

Summary of recommendations to the executive and executive responses
Scrutiny Committee: Environment and Sustainability
Date: 20-01-2025

Agenda item title: River Lugg Water Quality

Recommendation 1	Engage directly with Natural England and the Environment Agency to achieve the lifting of the housing development moratorium as soon as possible.			
Executive Response	Partially agreed. The Council will take advice from its legal team in regard to any identified risk in respect of removing the Nutrient Neutrality requirement within the Lugg catchment. If positively advised by Legal the Council will seek a view from Natural England.			
Action	Owner	By When	Target/Success Criteria	Progress
To share an instruction with the Council's legal team	BB	August 2025	Response from Legal	
To prepare a letter to Natural England	BB	September 2025	Response from NE	

Recommendation 2	Ask for early consultation with Herefordshire Council and the Nutrient Management Board on the specific Diffuse Water Pollution Plan, for the Lugg and its tributaries, the Arrow and the Frome.			
Executive Response	Agreed. This is already underway. The Council has a meeting diarised with the Environment Agency the author of the Diffuse Water Pollution Plan, to be attended by Welsh government and Defra to request the DWPP is shared with consultants responsible for drafting the catchment wide Nutrient Management Plan.			
Action	Owner	By When	Target/Success Criteria	Progress
Meeting diarised with Environment Agency	ED	June 2025	Document is shared with consultant	Completed
Consultation with board members programmed for DWPP & Welsh evidence base for NMP.	ED	July 2025	Date scheduled with members of board	Next NMP July 2025

Recommendation 3	Engage with Government to ensure adequate funding for the actions in the Diffuse Water Pollution Plan.				
Response	Partially agreed. It is outside of the scope of the work of the Council to secure funding for the delivery of the actions included within the DWPP as this lies with the Environment Agency and Defra, however the Council can advocate via the Nutrient Management Board, Phosphate Commission and Wye Catchment Partnership to ensure funding is in place for the implementation of the plan.				
Action	Owner	By When	Target/Success Criteria	Progress	
To advocate via the NMB, Phosphate Commission for funding for the delivery of the DWPP, by means of letter and invitation to attend the board.	BB	Summer/Autumn 2025	Assurance from Defra/English government.		

Recommendation 4	Arrange another Rivers Conference focusing on the Lugg, Arrow and Frome.				
Executive Response	Agreed. The Council will host a third annual rivers conference in Autumn 2025, the focus of which is to be confirmed, but will encompass high levels of phosphate within the Arrow, Lugg and Frome.				
Action	Owner	By When	Target/Success Criteria	Progress	
Agenda to be discussed and confirmed.	BB	July 2025	Agenda set.		

Recommendation 5	Prioritise processing of strategic planning applications to progress private mitigation and to reiterate the request to Ministry of Housing, Communities and Local Government to participate in the pilot scheme for the development of the nature restoration fund.			
Executive Response	<p>Partially agreed. Currently the allocations policy for credits is in date order, this decision was taken by Cabinet in May 2022 https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8816</p> <p>A policy change would require further consideration with an accompanying rationale. Confirmation would be required from planning and legal that this could be delivered via the planning mechanism and a decision taken by Cabinet.</p> <p>A request has been made to MHCLG to participate in the pilot scheme for the development of the Nature Restoration Fund and can be reiterated at the next Nutrient Management Board meeting where the Deputy Director is due to attend.</p>			
Action	Owner	By When	Target/Success Criteria	Progress
Raise policy change for consideration with strategic mitigation project board and planning team.	BB	July 2025	Feedback received from relevant services	
Raise formal request to participate in pilot with Deputy Director for Nature Restoration Fund at NMB	BB	July 2025	Participation in pilot	

Recommendation 6	Invest, with partners, in a specific innovation process to consider approaches that have been successful in different locations or sectors and identify new approaches worth testing in the nutrient management context.			
Executive Response	Agreed. Already underway the Council holds a funding pot for river restoration which can be allocated to schemes that demonstrate innovative technology in removing legacy Phosphorous from soils.			
Action	Owner	By When	Target/Success Criteria	Progress
Develop a framework for organisations to seek funding to progress research projects on nutrient	BB	Autumn 2025	Develop proposal for framework	

management projects identified within the Nutrient Management Plan as requiring further evidence to demonstrate efficacy and quantify outcomes.				
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Recommendation 7	With partners, identify key outcomes that will indicate the success of actions to move towards river restoration and agree how these will be collected and reported.			
Executive Response	Agreed. Already underway through the development of the Nutrient Management Plan which sets out actions and outcome-based reporting to record measurable reductions in phosphate levels.			
Action	Owner	By When	Target/Success Criteria	Progress
Review progress on the delivery of the NMP for both the Welsh and English catchment, to ensure actions have measurable outcomes at the next scheduled NMB.	BB	July 2025	A draft plan with identified actions and outcomes.	