued without the other and obtaining one does not necessarily mean the other will also be issued or granted.
- Case law has confirmed that the assessment of the potential impact of off-site manure spreading must be considered through the planning regime. NRW retains a critical role during the consultation phase of the planning process in terms of providing expert targeted advice.
- We have three applications that fulfil the requirements of the Environmental Permitting Regulations. We are carrying out public consultations on our draft decision for these applications, and we will invite local residents, community groups and businesses to input into the consultations.

- Following NRW's 2021 report on phosphorus compliance in Welsh river SACs, we paused determining permit applications for Intensive Poultry Units (IPU) which could potentially increase the phosphorus load, whilst we reviewed our policy and procedural requirements in relation to off-site manure management and sought legal advice.
- The conclusion of our review confirms that the fate of manures from permitted facilities cannot legally be regulated by NRW through permit conditions once it has left the permitted boundary of a unit. Therefore the permitting process can only consider emissions from permitted facilities for which NRW has the vires to regulate.
- Where a poultry farm is subject to both Environmental Permitting Regulations and planning consent, it is the Local Planning Authority's obligation to assess the implications of off-site manure spreading. This conclusion is supported by a Court of Appeal case in England (R (on the application of Squire) v Shropshire Council) and recent High Court judgement in the case of Caffey v Shropshire County Council.
- We are now legally obliged to recommence our permitting service for IPUs, including within SAC river catchments. Failure to do so could lead to legal action being taken against us for failure to fulfil our duties.
- As part of our wider work to improve water quality in Welsh rivers, we are working with the agricultural community as a whole to ensure farm activities are complying with the Control of Agricultural Pollution Regulations. Our dedicated team have visited more than 800 farms undertaking high risk activities since starting in January 2024, working with those farms where non-compliances have been identified to get the farm into compliance.
- We have informed the Welsh Government that we are resuming the permitting process and have shared the findings of our review with them.

Ymgynghoriadau wedi agor ar newidiadau i drwyddedau amgylcheddol

Mae ymgynghoriadau wedi agor ar geisiadau am drwyddedau amgylcheddol ar gyfer ehangu tair fferm ddofednod.

Mae Cyfoeth Naturiol Cymru (CNC) yn ymgynghori ar amrywiadau i drwyddedau ar Fferm Llanshay (Trefyclo), Fferm Neuadd Isaf (Llandrindod), a Fferm Rhosddu (Llansantffraid-ym-Mechain), o dan Reoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016.

Yn dilyn ein hasesiad o'r newidiadau arfaethedig i'r tair trwydded fferm, ac ar ôl cyfrif am yr holl ystyriaethau perthnasol a gofynion cyfreithiol, rydym yn bwriadu caniatáu'r newidiadau y gwnaed cais amdanynt.

Mae pob un o'r trwyddedau arfaethedig yn cynnwys amodau a chyfyngiadau i ddiogelu iechyd pobl a'r amgylchedd ac i sicrhau bod gweithredwyr y safleoedd yn dilyn y technegau gorau sydd ar gael.

Cynhelir yr ymgynghoriadau rhwng dydd Iau 10 Gorffennaf a dydd Iau 14 Awst ac mae rhagor o wybodaeth i'w chael ar [safle ymgynghori](#) CNC.

Meddai Nick Bettinson, Rheolwr Gwasanaeth Trwyddedu CNC: "Rydym yn deall ei bod yn debygol y bydd diddordeb gan y cyhoedd yn y ceisiadau hyn, felly rydym am roi cyfle i'r cyhoedd a phartïon sydd â diddordeb wneud sylwadau ar ein penderfyniadau drafft.

"Ar ôl asesu'r tri chais yn ofalus, rydym yn bwriadu caniatáu'r amrywiadau ac rydym bellach yn gwahodd trigolion lleol, grwpiau cymunedol, rhanddeiliaid a busnesau i gymryd rhan yn yr ymgynghoriadau a dweud eu dweud.

"Rydym am gynnig sicrwydd i'r cyhoedd mai dim ond pan fo cynnig yn bodloni gofynion y Rheoliadau Trwyddedu Amgylcheddol a lle bo gan y gweithredwr y gallu i fodloni amodau'r drwydded yr ydym yn caniatáu amrywiad i drwydded."

Er mwyn gweithredu, mae angen i weithredwyr ffermydd ddofednod sydd â mwy na 40,000 o adar gael trwydded gan CNC a chaniatâd cynllunio gan yr Awdurdod Cynllunio Lleol - ac mae'r broses ymgeisio ac o gymeradwyo'r ddau beth yn cael eu gwneud yn annibynnol ar ei gilydd.

Lle bo fferm ddofednod yn ddarostyngedig i Reoliadau Trwyddedu Amgylcheddol a chaniatâd cynllunio, cyfrifoldeb yr Awdurdod Cynllunio Lleol yw ystyried goblygiadau rheoli tail oddi ar y safle.

Dim ond allyriadau o safleoedd trwyddedig y mae gan CNC y pŵer i'w rheoleiddio y gall y broses drwyddedu eu hystyried. Yn gyfreithiol ni all CNC ddefnyddio amodau trwydded i reoleiddio tail o safleoedd trwyddedig ar ôl iddo adael y ffin a amlinellir yn y drwydded.

Gallwch weld rhagor o wybodaeth am bob un o'r ymgynghoriadau drwy ymweld â:

[Fferm Llanshay](#)

[Fferm Ddofednod Neuadd Isaf](#)

[Fferm Rhosddu](#)

Neu gallwch ofyn am gopi o'r wybodaeth oddi wrthon ni drwy anfon e-bost at permittingconsultations@cyfoethnaturiolcymru.gov.uk

Nodiadau i olygyddion:

- Mae angen Trwydded Rheoliadau Amgylcheddol ar gyfer unrhyw uned ddofednod sydd â chapasiti ar gyfer mwy na 40,000 o adar.
- Lle bo ceisiadau gan ffermydd dofednod dwys yn bodloni gofynion y Rheoliadau Trwyddedu Amgylcheddol, mae'n ofynnol i ni yn ôl y gyfraith ganiatáu'r newidiadau y gwnaed cais amdanynt i'r drwydded, gan gynnwys ar gyfer y ffermydd hynny sydd wedi'u lleoli o fewn dalgylchoedd afonydd Ardaloedd Cadwraeth Arbennig (ACA).
- Mae penderfyniadau ar drwyddedau amgylcheddol yn gofyn prosesau a chaniatadau gwahanol ac annibynnol o'r rhai sy'n ofynnol gan y broses gynllunio, ac mae angen trwydded gan CNC ynghyd â chaniatâd cynllunio gan yr Awdurdod Cynllunio Lleol ar weithredwyr. Gellir gwneud cais am un ynghyd â'i gymeradwyo heb y llall, ac os bydd un yn cael ei roi nid yw'n dilyn o anghenraid y bydd y llall hefyd.
- Mae cyfraith achosion wedi cadarnhau bod rhaid ystyried yr asesiad o effaith bosibl taenu tail oddi ar y safle drwy'r gyfundrefn gynllunio. Mae gan CNC rôl hanfodol yn ystod cyfnod ymgynghori'r broses gynllunio o ran rhoi cyngor arbenigol wedi'i dargedu.
- Mae gennym dri chais sy'n bodloni gofynion y Rheoliadau Trwyddedu Amgylcheddol. Rydym yn cynnal ymgynghoriadau cyhoeddus ar ein penderfyniad

drafft ar gyfer y ceisiadau hyn, a byddwn yn gwahodd trigolion lleol, grwpiau cymunedol a busnesau i gyfrannu at yr ymgynghoriadau.

- Yn dilyn adroddiad 2021 CNC ar gydymffurfiaeth o ran ffosfforws yn afonydd ACA Cymru, fe wnaethom atal dros dro unrhyw benderfyniadau ar geisiadau trwyddedu ar gyfer Unedau Dofednod Dwys a allai o bosib gynyddu'r llwyth ffosfforws, tra roeddem yn adolygu ein polisi a'n gofynion gweithdrefnol mewn perthynas â rheoli tail oddi ar y safle, a thra roeddem yn ceisio cyngor cyfreithiol.
- Mae'r casgliad y daeth ein hadolygiad iddo yn cadarnhau na all CNC yn ôl y gyfraith reoleiddio tynged tail o gyfleusterau trwyddedig trwy amodau trwydded ar ôl iddo adael ffin yr uned a amlinellir yn y drwydded. Felly dim ond allyriadau o gyfleusterau trwyddedig y mae gan CNC y pwerau i'w rheoleiddio y gall y broses drwyddedu eu hystyried.
- Lle bo fferm ddofednod yn ddarostyngedig i Reoliadau Trwyddedu Amgylcheddol a chaniatâd cynllunio, cyfrifoldeb yr Awdurdod Cynllunio Lleol yw asesu goblygiadau taenu tail oddi ar y safle. Cefnogir y casgliad hwn gan achos Llys Apêl yn Lloegr (R (ar gais Squire) v Cyngor Swydd Amwythig) a dyfarniad diweddar yr Uchel Lys yn achos Caffey v Cyngor Swydd Amwythig.
- Rydym bellach wedi ein rhwymo yn ôl y gyfraith i ailgychwyn ein gwasanaeth trwyddedu ar gyfer Unedau Dofednod Dwys, gan gynnwys o fewn dalgylchoedd afonydd ACA. Gallai methu â gwneud hynny arwain at gamau cyfreithiol yn ein herbyn am fethu â chyflawni ein dyletswyddau.
- Fel rhan o'n gwaith ehangach i wella ansawdd y dŵr yn afonydd Cymru, rydym yn gweithio gyda'r gymuned amaethyddol yn ei chyfanrwydd i sicrhau bod gweithgareddau fferm yn cydymffurfio â Rheoliadau Rheoli Llygredd Amaethyddol. Mae ein tîm ymroddedig wedi ymweld â dros 800 o ffermydd sy'n ymgymryd â gweithgareddau risg uchel ers dechrau ym mis Ionawr 2024, gan weithio gyda'r ffermydd hynny lle nodwyd achosion o beidio â chydymffurfio er mwyn sicrhau bod y fferm yn cydymffurfio.

- Rydym wedi rhoi gwybod i Lywodraeth Cymru ein bod yn ailddechrau'r broses drwyddedu ac wedi rhannu canfyddiadau ein hadolygiad â nhw.

From: CustomerEIR <CustomerEIR@severntrent.co.uk>
Sent: 22 October 2025 16:42
To: Swinglehurst, Elissa (Cllr) <Elissa.Swinglehurst@herefordshire.gov.uk>
Cc: CustomerEIR <CustomerEIR@severntrent.co.uk>
Subject: EIR948 Environmental Information Response

You don't often get email from customereir@severntrent.co.uk. [Learn why this is important](#)

ST Classification: UNMARKED

Dear Cllr Elissa Swinglehurst,

Thank you for your recent request for information, which we have answered in line with the Environmental Information Regulations 2004 ("Regulations"). We have outlined our response below, including your original questions for reference.

Reflecting on the [recent piece by The Guardian](#), raising concerns regarding leachate-infused biosolids being spread on agricultural holdings across the country, I would like to understand the local impact of this practice in Herefordshire, specifically within the Wye Catchment. I would be grateful for your assistance in understanding:

The tonnage of biosolids spread within the Wye catchment (including the Lugg) from Severn Trent's sewage treatment works?

As you have not given a timeframe, we have answered your question based on the timeframe of 1st Jan 2022 to 31st March 2025. Across this period biosolids have not been spread within the Wye catchment, including the Lugg.

1. What testing is done to soils prior to spreading? What is the availability of that data?

The Sludge (Use in Agriculture) Regulations, contain limits on the concentration in soils following an application and on how much heavy metal can be applied from applications. The Biosolids Assurance Scheme, which water companies have agreed to abide by, uses more stringent limits than those stated in the Sludge Regulations, taken from the Sewage sludge in agriculture: code of practice for England, Wales and Northern Ireland. Links provided below.

[Sewage sludge in agriculture: code of practice for England, Wales and Northern Ireland - GOV.UK](#)

[The Sludge \(Use in Agriculture\) Regulations 1989](#)

In response to the second question on availability of soils testing data, we have carefully considered your request, however, we have concluded that we are unable to provide the information on the basis that disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. In this context, regulation 12(5)(e) provides an exemption from disclosure.

We have also considered the public interest test, taking account of the presumption favour of disclosure. We have determined that the public interest remains in maintaining the regulation 12(5)(e) exemption. In coming to this view, we have taken into account access to information, transparency and accountability of water companies as some of the potential public interest arguments in favour of disclosure.

2. What testing is done of the biosolids for PFAS, PCBs, dioxins, flame retardants, solvents, endocrine disruptors, microplastics and other contaminants prior to spreading?

For investigational purposes, we sample our Biosolids for a suite of PFAS compounds.

3. Do the biosolids spread within the Wye catchment contain leachate? If so, what volume of leachate is spread within the catchment every year?

No Biosolids spread in Wye catchment.

I would also be grateful if you are able to provide a point of contact for future co-operative engagement - can you confirm if this would be someone other than yourself?

If you have any queries, please continue to reach out to our EIR team at CustomerEIR@severntrent.co.uk This helps us ensure your enquiry is promptly directed to the right team, so we can provide you with the most efficient and helpful response.

Any request for an internal review should be made within 40 working days of receipt of this response, and we will reply within 40 working days from receipt of the request for internal review.

Many Thanks
Severn Trent EIR team

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