

**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 October 2024 at 2.00 pm**

**Chairperson:**

Councillor Elissa Swinglehurst      Herefordshire Council

**Voting board members present in person:**

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

**Voting board members in attendance remotely:**

Liz Bickerton	Bannau Brycheiniog National Park Authority
Councillor Jackie Charlton	Powys County Council
Helen Dale	Country Land and Business Association
Nick Day	The Friends of the Lower Wye
Georgie Hyde	National Farmers Union
Sarah James	Farm Cymru
Councillor Catrin Maby	Monmouthshire County Council
Councillor Andrew McDermid	Forest of Dean District Council

**Other participants present in person:**

Daniel Humphreys	Dwr Cymru/Welsh Water
Martin Quine	Environment Agency

**Other participants in attendance remotely:**

Nigel Brinn	Forest of Dean District Council
Elizabeth Duberley	Herefordshire Council
Emma Guy	Bannau Brycheiniog National Park Authority
Ethan Hamer	Powys County Council
Marc Liddeth	Environment Agency
Claire Minett	Natural England
Peter Morris	Powys County Council
Craig O'Connor	Monmouthshire County Council
Ann Weedy	Natural Resources Wales

**Support officers:**

Ben Baugh	Herefordshire Council
Alfred Rees-Glinos	Herefordshire Council

[\[Link to the meeting page, including video chapters\]](#)

**1. WELCOME AND APOLOGIES FOR ABSENCE**

Formal apologies for absence were recorded during the meeting from: Simon Evans (The Wye and Usk Foundation); Emma Johnson (Natural England); Stuart Smith (Wye Salmon Association), with Gordon Green was present as a substitute; and Martin Williams (Farm Herefordshire).

Invitees that had declined the meeting invitation included: Jamie Audsley (Herefordshire Wildlife Trust); James Hitchcock (Radnorshire Wildlife Trust); Christine Hugh-Jones (Council for Protection of Rural Wales); and Frances O'Brien (Monmouthshire County Council).

## **2. NOTES OF THE PREVIOUS MEETING**

The notes of the previous meeting held on 31 July 2024 were agreed.

Action: It was requested that participants in attendance remotely also be recorded in the board meeting notes.

The following matters arising were noted:

- The River Wye Statutory Officers Group (SOG) had considered a suggestion that an executive summary be produced for newcomers to the board; on 26 September 2024, SOG had concluded that '*...local authorities should take responsibility to brief any new Councillor and to utilise existing products produced...*'.
- Work was ongoing by Dwr Cymru/Welsh Water to '*...provide copies of the paperwork which shows different mapping risks including distances from watercourses...*'.

## **3. QUESTIONS FROM MEMBERS OF THE PUBLIC**

Attention was drawn to questions received from Helen Hamilton, Marches Planning and Environment. Interim responses were provided during the meeting by the Environment Agency and Natural England representatives. Updated responses were published following the meeting [[link to Supplement 3.2 - Questions \(updated with agency responses, as at 12 November 2024\)](#)].

Noting research by Cardiff University which highlighted the increasing levels of ammonium and nitrate in the River Wye, it was reported that Natural England and Natural Resources Wales were exploring the potential for targets for rivers in general. A board member commented on the need to identify related actions and consequential reductions in the appropriate plans.

## **4. UPDATES ON ACTIVITY**

Board members were urged to provide updates on the relevant activities of the groups and organisations that they represented.

## **5. REPORT OF THE RIVER WYE STATUTORY OFFICERS' GROUP**

Several questions were asked about the River Wye Statutory Officers' Group (SOG) meeting slide deck and meeting notes, the principal points arising included:

River Wye SOG / Meeting Headlines

1. The SOG had discussed the need to undertake an internal review the Terms of Reference and learning over the last twelve months for the next SOG (18 December 2024), with feedback and comments to be sought from board members.
2. With reference made to the sentence '*SOG discussed the need for a focus on River Lugg nutrient data and its failing targets compared to the River Wye*', it was clarified that: the River Wye was a designated Special Area of Conservation (SAC) in England and Wales, but the River Lugg was a SAC in England only; for the

Diffuse Water Pollution Plan and the next steps, consideration was being given to the measures that would be required to address the different issues for each river; and data was available and was being worked on for sub-catchments, but the focus was predominantly on SAC failures at present.

3. A board member commented on the need to consider messaging carefully, especially given the potential for public confusion about differences in targets for different parts of the river. It was clarified that: the agencies worked collectively across the catchment; the importance of narrative around technical data was recognised; it was appropriate to have higher targets for headwaters than for the lower reaches of the water course; and reference was made to the Common Standards Monitoring guidance which was applied across the UK [[link to Joint Nature Conservation Committee \(JNCC\) webpage on Common Standards Monitoring](#)].

#### Updates from Natural Resource Wales

4. It was reported that the Upper Wye Restoration Project was looking at the holistic health of the river and had not designed around phosphate issues. A board member suggested that, for the purposes of the board, headlines directly related to the Nutrient Management Plan and the DWPP could be distinguished from other initiatives and developments.
5. A board member commented that amended planning advice from Natural Resources Wales diverged from that of Herefordshire Council, informed by the position of Natural England, and the agencies should be encouraged to work together to address this.
6. It was confirmed that the review of phosphorus limits on Environmental Permits for wastewater treatment works discharges had been undertaken by Natural Resources Wales, but a response on quantification would need to be provided subsequently.

#### Updates from Herefordshire Council

7. It was reported that the initial data from the Luston wetland showed average reductions in total phosphorous levels of 68% during the first 12 months of site operation and it was currently on track to meet the 100% reduction modelled over a two year period; further detail would be published on the Herefordshire Council website in due course [[link to Herefordshire Council webpage on Luston Integrated Constructed Wetland](#)].
8. It was noted that Herefordshire Council was to host a second rivers conference (21 November 2024) on sustainable practices for arable farming and consideration could be given to another event on river recovery practices.

#### Updates from Natural England

9. It was clarified that the Wyescapes project was in a two-year development phase, and was not yet at the point to quantify the level of delivery.
10. A response on the potential for Whole Farm Plans to inform example models for typical farm types would need to be provided subsequently.
11. With attention drawn to the information provided on '38 farm visits' and 'Consents and Planning', a board member commented that further detail was needed, especially in relation to outcomes with measurable nutrient reductions to inform the

plans. It was acknowledged that further narrative would be helpful, and clarifications were provided on the matters referenced in the slide.

The Chairperson commented that one of the roles of the board was to triangulate actions with the delivery of the current Phosphate Action Plan, and there was a need to quantify and identify the benefits arising from actions being undertaken. The need for regular updates from other partners charged with the delivery of actions was re-iterated.

A board member emphasised the need for combined plans for the whole catchment, and suggested that an annual report be produced on activities and outcomes set against the targets included in those plans.

## 6. THE SEAT ON THE BOARD FOR THE RIVER

The criteria were agreed for the purposes of advertising and shortlisting candidates to fill a seat on the board for the river.

Participants were invited to suggest potential candidates to the working group.

## 7. LETTER TO THE CHAIR FROM THE DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

It was noted that the (dated 23 August 2024) identified that Defra '*...are committed to delivering the Environment Act targets, which include reducing nitrogen, phosphorus and sediment losses from agricultural lands*', '*...have committed to review the Environment Improvement Plan*' and '*...will develop a new statutory plan with delivery plans to meet each of our Environment Act targets*'.

The Chairperson read out a further communication from Defra, as follows:

- *Cleaning up our rivers, seas, and lakes, including iconic sites such as the River Wye, is a top government priority.*
- *Defra are actively progressing the next steps for the River Wye. This includes working more closely with all relevant stakeholders, including Welsh Government, local authorities, and the various dedicated local groups.*
- *The Secretary of State met with Deputy First Minister for Wales where they discussed the Wye and agreed to work collaboratively on the issues affecting the river.*
- *The Secretary of State agreed to enhance scientific research and local field trials to identify solutions that can be applied across wider geographical regions, starting with tackling pollution of culturally and economically important water bodies.*
- *Defra are reviewing regulations where agriculture may be a factor in causing pollution. These include the rapid review of the Environmental Improvement Plan announced by Government in July, and the post-implementation reviews of the nitrate pollution prevention regulations.*
- *Defra recently announced the independent review of Defra's regulatory landscape by Dan Corry [[link to the Defra announcement on the internal regulatory review](#)].*

The principal points of the discussion included:

- a) A cross-party Parliamentary group had formed, including catchment MPs and led by Lord Lipsey, to raise awareness of the issues affecting the River Wye.

Action: It was agreed that a letter should be sent to the MPs to highlight the work of the board, alongside that of the Statutory Officer Group, and to encourage constructive communication and partnership.

- b) It was reported that the Minister for Water and Flooding had met with catchment MPs, and with representatives of the Environment Agency and Natural England.
- c) It was reported that representatives of Friends of the River Wye and Save the Wye had met with catchment MPs.
- d) It was noted that an item on the Future Generations Commissioner for Wales and the Rivers Summits featured later in the agenda (see note 9 below).

The Chairperson welcomed the level of interest and engagement, but emphasised the established purpose of the board to influence, advise and challenge.

## **8. UPDATE ON THE RIVER WYE ACTION PLAN**

[Note: For the efficient transaction of business, item 8 was discussed following items 9 and 10 but the agenda order has been retained in these notes for ease of reference]

The Chairperson advised the board that, following the 2024 general election: a new 'River Champion' had not yet been appointed; and no further detail was available on the previously announced 'up to £35 million in funding' for the River Wye SAC catchment.

Action: It was agreed that a letter should be sent to HM Treasury on behalf of the board to highlight the need for discussions to resume and for funding to be made available.

## **9. LETTER TO THE WELSH GOVERNMENT FROM THE FUTURE GENERATIONS COMMISSIONER FOR WALES**

The Chairperson welcomed the letter from the Future Generations Commissioner for Wales to the Welsh Government (dated 2 September 2024), and the associated report. It was considered that the content: demonstrated a level of awareness and grip of the issues; recognised the role of nutrient management boards; identified the need for innovative approaches, and for the production of a clear action plan for tackling agricultural sources of river pollution; acknowledged the value of citizen science; and showed political impetus through the Rivers Summits, albeit with some questions remaining about what happens next.

It was reported that an event was to be held by the Future Generations Commissioner for Wales on 21 November 2024.

## **10. LETTER TO THE SECRETARY OF STATE FROM THE OFFICE FOR ENVIRONMENTAL PROTECTION**

The Chairperson drew attention to some of the key points of the letter from the Chair of the Office for Environmental Protection to the Secretary of State for the Environment, Food and Rural Affairs (dated 12 September 2024), including: '*... without nature there is no economy, no food, no health or society*'; the priority to '*Get nature friendly farming right...*' '*... However, we identify limited capacity for reducing water pollution, supporting your priority of cleaning up rivers and lakes, without both changes to the current schemes and changes to the regulatory approach...*'; the priority to '*Regulate more effectively*'; and the welcoming of the Secretary of State's '*...recent announcement of a fundamental and comprehensive review of water in the round...*'.

A board member commented that the Council for Protection of Rural England would be lobbying for the powers of the Environment Agency to hold water companies to account to be extended into the agricultural industry.

## **11. FINES LEVIED AGAINST WATER COMPANIES**

Overviews were provided on:

- i. The treatment of fines handed out by the courts through prosecutions for high impact pollution incidents.
- ii. The voluntary offers that could be made by offenders to put right the effects of their offending through projects in the relevant catchment through enforcement undertakings in England [link to [Environment Agency webpage on enforcement undertakings](#)]. It was explained that this mechanism was not mirrored in Wales, but undertakings could be accepted for damage to a fishery.
- iii. The Water Restoration Fund to fund projects in specified geographical areas utilising fines and penalties collected from water and sewerage companies.

It was commented that all pollution incidents should be avoided but, where it did occur, there was a preference for fines and penalties to be utilised for protection, restoration and enhancement in the relevant catchment.

## **12. DATE OF THE NEXT MEETING**

The next meeting was scheduled for Wednesday 15 January 2025, 2.00 pm.

The meeting ended at 3.34 pm

**Chairperson**