

# Minutes

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<b>Title of meeting:</b>	Wales Land Management Forum (WLMF) Sub Group on Agricultural Pollution
<b>Location:</b>	Microsoft Teams Meeting
<b>Date of meeting:</b>	17 <sup>th</sup> June 2024
<b>Members present:</b>	Professor Rhys A. Jones, NRW Board Member (Chair) Dennis Matheson, TFA Andrew Chambers, Welsh Government Brian Stewart, Welsh Government Sarah Jones, Dwr Cymru Welsh Water Sarah Hetherington, NRW David Ball, AHDB Nichola Salter, NRW Rachel Lewis-Davies, NFU Cymru Gareth Parry, FUW Ruth Johnston, NRW Marc Williams, NRW Russ Thomas, Hybu Cig Cymru Kate Snow, United Utilities Fraser McAuley, CLA Gail Davies-Walsh, Afonydd Cymru
<b>Additional attendees:</b>	Sarah Coe, NRW Inoka T. Manatunga, NRW
<b>Apologies:</b>	Chris Mills, Afonydd Cymru Einir Williams, Farming Connect Creighton Harvey, CFF Matt Walters, Welsh Government Michelle Griffiths, NRW
<b>Secretariat:</b>	Bronwen Martin, NRW

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## Item 1. Introductions, Apologies and Declaration of Interest

1. Professor Rhys A. Jones (NRW Board Member and WLMF Sub Group Chair) welcomed all to the Microsoft Teams meeting and noted apologies.
2. The meeting is being recorded for the purpose of capturing the minutes and the digital file will be deleted once the meeting minutes have been approved.
3. No declarations of interest were raised in respect of agenda items.
  - NB: All members of the group have completed declaration of interest forms already but should also declare if they have an interest in anything on the agenda.

## Item 2. Review of Minutes and actions

4. Rhys confirmed that once the meeting minutes have been reviewed and formally agreed by the group, they will be published on the NRW website for the public to access. Therefore, it is important that the minutes are an accurate record of the meetings.
5. The group reviewed the previous meeting minutes from 20<sup>th</sup> May 2024. Some suggested amendments have been received from Creighton Harvey, CFF requesting that statistics are included for farms with assurance scheme membership and details regarding the location of the additional farms added to the inspection list due to recent pollution incidents. Bronwen is clarifying accurate figures with Nicola Mills, NRW before including them in the minutes.
6. The group accepted the May minutes as a true record.
7. Bronwen shared the outstanding actions log and verbal updates were provided where possible. The following updates were of note:
  - Outstanding actions for Andrew Chambers, Welsh Government regarding the Alternative Measures and 4-year review process – these will be addressed in the item later on in the meeting.
  - AP May 01 - Suzy Lawn, NRW to share the methodology for the Nutrient Review with this group.
    - Suzy has advised that the formal launch of the Nutrient Review will be after the General Election.
  - Outstanding actions regarding the update on the Control of Agricultural Pollution Team – NRW colleagues are working on the Summary Report which will include the requested data. Once finalised, the report will be shared with the WLMF Sub Group when available.

## Item 3. SAC Rivers Agricultural Technical Group Report

8. David Ball, AHDB led a group discussion on the SAC Rivers Agricultural Technical Group Report. The Report was initially introduced to the group in February 2024. This was an opportunity for the group to discuss the report contents including the recommendations and identify if there are specific actions for the group or individual organisations.
9. Marc Williams, NRW clarified that the report was commissioned by the former SAC Rivers Oversight Group as a result of the First Minister's Summit. The report was sent to the membership of the Summit in February. The next Summit will be at the Royal Welsh Agricultural Show in July 2024 which will likely have an agriculture theme, although Welsh Government Water Branch has not confirmed the agenda yet. The report has not been discussed at a previous Summit, so perhaps this will be raised in July.
10. David provided an overview and summary of the report. Rhys was keen for the group to review the recommendations within the report as an initial step to identify if there were

specific elements the group could add support to (e.g., practical support, promotion etc).

11. Dennis Matheson, TFA said it is good that this group has had sight of the report and have the opportunity to discuss it. In the past, there has been no integration between other similar groups that have been set up to look at the types of things we focus on. Dennis mentioned that the First Minister has set up a Carbon Group and suggested that they should also integrate with the WLMF Sub Group because we have been looking at all types of pollution.
12. Gareth Parry, FUW reminded the group that if they want to endorse the report ahead of the next Summit, he will need to have a conversation with the FUW Land Use Committee. Gareth recalled that the report mentions data and the hope that the SFS would help fill gaps in data. However, it is a very complex landscape particularly the development of the SFS and the 4-year review of the CoAPR. There are some concerns around how the data will be collected through the SFS and if/how it will be shared. The data is owned by the farmer, and this is a very sensitive issue. Gareth said a more accurate evidence base needs to be established, wider than agriculture and is more general to water. This report was focused on agriculture, but perhaps similar reports and processes should be developed with other sectors ahead of the river Pollution Summit.
13. Gail Davies-Walsh, Afonydd Cymru introduced herself to the group. Gail mentioned that there is a huge amount of crossover. There are opportunities in the report, and many tasks are actually under way or being driven through other groups – there are certainly pieces of work and reports already published for other sectors. The River Summit initially focused on the water industry and it was a request from the River Summit that work was also done with the agricultural sector. The Welsh Government's Task Force for Better River Water Quality has done a review of all other impacts to river water quality from other sectors as well. We're currently waiting for a direction from Welsh Government as to where we can pick up the impacts from those other sectors and whether another group needs to be set up or whether they can become part of the Task Force recommendations. From a voluntary perspective, there are other sectors/areas that also need to be picked up and it's just trying to understand whether they'll be picked up through the River Basin Management Plan process and WFD, or whether we will absorb them into the Task Force.
14. Rhys acknowledged that there is a lot of other work going on and it would be good to see an organogram to map out the different groups looking at pollution and water quality.
15. Gail mentioned that Welsh Government have conducted a review on all their forums and meetings, and we are waiting for the output and whether they will modify some of the Terms of References for the existing groups.
16. Rhys reminded the group that NRW is also undertaking a review of its forums. A stakeholder/member survey is going to be sent out to members of the various forums to examine any issues and get a perspective from the members themselves. These are two separate forum reviews being undertaken by Welsh Government and NRW.
17. Marc said the SAC Rivers Agricultural Technical Group focused on agriculture to understand some of the issues from the sector. Zoe Henderson (former NRW Board

Member and former WLMF Sub Group Chair) was keen to ensure that the key messages were pulled together. However, this was developed over time to include recommendations within the report. NRW are doing work with other sectors, for example working with the water industry and reviewing permits. Other work is also being undertaken by other sectors which NRW are engaging with. Marc mentioned that he is involved with internal work looking at linking all the various groups – Marc shared his screen to display an organogram that was created by Welsh Government which identified various other groups. Marc provided a verbal summary of each group.

18. David agreed with earlier points made around the sensitivities of data ownership and sharing data, especially if farmers are submitting data as part of a scheme and not knowing what that might be used for. Sensitivities need to be acknowledged but the overall objective is to get better evidence because that would enable us to have a more accurate understanding of the sources that we can therefore target rather than using modelling. There are various ways behaviours can be influenced for example financial support, education, information about best practises etc. David reminded the group that the Control of Agricultural Pollution Regulations were introduced in 2021 and will be fully implemented in August 2024. The final requirements are coming into place shortly, therefore any review of the effect that those Regulations may have on phosphate pollution would be premature because all the elements of the regulations haven't yet been implemented. Perhaps it would be a long-term process to evaluate the Regulation effect, particularly on phosphate.
19. Sarah Jones, DCWW mentioned the work she has been involved with regarding the Teifi Demonstrator Catchment Project. There is a big desire to work together and there are points within report which are similar to what is been discussed like challenges and potential opportunities for the Teifi – perhaps this all needs to be tied up. For example, you could trial some of these things, like workshops to understand the challenges to data collection, what people would be comfortable with and how it can be replicated elsewhere. Rhys said certainly some of the recommendations, particularly those in relation to research, innovation and behaviour change, are similar to things that have been discussed in the context of initial discussions for the Teifi Demonstrator Project. Within the initial proposals, one of the workstreams focuses on farmer-led interventions and another one focuses on behaviour change which also aligns with some of the recommendations in this report.
20. Rachel Lewis-Davies, NFU Cymru said some of the recommendations in the report also link to the WLMF Sub Group Interim Report. There are similarities which reflect the fact that the Interim Report was a very sound and comprehensive piece of work built on consensus. It recognised that there is no one silver bullet but good advice and ensuring farmers have the appropriate incentives, investment and support to enable them to make changes. It also talked about allowing technology and innovative approaches to provide solutions. All of these things are really important but as a farmer, it is currently a really complex landscape to navigate. In terms of advice and guidance, Rachel said NFU Cymru see that role is for Farming Connect as a one stop shop, but to also to target messages, particularly in failing SAC catchments and doing really intensive programmes of work within those areas. Farming Connect is the recognised advice providers and has a really strong brand, so a targeted approach in those failing catchments is something that we would strongly support.
21. **Recommendation 1a - Advice and Guidance:** David said the report recognises Farming Connect as a central place that currently provides important advice and

guidance, but the main recommendation is that it should be encouraged to continue. Farming Connect should continue to have the support of Welsh Government to do their important work.

22. Fraser McAuley, said he agreed with many of the recommendations, however, he would also need to seek approval from the internal CLA Committees to fully endorse the report. Fraser said it would be helpful to look at some of the potential timeframes or roadmaps in terms of achieving the recommendations – specifically regarding advice and guidance, ensuring more FACTS qualified advisors and developing a national portal for grant training project work. We need to understand what it would take to get there, how long it might take, how much money is needed and whether there's an appetite from Welsh Government (or others) to support that.
23. Rhys acknowledged these key points and discussed whose responsibility it would be to ask those important questions – this group could possibly add weight to those points of clarity. Fraser suggested that it could follow on from seeking approval for the general recommendations and then this group could seek clarity around the timeframes.
24. Marc recalled that the SAC Rivers Agricultural Technical Group discussed timescales and who is responsible, but it was very difficult to identify who could take some of the recommendations forward. The main aim was to identify the recommendations as they are key to improving the situation. The timeframes are perhaps something to clarify with Welsh Government Water Branch.
25. David said it would be helpful to try to get some commitment and whether there is a timescale or programme of implementation from Welsh Government. Rhys suggested that the Sub Group could ask some of those questions and request clarification which would hopefully lead to some kind of commitment to implementing the recommendations – timeframes and resources are also key. David said the advice and guidance element is not particularly contentious but some of the other recommendations such as financial support for farm infrastructure, might be difficult to get clarity around.
26. Gareth raised concerns about timeframes, not making progress and having the same conversations time and time again. As a possible result, the regulations might intensify again, which is a massive concern.
27. Gail mentioned the Summit Action Plan and the specific output from the SAC Rivers Agricultural Technical Group could feedback to the Summit in relation to the report. There are specific actions around the role of Farming Connect and advice and support. This will probably need to be fed back to the Welsh Government Water Branch for them to update the River Summit Action Plan with the recommendations. If they go into the Action Plan, then timeframes are allocated and a lead organisations is identified to take them forward. Any financial commitments are part of the Welsh Government's commitment under that Summit. Gail recalled that some of the detailed challenges and opportunities within the report are already under way and perhaps there needs to be better communication to link things together.
28. **Recommendation 1b - Financial Support Recommendation:** the group were generally in agreement that there needs to be investment in order to support improvements in farm infrastructure. Rhys asked if it was appropriate for the Sub Group to seek clarity from Welsh Government on plans for future investment.

29. Rachel reminded the group of the Regulatory Impact Assessment for the Control of Agricultural Pollution Regulations, which put costs at £360 million – that was prior to the very significant inflationary pressures that have occurred since. The £20 million that was announced in October 2022 is welcomed and is now being made available to the industry, but very significant investments are required. There is a long way to go to support the industry to make these changes in a very challenging economic context for farm businesses in Wales.
30. Russ Thomas, HCC raised concerns around grant funding for farmers being too slow to keep pace with the latest developments. There is a lot of industry research and industry development of new methods, mechanisms, technology etc. Farmers are aware of these developments and submit requests to see whether the technology or new equipment qualify for the grant, but Welsh Government are often too far behind and have no knowledge of such technology and will generally not approve it.
31. Fraser suggested additional help for Planning Authorities to get some of these changes approved. CLA members have also shared their experiences of delays and extended periods of time to approve any kind of planning decisions that relate to the changes in infrastructure.
32. Rhys concluded that the group would welcome that recommendation but would like to seek some clarity on any future funding plans to support the improvement of infrastructure, particularly in relation to the SAC Rivers.
33. **Recommendation 1c – Regulations:** the group discussed the current regulations and agreed that they are complex, and farmers need some time to understand them.
34. David suggested that the regulations, particularly in respect of phosphate, will take a long time to have any effect. The CoAPR 4-year Review process is starting but it is too soon to determine whether they have had a beneficial effect on phosphate levels in rivers. There needs to be some time to see the effect of the regulations (e.g., the final phased measure comes in from 1<sup>st</sup> August 2024).
35. The group acknowledged the important point within the report about the awareness of mental health and the welfare of farmers.
36. Dennis said it is not funding that is the problem for tenants, the problem is related to getting permission. As far as regulations and mental health are concerned, Dennis said farmers do not want any more regulations especially as the existing ones are not yet fully implemented – we should try and get the existing regulations implemented first before any further changes are suggested.
37. **Recommendation 2 – Data and Evidence:** the group had an earlier discussion regarding the sensitivities of data and concerns of farmers regarding sharing their data.
38. Rhys suggested that perhaps there is a specific role for the subgroup or maybe some targeted presentations that can help to build a picture of issues around data and evidence. A conversation with universities might also be helpful because very often they are looking for a real-world projects and challenges to explore. Therefore, there could be scope in approaching universities to help fill data and evidence gaps.
39. Gareth mentioned the NRW water quality monitoring system and asked if that includes the SAGIS modelling or if it is more focused on the general quality of a catchment.

Marc recalled some previous Technical Group discussions around NRW's monitoring for the compliance assessment aspect rather than the actual source apportionment modelling. However, the Technical Group also discussed the source apportionment work and that is where some of the recommendations are coming from regarding better evidence rather than some of the monitoring with the SAGIS modelling. There were discussions about SAGIS being a water industry tool, but it is also an indication of the rural land use contributions but refining that down to how much is coming from the agriculture side is very difficult.

40. Rachel said the SAGIS tool is a water company modelling tool. It has undergone QA within NRW, but not on its appropriateness for agriculture. We do need to bear that in mind, and we need better monitoring and a stronger evidence base. We also need to remember that when drawing any conclusions particularly where more regulation could arise as a result. Decisions need to be made on the basis of firm evidence and not just models.
41. Gail said we are in fear of getting hung up on the SAGIS modelling when there are many other sources of evidence and data running in parallel to the SAGIS apportionment work. Gail explained that the SAGIS tool is a simple mass balance tool – it takes all permitted data and feeds that into the model, it can accurately assign the permit data against the monitoring data and then the rest of it is an 'unknown'. The 'unknown' portion has been attached to a sector that has been grouped together, called 'rural land management'. Gail acknowledged that this group would probably like the 'rural land management' element to be more accurate and better assigned. However, for that to happen, data needs to be shared. It is fundamental because models are only as good as the data that is fed into them and whilst we have very little agricultural data to feed into these models, we are unable to improve them.
42. Gail mentioned the ongoing NRW review of its water quality monitoring network. The Nutrient Management Boards are also currently working on a review and evidence on each of their rivers. Gail said she has seen the draft evidence and monitoring review for the west Wales rivers, which is quite startling and is likely going to send some messages around the monitoring network in that area. The Usk Catchment Partnership is also due to be publishing a report on the River Usk. There are lots of sources of data and extra sondes and analysers have been deployed by the Rivers Trust and the Nutrient Management Boards. This is really around how we can work better in partnership to collate the data sources on a catchment scale and work more collaboratively.
43. Rhys suggested that there is a potential role for the Teifi Demonstrator Project to perhaps draw data sources together and maybe act as a template for what could be replicated elsewhere in Wales.
44. Rachel said the monitoring and evidence-based approach is not a new theme. We want to see very clear monitoring of waterways. We also need to have confidence in any source apportionment that is undertaken by NRW. We also want to understand how that data is being interpreted. Rachel recalled an example from the Agricultural Technical Group and previous discussions around the SAGIS modelling – they received a presentation from Welsh Water and were told that biosolids that are spread to land from the water industry are actually attributed to agriculture and not to the water industry where they originate from. Therefore, the interpretation and transparency

about data, modelling and any conclusions is really critical. Rachel acknowledged that these are very complex problems.

45. Gareth agreed that there is a need to look at all available data and evidence when looking at water quality monitoring. Gareth recalled concerns following the first Summit because the evidence pack that was provided to stakeholders ahead of that event effectively used SAGIS modelling to determine the water quality of various catchments. The conversation needs to be wider than just Welsh Water and NRW so that industry stakeholders can understand how the model works. It would be interesting to see the Teifi Demonstrator as a potential avenue of trying to work better with land managers and farmers to improve the data sets for that catchment and to see how it works.
46. Ruth recalled earlier points around sewage sludge attributed to agriculture and clarified that materials land should be for crop need, so potentially an assumption has been made that the land manager requires that sewage sludge for their own purposes. Therefore, its role within the SAGIS modelling has been allocated to agriculture because of the acceptance of the material to land for agricultural purpose. The focus has currently been on water companies, but we have it within our future work plan to look at the appropriateness of SAGIS for the agricultural sector. Agriculture sometimes is a big percentage of the pie chart, and particularly in the Teifi which is where we would want to pilot those discussions. We do not want to be making assumptions on data that is not fit for use. However, this is about trust and sharing, we can't make the tools work if we're not honest about what we put in the tools. We also need a conversation from the beginning, so everyone understands what goes in the tool, how the tool works, what the tool is telling us and who owns that. Rachel said that sounds like a much better way of working.
47. Rhys concluded that this recommendation is more complicated and perhaps there's more for us to consider as a group. However, based on these discussions, we can all support the need for more data and more robust data. We've heard that there is more monitoring and therefore more data being collected but it would be good to see attempts being made to collate that data in order to create a more comprehensive and detailed picture of phosphorus in SAC Rivers. The group has also acknowledged the issues around modelling and ground truthing. The limitations of models have also been raised along with the way data is interpreted. However, an important challenge relating to farmer concerns around sharing their data also remains. Additionally, positive relationships and collaborative efforts will be key if the Teifi Demonstrator Project explores some of the data and evidence challenges discussed today.
48. David said we definitely need to ensure we have robust data to give us strong evidence. We can't move forward and try and improve the situation by targeted actions if the information we've got is questionable.
49. Ruth mentioned that the person leading on the SAGIS modelling for NRW works within her team and offered to arrange for them to talk to this group about the SAGIS modelling and to start that conversation of how we can have discussions with the agricultural sector. We need to make the models fit for purpose to estimate the nutrient inputs for the water bodies, not for a particular sector. Ruth said she could ask him to explain the SAGIS model and then we could discuss what data could the agricultural sector put forward to be considered within a model and how that data could be used, what format it might need to be in etc.



**AP 17<sup>th</sup> June 01: Ruth Johnston, NRW to arrange for her colleague to provide a future presentation on the SAGIS model.**

50. Rhys suggested parking this specific recommendation in terms of an official response from this group at this stage. A subsequent presentation on the SAGIS model might help us to come up with a more informed position on how we might be able to support the recommendation moving forward. David was very supportive – anything that promotes a better understanding of how models work would be useful. However, there is still the challenge of obtaining actual data to use as strong evidence. Gail and Ruth noted that maybe if we understand the tool better (e.g., what information can go into that, the appropriate format etc.), then collectively we can work out who has that required data (e.g., NRW, a water company, farmers, citizen science etc). We can then test the SAGIS model for the appropriateness to apply it to the agricultural sector to try to understand what the model tells us and what the real data tells us and how they compare. However, we are limited by resource, so it is important to work together to actually achieve something and improve the environment.
51. David mentioned that one of the specific recommendations in this section of the report is to address inconsistencies in water quality monitoring and increase the resolution of the monitoring network with appropriate funding and resourcing. Ruth agreed that we need appropriate monitoring, and it needs to be funded, but the more we can work together, the better.
52. Rachel said these are not new discussions and we would have liked to have been much further on in addressing issues around evidence and data. Rachel said it has been a very difficult six months with the industry consulting on the Sustainable Farming Scheme (SFS) proposals. The SFS has extensive requirements of data provision to Welsh Government within the proposed Universal Actions. Rachel was surprised at the level of concern, anxiety, distress and distrust expressed at SFS consultation meetings because the data farmers are expected to provide will effectively be used as a stick to beat the industry with. There's a feeling amongst the industry that Welsh Government will resort to regulation first and not a wider suite of measures like advice and guidance, investment, support and ultimately not trying to work with the industry collaboratively to find solutions. Unfortunately, there is a sense of more resistance now to the provision of data than there has been in the past because of the lack of trust in what Welsh Government's response will be, which farmers assume will be more regulation rather than a collaborative way of working.
53. Gail said we need to remind ourselves why we're all in these groups, along with the drivers. Fundamentally, it is our legal obligation under the Habitats Directive to ensure that rivers are in favourable condition status and to protect the habitats and species within them. We all have a responsibility to get those rivers into favourable condition status and we have lost enormous amounts of time and perhaps we will lose even more time whilst we disagree about modelling and data. Models are only ever as good as the data that is in them, and we all need to accept that and move on. Actions have got to be taken if we are going to get these rivers back to where they need to be. Those rivers are not just important for the environment, they are important to agriculture and farming as well. It is a real shame that there is a narrative of pitching farming against the environment. Gail urged the group to try and move some of these elements forward.

54. Gareth agreed that the dialogue needs to move forward and acknowledged that we've all got a responsibility to improve water quality across Wales. However, we've also got to appreciate from a farming business perspective, farmers have been given a plethora of regulations which are going to cost some farmers upwards of £100k to invest for required changes and there hasn't been key underpinning financial support. Gareth acknowledged the Welsh Government support of £20 million, but it doesn't go anywhere near the cost to the industry. This group was established many years ago and we compiled a report in 2018 which looked at ways in which we could work together with various other sectors. It recommended advice and guidance and financial support but what we have had since hasn't mirrored what was highlighted back in 2018. A farmer's livelihood effectively works with very tight margins, and they have been given a lot of regulations and are facing huge costs. From this perspective, you can appreciate the difficulties and the general distrust issues of the industry providing data for a model that could potentially be used for further regulation in the future.
55. **Recommendation 3 - Research and innovation:** Rhys noted that this recommendation is not particularly contentious. David said there is a limited pot of funding, and the report is asking that Farmer Connect is at least given the funding to do its role. It also asks for support for on farm infrastructure and support to encourage innovation regarding manure management (e.g., processing slurry into its constituent parts to make it more easily managed or segregated and taken away from a specific area). Technologies are being explored but funding is needed for development and to provide evidence of efficiency. Rhys said this group welcomes research and innovation, but perhaps there needs to be sufficient ring-fenced funding available.
56. **Behaviour change:** we all want the same goal regarding behaviour, but mechanisms are sometimes challenging. However, the distrust amongst the farming community is a big challenge and changing some of these behaviours will potentially be more difficult. This is something the group should reflect on as well.
57. Marc mentioned that the behaviour change section of the report is a general overarching point for all those recommendations rather than a recommendation in itself. David said this supports the argument that this is not all about regulation, there needs to be wider support.
58. Rhys thanked the SAC Rivers Agricultural Technical Group for producing the report and thanked this group for the detailed discussion. From these discussions, the Sub Group are generally supportive of the recommendations, but perhaps we can ask Welsh Government for clarification or more detail in certain areas (this will have been formally noted within the minutes).
59. Marc said he will also have a discussion with Welsh Government on the next steps and the best approach going forward. Welsh Government are currently organising the next Summit, but they will have a very limited time for what they can discuss within it. It would be useful to have a record of what was formally discussed/agreed and what should be clarified. Marc said he will have discussions with Cat Osborne, Welsh Government regarding some of the next steps.
60. Rhys said Bronwen has noted the discussions and we can then draw together our responses to each of the recommendations. That can then be circulated to the group for agreement before we share it with Welsh Government.

**AP 17<sup>th</sup> June 02: Marc Williams, NRW to talk to Welsh Government regarding the next steps following the SAC Rivers Agricultural Technical Group report and feedback to the group.**

**AP 17<sup>th</sup> June 03: Professor Rhys Jones and Bronwen Martin to work together to draw together responses to each of the recommendations within the SAC Rivers Agricultural Technical Group report and circulate it to the group.**

## **Item 4. River Basin Management Plan (RBMP): Working Together Consultation**

61. Ruth Johnston, NRW gave a presentation on the [Working Together Consultation](#).

RBMPs are made-up of a number of documents including a Summary, the Overview Annex (Wales and Dee River Basin District), Habitats Regulation Assessment and Strategic Environmental Assessment Screening Determination.

62. The plan includes information on:

- Classification of water bodies – Baseline status in each water body. Preventing deterioration from this baseline is a key objective of this plan, and one of our greatest challenges in protecting the water environment.
- Summary of Programme of Measures to achieve statutory objectives – The actions over this planning cycle and forward planning.
- Statutory objectives for water bodies – Objectives have been set for each quality element in all water bodies, including an objective for the water body as a whole.

63. The default objective is to aim to achieve good status or potential by 2027. Although it should be noted that we do have exceptional circumstances which allow us to derogate from that good objective. For example, if it is a highly canalised river for flood reasons, it could only ever be able to achieve moderate potential or if we need longer time, we could say we will achieve good, but it will take us to 2036 and therefore there is a justification.

64. Ruth provided an overview of the classification from 2021. Across all surface and ground water bodies in Wales in 2021, 40% are at good or better overall status or potential. This represents an improvement of 3% from that reported in 2015 at the start of the 2nd cycle (37%) and an 8% improvement since 2009.

65. Ruth summarised the top 5 reasons for 'Not achieving Good' status including physical modifications, historical mining, rural pollution, point source pollution and pollution from towns, cities and transport.

66. Measures are put in place to achieve the Water Framework Directive (WFD) statutory objectives including:

- Prevent deterioration in status.
- Achieve the objectives for Protected Areas
- Achieve good overall status/potential for surface waters and ground waters.

67. The Programme of Measures delivers the statutory objectives; strategic (national) measures and local measures. RBMPs set the direction and framework to manage,

protect and improve Wales's water. They are for all waters including rivers, lakes, canals, groundwaters, estuaries and coastal waters. First River Basin Management Plans were published in 2009, updated every 6 years. Currently implementing Cycle 3 (2021-2027), planning for Cycle 4 (2027-2033) and thinking about Cycle 5 (2033 onwards). River Basin Management Plans provide us with an opportunity to set new ambitions for managing our waters in Wales. The process expands and updates our understanding of the current state of our water environment, the pressures acting upon it and what measures are required to improve and protect it. We need to do this work collaboratively.

68. Ruth provided an update on current work. The 2021 Cycle 3 RBMPs were published, and we are drafting the interim C3 progress report. The 2027 Cycle 4 RBMPs will be published, and we are starting the process of producing these plans. There are three statutory consultation phases working together consultation, challenges and choices consultation and then the draft River Basin Management Plan. We are currently at the Working Together Consultation phase, and this is all about who should we talk to, what should we think about, how would you like to work with us and when should we be doing that. It's very much asking for you to say to us what you want from this process so that we can collectively work out how to deliver the best process. Challenges and Choices phase will then follow, which involves talking about what is going on and what is the interim classification telling us.
69. Ruth explained that we need to understand how partners and stakeholders want to work with NRW, so that we make sure we link people in at the right stage on charges and choices and at the right stage when the draft River Basin management plans are produced. The consultation went live on the 29th May and will run for a 6-month period to the 20th December. The interim classification will be published in January 2025 alongside the up-to-date SAC Compliance Assessment.
70. Ruth requested that the group engage in the consultation process and share with others - [Working Together Consultation](#).
71. Gareth asked if the plans are high level, or if they delve into the specifics of what is required in each river catchment to improve water quality. Gareth also asked if the previous ones have been successful in achieving what they set out. Ruth said the WFD was set up to work across Europe and some of the rivers in Europe are much bigger than those in Wales, so River Basin Districts were then established – for Wales, we have the Dee, the Seven and the rest of Wales. We recognise that in terms of engaging with other people and actually delivering things on the ground, you can't work at that scale for all issues. Although there are some issues, such as banning chemicals could work at that scale. We have management catchment summaries which look at the individual river catchments. In terms of the measures, each water body will be given a classification (e.g., moderate), it will be given an objective which would be against the 2009 baseline (e.g., good) and then it will be linked to local measures that are required to be addressed to get that water body to its required status. There is a local interpretation of the national scale plans and one of our challenges for cycle four is to not produce a massive PDF document, but actually to try and make the data available spatially. It is already in Water Watch Wales, so you can get a map of Wales and put layers on to that such as classification data and then look at the catchment and see which actual water body is at moderate or good status. We want to improve that linkage between that water body information to the objectives and the measures and then actions are happening on the ground.

72. Dennis recalled that pollution from mines was mentioned, pollution from metal mines in Wales is a big problem compared to other places in the UK. The mines don't actually belong to anybody now, so who gets the blame for the pollution? Pollution from metal mines like lead and zinc are a threat to human health. Pollution from agriculture is a threat to human health, but more of a threat to wildlife and the environment. Resources and publicity have been focused on 'wicked farmers' polluting rivers. Agricultural pollution can be resolved, and you can also blame somebody. Solving pollution from metal mines is very difficult. Dennis said resources are mainly directed at agricultural pollution and asked whether Welsh Government is really directing things at the right issue or should they also be concentrating on metal mine pollution. Ruth said Welsh Government provided NRW with £15 million under its Nature and Climate Emergency Fund this year, of that, £6 million is directly for metal mines. They're not just looking at treatment, they're also looking at the source and what causes the problems (e.g., collaborative work regarding Goch Mine).
73. Rhys and Ruth discussed looking at wider issues in a catchment including pollution in soil, phosphorus issues in rivers, algal issues, river temperatures, reconnecting floodplains etc.
74. Ruth mentioned the 'one out, all out' rule still stands because legislation has not been changed, but we are very aware that Defra are considering changing the legislation which creates a complication for Wales because the regulations that require 'one out, all out' are England and Wales regulations. Rachel said the 'one out, all out' is interesting because arguably it could be masking some of the progress that is being made which could be a motivator. Rachel asked if there are any new targets, we need to be aware of because the SAC Rivers failed because of new, more stringent targets from JNCC. Ruth said we also publish the element level classification so you can see the trends in terms of things that are improving that could potentially be masked by the overall classification – that data is available. In terms of the WFD Interim Classification, Ruth was not aware of any changes. When the last classification was published, there was a change in methodology relating to acidification classification, which we made clear and explained at that time. If there are any changes prior to publishing in January 2025, again we will make that clear and explain it.
75. Ruth reiterated the invitation for stakeholders to engage in the consultation and share it wider. The same message will be communicated to members of other forums. Ruth said she will come back to the group with regular updates, the next one being the Cycle 3 Implementation Progress Report and the Interim Classification SAC Compliance in January 2025.

***AP 17<sup>th</sup> June 04: The group to engage with the 'Working Together' Consultation and share it with their networks.***

***AP 17<sup>th</sup> June 05: Bronwen Martin, NRW to share a copy of the presentation on 'River Basin Management Plan: Working Together Consultation'.***

## **Item 5. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021: 4-year review**

76. Andrew Chambers, Welsh Government gave a verbal update on The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 4-year review process.

77. Welsh Government are making progress and are closer to being in a position to appoint the independent external chair. In terms of timelines, it will be dependent on the willingness of potential candidates to take that post. However, we would hopefully be in a position to be making an announcement prior to the Royal Welsh Agricultural Show (e.g., potentially before the next Sub Group meeting) but we will keep the group up to date.

78. Andrew reviewed the relevant outstanding actions and provided verbal updates:

- AP March 01: Andrew Chambers, Welsh Government to consider if/how Welsh Government will communicate details regarding which alternative measures proposals will be accepted, rejected or considered further and why.
- Andrew said we will engage with the group on the proposals broadly including the ones that were proposed by the Task and Finish Group. We'll also be doing this with the other proposers as well.
- Rachel suggested that the methodology that Welsh Government has deployed in reaching those decisions should be shared. Andrew said he would feed that back.
- AP March 02: Welsh Government to provide information regarding the details of non-compliance which was referenced by Lesley Griffiths at the recent River Summit.
- Andrew said he understood that this was a general reference to non-compliance, for example point source pollution incidents, non-compliance with the pre-existing regulatory baseline and elements of the Control of Agricultural Pollution Regulations through cross compliance.
- Rachel mentioned that the final phase of the regulations comes in from the 1st August and is now coinciding with some of that investment support the industry has been calling for. However, had this funding come sooner, hopefully we would have seen people in a much better position to become compliant in line with the timeline of the regulations.
- AP May 02: Andrew Chambers, Welsh Government to provide more clarity around the Nutrient Review process, how it will be used in the 4-year review, timescales and whether there will be an opportunity for the WLMF Sub Group to feed into the evaluation of the evidence and data.
- Andrew said the review fulfils the obligations within the regulations to assess the effectiveness. It is part of the suite of evidence that Welsh Government will consider and where there is additional evidence relating to water quality and pollution incidents, that will also feed into the review.
- Gareth acknowledged that Welsh Government have had initial conversations with the organisations that have submitted alternative proposals and suggested that a step-by-step process between now and April 2025 should be outlined. The group discussed the evidence pack which was provided to stakeholders well ahead of the last Nitrates Review and consultation.

- AP May 07: Andrew Chambers, Welsh Government to provide clarity on how those farmers who are not able to comply after 1st August because of reasons beyond their control will be approached and clarify how RPW are going to treat them from a cross compliance perspective.
- Andrew said this is a challenging issue. Our advice to farmers who are struggling to meet the requirements in advance of that measure coming in, would be to contact NRW. In the meantime, Welsh Government have been having discussions with RIW around the cross-compliance issue because we recognise that this is a particular concern where a farmer is doing their absolutely best and other factors are getting in the way of them achieving compliance. We are continuing those discussions and hopefully we'll be able to provide an update next month.

## Item 6. Any Other Business

79. Gail mentioned a previous discussion with Rhys around diazinon and the importance of moving things forward. Rhys said he is due to talk to Professor Steve Ormerod to see how we can connect things.

80. The next meeting will be on Monday 15<sup>th</sup> July 2024.

81. No other business was raised.