

# Notes of the meeting of the Wye Catchment Nutrient Management Board held in on Wednesday 21 December 2022 at 2.00 pm

## Attendees:

### Voting Members present

Councillor Elissa Swinglehurst (ES)	Herefordshire Council
Helen Dale (HD)	Countryside Landowners Association
Fergus O'Brien (FOB)	Dwr Cymru Welsh Water
Jenny Gamble (JG)	Environment Agency
Councillor Sid Phelps (SP)	Forest of Dean District Council
Merry Albright (MA)	Herefordshire Construction Industry Lobby Group
Martin Williams (MW)	Farm Herefordshire
Claire Minett (CM)	Natural England
David Lee (DL)	Natural Resources Wales
Simon Evans (SE)	The Wye and Usk Foundation
Ann Weedy (AW)	Natural Resources Wales
Mark Averill (MA)	Herefordshire Council
Martin Quine (MQ)	Environment Agency
Jamie Audsley (JA)	Herefordshire Wildlife Trust
CLr Jackie Charlton (JC)	Powys Council
CLr Catrin Maby (CCM)	Monmouthshire Council

### Statutory Advisors present

Craig O'Connor (COC)	Monmouthshire County Council
Rachael Joy (RJ)	Herefordshire Council
Hayley Fleming (HF)	Natural England

### Others present

James Marsden (JM)	
Helen Stace (HS)	
Elizabeth Duberley (ED)	Herefordshire Council
Simon Cann (SC)	

### Welcome and apologies

The Chair welcomed the attendees to the meeting.

#### Apologies:

Apologies were received from Stuart Smith, Steve Hodges and Sarah Faulkner.

#### Substitutes:

Georgie Hyde for Sarah Faulkner (NFU)

Paul Vernon for Stuart Smith (WSA)

The board welcomed Jamie Audsley as the new Head of the Herefordshire Wildlife Trust and Kurt Spicer as Head of Conservation for the Herefordshire Wildlife Trust.

## 35. NOTES AND MATTERS ARISING FROM LAST TIME

**Minutes of meeting from 28<sup>th</sup> September 2022:**

It was noted that James Marsden was no longer representing Brecon Beacon National Park the board unanimously approved the minutes of the meeting of 28<sup>th</sup> September 2022 as a correct and accurate record.

**Matters arising:**

The Board considered the actions arising from the previous meeting.

**ACTION: Ann Weedy (AW) to obtain response from the Welsh Government regarding water protection zones.**

**ACTION: Martin Quine (MQ) to provide an update on the 'Fair Share assessment'.**

**36. UPDATE FROM TAG**

The Chair thanked Hayley Fleming and the working group chairs for their work. Updates were taken as read and then opened up for discussion.

**Evidence working group:**

The evidence sub-group was finalising the scope and membership across the many partners involved in data collection, analysis and reporting across the catchment.

**Regulations working group:**

Purpose: to review the powers and limitations of existing legislation, recommend measures to improve local compliance and raise issues / challenges with the board.

**Farmer advice working group:**

Purpose:

- Collate links and works strands for greater cohesion.
- Explore options around a whole catchment approach to farm advice and sharing of best practice
- Ensure right advice is given to right places, drawing on RePhoKUs research and outputs of the evidence working group.
- Consider opportunities for landscape scale action and propose projects to the project group.

**ACTION: Board members were asked to come up with ideas for securing funding for the phosphate calculator development.**

**Poultry working group:**

Purpose: to secure reductions from the sector by engaging with chicken producers directly, quantifying reductions, and working with the regulation and farm advice working groups to rectify gaps in regulation, planning, permitting and farm assurance.

No questions

**Projects and innovations working group**

Aimed to bring forward a series of phosphate reduction schemes to improve water quality in the River Wye and meet the housing and wider economic development needs of each LPA within the catchment. The projects group was to be fed projects to develop by the other working groups.

No questions

**37. PARTNER UPDATES**

**Natural England:**

Update taken as read:

**ACTION: Update board on what happens when it is known that another source is polluting a target in another country/county. Natural England and Natural Resources Wales to advise on the protocols they have in place to provide a coherent and joined up approach to planning consults which may impact the SAC across England and Wales.**

**ACTION: Obtain the historic memorandum of understanding (MOU) and circulate it with the minutes for reference purposes.**

**Herefordshire Council:**

Update was taken as read.

**Environment Agency:**

Update taken as read.

**ACTION: Martin Quine to provide details as to whether 93 compliance assessments were conducted before or after the river went into drought.**

**ACTION: Martin Quine to provide update on Project TARA, including any relevant regulation and waste classification details.**

**DCWW:**

Update was taken as read.

**ACTION: TAG to draft proposal for instances where individual partners and working groups have exhausted avenues and want the board to act collectively to try and bring attention to an issue.**

**ACTION: Hayley Fleming to arrange meeting to discuss whether NE or TAG could explore whether the Welsh Water investment programme funding could be released not just for river betterment and tackling river pollution, but also for phosphate mitigation.**

**NRW:**

Update was taken as read.

**Powys Council:**

No update provided.

**38. REFRESH OF THE PLAN**

**Refresh of the plan:**

The board discussed and considered date setting for the next review of the action plan. Concerns were raised over the progress being made to deliver the plan which might make it difficult to approve them at the next meeting.

**Action Hayley to work with TAG to complete the next update of the plan for consideration at the next meeting.**

**39. WYE AGRI PARTNERSHIP SUPPLY CHAIN WORK UPDATE**

Kate Speke-Adams gave the board a slide presentation detailing the activity of the Wye-Agri Food Partnership. The presentation covered off the Courtauld collective action commitments, which brings retailers, food processors and the supply chain together to achieve shared ambitions.

**ACTION: The Chair enquired as to why there was no statement on the regulatory position regarding free-range eggs dirty water discharges. Specifically, where the planning permission has allowed dirty water discharge but a retrofit solution is going to render the permit holder liable where they currently are not Ann Weedy to provide a written update to the next board**

**40. FUNDING STREAMS AND POTENTIAL BID MATCHING**

A short update and briefing on funding streams and bids with suggestions for being better prepared for bid opportunities.

**ACTION: Board to create ready-made bid database.**

**ACTION: Carry out skills audit and bid writing training.**

**ACTION: Create a database of funding sources**

**41. PUBLIC QUESTIONS**

To provide the opportunity to members of the public attending the meeting to ask questions of the statutory partners:

**Helen Hamilton: The EA was asked for its opinion on a recent court judgement relating to abstraction licences impacting the Norfolk Broads. It was the finding of the court that the review from 2010 used to inform the EA decision was not acceptable. It was also asked if the judgement would change the EAs approach to the Wye.**

ACTION: Martin Quine explained he was not familiar with the case or judgement, but would seek a response on the matter from colleagues.

**Andrew McRobb (AM): Why did the NRW change its mind over impact of chicken manure from poultry units on the river?**

Ann Weedy: It was not really change of mind, SAC rivers report showed data, evidence report did not establish a direct link. Latest document is about objectives and not an evidence-based report

**Andrew McRobb: Asked about total P within the catchment area. How do we stop adding to it and why aren't we stopping it? Why are we not lobbying government?**

Chair: It's not within the gift of the board and we are lobbying government.

**Richard Tyler: I understood that external people could join TAG, but have not heard back yet. What is the board's view. Is external input welcome?**

Rachael Joy: There is perhaps too much public involvement and engagement in the work of TAG and there was not the space for the regulators to have conversations about what they can and can't do. TAGs need to be a private space where work and discussions can take place. TAG can't have people with commercial/bid/enforcement interests in that domain and Herefordshire had considered withdrawing from TAG because of the governance and information security conflicts this creates.

**Richard Tyler: Then from the outside how do we comment on those groups?**

Rachael Joy: NMB has a space for public for questions, but there has to be a protective space for statutory agencies to hold appropriate discussions.

**Richard Tyler: I was disappointed with the response on the WPZ zone in Wales**

Ann Weedy: We do have the ear and support of the minister and the Welsh government. There are new laws and controls coming in that will hopefully create improvements. A WPZ could take time to have an impact, but is still not off the table and could be reconsidered further down the line.

**Richard Tyler: Has the Shobdon Wetlands project been shelved as reported in the Hereford Times?**

Rachael Joy: Herefordshire Council will follow that up with Martin Quine at the EA before saying anything further on that subject.

**Alison Caffyn: Are any of the working groups looking at issues around reducing the number of birds in the catchment and discussing alternative options or routes out of the poultry farming industry for those looking to exit?**

Hayley Fleming: Will take that back to the TAG group.

**Christine Hugh-Jones: If you look at the new core management plan it seems the ecology of the river is failing, if this is not a forum for looking at the general health of the river for us public observers, where does that leave the future of the Wye?**

Chair: It is the nutrient management board and does have a remit it can't stray too far from.

**42. AOUB**

There was no other business.

**43. DATE OF NEXT MEETING**

Date of the next meeting to be confirmed..

The meeting ended at Time Not Specified

**Chairperson**