

Nutrient Management Board – Public Questions with responses received, 10th April:

QUESTION 1.

Hello,

Does the Nutrient Management Board know when we can expect publication of Defra's promised and overdue 'Plan for the Wye'? Has the NMB been consulted on its contents? Have any members of the NMB had input into making it? Could the EA, NRW and NE confirm what input they've made to the plan and who in Defra they are liaising with about it?

Many thanks,
Nicola Cutcher

QUESTION 2.

What can the NMB members do to get DEFRA to disclose more detail of the proposed 'Plan for the Wye' and when it will be shared, as much action is being delayed while we wait for information?

Dr Alison Caffyn

Responses received:

Response – Merry Albright, Herefordshire Construction Industry Lobby Group:

Some notes from HCILG below:

Does the Nutrient Management Board know when we can expect publication of Defra's promised and overdue 'Plan for the Wye'?

HCILG remains saddened and frustrated by the lack of the 'Special' Defra Plan, the revised Nutrient Management Plan, The Diffuse Water Pollution Plan - alongside all the other missing plans that will create a pathway to ecological recovery.

It has been almost 5 years since NE advised Herefordshire Council to impose a housing moratorium as a result of failing phosphorous targets, and specifically the non compliance of the NMP in light of the Dutch Judgement.

It is 10 years since the first housing moratorium which led to the publication of the Nutrient Management Plan adopted in 2015.

During the past 5 years the lack of a 'plan' has undoubtedly hindered the implementation of meaningful and quantifiable actions to reduce phosphorus to the significant scale required. HCILG is concerned that the unfulfilled promise of various plans over several years has also enabled a deep set inertia where progress remains elusive.

Yet there are many people committed to collaboration and change and HCILG feel a structured plan is fundamental to how these changes are facilitated, captured and secured.

We now know that during this time of inertia the ecological conditions of the catchment have declined further, and the catchment now sits one categorisation away from 'destroyed'. The economic and social conditions of the catchment have also spiralled beyond all that is fair or proportional.

It would be helpful if these combined declining factors were seen as triggers of urgency for plan making.

Without a plan of actions that are both legally and scientifically certain of deliverable pollution reduction, HCILG cannot see how the catchment can begin the journey of restoration and protection, despite the considerable efforts of so many across all sectors.

HCILG feel that it is unsustainable to maintain the current predicament, and would again urge the agencies and Defra to deliver the plans for which they are responsible.

HCILG are also concerned that the lack of the Defra Plan puts Herefordshire as a county at an expressed disadvantage (social, ecologically and economically) as we are the only English protected but failing, catchment to not benefit from the Levelling Up Act, through a quirk of devolution. Hence the requirement for a Special Plan.

We understand that it is not legal for any nation to be disadvantaged by devolution and HCILG have asked Herefordshire Council, our MP and Defra to look into this. The responses we have received indicate that Defra is aware of this unusual predicament and are committed to the Special Plan to address it.

HCILG do understand the importance of getting the Special Plan right as it has the potential to cut through the years that have past. So if the delay is due to the complexities of crafting a comprehensive, brave and workable plan that addresses the many issues we would understand the extra time taken. But this should be communicated.

We are worried however that there has been no, or very little, consultation with those who may be able to offer valuable insight.

In May Therese Coffey made it clear that she expected a plan that was 'radical and delivered at pace' – and HCILG remain hopeful that this will be the outcome.

It is harder to understand the many years of waiting for a compliant NMP or DWPP but perhaps the agencies are waiting for the Special Defra Plan as it may have an impact upon their planmaking?

HCILG would like the NMB to officially request that the Special Plan, NMP and DWPP are given set dates for publication or to set an interim position while they are prepared and published.

Has the NMB been consulted on its contents?

HCILG have not been consulted either privately or as a NMB member.

We have however approached our MP about the overdue Defra Special Plan and have received a reply from Robbie Moore MP to reiterate that Defra is committed to producing the plan.

HCILG do not know if other members of the NMB or the SOG and TAG have been consulted separately or individually.

Have any members of the NMB had input into making it?

HCILG don't know if other members of the NMB/SOG/TAG have had input.

Could the EA, NRW and NE confirm what input they've made to the plan and who in Defra they are liaising with about it?

It would be helpful for the NMB to also know who at EA, NE and NRW is working with Defra on the plan, and indeed who sits on the SOG and TAG and so may have input into the plans.

And the hierarchy of the various plans will need to be established so that actions can be implemented and progress quantified.

Response – Jamie Audsley, Herefordshire Wildlife Trust:

Does the Nutrient Management Board know when we can expect publication of Defra's promised and overdue 'Plan for the Wye'? **No. I have been told it is imminent by EA staff on a number of occasions in the last 6 months.**

Has the NMB been consulted on its contents? **No, not as an individual organisation; nor formally as a member of the NMB.**

Have any members of the NMB had input into making it? **I have been asked whether projects we have proposed to "Recover our Rivers" - i.e annual funding from EA to the catchment could be included in it. I agreed to this.**

In discussions with players in the catchment it seems clear most are aware the "plan" is a repackaging of existing initiatives and there's nothing particularly new or innovative in its thinking. Herefordshire Wildlife Trust are now looking to the next Government for action on the Wye.

Could the EA, NRW and NE confirm what input they've made to the plan and who in Defra they are liaising with about it? **NA**

Response – Emma Johnson, Natural England:

With reference to the question about the River Wye Action plan. NE have been asked by Defra Water Quality team for technical advice on specific elements of the plan content that relate to our role. The question around timing of publication of the Plan has been put to Defra.

QUESTION 3.

Question 1.

At the FORW Monmouth event on Friday 23rd February, where the Chairs of both EA and NRW took part, NRW stressed that ecological decline of Wye was never just about Phosphate. What steps are NRW and the EA taking:-

- i. To amass and assess evidence about the role of biocides (pesticides - used on crops, forestry, in livestock rearing, to control vermin and for pets, and herbicides - used on crops, in public spaces and by untrained people in gardens) in Wye ecological decline?
- ii. To control their introduction into water bodies?

Question 2.

At the FORW Monmouth event on Friday 23rd February, where the Chairs of both EA and NRW took part, NRW described a 5-year Wye restoration programme involving visits to 300 farms to identify pollution sources.

- i. How are these 300 farms chosen?

- ii. CPRW knows of at least twelve intensive pig units in the Powys Wye catchment which are below the NRW permitting threshold and which received planning consent as “agricultural sheds” with the intended purpose concealed. These will be operating without any regulation or relevant slurry management and pollution prevention plans. How many of these units will be included in the chosen 300?

(“Wye restoration” search does not bring up any relevant information on the NRW website)

Christine Hugh-Jones

Response – Ann Weedy, Natural Resources Wales:

Question 1. – Response to follow.

Question 2.

At the FORW Monmouth event on Friday 23rd February, where the Chairs of both EA and NRW took part, NRW described a 5-year Wye restoration programme involving visits to 300 farms to identify pollution sources.

- i. How are these 300 farms chosen?

Recruitment to this new team took place at the end of 2023 and 7 members of the team (Team leader, 2 senior officers and 4 officers) have been in place since the beginning of April. Further recruitment is required to complete the team. The programme is in the planning stages and an official launch, including web page and social media channel information is planned for early June.

Prioritisation of our work areas is underway, using a range of data sources and consultation with stakeholders. This shows our initial focus during the first few years is likely to be mainly on the Ithon and Aran. We are currently reviewing monitoring, data and reports (including water quality data, fluvial geomorphology survey data, invertebrate and fish monitoring data) to determine which areas, farms and landowners we will visit and how many. Work has also commenced on the other work areas including identifying instream barriers and developing solutions, as well as collating data to carry out INNS management.

In addition our new Agriculture teams aim to inspect over 800 farms in 2024. The team is embarking on a programme of inspections on farms throughout Wales to assess compliance with the Control of Agricultural Pollution Regulations (CoAPR) introduced by Welsh Government. The teams are focussing on high risk activities include farms producing,

storing, or using high levels of organic manures which includes digestate, biosolids and other wastes recovered to land.

- ii. CPRW knows of at least twelve intensive pig units in the Powys Wye catchment which are below the NRW permitting threshold and which received planning consent as “agricultural sheds” with the intended purpose concealed. These will be operating without any regulation or relevant slurry management and pollution prevention plans. How many of these units will be included in the chosen 300?

We are aware of 16 farms in the Powys Wye catchment that have applied for planning permission for sheds to hold pigs. We’ve visited 10 of these farms across 2021 and 2022 and will pick up the remaining 6 farms in this years inspection programme.

All the farms we visited were fattening pigs and the farms supplied by Stockcroft who pay farmers to raise their pigs on a daily rate in the farmers own buildings. They generally work with farmers to install new purpose built buildings for pig rearing. These buildings typically hold 1,000 pigs and are 50 foot by 200 ft. They are straw based with a scrape through system, automatic ad lib feeders and drinkers and pigs are in pens of 50 from start to finish. We found an issue at one of the farms we visited where there was evidence that the effluent tank had overflowed onto surrounding land. No further issues were found.

(“Wye restoration” search does not bring up any relevant information on the NRW website)

An official launch of the project, including web page and social media channel information is planned for early June.