

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 15 January 2025 at 2.00 pm

Chairperson:

Councillor Elissa Swinglehurst Herefordshire Council

Voting board members present in person:

Merry Albright	Herefordshire Construction Industry Representative
Liz Bickerton	Bannau Brycheiniog National Park Authority
Gordon Green	Wye Salmon Association
Christine Hugh-Jones	Council for Protection of Rural Wales
Councillor Andrew McDermid	Forest of Dean District Council
Andrew McRobb	Council for Protection of Rural England
Richard Tyler	Save the Wye

Voting board members in attendance remotely:

Helen Dale	Country Land and Business Association
Simon Evans	The Wye and Usk Foundation
Georgie Hyde	National Farmers Union
Sarah James	Farm Cymru
Councillor Catrin Maby	Monmouthshire County Council
Tom Tibbits	The Friends of the Upper Wye

Other participants present in person:

Elizabeth Duberley	Herefordshire Council
Daniel Humphreys	Dwr Cymru/Welsh Water
Martin Quine	Environment Agency

Other participants in attendance remotely:

Ethan Hamer	Powys County Council
Emma Johnson	Natural England
Ann Weedy	Natural Resources Wales

Support officers:

Henry Merricks-Murgatroyd	Herefordshire Council
Alfred Rees-Glinos	Herefordshire Council

13. APOLOGIES FOR ABSENCE

Formal apologies for absence were recorded at the meeting from: Jamie Audsley (Herefordshire Wildlife Trust); Councillor Jackie Charlton (Powys County Council); Nick Day (The Friends of the Lower Wye); Emma Guy (Bannau Brycheiniog National Park Authority); Marc Lidderth (Environment Agency); Claire Minett (Natural England); Peter Morris (Powys County Council); Fergus O'Brien (Dwr Cymru/Welsh Water); and Stuart Smith (Wye Salmon Association).

Invitees that had declined the meeting invitation included: Craig O'Connor (Monmouthshire County Council).

The Chair gave her and the Board's best wishes to Stuart Smith.

14. NOTES OF THE PREVIOUS MEETING

The notes of the previous meeting held on 16 October 2024 were agreed.

The following matters arising were noted:

The Chair raised updates from previous actions, including a letter sent on 31 October 2024 to Herefordshire MPs. It outlined the Board's and Statutory Officer Group's work, urging collaboration and requesting visibility on the parliamentary group's progress. It also flagged the lack of a River Champion, as outlined in Defra's Wye plan. An email was received by Ellie Chowns MP, updating on cross-party parliamentary efforts, which remain too preliminary for a Board visit at this meeting. She expressed willingness to attend a future session when developments advance.

The Chair noted Lord Lipsey's initiative to unite Wye-focused Lords and MPs, with the four key catchment MPs now engaged.

Additionally, a letter was sent to HM Treasury referencing Defra's Wye plan, seeking further commitment, which remains under review. Emma Hardy MP affirmed government support for the Board and catchment partnership, and a meeting was held with her and Huw Irranca-Davies MS.

15. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair noted that several questions had been received from members of the public.

For Question 1, the principal points include:

1. It was noted that movement of farmers from the old countryside stewardship into SFI that was happening seamlessly until October 2024 has now caught up in the spending review which has created uncertainty within the farming community.
 - a. It was added that it is creating issues with the delivery of staff who are trying to facilitate nature-friendly farming in the catchment.
2. A comment was made about the lack of SFI in the uplands and there is a pause on capital grants throughout the whole of the stewardship and SFI schemes which has caused some of the issues with ageing infrastructure. Until there is certainty, farmers are on pause for a lot of the works that they were aiming to do.
3. It was noted that there will be no budget around the SFS for Wales until at least July. It will not be until July where it will be known what funding exists.

The Chair emphasized the necessity of preparing two sets of notes: one to be written to the Welsh Government addressing support for sustainable farming and its implications, and another to be sent to the UK Government seeking clarification on the Secretary of State's speech and the effects of the Pickering case.

For the question submitted by Friends of the River Wye, the Chair noted that it is not for the NMB to comment on speeches by the Secretary of State. However, the Chair added that it is wished the Secretary of State know that support for the river and on farming is needed from the government.

However, the decision lay with the board if the majority view was to write to the Secretary of State to comment on his speech to the Oxford Farming Conference.

The Chair asked the Board if it was wished that a formal response was made to the Rt Hon Steve Reed MP.

Action(s):

1. **To write to the Welsh Government.**
2. **To write to the Secretary of State for Environment, Food and Rural Affairs.**

16. UPDATE FROM THE RIVER WYE STATUTORY OFFICERS' GROUP

The key points made included:

1. The Chair noted that, with respect to the number of farm inspections carried out and actions issued, that EA are pivoting somewhat the way in which they are delivering inspections and the consequences of those inspections. It was asked if this is a trend or if this is a one-off.
 - a. Martin Quine responded that the Agricultural Regulatory team was established in 2021-22. More specialist staff have been created and the new team inspect regulatory compliance of agriculture. Inspections have gone up by 160% on what was done previously. In the future, where some of the worst performing water bodies are identified, there will be a integration of top rivers into planning work.
 - b. In addition, there are still some actions that require follow-up and there is a targeted approach to follow up on those that are still outstanding.
 - c. In response to a question about targets, Martin Quine noted that there are around 280 farm inspections for the Wye and farm inspections account for going to farms that have not been inspected previously. When a farm is revisited, it is not classed as a second inspection compared to other permitted sites such as the waste industry which would be counted. It was added that the continued dataset could be provided.
 - d. In response to a question about the backlog of unresolved farm inspections and when they would be resolved, Martin Quine noted that they would be followed up according to which ones are outstanding. EA have a long list of farms that are ranked according to which ones need to be followed up first.
 - e. The Chair noted that the task to inspect and regulate and then follow up is a daunting task and that there needs to be a shorter route between identifying a non-compliance, asking for remedial action if necessary, and that action being done.
 - f. The Phosphate Mitigation Lead added that having an understanding on the types of non-compliance and the severity of non-compliance may be helpful on the farms that are being followed-up.
 - g. Martin Quine responded that this is feasible to do and that the most commonly occurring non-compliance relates to nutrient planning.
 - h. In response to a question about whether Natural Resources Wales (NRW) is able to provide equivalent figures, Ann Weedy noted that this is something that NRW could do in the future.
2. The Chair commented on catchment sensitive farming and asked what the targets for take up on recommendations and the number of visits.

- a. Emma Johnson (Natural England) noted in terms of targets that NE do not have outcome/output targets for catchment sensitive farming advice. The agreement with Defra is that NE do a certain number of visits.
 - b. In terms of how the impact of visits are assessed, it was noted that there is no mechanism in place to do that. There are reports brought out to illustrate the impact that catchment sensitive farming has but it is not on a bespoke area. As it is not compliance, NE do not go back to visit those individuals.
 - c. In response to a question about how many catchment sensitive farming officers NE have got working in the catchment, Emma Johnson noted it is the same as before with 4-6 FTE people.
 - d. Andrew McRobb (Council for Protection of Rural England) asked for definitive data that shows that the money spent is being spent in an effective way with outcomes.
 - e. In response, Emma Johnson clarified that advice is given to individuals and if that advice is taken up, it is considered what difference is made, but it is not something that is followed up on. The monitoring programme for schemes has been cut back over the years and is not readily/easily available.
3. The Chair proceeded to the paper on nitrogen by NE and EA.
 - a. Martin Quine confirmed that EA will develop that jointly with NE and will be working with NRW in terms of the one-river approach in terms of both sides of the border. An update will be provided to the Board when available.
 - b. Emma Johnson added that the condition assessment will look at the factors that are influencing the condition of the river.
4. The Chair proceeded to the document on Favourable Condition status.
 - a. Emma Johnson clarified that the intention of including the document was to review to the detail around how condition assessments are determined.
 - b. It was added that the paper was written several years ago and currently a full condition assessment is being undertaken to be completed next year.
5. It was asked what outcome was received from Ofwat in relation to AMP 8.
 - a. Daniel Humphreys (Dwr Cymru/Welsh Water) confirmed that all objectives outlined in the business plan have been achieved. Currently, efforts are underway to address each component detailed in the approved determination.
6. In response to a question on the timeline on constructed wetland policy, Ann Weedy (NRW) noted that there is a constructed wetland policy that NRW have just published which covers all of Wales.
 - a. Ethan Hamer (Powys County Council) added that in relation to Powys and the way in which wetlands are being approached as mitigation, it was found that ownership of the wetland is an issue and how permits are applied depending on what their usage is.

17. UPDATE ON THE DIFFUSE WATER POLLUTION PLAN

The key points made included:

1. Martin Quine outlined the Diffuse Water Pollution Plan (DWPP), which the EA is developing post a 2015 judicial review. The DWPP will update and replace the English element of the Nutrient Management Plan (NMP), with consensus that one plan should cover the catchment. It includes three elements: an evidence base, an options appraisal, and an action plan. The EA and NRW are aligning efforts with Welsh consultants, while discussions focus on the plan's detail level—specific actions versus broader guidelines. In the West Midlands, the EA is managing three plans, collaborating with NE on one.
2. The EA aims to finalize the plan by March 2025, though it won't be formally published like other EA policy documents. It will be shared with the Board.
3. Responding to a query on sharing, Martin Quine confirmed a draft would be provided for Board feedback. The EA is assessing how the new plan advances beyond the current one, including mitigation options.
4. On implementation ownership, Martin Quine clarified that the EA and NE will oversee the English section, while NRW handles the Welsh side.
 - a. Some measures will apply across both England and Wales, though policy differences between organizations will create variations.
 - b. The options appraisal has involved consultations with various partners.
 - c. Specific timelines and targets are still undefined at this stage.
 - d. The plan will evolve with ongoing research.
5. Addressing why the Board wasn't consulted on the options appraisal, Martin Quine noted that partners have been engaged.
6. It was also mentioned that the Nutrient Management Board (NMB) should hold a discussion regarding the DWPP once the Board receives it.
 - a. Martin Quine noted that the plan will take into consideration the evidence which will come from farming groups, and others in the catchment. It was added that EA will not be able to ask everyone's opinion but rather the plan will be developed which is supported by the modelling and evidence base.
 - b. It was added that the plan will be received by the Board after it is considered by the catchment partnership. The Board will be able to provide comments and they will be subsequently reviewed by EA.

18. UPDATE ON WELSH EVIDENCE OF NUTRIENT MANAGEMENT PLAN

The key points made included:

1. Liz Duberley provided an update on the Welsh evidence of the NMP.
 - a. Following on from the funding that was received from Welsh Government, the council has drafted a specification to build the Welsh catchment evidence base and develop a unified plan across the entire catchment.

- b. This will integrate the DWPP with other evidence into a single cohesive plan.
 - c. The bids were reviewed and whilst Herefordshire Council is managing the funding resource, it is being led by NRW and Powys Council have had input into the review of the bids.
 - d. A pre-start meeting is planned for the end of the week involving EA, NE and the author of the DWPP to ensure that discussions are held from the outset around how data is shared and how those plans are aligned.
 - e. Wider involvement from members of the Statutory Officer Group will also be sought.
2. Responding to a query about Board engagement, Liz Duberley affirmed that further discussions with the Board would be pursued.
 3. On the Nature Restoration Fund, the council is in talks with the Ministry of Housing, Communities & Local Government (MHCLG) about its structure and has requested inclusion in the pilot scheme.
 4. When asked about the start and end dates for the consultants' appraisal work in the Wye SAC, it was confirmed that these could be provided.

19. PROPOSAL TO AMALGAMATE SECRETARIAT OF WYE CATCHMENT PARTNERSHIP AND NUTRIENT MANAGEMENT BOARD

The Chair invited members to share their views on merging the secretariat functions of the Wye Catchment Partnership and the Nutrient Management Board.

The key points raised were:

1. Previous meetings in Hereford and Leominster saw reduced Welsh participation, but relocating meetings nearer the border improved engagement with the partnership.
2. Combining secretariat services was suggested to generate cost savings and enhance efficiency within the Board.
3. A unified secretariat could alleviate administrative burdens on the Wye and Usk Foundation and the Wye Catchment Partnership, allowing them to focus on their core activities.

20. PLANNING REFORM WORKING PAPER - DEVELOPMENT AND NATURE RECOVERY

The Board noted the paper, and it was asked for the item to be added to a subsequent agenda.

Action:

1. It was requested that the item be added to a subsequent NMB meeting agenda.

21. WIDER UPDATES FROM MEMBERS OF THE BOARD

The Chair reported on a positive meeting with Emma Hardy MP and Huw Irranca-Davies, though no firm outcomes were achieved.

It was proposed that RePhoKUs be invited to present their completed report to the Board, as it would strengthen the Board's evidence base.

The Chair highlighted Farm Herefordshire's absence, noting the challenge of obtaining farming sector updates without their input. Georgie Hyde (National Farmers Union) confirmed she had spoken to Farm Herefordshire in relation to receiving a report from Farm Herefordshire for the next Board meeting.

Sarah James (Farm Cymru) announced plans for a Welsh Water Stories conference in Wales in May, to which the Chair offered support with publicity if needed.

Concerns were raised regarding the government's decision to appeal the outcome of the 2023 High Court Case brought by the Pickering Fishery Association against the Secretary of State for Environment, Food and Rural Affairs.

Danial Humphreys noted that Welsh Water is scheduling a co-delivery event in April, aligning with AMP 8 investment plans.

22. ANY OTHER BUSINESS AND DATE OF THE NEXT MEETING

The next meeting was scheduled for Wednesday 16 April 2025, 2.00 pm.

The meeting ended at 4.11 pm

Chairperson