

Partnership Meeting

Agenda

Wye Catchment Nutrient Management Board

Date: **Wednesday 16 July 2025**

Time: **2.00 pm**

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

Notes: For any further information please contact:
nutrientmanagementboard@herefordshire.gov.uk

If you would like help with this document, or would like it in another format, please email nutrientmanagementboard@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Wye Catchment Nutrient Management Board

Voting membership

Chairperson	Councillor Elissa Swinglehurst	Herefordshire Council
	Merry Albright	Herefordshire Construction Industry Representative
	Jamie Audsley	Herefordshire Wildlife Trust
	Liz Bickerton	Bannau Brycheiniog National Park Authority
	Louise Bodnar	Voice of the River
	Councillor Jackie Charlton	Powys County Council
	Helen Dale	Country Land and Business Association
	Nick Day	The Friends of the Lower Wye
	Simon Evans	The Wye and Usk Foundation
	Christine Hugh-Jones	Council for Protection of Rural Wales
	Georgie Hyde	National Farmers Union
	Sarah James	Farm Cymru
	Councillor Catrin Maby	Monmouthshire County Council
	Councillor Andrew McDermid	Forest of Dean District Council
	Andrew McRobb	Council for Protection of Rural England
	Silvia Sivers	Radnorshire Wildlife Trust
	Stuart Smith	Wye Salmon Association
	Tom Tibbits	The Friends of the Upper Wye
	Richard Tyler	Save the Wye

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence and to note any substitutes.	
2. NOTES OF THE PREVIOUS MEETING To receive the notes of the meeting held on Wednesday 16 April 2025. HOW TO SUBMIT QUESTIONS The deadline for the submission of questions for this meeting is 5.00 pm on Thursday 10 July 2025. Questions must be submitted to nutrientmanagementboard@herefordshire.gov.uk Questions sent to any other address may not be accepted. Accepted questions and, where possible, any responses received from the relevant agencies will be published in a supplement to the agenda papers.	7 - 12
3. QUESTIONS To receive any written questions.	
4. UPDATE ON THE PROGRESS OF THE NATURE RESTORATION FUND Update from Alastair Wager, Nature Restoration Fund.	
5. UPDATE FROM THE RIVER WYE STATUTORY OFFICERS' GROUP River Wye Statutory Officers' Group (SOG) meeting slide deck.	To Follow
6. DIFFUSE WATER POLLUTION PLAN PROGRESS REPORT Update from Martin Quine, Environment Agency.	To Follow
7. UPDATE ON WELSH EVIDENCE Update from Ben Boswell, Herefordshire Council.	
8. UPDATE ON FARMING RULES FOR WATER GUIDANCE Update from Martin Quine, Environment Agency. [Link to Statutory Guidance: Enforcing the Farming Rules for Water]	13 - 14
9. UPDATE ON THE HIGH COURT JUDGMENT VS SHROPSHIRE COUNCIL Update from Alison Caffyn.	
10. UPDATE FOLLOWING MEETINGS WITH MINISTERS Update from Martin Williams.	

11. WIDER UPDATES FROM MEMBERS OF THE BOARD

To receive updates on activity, including:

- Nutrient balances: Kate Speke Adams, Herefordshire Rural Hub
- Observations on the Ithon: Simon Evans, Wye and Usk Foundation

12. DATE OF THE NEXT MEETING

Next scheduled meeting: [Wednesday 22 October 2025 2.00 pm](#)

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 Wye Catchment Nutrient Management Board held in Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 16 April 2025 at 2.00 pm

Chairperson:

Councillor Elissa Swinglehurst Herefordshire Council

Voting members present in person:

Merry Albright	Herefordshire Construction Industry Representative
Louise Bodnar	Voice of the River
Gordon Green	Wye Salmon Association
Andrew McRobb	Council for Protection of Rural England
Richard Tyler	Save the Wye

Voting members in attendance remotely:

Nick Day	The Friends of the Lower Wye
Simon Evans	The Wye and Usk Foundation
Christine Hugh-Jones	Council for Protection of Rural Wales
Georgie Hyde	National Farmers Union
Councillor Catrin Maby	Monmouthshire County Council
Councillor Andrew McDermid	Forest of Dean District Council

Other participants present in person:

Ben Boswell	Herefordshire Council
Elizabeth Duberley	Herefordshire Council
Daniel Humphreys	Dwr Cymru/Welsh Water
James Marsden	Chairperson of the Wye Catchment Partnership
Claire Minett	Natural England
Martin Quine	Environment Agency

Other participants in attendance remotely:

Garreth Dunstall	Department for Environment, Food and Rural Affairs
Ethan Hamer	Powys County Council
Craig O'Connor	Monmouthshire County Council
Catherine Osborne	Welsh Government
Ann Weedy	Natural Resources Wales
Dan Westbury	Radnorshire Wildlife Trust
Martin Williams	Farm Herefordshire

Support officers:

Ben Baugh	Herefordshire Council
Alfred Rees-Glinos	Herefordshire Council

23. APOLOGIES FOR ABSENCE

Apologies for absence were noted from board members: Jamie Audsley (Herefordshire Wildlife Trust); Liz Bickerton (Bannau Brycheiniog National Park Authority); Helen Dale (Country Land and Business Association); and Tom Tibbits (The Friends of the Upper Wye).

Apologies were noted from regular attendees: Emma Guy (Bannau Brycheiniog National Park Authority); and Mark Liddeth (Environment Agency). Apologies were also noted from Peter Morris (Powys County Council) and the Chairperson asked that the best wishes of the board to be recorded.

The Chairperson advised the board that this would be the last meeting attended by Liz Duberley and reflected on the professionalism, hard work, dedication, and collaborative approach taken as Phosphate Mitigation Lead at Herefordshire Council, and the positive outcomes achieved towards improving the river and the state of nature in Herefordshire.

24. WELCOME TO RIVERS REPRESENTATIVE

The governing principles for the seat on the board was provided in Supplement 2. The Chairperson commented on the high calibre of the candidates and thanked them for interest and generosity of spirit. The Chairperson welcomed Dr Louise Bodnar as the 'Voice of the River'.

Dr Bodnar provided an overview of their academic background, work with charities and government organisations, and experience of developing partnerships and relationships with landowners and community organisations. Dr Bodnar said that it was an honour to represent the interests of the river, commented on the significance of the river in various scientific and cultural contexts, and emphasised the need to work together to restore the river.

25. NOTES OF THE PREVIOUS MEETING

The notes of the previous meeting held on 15 January 2025 were received and agreed as an accurate record.

The Chairperson suggested that the previously deferred item on 'Planning Reform Work Paper - Development and Nature Recovery' could be considered as part of a broader exploration of legislative and policy changes at a future meeting.

26. QUESTIONS

A document containing the questions received for the meeting was included in Supplement 1.

The following responses were provided at the meeting:

- *Questions from Nick Day to Natural Resources Wales*

Ann Weedy said that written responses would be provided.*

- *Question from Nicola Cutcher to the Nutrient Management Board*

The Chairperson expressed a view that, given recent and current reviews, mitigating soil losses needed to fit within the existing regulatory framework and not require a separate law to be brought into statute; it was added that the regulations and guidance should take full account of the importance of soil retention and the need for this to be a pillar of good farming practice.

Other participants commented on: the relevance of spatial and temporal dimensions; natural flood management programme incentives; the case for a Water Protection Zone; and sharing intelligence with the Environment Agency on persistent drain blockages and impacts on highways to inform its programme of farm inspections.

- *Questions from Nicola Cutcher to the Environment Agency*

Martin Quine said that written responses would be provided.*

[*Note: the questions document, updated with the responses received from statutory agencies following the meeting is available via this link [Questions and responses v3](#)]

27. UPDATE FROM DEFRA ON £1MILLION FOR THE RIVER WYE

Garreth Dunstall (Department for Environment, Food and Rural Affairs, 'Defra') provided an update on the UK and Welsh Government joint research initiative to tackle water quality issues in the River Wye, the principal points included:

- i. The new initiative had been announced in March 2025; [link to the press release 'UK and Welsh Government unite in £1m fund to transform River Wye'](#).
- ii. Work would be undertaken with local stakeholders to gather evidence of pollution pressures and to test solutions to inform wider interventions.
- iii. Current focus was on project planning, including research scope and governance structures, to ensure that different tasks and activities were mapped out over time.
- iv. There was an intention to prioritise actions which focus on farm level interventions and to give effect to a 'living labs' approach.
- v. Research decisions would need to demonstrate value and correspond with wider government priorities, including cleaning up waters, boosting food security, and supporting the circular economy.
- vi. Four themes were identified to start discussions with stakeholders (with examples of potential research questions given), the themes being: the impact of existing activities and other technologies; farmer behaviours; barriers and facilitators; and overall strategy.

The Chairperson welcomed the collaborative approach and, with attention drawn to the planned structure identified in the discussion document circulated in Supplement 2, suggested that a blending of Working Group and Steering Group participants (i.e. officials / statutory officers and local stakeholders) would avoid potential tensions between layers.

Board members asked questions and made comments; the main points included:

1. The research would cover both England and Wales.
2. The need to understand the impact of legacy phosphorus (P) entering the watercourse, including seasonal variations.
3. References in the discussion document to 'ecological carrying capacity of the rivers' and 'societal resistance' were explained.
4. The data / evidence gaps analysis should be mindful of the range of relevant plans, such as the Catchment Management Plan, Nutrient Management Plan, and the Carbon Management Plan.
5. Garreth Dunstall confirmed that the research would be funded over a number of years, so that the issues and interventions could be explored fully, involving prioritisation and planned milestones.
6. Defra would need to co-ordinate with the statutory agencies to ensure that the research was not used as a reason to hold anything up in terms of the Diffuse Water Pollution Plan (DWPP) and related actions.

7. Martine Quine explained that the Environment Agency was producing the DWPP which would update the English evidence in terms of water quality and would look at what measures or mechanisms were appropriate in order to reduce nutrients; the Wye Catchment Partnership was looking at wider river health. As the River Wye Special Area of Conservation (SAC) within England was passing its nutrient target, albeit narrowly in places, there was focus on the River Lugg as a significant tributary. It was commented that, notwithstanding the significant work being undertaken in the catchment, there was likely to be a nutrient gap; it was noted that gaps were not unique in England but there were complex traits in the River Wye catchment. In response to a question, the board was advised that the DWPP and the work being undertaken on the Welsh evidence would result in a combined evidence base.
8. Liz Duberley said that projects should have clear timeframes at the outset and should be outcomes based, with quantification of phosphate reduction where relevant to specific projects; adding that this could help to scale up effective interventions in the longer-term.
9. A view was expressed that previous modelling had not considered elements of global research and there was a need to consider other solutions that were commonplace elsewhere, such as extended buffer zones, with investment made in applied trials.
10. The need to explore emerging technological solutions.
11. A request was made that plans should be written in plain and concise language.
12. James Marsden emphasised on the need for: clarity around funding to deliver the Catchment Management Plan 2025; policy integration, particularly in view of the drivers for the future use and management of land including Carbon Budget, Land Use Framework, and Local Nature Recovery Strategy; and realistic timelines for transformational shift.
13. The potential benefits of restoring and naturalising flows in the catchment.
14. The value of informal networks in sharing best practice in the farming sector.
15. In response to questions, Martin Quine advised that the DWPP would result in some measures where focus was needed currently, potentially with trials at a sub-catchment level which could be replicated elsewhere subsequently, and would identify a 'wish list' of measures which could be undertaken but were unfunded. It was considered that the DWPP would dovetail with the concurrent work on research and development of plans. It was anticipated that the first draft would be prepared by June 2025.

Garreth Dunstall welcomed the discussion and acknowledged: the need for specific and focused plans, with transparent and actionable outcomes; the need to collate and understand the evidence available, particularly to avoid duplication of effort; the inclusion of the Catchment Management Plan within the research (the Chairperson requested a timeline for this); and the importance of horizon scanning and linking in with government bodies, statutory agencies, and local authorities.

Cat Osborne provided assurance that the Welsh Government was having regular meetings with Defra and was making connections within its teams.

The Chairperson thanked the guest participants for their contributions.

28. UPDATE FROM THE RIVER WYE STATUTORY OFFICERS' GROUP

The River Wye Statutory Officers' Group (SOG) meeting slide deck was provided in Supplement 1, with the Natural Resources Wales update provided in Supplement 2.

Board members asked questions and made comments; the main points included:

1. It was clarified that poultry units with less than 40,000 birds did not require environmental permits but were subject to the planning process and pollution prevention regulations. Comments were made around the challenges of understanding the cumulative impact of livestock units operating without permits. Later in the discussion, reference was made to the role of habitats regulation assessments in identifying potential impacts of planning proposals cumulatively and individually on designated features. The Chairperson suggested that local authority representatives obtain further details about the planning approach to cumulative impacts of livestock units in their areas.
2. Reference was made to the Natural Resource Wales update 'Focussing on Phosphorus and compliance against the tighter SAC [Special Area of Conservation] targets there has been an overall improvement in the Wye since 2021'. Ann Weedy advised that the reasons for deterioration in two waterbodies in the upper catchment were being explored. Attention was drawn to the news item [Natural Resources Wales / New water quality data sheds light on health of Wales's waters](#) and Ann Weedy offered to arrange a separate session on the detail.
3. The Chairperson commented on the recent River Improvement Co-Delivery event in Cardiff and welcomed Dwr Cymru Welsh Water's Wye phosphorus removal programme which was expected to achieve a reduction of approximately 13kg/day, adding that the board would welcome data as it became available. It was questioned how mandatory housing target increases were factored into the investment programme going forward. Daniel Humphreys said that he was not involved in Developer Services, but the water company was one of the consultees for local development plans.
4. The Chairperson welcomed: the Environment Agency website resources, link to the hub [Environment Agency / River Wye Water Quality](#); the use of satellite data and drone imagery; and the information on Water Environment Improvement Fund (WEIF) partnership projects, albeit further details were requested about what they had been set up to achieve and how the successful delivery of outcomes would be measured. Martin Quine reported that the WEIF projects were aimed at the Water Directive Framework and acknowledged the need to consider how to ensure that relevant plans and action logs were kept up to date.
5. Liz Duberley reported that: Herefordshire Council had met recently with the Ministry of Housing, Communities and Local Government on the Nature Restoration Fund and an update was awaited; 796 houses had been released using phosphate credits from the Luston and Tarrington wetlands; the authority was working to acquire a third wetland site; and it was considered timely to undertake a review of strategic mitigation given the Nature Restoration Fund and the required growth in housing numbers in Herefordshire. Later in the discussion, it was noted that mechanisms other than wetlands were coming forward elsewhere in the country and that options would be considered in the review.
6. There was a discussion about quantifying nutrient reduction numbers in projects and initiatives, with a view expressed about the challenges around scientific certainty in terms of metrics and other views expressed about the value of identifying estimates wherever possible.

29. UPDATE ON THE DIFFUSE WATER POLLUTION PLAN

The Diffuse Water Pollution Plan (DWPP) was discussed during the item 'Update from Defra on £1million for the River Wye', see minute 27.

There was a further discussion about DWPP legal requirements, how to address the gap to meet the favourable condition target for the river, and the need for the research to assist with shared understanding and to direct efforts accordingly. It was noted that the DWPP, combined with the Welsh evidence, would inform the Nutrient Management Plan.

30. UPDATE ON WELSH EVIDENCE FOR NUTRIENT MANAGEMENT PLAN

Ann Weedy reported that the evidence review for the Welsh side of the River Wye had been completed by the consultants and it was being considered, alongside the development of mitigation measures; June 2025 was given as an indicative target.

31. ENGAGEMENT ON NUTRIENT MANAGEMENT PLAN

It was reported that the statutory agencies and the relevant local authorities were working together to provide an overview of timescales and engagement.

32. WIDER UPDATES FROM MEMBERS OF THE BOARD

An update from CPRE was provided in Supplement 1. The Chairperson welcomed the positive working between the Wye Alliance Citizen Science Group and the Environment Agency, and the CPRE's 'Hedgerow Heroes' campaign; Andrew McRobb urged councils to encourage staff to become volunteers and asked farming groups to promote the call for future sites.

33. DATE OF THE NEXT MEETING

The date of the next meeting was confirmed as [Wednesday 16 July 2025, 2.00 pm](#).

The meeting ended at 3.56 pm

Chairperson

Changes to the Secretary of State's Statutory Guidance to the Environment Agency on the enforcement of the Farming Rules for Water

The Secretary of State issued revised statutory guidance to the Environment Agency on 18 June 2025 on criteria it should consider when assessing how it should enforce the Farming Rules for Water. This replaced guidance issued in March 2022. The revised guidance will be reviewed no later than September 2028.

The principal changes are that the new guidance:

1. No longer asks the Agency not to enforce if land managers work within the terms of the guidance.
2. It expects land managers to comply with the requirements to plan applications of organic manures and manufactured fertilisers so that they do not exceed soil and crop need at the time of application.
3. It removes references to applying nitrogen over a crop cycle and phosphorus over a crop rotation.
4. When assessing if planned spreading would give rise to significant risk of nitrate pollution, the Environment Agency is asked to consider the readily available nitrogen (RAN) content of organic manures, soil type, and whether all appropriate reasonable precautions are being taken as well as whether farmers are compliant with Nitrate Pollution Prevention Regulations (NVZ), where they apply.

Guidance regarding plans and reasonable precautions has not been changed and still says:

5. Plans must be proportionate, showing a crop nutrient requirement for each parcel of land. They should be informed by agronomic guides, tools or advice and based on the nutrient content of soils and the materials being applied.
6. Reasonable precautions around establishing green cover by 15 October have not changed.

How do we enforce following the changes?

We will have regard to the Secretary of State's Guidance to us when considering our enforcement action. Our approach to enforcement will remain the same and will depend on the individual circumstances of the case. We will continue to take an advice-led approach to regulation, working with land managers to act on a voluntary basis, referring them to further sources of advice and grants. If they fail to act, then we will consider escalating our enforcement response including imposing civil or taking prosecutions.

In the meantime, there are steps that farmers can take to reduce the need to spread and demonstrate that they are minimising the risk of agricultural diffuse pollution. These include:

- Talking to us if in difficulty.
- Seeking professional help where necessary e.g. a FACTS advisor
- Ensuring they have tested soils and planned nutrient applications
- Having a contingency plan
- Having a Farm Waste Management Plan or Manure Management Plan and a risk map
- Calculating farmgate nutrient balances and comparing benchmark values with their farm type
- Carrying out maintenance such as repairing gutters to exclude water from slurry stores

- Ensuring that yards and storage are well maintained and clean water is separated from existing slurry stores to reduce volumes
- Consider roofing dirty yard areas and slurry stores to reduce the amount of slurry being produced and having to be stored and spread.
- Increasing storage in the longer-term
- Considering manure management options e.g. slurry separation and precision application equipment
- Using MANNER-NPK software which, as well as providing an estimate of crop available nitrogen, also estimates the nitrate leaching losses following land application.
- Composting materials to reduce the readily available nitrogen content
- Only accepting imported manures if they have an agronomic need for them
- Optimising or reducing stocking rates to not exceed the capacity of their land

We strongly advise farmers to have a contingency plan for events that cannot be reasonably planned for. Further advice is available here [Preventing agricultural pollution in exceptional circumstances - GOV.UK](#). Land managers must:

- contact the Environment Agency before they spread
- agree with the Environment Agency that spreading is the only option available
- only spread the amount needed to reduce the risk of pollution
- only spread on the lowest risk land available
- carry out regular checks before, during and after spreading to ensure there is no pollution taking place.

Land managers remain responsible for any pollution that they cause or any significant risk of pollution arising.