

# Minutes

## Wales Land Management Forum (WLMF) Agri-Pollution Sub Group

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**Monday 20<sup>th</sup> April 2020**

Skype Meeting

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### **1) Welcome & Apologies (*Chair*)**

1a Apologies received from:

Rachel Lewis-Davies, NFU Cymru

Matt Lowe, NRW

Geri Mills, NRW

1b Introductions

Confirmed attendance:

Zoe Henderson, NRW (Chair)

Dennis Matheson, TFA

Steven Bradley, DCWW

Aled Jones, FUW

Creighton Harvey, CFF

Bob Vaughan, NRW

Sarah Hetherington, NRW

Marc Williams, NRW

Nichola Salter, NRW

Katy Simmons, NRW

Andrew Chambers, WG

Spencer Conlon, WG

James Ruggeri, HCC

Delyth Lewis-Jones, AHDB

Jamie McCoy, AHDB

Kate Snow, United Utilities

Liz Franks, Hafren Dyfrdwy

Fraser McAuley, CLA

Lee Price, Menter a Busnes

Stephen Marsh-Smith, WEL

1c Declaration of Interest

No declarations of interest made in respect of Agenda Items.

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### **2) Minutes from meeting on 16<sup>th</sup> March 2020 & outstanding action points**

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The minutes were not completed before this meeting but will be circulated to the group as soon as possible when they are ready.

***Action Point 1: Marc Williams to circulate the minutes from the meeting on 16<sup>th</sup> March to the Sub Group when completed.***

***Action Point 2: Any comments/additions to the 16<sup>th</sup> March minutes to be sent to Marc Williams (All)***

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### 3) Welsh Government Update

Spencer Conlon provided an update from Welsh Government, which they are currently focusing all their energy on the implications of the Coronavirus pandemic to the agricultural sector in Wales.

The Minister made a statement in Plenary on 8<sup>th</sup> April 2020 on agricultural pollution and informed that the draft regulations will be published on the WG website. The draft regulations are for information only and have not been laid. The Minister was aware that she made certain commitments to demonstrate progress, but a formal decision has not yet been made. She is minded to take action after the pandemic which is required due to issues that continue with agricultural pollution. There will also be a level of scrutiny made by the assembly before the regulations are laid, which is the normal process to follow.

Dennis raised concerns regarding tenants unable to comply with the draft regulations and questioned about transitional periods and exemptions, along with affecting the Basic Payment Scheme. These questions will become clearer when the decision is made by the Minister. There will be transitional periods in place and any additional information will be available when the final decision is made. Creighton raised concerns that there is still an element of uncertainty and agricultural pollution is continuing. We can still be in the same position in January next year if nothing is introduced.

Aled Jones, FUW, raised if the Regulatory Impact Assessment (RIA) will be re-looked at as it did not cover all the options that were highlighted. Welsh Government confirmed that the RIA will be refreshed which will be published alongside the regulations when they are laid.

Spencer raised that the draft regulations are proportionate in relation to the activity, particularly slurry production on farm, and the associated risk of that activity. Farms producing very little slurry will be lower risk with minimal paperwork. On the other hand, larger farms producing more slurry, with less available land for spreading, are at greater risk and will relate more to the draft regulations. If farms are meeting current regulations they are more on track to comply with the new regulations but those who do not will need to do more. This will not greatly affect all farm businesses across Wales and communications to the farming business should be produced to reduce the fear and worry to the industry. Creighton highlighted that there are a number of written public articles stating these are draconian regulations being introduced and will impose a great burden on all farmers. WG should communicate that this is not the case to Farming Unions and farmers to reduce the fear within the farming community.

Creighton raised the issue of a letter sent by twelve Conservative MPs which implied that it was written by all of the Welsh Conservative Group in the House of Commons when this was not the case. It stated that NRW had criticised the draft regulations published by the Minister. Creighton asked whether this was the case, Bob Vaughan stated that NRW had not criticised the proposals but had provided comments on the Regulatory Impact Assessment to Welsh Government.

WG intends to involve the Sub Group with the guidance that will accompany the draft regulations but it is difficult to predict at this time what the guidance will look like until the Minister has made the final decision.

Dennis raised concerns over the dairy project and a council farm that was required to increase the slurry storage to 4 months that is currently exempt by a certain date. The County Council or the farmer cannot afford to build a new structure. He had concerns that farms are being advised to make changes to infrastructure to meet current regulations but this can change if the draft regulations are introduced. NRW will look into this but it was highlighted that current exempt structures remain exempt unless they pose the risk of causing pollution to controlled waters.

A question was raised by Fraser if the decision from the Minister will have any impacts on the development of the Sustainable Farming Scheme. Spencer confirmed that lines of communication between the agricultural team and the SFS team in WG are very close and will be fully informed.

Farming Connect have expanded and extended their fully funded surgery activities to include all technical and business topics and issues the forestry and farming sectors may have relating to the draft regulations and COVID-19. For the draft regulations infrastructure advice and support is available with any current concerns' farmers have and identify a plan for the farm. They have received a number of enquiries resulting from COVID-19 as many have diversified their businesses which they are now experiencing difficulties. There are a number of topics that FC cover and if farmers are experiencing any issues then they should contact them to have access to the surgery service.

***Action Point 3: Any communications and details from Farming Connect regarding the surgery services to be circulated to the Sub Group (Lee Price, Menter-a-Busnes).***

Concerns were raised by Stephen Marsh-Smith that in some places NVZ have not made much difference and there should be a need for NRW to investigate why that is the case. Under the Nitrates Directive every 4 years, WG issue information to the European Commission under Article 10 which includes the Action Plans and what they have achieved. One of the difficulties in water quality improvements is the time it takes to measure any changes after actions have been undertaken on the ground. Bob Vaughan highlighted that regulations will help reduce agricultural pollution but there are other different strands, which are identified in the Interim Report, to tackle the issue. That was the main purpose of setting up this group.

***Action Point 4: Consider and share learnings from the implementation of the previous NVZ designation to help support farmers through implementation should the new regulations be adopted (All)***

#### 4) COVID-19 Update and Issues

Bob Vaughan, NRW, updated the group on current issues that are facing the agricultural sector due to COVID-19. Many businesses and markets have been closed which has had a large impact on different agricultural producers. There have been issues that farms provide to one or two businesses which have been affected which has resulted in produce not being collected. A waste hierarchy is in place and spreading to land is the last resort. If milk is not being collected from the farm the waste milk must be diluted with an equal or greater volume of slurry or water before it is spread to agricultural land at the place of production under a U10 waste exemption. NRW have relaxed existing rules for the spreading of diluted milk to land frequency to every three weeks rather than four weeks for farmers, under the U10 waste exemption. Guidance has been published on the NRW website. This does not apply to processing plants and NRW wanted to stress that if it is fit for human consumption it should not be wasted and alternative markets will need to be sought,

Delyth Lewis-Jones highlighted that milk prices have plummeted as a result of COVID-19 and there is a lot of work being carried out by the industry to keep milk viable. The dairy sector is working with the processing plants. Meat prices have also dramatically dropped. AHDB are working with Farming Unions sharing information and WG should be aware of these issues.

Dennis enquired about the DCWW Pesticide Scheme which was confirmed the deadline has been extended and Steven Bradley will share information to the Sub Group. There was a question about the plastic disposal initiative which was being set up by WG but there were no further details or updates.

***Action Point 5: Any intelligence or issues relating to COVID-19 from all organisations to inform the WLMF Sub Group (All).***

***Action Point 6: Steven Bradley to share details of the DCWW Pesticide Scheme to the Sub Group.***

***Action Point 7: Andrew Chambers to investigate the plastic disposal initiative set up by WG and provide information to the Sub Group.***

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#### 5) Arrangements for future Sub Group Meetings

- Monday 18<sup>th</sup> May 2020, Skype Meeting

***Action Point 8: If you have not received future dates as calendar invites please let Zoe Henderson or Marc Williams know. (All)***

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#### 6) Update on relevant diary activities or cancellations/postponed events

Nik Salter highlighted that the AHDB webinars were very informative on what the industry is doing and support for farmers. Jamie McCoy confirmed there was another webinar on Thursday 23<sup>rd</sup> April for farmers to watch.

***Action Point 9: A link to previous AHDB webinars to be circulated to the Sub Group***

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**(Nik Salter, NRW).**

**Action Point 10: Jamie McCoy to circulate details of the next webinar for farmers to the Sub Group.**

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## **7) Any other business**

Zoe had read an interesting article written by NFU on undersowing maize and keeping soil in fields. However, Creighton pointed out there were vast areas of maize being grown in West Wales which have not been undersown with a loss of soil to watercourses and roads.

Dennis mentioned the Clean Air Consultation did not mention any of the work undertaken by the WLMF Sub Group. He highlighted this issues in the response to the consultation and is happy for these to be circulated to the group. The actions from the Sub Group focuses on water pollution and slurry but these can have similar impacts on air quality which should be considered.

**Action Point 11: Circulate Clean Air Consultation comments by Dennis Matheson to the Sub Group (Marc Williams, NRW).**

**Action Point 12: Add Clean Air Consultation as an agenda item for the WLMF Sub Group meeting in May (Marc Williams, NRW).**

There was a discussion on agricultural pollution incidents that have occurred in 2020 and Marc Williams will circulate an updated graph on substantiated agricultural pollution incidents to water to the Sub Group. Creighton reported a number of incidents in March and had concerns that the NRW customer centre do not provide customers with reference numbers. Bob Vaughan will investigate and find out the procedure within NRW. Stephen Marsh-Smith raised concerns that diffuse pollution data is not being captured. It was highlighted that it is difficult to measure and capture all this information. The WIRS system only captures reports of spot pollution, which is reported by the public. Stephen mentioned that he had captured information of diffuse pollution and sewage fungus in ditches in a catchment in a report. NRW stated that it is important to report these incidents at the time using the 24-hour reporting number as we cannot capture information included within reports. Communications is key to ensure there is consistency internally regarding providing a reference number and externally for the public to continue reporting incidents. Katy Simmons is the new Communications Officer and now a member of the group. The Chair would like to have a discussion on the communication plan for the next WLMF Sub Group meeting in May.

**Action Point 13: Bob Vaughan to investigate and clarify the procedure of supplying reference numbers to the customer who reports an incident.**

**Action Point 14: Add Communication Plan to the agenda for the WLMF Sub Group meeting in May (Marc Williams, NRW).**

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**The Meeting was closed.**

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