

Notes of the meeting of the Wye Catchment Nutrient Management Board held on Wednesday 11 October 2023 at 2.00 pm

Attendees:

Voting Members present

Merry Albright (MA)	Herefordshire Construction Industry Lobby Group
Jamie Audsley (JA)	Herefordshire Wildlife Trust
Liz Bickerton (LB)	Bannau Brycheiniog
Cllr Jackie Charlton (JC)	Powys Council
Helen Dale (HD)	Country Land and Business Association
Simon Evans (SE)	The Wye and Usk Foundation
Jenny Grubb (JG)	Dwr Cymru/Welsh Water
Georgie Hyde (GH)	National Farmers Union
Cllr Catrin Maby (CCM)	Monmouthshire Council
Claire Minett (CM)	Natural England
Councillor Sid Phelps (SP)	Forest of Dean District Council
Martin Quine (MQ)	Environment Agency
Councillor Elissa Swinglehurst (ES)	Herefordshire Council
Ann Weedy (AW)	Natural Resources Wales
Martin Williams (MW)	Farm Herefordshire

Welcome and apologies

The Chair welcomed attendees to the meeting.

51. MINUTES AND MATTERS ARISING FROM LAST TIME

The minutes of the previous meeting, dated 12 July 2023, were approved.

52. PUBLIC QUESTIONS

1. It was asked how consultation will work between the Nutrient Management Board and the Executive Statutory Group (name TBC).
 - a. It was noted that this issue would form part of the wider discussion on the River Wye governance proposals under item 5 of the meeting agenda.

53. UPDATE ON ACTIVITY SINCE LAST MEETING

The key updates from Nutrient Management Board members included:

1. The Environment Agency:
 - a. A link was provided to the Engagement HQ website which is currently going through a development phase with a dashboard to make the webpage more accessible.
 - b. Work continues as part of Project TARA which covers new approaches that are being trialled for agriculture and involves the auditing of manure that is produced from poultry units and digestate from AD plants and tracking that through from production to end-use.
 - c. The development of the diffuse water pollution plan which will form part of a wider review of the Nutrient Management Plan.
2. Natural Resources Wales:
 - a. The SAC Rivers Project continues to run across Wales which tackles all of the failing SAC rivers in Wales, including the River Wye.

- b. Sondes have been deployed on the Wye in Summer 2023 and the intention is to understand what chlorophyll levels are in the river. This year's sonde data from the Wye shows less evidence of algal bloom formation compared to last year.
 3. Natural England:
 - a. Significant amounts of engagement and recommended over 700 measures to help improve the condition of the Wye.
 - b. Collaborative working with other partners including WUF to discuss environmental implications of the sector.
 - c. Starting a campaign targeting every farm adjacent to the river on both the Wye and the Lugg.

54. NMB VOTING MEMBERSHIP

The Chair read out and confirmed the list of current voting members for this meeting as attached to the agenda.

55. RIVER WYE GOVERNANCE PROPOSALS (Pages 5 - 12)

An overview of the governance proposals was given. The main points included:

1. Why it was collectively agreed that work on governance should be carried out.
This covers:
 - a. The distinction between the statutory agencies and stakeholders.
 - b. References to the board which talk about the board being able to influence and advise and challenge.
2. Clarity on those who have legal remits to work within the catchment on what affects the water quality in the catchment.
 - a. Feedback about the naming of the Executive Statutory Group has led to the change to River Wye Statutory Officers Group.
3. The proposals that have been put forward for discussion.
 - a. An outline of the Terms of Reference includes an aim for the board would be for stakeholders to come together across the catchment and have the ability to influence the decisions and actions that have an impact either directly or indirectly on the catchment.
 - b. To advise the River Wye Statutory Officers Group on their proposals, plans, decisions, and actions and to challenge them on those and the delivery of those.

It was noted that there were still some outstanding issues for discussion during this meeting. These included:

1. The name and making sure that the name reflects what the remit of the group is.
2. The membership which covers voting rights and the engagement with wider groups across the catchment.
3. The chairing of the group going forward.

The key points made by members in the discussion included:

1. Name:
 - a. Support was expressed to keep the name 'board', particularly as a change in name could cause confusion for members of the public.
 - b. It was added that use of the term board helps to align with the Welsh model.
2. Membership and voting rights:

- a. On voting rights, there was concern raised regarding members who sit on both this board and the Statutory Officers Group.
 - b. It was noted that voting would be rare, however, where voting is necessary, it was also commented that members should not be able to vote across different groups.
 - c. A two-tier system for voting was regarded as inappropriate and would not be consistent with the Nolan principles.
 - d. It was added that depending on what the board decided on the Terms of Reference, this would need to be reviewed against local authorities' constitutions and the views within those local authorities.
 - e. Support was expressed to give voices to both the river and tourism on the board.
3. Chiring:
- a. Support was expressed for Cllr Elissa Swinglehurst to remain as Chair of the board, including from Cllr Catrin Maby, Cllr Jackie Charlton, and Cllr Sid Phelps, particularly as it would be difficult for those respective councillors to have the capacity to take on the role of Chair.
 - b. Cllr Swinglehurst suggested potential possibilities including having a co-chair or vice-chair from the councillors on the board so that there is a good representation from the Welsh side.
 - c. Cllr Jackie Charlton supported the suggestion of vice-chair and noted that she would be happy to take on this role and learn from the Chair with the potential to take on the role in the future.

The Chair then confirmed that the board had arrived at a consensus with the governance arrangements as presented and that no changes are to be made to the chiring arrangements. The board agreed with the Chair.

Clare Dinnis clarified that updates would be incorporated into a final document from this discussion to establish the new governance arrangements going forward. A copy of the amended document is attached to the minutes.

56. DATE OF NEXT MEETING

The next meeting is scheduled for 17 January 2024, from 2-4pm.

The meeting ended at 3.54 pm

Chairperson

River Wye governance

October 2023

How do we want to work?

- Open collaboration that informs and builds consensus
- Clear decisions on priorities, actions and timescales – including ownership – with transparency
- A single joined-up cross-border approach at an operational level with
◦ influence to ensure the same at a political level
- Clear route to influence that can call for changes that need political, industry and societal buy-in
- A constructive, impartial ‘board’ which can:
 - Influence – government, industry, communities etc
 - Advise – decision makers on their proposals, plans and decisions/actions
 - Challenge – decision makers on their proposals, plans and decisions/actions
- Sharing achievements / progress being made

Wider framework for the Wye

Statutory bodies (English & Welsh environmental bodies, local authorities & DCWW) have formed a River Wye Statutory Officers Group (SOG)

Senior officers from the organisations with statutory responsibility will meet to discuss and agree collective decisions (to be ratified by their own organisations as necessary) about actions, priorities and resources

- *It owns the Nutrient Management Plan (NMP) – it will revise the current plan then oversee delivery of and maintain the new plan*
- *It supports and directs the Technical Advisory Group (TAG) working groups*
- *It works collaboratively with the NMB, seeking input on proposals and working jointly on delivery where appropriate*
- *This formalises a pre-existing collaboration*

Refocussed Technical Advisory Groups (TAG)

- *Will be reshaped and resourced, linked to priorities set by SOG*
- *Membership will be drawn from SOG members with members/volunteers from the wider stakeholder community*
- *Strong link to the Catchment Partnership*
- *This is not a new group*

River Wye Statutory Officers Group (SOG)

<p>Purpose</p>	<p>A collaboration of the statutorily responsible organisations operating within the catchment to restore the Conservation Status for the River Wye Special Area of Conservation.</p> <p>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.</p>		
<p>Membership</p>	<p>Voluntary forum made up of officers from the bodies with relevant statutory responsibilities within the catchment.</p>		
	<ul style="list-style-type: none"> • Natural England • Natural Resources Wales • Environment Agency • Dwr Cymru Welsh Water 	<ul style="list-style-type: none"> • Herefordshire Council • Powys County Council • Forest of Dean District Council 	<ul style="list-style-type: none"> • Monmouthshire County Council • Brecon Beacons National Park Bannau Brycheiniog
<p>∞</p> <p>Operating principles</p>	<ul style="list-style-type: none"> • Meetings will be held quarterly (monthly initially) in order to allow the SOG to task work resulting from its discussions. • 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. • Individual officers will make decisions on behalf of their organisations in line with delegated powers for specified remits and spend. 		
<p>Terms of reference</p>	<ul style="list-style-type: none"> • The SOG will work together to review contributions across all bodies, working collaboratively to achieve the objectives and ensuring all members understand the issues and work together to resolve them. • The group may make recommendations or requests of the bodies that make up its membership, via the relevant SOG member. • The SOG will produce a publicly available Nutrient Management Plan setting out these actions. It will keep it under review proportionately annually and carry out a fuller review once every 4 years. • Members will be responsible for delivery of the actions their organisation commits to on the basis of the SOG's recommendations or requests. • The SOG will review performance and delivery of agreed actions as a whole and report on progress publicly. • The SOG will commission the Technical Advisory Groups where additional actions or evidence is required to help inform its formation of views and recommendations / requests. • Where actions are driven by a particular remit or have a particular consequence, no one area or sector has automatic priority. Each organisation remains responsible for decisions on and delivery of its own remit, but it is expected to do this in full understanding of the impact this has on others' ability to discharge their own remit. • The SOG will share its plan and progress with the NMB seeking advice / views in advance of changes and being open to questions / challenge on progress. It will also work collaboratively with NMB members on delivery where appropriate. 		

Technical Advisory Groups (TAGs)

<p>Purpose</p>	<p>A collective of task and finish (T&F) groups supporting the SOG by providing technical information and analysis. The role is to identify, develop and analyse options to reduce nutrients, advise the SOG and Forum and, where appropriate, lead or support delivery. This includes providing a technical analysis of progress against the action plan.</p> <p>The group is commissioned by the SOG and focusses on the most immediate and important tasks. Initial main priorities are:</p> <ul style="list-style-type: none"> • Action plan T&F group – a group which updates the action plan, led by a dedicated project officer • Data & Evidence Group- providing the required data and analysis to support the above group as well as a forward look • NMP Tools T&F group – finalising the immediate priority development of P tool 		
<p>Membership</p>	<p>Action Plan:</p> <ul style="list-style-type: none"> • Environment Agency • Natural England • NRW • Dwr Cymru • Farm Herefordshire • Wye and Usk foundation • Herefordshire Council 	<p>Data & Evidence</p> <ul style="list-style-type: none"> • Environment Agency • Natural England • NRW • Dwr Cymru 	<p>NMP tools</p> <ul style="list-style-type: none"> • Farm Herefordshire • Environment Agency • Wye and Usk Foundation • Natural England • NRW
<p>Operating principles</p>	<ul style="list-style-type: none"> • The TAG is commissioned by SOG with oversight by a project manager reporting back to the SOG and NMB. • The T&F groups will meet as required in private, with the action plan group meeting monthly as a minimum initially. • Membership will be as required for each T&F group and will develop and change as the task evolves. • The TAG will engage with the NMB to ensure relevant data, evidence and information is understood and considered. NMB members may join a TAG group as appropriate to provide technical information. • The TAG will ensure strong communication with the Caba to avoid duplication and drive efficiency through shared evidence and data. 		
<p>Terms of reference</p>	<ul style="list-style-type: none"> • The TAGs are technical groups working collaboratively across the relevant bodies involved for their individual remit. They are not decision-making bodies and they are responsible but not accountable for their work. • The TAGs are responsible for delivering and reporting on progress of NMP actions as commissioned by the SOG. • The TAG has a dedicated project officer who leads the Action plan T&F group and coordinates all TAG T&F groups. • The TAG project manager will sit on the Catchment Partnership steering group to ensure strong two-way communication between the groups 		

River Wye Nutrient Management Board

Stakeholders coming together to influence, advise and challenge those having an impact on the river or delivering improvements across the catchment

- *Wide group of partners with an interest in improving water quality in the catchment and a role in delivering that outcome who come together to:*
 - *to influence decisions and actions that have an impact, directly or indirectly, on the catchment,*
 - *to advise decision makers on their proposals, plans and decisions/actions,*
 - *to challenge decision makers on their proposals, plans and decisions/actions.*
- *Works with TAG to contribute to delivery of actions as required*
- *This is a refocussing of the existing Board, not a new group*

Nutrient Management Board (NMB)

<p>Purpose</p>	<p>The Board does not have any formal powers or resources and as such cannot make any decisions, this lies with the statutory organisations via the SOG. Its primary role is to provide a forum for all stakeholders to come together to influence, advise and challenge those having an impact on the river or delivering improvements across the catchment.</p>
<p>Membership</p> <p>⇒</p>	<p>Voluntary board of all partners and stakeholders with an interest in improving water quality in the catchment and a role in delivering that outcome. The Board retains the right, though it is considered likely to be used infrequently, to vote on issues.</p> <ul style="list-style-type: none"> • Herefordshire Council Powys County Council • Forest of Dean District Council • Monmouthshire County Council • Brecon Beacons National Park Bannau Brycheiniog • Catchment based public interest groups – e.g. Friends of Upper Wye, Friends of Lower Wye, Save the Wye Coalition • Countryside Land & Business Association • Catchment Partnership member • Chair of the stakeholder group • National Farmers Union • Herefordshire Construction Industry rep • A representative for the river • Other members as Board see appropriate <p>Members of the River Wye SOG who will attend in a full partnership capacity but not vote:</p> <ul style="list-style-type: none"> • Natural England • Natural Resources Wales • Environment Agency • Dwr Cymru Welsh Water
<p>Operating principles</p>	<ul style="list-style-type: none"> • The Board will be transparent and open, whilst being mindful to the sensitivity of discussing draft evidence, proposals and information. • The Board will be inclusive of all and will work collaboratively across all partners. • Meetings will be held quarterly and will include an open session, broadcast digitally, where all interested individuals can ask questions (in advance) or watch proceedings. Meetings will also include a closed session, if needed, to discuss advise to the SOG on any material that cannot be made public at that time. • The Board will be chaired by Local Authority elected representatives with one (Herefordshire) taking the Chair and a second (Powys) acting as Vice-Chair.
<p>Terms of reference</p>	<ul style="list-style-type: none"> • The role of the NMB is three-fold: <ul style="list-style-type: none"> • to <u>influence</u> decisions and actions that have an impact, directly or indirectly, on the catchment, • to <u>advise</u> decision makers on their proposals, plans and decisions/actions, • to <u>challenge</u> decision makers on their proposals, plans and decisions/actions. • The NMB will work with all other organisations or groups as necessary to support this aim including, but not limited to, the Caba, the Cabinet Commission and any TaskForce that may be appointed by either government. • The NMB will communicate widely with stakeholders about its common views of the SOG’s updated plan and progress to deliver this (the actual plan and progress will be communicated by the SOG) both as a way of keeping people informed and of having wider influence. • Members of the NMB will sit on the TAGs or contribute to delivery of actions as appropriate. • The NMB will be bound by the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

