

## **Nutrient Management Plan Delivery Board – Herefordshire Council**

### **December 2022 update**

#### **The Cabinet Commission**

The Cabinet Commission, given formal approval to proceed in September, is now mobilising and quietly going about its work programme. Powys, Monmouthshire and Forest Dean Councils have all nominated Executive Members to join the Commission so that the entire Catchment is represented.

The Commission has now met twice and will continue to meet monthly. At the last meeting of the Commission there was a presentation from the Wye Agri Partnership which is working with WRAP (The Waste Resources Action Programme) and all of the major national retailers and suppliers who are each developing their own programmes and action plans to manage waste created by their supply chains.

#### **Nutrient Management Plan Governance Review**

Preparatory work has commenced for the governance review of the Nutrient Management Plan Delivery Board (NMPDB). Herefordshire's commitment to hosting the Board and the efforts of members across all parties here, and with our partner councils, demonstrates our clear leadership and commitment to addressing this most pressing of issues in our and surrounding counties within the Wye catchment areas. However, it is increasingly important for the Environment Agency and Natural England to deliver meaningful progress on the actions identified in the present plan to a level needed to provide assurance that the plan is capable of achieving the improvements it was promising to deliver when it was adopted 8 years ago. This makes the work of our Commission even more significant. We all want to see a rapid shift from research and analysis to tangible delivery and measurable improvement. The Commission has contacted the agencies with its early thoughts on Governance and will bring forward a consultation paper in the new-year. The present NMPDB will obviously be a key consultee in proposals when they come forward.

#### **Working with the Farm Sector**

In pursuit of this objective, a working group has been established with representatives of Farm Herefordshire, the National Union of Farmers and the Country Landowners Association who are meeting fortnightly to develop plans themselves to better manage manure on farms. The working group has no decision making powers but will inform the work of the Commission. There is growing commitment from the farming sector to investigate and champion changed farm practices for themselves and the Commission is very keen we provide them with all the support we can to make this a reality. Items under consideration are a new farm measurement tool which DEFRA are supporting with workshops. The group is also in the very early stages of exploring whether there is the potential for a farm champion scheme to help drive sector led self-improvement.

#### **Enforcement**

Alongside this encouraging work with the farming community, a review of enforcement practice has commenced and Commissioners will be receiving proposals and recommendations on enhanced and added value enforcement. We will of course seek evidence of our enforcement partners.

## **Planning**

Our draft Agricultural Supplementary Planning Document represents the very limited steps we are able to take in policy terms to achieve change at this stage ahead of the adoption of the updated Herefordshire Local Plan. The review of which is well underway. . The Agricultural SPD is presently out for consultation

(<https://consultations.herefordshire.gov.uk/consultations/article/91/agricultural-planning-supplementary-planning-document>)

Our Minerals and Waste Local Plan is currently undergoing Examination in Public, the hearing sessions have been completed and it is anticipated that a set of Main Modifications will be published for consultation in January 2023. A final Inspectors report will be published once the Inspectors have considered any further comments made regarding the modifications. The submitted Minerals and Waste Local Plan included a requirement for all new agricultural development proposals achieve nutrient neutrality for agricultural waste. An enhanced policy position to deliver full nutrient neutrality across the whole of the Herefordshire part of the Wye catchment will be progressed through in the Herefordshire Local Plan. Commissioners will also want to make suggestions to the policy review on how the Planning Framework can strengthen environmental protection across the catchment.

## **Mitigation**

Mitigation remains a challenging area. The Luston wetland site is now capable of delivering phosphate credits and the development management part of the planning process is getting the necessary agreements in place to trade with developers at the front of the queue for delayed planning applications to be processed. A backlog of ecology consults which built up through Covid has now been cleared which will contribute to the processing of less complex development cases.

Issues around PTP dosing are being evaluated and resolved. It is disappointing to hear report of the unilateral decisions made elsewhere leading to DCWW being forced to withdraw the Shobdon site. The consequence of this is the abortion of 18months careful work to bring that wetland site forward and representations regarding poor communications and their consequences have been made to the relevant agency. Alternative schemes will be sifted to go forward to business case next year.

We are pleased to note that Natural England are also proposing to bring forward mitigation schemes in the catchment and welcomes the involvement of the NGO sector in the design of such schemes. However, we remain concerned that beyond the conceptual design stage for these natural filtration and phosphate capture systems, the technical design and build out capability needs to be developed rapidly in the context of a constrained construction sector for such schemes to meet our resident's needs for new housing.

## **The Longer Term**

Given the above and the lack of discernible objective progress to restoring the Wye, Herefordshire Council remains firm in its view that the long term solution to the catchments challenges can only be secured by a "Poole Harbour" type ten year delivery scheme with a primary objective of river restoration and with the inclusion of regular checkpoints. This, so that, in the event of insufficient progress with the plan, then reluctantly a formal Water Protection Zone (or some other similarly robust regulatory framework) would be given serious consideration. Therefore we would welcome a commitment from all involved with the wellbeing of the catchment to commit to the two year design process necessary to put a ten-year Poole Harbour Style Scheme in place.