

Nutrient Management Board Meeting		Minutes	
Wednesday 19th January 2022			
2pm – 5pm via Zoom			
Attendees:			
Minute Taker:	Michael Carr		
Voting Members:	Cllr Elissa Swinglehurst	CS	Chair
	Joanna Redgwell (substituting for Claire Minett)	JR	Natural England
	Cllr Sid Phelps	CSP	Forest of Dean
	Fergus O'Brien	FOB	Dwr Cymru Welsh Water
	James Marsden	JM	Brecon Beacons National Park
	Jenny Gamble – Substitute for Grace White	JG	Environment Agency
	Phil Crossland	PC	Herefordshire Council
	Martin Williams	MW	National Farmers Union
	Merry Albright	MA	Herefordshire Construction Industry Lobby Group
	Simon Evans	SE	Wye and Usk Foundation
	Ann Weedy	AW	Natural Resources Wales
Advisors from Statutory Partners:			
	Hayley Fleming	HF	Natural England
	Rachael Joy	RJ	Herefordshire Council
	Liz Duberley	LD	Herefordshire Council
	Peter Morris	PM	Powys County Council
Apologies:			
	Claire Minett	CM	Natural England
	David Lee	DL	Natural Resources Wales
	Grace Wight	GW	Environment Agency
Other Members Not Present:			
	Helen Dale	HD	Countryside Landowners Association
	Helen Stace	HS	Herefordshire Wildlife Trust

ITEM	NOTES	ACTION Led by
1	<p>Welcome and Apologies</p> <p>The Chair welcomed everyone to the meeting and requested that members of the Board to briefly introduce themselves, which they did.</p>	

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	<p>JG from the Environment Agency said that she was not in fact a member of the Board, she had been a member of the Technical Advisory Group, but this had now passed to Natural England.</p> <p><u>Apologies for Absence</u></p> <p>Apologies were received from Claire Minett from Natural England, David Lee from Natural Resources Wales, Grace Wight from the Environment Agency.</p> <p>Joanna Redgwell was substituting for Claire Minett for Natural England. Anne Weedy was substituting for David Lee from Natural Resources Wales.</p> <p>The Chair reported that James Marsden from Brecon Beacons National Park had resigned from the Board and recorded her sadness that he had stepped down.</p>	
2	<p>Notes and matters arising from last time</p> <p>The Chair invited the Board to consider the minutes of the previous meeting.</p> <p>The minutes of the Previous meeting on 19th January 2022 were agreed as a correct record.</p> <p><u>Matters Arising</u></p> <p>The Board considered the actions recorded from the previous meeting.</p> <p>CM had undertaken to check whether tributaries are covered by Impact Risk Zones (IRZ). As CM was not present this was recorded as an outstanding action.</p> <p>Action: CM and Joanna Redgwell to check whether tributaries are covered by IRZ.</p> <p>GW had undertaken to feed back on the ecology of widespread chemical failure, following a question put on this at the previous meeting. GW was not present but the Chair reported that she had spoken with her over the telephone and she will respond at the next meeting.</p> <p>Action: GW to feedback on ecology of widespread chemical failure, to respond to a question put on this at the Board meeting on 19th January 2022.</p> <p>FOB had undertaken to take up the issue of concerns that bio-solids were coming into the catchment or being spread. FOB said that he had not yet had the opportunity to investigate this, but would do so. He said that he would ask colleagues working on bio-solids to consult with counterparts at Severn Trent Water.</p> <p>Action: FOB to investigate bio solids coming into the catchment from external sources, including Welsh Water and Severn Trent.</p> <p>It had been agreed that members of the Board would do what they could to support the work of volunteers in attempting to improve the data around livestock numbers, specifically the on numbers of chickens, in the catchment area.</p>	<p>CM</p> <p>GW</p> <p>FOB</p>

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	<p>The Chair had received an update from Alison Caffyn (AC), Senior Researcher on Land Use and Countryside at Food, Farming and Countryside Commission (FFCC), who had informed that she had contacted the Environment Agency but had not yet had a reply, so she had undertaken some preliminary research herself into this. AC had cross referenced environmental permits, which had revealed an under-estimation of her earlier estimates, showing an estimated additional 750,000 birds and a new estimated total of 17.75 million birds, 16.75 million within the catchment area in Herefordshire. Extrapolating from this, she estimated that there was an additional estimated one million birds overall. The Chair reported that she had also received an email from Jenny Gamble from the Environment Agency that morning to say that these estimates were broadly in concordance with the work that she had done. AC had also requested her colleagues from Monmouthshire and the Forest of Dean to look into the numbers from their own planning authorities and bring them to the next meeting of the Board.</p> <p>The Chair also reported that there had been contact with Stuart Neil, who was a Welsh Government statistician, to understand the methodology used and reliability of their data sets, but there still seemed to be discrepancies in this area that require an explanation.</p> <p>Action: Alison Caffyn from FFCC to provide an update on the comparative data on livestock numbers, specifically the on numbers of chickens, in the catchment area and compared with Monmouthshire and the Forest of Dean from her own independent research to the next meeting of the Board.</p> <p>The Chair proposed that a letter be sent on behalf of the Board to DEFRA to request data from their inventory on livestock numbers, specifically the on numbers of chickens, in the Herefordshire catchment area. This was agreed.</p> <p>Action: a letter to be sent on behalf of the Board to DEFRA to request data from their inventory on livestock numbers, specifically the on numbers of chickens, in the Herefordshire catchment area.</p>	<p>AC</p> <p>CS and RJ</p>
3	<p>Update from TAG and steps to producing a future River Wye Nutrient Management Plan Performance Report</p> <p>The Board received an update from the new Chair of the NMP Technical Advisory Group (TAG), Hayley Fleming (HF), who was also Senior Advisor in the planning team at Natural England. The River Wye SAC Nutrient Management Plan Phosphate Action Plan, published by Natural Resources Wales, Environment Agency and Natural England in November 2021 was considered as a background paper.</p> <p>She reported that there had been a meeting of the TAG the previous week to consider how to make the TAG more effective. She said that it had been concluded that the biggest barrier to effectiveness had been getting the right people with the right knowledge and expertise to attend and to resource this work area. It had been decided to have TAG meetings approximately every six weeks. In future meeting dates would be sent out in advance and agendas would be sent out in advance, which would also increase the expectation that all of the relevant participating organisations would</p>	

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	<p>attend having been given proper notice, with a greater emphasis on actions other than just reporting. There would also be sub-groups to deliver the work, bringing their recommendations to the Board. The next TAG meeting was on 29th April 2022.</p> <p>There were general questions from members of the Board to the Chair of TAG, which she responded to.</p> <p>It was asked if the NMB received the minutes from the TAG. It did not, but the Chair of TAG agreed that this could be done in future.</p> <p>Action: Routinely include the minutes of NMB TAG meetings as an agenda item with the associated minutes attached on all future NMB agenda and papers for circulation to members of NMB.</p> <p>RJ reported that there had already been progress in developing an administrative tool for tracking actions from the TAG, which would be put onto an online platform so was hopefully that by the time of the next Board meeting the Board would be able to receive a RAG rated report and the Board would be able to pick out by exception which actions it would like to focus on. This was another administrative support that Herefordshire Council had taken on in support of the Board.</p> <p>Action: A RAG rated action and implementation report from the TAG to be included on the agenda of the next meeting of the NMB.</p> <p>The Chair read aloud an email received from Grace Wight (GW) of the Environment Agency. The Chair said that this letter would be circulated with the draft minutes of the meeting for information.</p> <p>Action: Circulate the email received from Grace Wight of the Environment Agency with the draft minutes of the meeting to members of the Board.</p> <p>The Board also monitored progress in delivering the NMP, which was attached with the agenda papers. Partner agencies also updated the Board on the progress relevant issues and of items specifically referenced in the plan.</p>	<p>CS, RJ & HF</p> <p>CS, RJ & HF</p> <p>CS & RJ</p>
4	<p>Response to the Nutrient Management Boards January 22 request for a WPZ</p> <p>The Board received feedback on the Board's request for a Water Protection Zone from Joanna Redgwell (JR) of Natural England and Ann Weedy of Natural Resources Wales.</p> <p>Ann Weedy (AW) clarified that in Wales it was the responsibility of the Welsh Government, rather than DEFRA, to issue regulations such as Water Protection Zones, if it could be demonstrated to them through evidence that the existing mechanisms in place are insufficient to achieve the required environmental standards, so it was necessary to go through a process to collate and present that evidence. She offered to send further details on this in writing for circulation to the Board.</p> <p>Action: Ann Weedy to send further details on this in writing for circulation to the Board.</p>	<p>AW</p>

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	The Chair had already read the update from Grace Wight of the Environment Agency.	
5	<p>New Guidance on Nutrient Neutrality and (NRW in development)</p> <p>The Board received information concerning the latest guidance published by Natural England on the 16th March 2022 from JR of Natural England and a verbal update on related plans in Wales from AW of Natural Resources Wales.</p> <p>A policy paper, <i>Nutrient Pollution: reducing the impact on protected sites</i>, published by Department for Environment, Food & Rural Affairs on 16th March 2022, as background.</p>	
6	<p>Target Setting- Natural England</p> <p>The Board received an update on progress from JR of Natural England on Natural England's review of the phosphate targets that will apply to the English part of the Wye catchment.</p> <p>JR reported that Natural England were reviewing the phosphate targets that would apply to the English part of the Wye Catchment and provided an update on progress. The targets were not yet available to provide to the Board but Natural England would and would update the Board in future.</p> <p>Action: JR of Natural England to provide an update on the targets that will apply to the English part of the Wye catchment.</p>	JR
6	<p>Environmental Audit Committee 4th Report on Rivers – Wye Specific Issues</p> <p>The Board received an update on the work of the Environmental Audit Committee Fourth Rivers report and considered the Wye specific recommendations and a proposal to write to DEFRA enquiring about the Government's proposed response. Environmental Audit Committee Rivers report had made some recommendations to the Government and a response from the Government had been anticipated, but no response had been received and was overdue.</p> <p>A summary of the House of Commons Environmental Audit Committee report, <i>Water Quality in Rivers, Fourth Report of Session 2021–22: summary of references to the River Wye and Herefordshire</i>, was received as a background paper. It included substantive coverage of the issues found on the River Wye. The report was a House of Commons Committee report with recommendations that the Government had two months to respond to.</p> <p>It was proposed that the Board write to DEFRA enquiring about the Government's proposed response.</p> <p>Action: A letter to be sent to DEFRA enquiring about the Government's response, with a copy to Philip Dunne MP – Chair of the Environmental Audit Committee.</p> <p>Sarah Faulkner of the NFU (National Union of Farmers) commented that the contribution of phosphates in the water had been on a decline since the 1990s, but that the general impression given to the public was often that it was increasing from</p>	CS & RJ

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	<p>agriculture, but she suggested that this was in fact not accurate. She said that there was a need to understand more about the assumptions about the contributions of phosphates from agriculture that had gone into the data modelling that was being used. She asked for it to be noted that the NFU and the agricultural sector did recognise the problem and was taking responsibility and recognised that farmers did need to take measures to reduce phosphates.</p> <p>Simon Evans commented that it was important to distinguish between phosphates and phosphorus.</p>	
7	<p>Wye Catchment Phosphate Commission</p> <p>The Board considered a proposal for the establishment of a Phosphate Commission by Herefordshire Council to accelerate actions to improve the river and develop the next evidence base and action plan which would be passed to the NMB for delivery and monitoring. The proposals were presented by RJ and summarised in a Briefing Paper on the River Wye Catchment Phosphate Commission.</p> <p>RJ explained that by the time of the next meeting it was hoped that the proposed Commission may be established through the Council's governance and committee platforms, which should also make the administration of the committee more standardised and accessible.</p> <p>The Commission would be a time limited "task and finish" committee, which would report back to the Board.</p> <p>Members of the Board who had any suggestions for the scope, timetabling and approach for the Commission should contact RJ.</p>	RJ
8	<p>Actions taken between meetings</p> <p>The Board considered a request from the Animal and Plant Health Agency (APHA) for the Board to make a formal request to the Environment Agency for the information they hold on chicken stocks in the catchment, presented by JG. Members of the Board had already agreed to this via email and the request was passed to the Environment Agency to coordinate with related requests for data.</p>	
9	<p>Items for escalation to statutory partners</p> <p>The Board considered issues and risks identified in meetings, specifically, planning approvals / habitats regulations assessments (HRA) and downstream impacts on anaerobic digestion facilities and field spreading.</p> <p>RJ explained that this was a problem arising from the issue of permits and enforcement by differing authorities; enforcement was not effective in all cases, leading to regulatory uncertainty. More rigorous enforcement through the supply chain would help, and there was a need for planners and regulators and enforcement agencies need to work jointly beyond the administrative silos and come to a consensus on downstream impact to avoid different advice and interpretations in different regulatory sectors on the same issues.</p>	

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	The Chair suggested that there needed to be full engagement from planners and regulators on this issue.	
10	<p>Kingsland Incident</p> <p>The Board received an update from Grace Wight (GW) of the Environment Agency on the actions taken following the Kingsland incident on the Lugg.</p> <p>A press release from Natural England and Environment Agency launch joint legal action in response to River Lugg damage was received as a background paper.</p>	
11	<p>Public Questions</p> <p>The Board considered questions from members of the public attending the meeting to the statutory partners.</p>	
12	<p>Date of Next Meeting</p> <p>It was confirmed that the date of the next meeting would be 29th June 2022.</p>	

The meeting ended at 5:03pm