

# Title of report: River Restoration

**Decision maker:** Cabinet Member

**Decision date:** February 2025

**Report by:** Nutrient Mitigation Lead

## Classification

Open

## Decision type

Non-key

## Wards affected

(All Wards);

## Purpose

Cabinet resolved to establish a Phosphate Commission in July 2022 to work with partners to address phosphate pollution in the River Wye at a strategic level. A total allocation of £480,000 was allocated to the work of the Phosphate Commission. The Cabinet agreed to delegate to the Corporate Director £250,000 of this allocation in a decision taken 2 March 2023. This report seeks to draw down the remaining allocation of £230,000 from the capital programme in addition to a £100,000 grant funding allocation from the Ministry of Housing Communities and Local Government (MHCLG).

## Recommendation(s)

That:

- a) **The remaining £230,000 allocated to the Phosphate Commission is drawn down from the Capital Programme, alongside the grant funding for the continued work on river restoration of the River Wye Special Area of Conservation (SAC) of £100,000 from MHCLG, totalling £330,000.**
- b) **Authority is delegated to the Nutrient Mitigation Lead, in consultation with the Cabinet Member for the Environment and Planning, to take all operational decisions necessary to enable the Phosphate Commission to address Nutrient Pollution within the River Wye SAC and its tributaries.**

## Alternative options

1. None - At its meeting on 28 July 2022 Cabinet resolved to establish a Cabinet Commission to consider how the Council and its partners can progress the wider systemic and strategic issues needed to address water quality including Phosphate Pollution in the Wye, the need to support partners in ensuring river restoration still applies.

## Key considerations

2. On 28 July 2022 Cabinet resolved to establish a Cabinet Phosphates Commission with the purpose of considering how the Council and its partners can progress the wider strategic issues needed to address Phosphate pollution in the River Wye. This decision was taken on the basis of the strong resident support for taking further action to address the significant social, economic and environmental impact to the county. The Commission increases the capacity available to address the issue beyond the work of the Nutrient Management Board.
3. On 2 March 2023 authority was delegated to the Corporate Director for Economy and Environment to draw down £250,000 of the total allocation of £480,000 to the continued work of the Commission, following consultation with the Chief Executive and the Director of Resources and Assurance.
4. A further allocation of £100,000 has been awarded in grant funding by the Ministry of Housing Communities & Local Government, ring fenced for the continued work on river restoration of the River Wye SAC.
5. To date the Council has undertaken a significant role in seeking to progress river restoration; it has secured Welsh government funding of £81,000 for the development of the Welsh catchment evidence base for the Nutrient Management Plan, leading on its delivery with partners from Natural Resources Wales and the Welsh Local Authorities; Powys and Monmouthshire. Through collaboration with the Environment Agency (EA); the author of the Diffuse Water Pollution Plan which sets out the evidence and actions for the English catchment, a commitment to delivering a catchment wide Nutrient Plan is now in place for Spring 2025.
6. As a steering member of the Wye Catchment Partnership the Council has supported in the development of a wider catchment management plan for the Wye which encompasses all aspects of river health. In bringing forward a specification for delivery of the Plan and undertaking a costing exercise for its development, as well as meeting with Ministers across England and Wales to secure funding for not only the plan but the actions identified within it.
7. Recent modelling undertaken by EA as part of their work on the Diffuse Water Protection Plan (DWPP) and the Refocussing Phosphate Solutions in UK Food System (RePHOKUS) research project undertaken by Lancaster University, has evidenced that current regulatory measures and voluntary actions will not be sufficient to effect the necessary degree of intervention to restore the river and therefore a shift in policy will be required.
8. A particular strength of the Phosphate Commission is its ability to advocate change, as a collective of local authorities across the English and Welsh catchment it has the ability to influence both English and Welsh government for the necessary changes to policy to ensure both policy and guidance is considered and aligned in the cross border catchment.

9. The Council also seeks to advocate sustainable farming practices which inhibit soil erosion and minimise pollution, by engaging with the farming and landowning community, not only through its role as a steering member on the Farm Herefordshire partnership but through the hosting of a second Rivers Conference on Sustainable Arable Farming and Healthy Soils. The event featured presentations and discussions from farmers, the food supply chain and regulatory bodies with attendees from across the county and beyond.
10. Through the work of the Cabinet Commission the Council can provide a funding mechanism to support projects on the ground developed by key delivery partners including Farm Herefordshire, Wye and Usk Foundation rivers trust and the Wildlife Trust. As well providing investment into innovative schemes to tackle phosphate pollution and legacy Phosphate in our soils which work by RePHOKUS has indicated is responsible for 50% of Phosphate leaching into our watercourses. This funding will ensure field trials can take place within our own catchment to assess the efficacy of new measures proposed and continues to place Herefordshire Council at the forefront of driving forward change in respect of this complex problem.

### **Community impact**

11. As set out within the Council Plan 2024-8 the decision to draw down funding of the Cabinet Commission and continue partnership work on restoring the River Wye SAC is in line with its key aims:

*'We will continue to work with partners to support communities to adapt to climate change, and further investment will be made to improve drainage and infrastructure, including nature based solutions (natural flood management). The health of our rivers is of great importance. We will continue to do all within our powers to support their recovery and improve river health. We will work with governments, all neighbouring local authorities and the River Wye Nutrient Management Board and other partner organisations to achieve this aim.'*

### **Environmental Impact**

12. The proposal to utilise funding to continue with the Cabinet Commission work to restore the county's rivers meets with the objective set out in the Council Plan:

*'Place Objective: Value nature and uphold environmental standards to minimise pollution and maximise biodiversity.'*

### **Equality duty**

13. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on back-office functions, we do not believe that it will have an impact on our equality duty.

### **Resource implications**

15. No new resource implications as the allocation of funding to the Cabinet Commission was approved in the 2023/4 Budget setting.

### **Legal implications**

16. This section is to be completed in its entirety by the legal services team.

### **Risk management**

17. No risks identified as the report relates only to the delegation of powers to the lead officer to continued approved work on river restoration.

### **Consultees**

18. Not required.

### **Appendices**

None

### **Background papers**

None

## Report Reviewers Used for appraising this report:

**Please note this section must be completed before the report can be published**

Governance	John Coleman	Date 28/01/2025
Finance	Judith Tranmer	Date 24/01/2025
Legal	Click or tap here to enter text.	Date Click or tap to enter a date.
Communications	Luenne featherstone	Date 23/01/2025
Equality Duty	Harriet Yellin	Date 21/01/2025
Procurement	Claire powell	Date 21/01/2025
Risk	Jessica Karia	Date 21/01/2025

Approved by Click or tap here to enter text. Date Click or tap to enter a date.