

# Minutes

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

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**Monday 15<sup>th</sup> June 2020**

Skype Meeting

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

1a Apologies received from:

Delyth Lewis-Jones, AHDB

Stephen Marsh Smith, WEL

Liz Franks, Hafren Dyfrydwy

1b Introductions

Confirmed attendance:

Zoe Henderson, NRW (Chair)

Helen Ross, NRW (Note taker)

Dennis Matheson, TFA

Steven Bradley, DCWW

Aled Jones, FUW

Rachel Lewis-Davies, NFU Cymru

Creighton Harvey, CFF

Bob Vaughan, NRW

Sarah Hetherington, NRW

Marc Williams, NRW

Nichola Salter, NRW

Katy Simmons, NRW

Andrew Chambers, WG

Spencer Conlon, WG

Jamie McCoy, AHDB

Kate Snow, United Utilities

Matt Lowe, NRW

Adriana Kiss, ESNR

Lee Price, Menter a Busnes

Kevin Taylor, WG (for item 3 only)

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

Minutes: The Chair reminded the Group that the recording of this meeting had been lost, therefore these minutes will not be a comprehensive record of the meeting.

The minutes and action points from the meeting held on 16<sup>th</sup> March 2020 were reviewed. Creighton Harvey advised that he had sent his amendments to Marc Williams prior to the meeting, and these had been incorporated. Following a couple of further amendments, the minutes were confirmed as a true record of the meeting.

Actions: The Chair reviewed the Actions and all actions had been completed with the exception of the following:

***AP March 3: Discussions to take place on how to move the Agrisgôp groups forward and draft a proposal to take back to the Sub Group (Mark Squire, NRW).***

***AP March 5: Circulate the structure chart for the Evidence, Planning and Permitting team to the Sub Group (Nik Salter, NRW).***

Nik Salter advised that there is a new structure chart being published and she will circulate to the Group once it is available.

## Minutes from meeting on 18<sup>th</sup> May 2020 & outstanding action points

Minutes: The minutes and action points from the meeting held on 18<sup>th</sup> May 2020 were reviewed. Amendments had been received by Creighton Harvey prior to the meeting and these had been incorporated. Following a couple of further amendments, the minutes were confirmed as a true record of the meeting.

Actions: The Chair reviewed the Actions and all the actions had been completed with the exception of the following:

***AP May 2: NRW to investigate the dates when NRW staff were instructed not to attend incidents and to limit attendance to incidents with a risk to human health, and when the restrictions were lifted (Bob Vaughan, NRW)***

Bob Vaughan updated that this action had been completed and will be circulated today.

***AP May 7: Circulate information on how NRW will explore the scale of the environmental challenge in context of the current ammonia guidance consultation to Rachel Lewis-Davies (Marc Williams, NRW)***

Rachel Lewis-Davies advised that the WG consultation suggests a gap in the evidence. There is currently a letter with NRW requesting various pieces of information to underpin the current consultation on the Ammonia Screening Guidance. This is information that has not been provided as part of the consultation process. Internal meetings have been taking place and NRW are now ready to respond to this.

***AP May 10: Circulate a briefing note on changes in Dairy Farming Practices in Wales to the Sub Group members (Nik Salter, NRW)***

Nik Salter advised that the briefing note needed to be amended with a few changes and it will

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then be circulated.

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### 3) Welsh Government Update on SPG Rounds and Future Scheme

Kevin Taylor provided an update on Sustainable Production Grant (SPG) rounds. The last 3 rounds have been SPG 4, 5 and 6. Of SPG round 4: there are 114 contracts to the value of £3.5m, round 5: 40 contracts to the value of £1.3m. No contracts have been offered for SPG 6. Future rounds would depend on availability of budget and he was unaware at this stage when a response would be received from the Minister regarding the budget going forward. He clarified that rounds 4, 5 and 6 are current and 7 would be a future round.

The Chair questioned whether these figures included the farmer contribution and also whether the rounds had been successful in terms of target. Kevin explained the amount is based on total values not grant values, normally 40% of the total would be the grant value. He explained in terms of target there are many measures of success and initially the success is as to whether the budget is achieved, and this was the case for SPG.

It was also questioned whether more detailed information could be provided in terms of what SPG has spent, in what areas, what the farmers are contributing, and where the funding has gone that has a direct relationship with nutrient management.

***Action Point 1: Provide a more detailed report on what SPG has been spent on, in what areas, what the farmers are contributing, and where the funding has gone that has a direct relationship with nutrient management – send to the Chair for circulation (Kevin Taylor, WG).***

Rachel Lewis-Davies raised the question as to whether there had been any applications being appraised in window 5, how many are being appraised in window 6, and what the timeline is for the appraisal process. A further question was raised on whether future rounds of SPG is dependent on the Treasury Guarantee.

Kevin explained that there are ongoing appraisals with SPG 5 and will provide a breakdown of the timescales and statistics to be circulated to members after the meeting. Kevin highlighted that they are moving away from the Treasury Guarantee being the driving force for future SPG rounds, but no official announcement has been made. An informed update can be provided to the members.

***Action Point 2: Provide a breakdown of timescales in relation to SPG 5 and circulate (Kevin Taylor, WG).***

***Action Point 3: Circulate details of the Treasury Guarantee to Sub Group members (Kevin Taylor, WG)***

Rachel also wanted to highlight that the latest Welsh Government figures relating to the Rural Development Plan there remains £163m yet to be committed to projects so would like to understand how the Treasury Guarantee impacts on that and how to utilise the funds as much as possible for the benefit of the industry and the environmental improvements we want to see.

The Chair questioned if funding had been received from one round whether this would exclude applications from future rounds. Kevin advised that this is not the case, you can apply for as many Grants as you want to.

Dennis Matheson raised the question as to whether in a landlord / tenant situation can a landlord apply for a Grant if he is not the active farmer. Kevin explained that it has to be the person who has got management control.

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#### 4) Development of the Regulatory Impact Assessment

Spencer Conlon made the Group aware that the Minister is not going to make a decision on the introduction of any regulations due to the current pandemic. Going forward, the Minister has said that she will delay that decision. The RIA is currently being revisited, and there are also ongoing implications in relation to the pandemic. There is regular contact being made to a variety of fora to get the input from a number of the Stakeholders. There are various Stakeholder meetings taking place which will include individual meetings with the Minister and Officials and through the response to the pandemic which we are gathering intelligence.

In addition, should any of the Group wish to submit any additional information to assist in the finalisation of an RIA in the context of the current pandemic, and any implications on the industry, we will take those comments into account in the development of the Impact Assessment. This will be presented to the Minister when she indicates to us that she wants to take advice on the new regulations.

The RIA will be published alongside any new regulations being laid in line with Welsh Government procedures. They will not be available in draft format prior to them being published.

***Action Point 4: Information to assist in the finalisation of an RIA of the current pandemic to be sent to Spencer Conlon, WG (All)***

There was some discussion as to whether the case made by Afonydd Cymru currently in the European Commission Court regarding pollution would have any implication on the timing of the Ministers decision. Adriana Kiss commented this is a complex process and there has been no official decision on what happens with any ongoing infraction procedures whilst the UK was an EU member state.

***Action Point 5: Check to see if the current case made by Afonydd Cymru in the European Commission Court has any implications on the timing of the Ministers decision (Spencer Colon, WG)***

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#### 4) COVID-19 / Prolonged Dry Weather Update and issues

Bob Vaughan advised that there has been one of the driest Springs for many years. With the issues around Covid it has had impacts on the work NRW carry out. Bob invited comments on any issues the Group wanted to raise on the consequences of the dry weather and the industry itself.

Marc Williams advised that there was guidance for farmers on water for livestock and the environment produced in 2018. This has now been reviewed and will now be published on the NRW website.

**Action Point 6: Circulate link to the guidance for farmers to the Sub Group (Marc Williams, NRW)**

Lee Price updated that Farming Connect have a page dedicated to dry weather and will add the guidance for farmers to this page once it has been circulated. The page includes various information on the effects of dry weather, how farmers are dealing with it along with water quantity, grazing, and stock etc. They are also looking to expand the information on this page to include extreme weather. There are Covid 19 surgeries running where farmers can have support over the phone or digitally with an expert for one hour on any topic or subject free of charge. Digital webinars run on Tuesdays and Thursdays which have gone down really well with the industry, covering a large range of topics.

Steve Bradley advised that they had been running a water efficiency campaign as reservoirs have been diminished by the dry weather. A lot of the work is on hold in terms of engagement with farmers, but they are keen to work with Farming Connect and other agencies on various projects.

Adriana Kiss said that water resource was still marked red as of Friday 12 June despite the rainfall over the last few days. There are continuing issues, not just due to the dry weather, but also due to an increase in domestic use of water due to the lockdown situation. WG are taking this very seriously and a Drought Liaison Group has been established to monitor the situation.

Bob Vaughan questioned whether the Group should be looking to produce some information/steering for farmers and other land users in these conditions. It was agreed that this could be looked at as part of the communications plan and it was agreed that timing on communications being sent out would be key.

Dennis Matheson said that water for the livestock has been an issue as most of the farms in the area rely on streams or shallow wells. Communication has also been an issue. The postal service has reduced its delivery service and not everyone is online so reporting movements to BCMS or EID Cymru has been difficult.

Jamie McCoy shared the following link to AHDB on drought

<https://ahdb.org.uk/knowledge-library/drought>

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## 5) WLMF Sub Group Next Steps Cont....

The Chair advised that Bob Vaughan is working on finding someone to join the Group who will help to lead on the actions and initiatives. Not having full time support has always been an issue but the Group has achieved a tremendous amount in the last few years. The Chair would like the Group to review the Interim Report today from 2018 and identify some of the top priorities, how we can move them forward, and each member of the Group to take a part in what is manageable and moves us towards the goal of managing agricultural pollution. Also to look at the Water Standard report again and how the group can move this forward to work towards that volunteer initiative.

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Marc Williams shared the Recommendations on screen.

Bob Vaughan advised that he is aware that Welsh Government is setting up the equivalent of gov.uk. and are setting up a department to try and rationalise their websites and there was some discussion as to whether this is something the Group wanted to influence from day one in terms of having all information in on place. It was agreed that it would be beneficial to have a one stop place for information.

Steven Bradley raised their top recommendations are within Chapter 6 of the Interim Report on Better Advice and Guidance.

Aled Jones commented that a lot of work had gone into the report and it would be interesting to know WG's views on it. WG stated that it is up to the whole group to review and take forward the recommendations set out within the Interim Report.

Dennis Matheson raised concerns about the need to get across the work done by other fora and this Group on the Interim Report. He has attended other meetings and they appear to know nothing of the work this Group has been doing and felt it important to make this Report more publicly known to other groups. WEL documented in the interim report the problems that tenants will have in complying with any Pollution Regulations and asked if this Group could come up with ideas to help the Welsh Government surmount this problem.

Katy Simmons responded that one of the key things she is looking at as part of the Communications Plan is how we can better communicate the work that the Group is doing and highlight this to other foras.

Creighton Harvey mentioned Recommendation 3.1 Root Cause Analysis to be a priority. He advised that things had moved on since the report back in April 2018 and requested that this information be updated as some of the evidence has changed.

Lee Price suggested it would be useful to put the recommendations into an action plan so we can see clearly what has been completed and then prioritise them into short, medium and long term, or high, low or medium priorities and identify which organisations are required to move some of these recommendations forward. This would also allow the Group to see what has been achieved. He is happy to work with members around the table and support any necessary actions.

The Chair asked Lee to talk more about the Nutrient Management Plans and recognised that he had put a lot of work into it and questioned whether this should come high on the list of priorities.

Lee Price advised that fully funded or part funded Nutrient Management and infrastructure plans are still available for registered businesses. Reviews are carried out 12 months after the report has been finalised and agreed by the business and is submitted to Farming Connect by the Consultant. We also look at the action plan the consultants have put together as well as the reports. Part of that evaluation is asking what they have done, what have they achieved, have they followed up the recommendations, and have they achieved any of the action plan points. Around 500 evaluations have been carried out in the last 2 and a half months. It is the same process for the infrastructure plan also. Some of those action points may be to apply for

the SPG Grant as an example. He advised that he will look at that evaluation for those 2 points and look at bringing a report back for the next meeting on what we are finding on both Nutrient Management Plans and infrastructure applications.

***Action Point 7: Provide a report at the next meeting on the findings of both Nutrient Management Plans and infrastructure applications (Lee Price – Menter a Busnes)***

Jamie McCoy commented that a lot of the recommendations relate to information and expertise and felt it important that the expertise is well trained, and all agencies respect the information that has been given out. The longevity is really critical for farmers to engage with it.

Following feedback from members of the Sub Group and discussion during the meeting the following recommendations were reviewed and identified as priority and to be endorsed by the Group: 3.1, 4.7, 4.12, 6.1, 6.4, 6.6 and 6.10.

***Action Point 8: To review the action plan and prioritise some of the projects based on discussions and try show the progress made on all the recommendations by the next meeting (Sarah Hetherington, Marc Williams, Bob Vaughan, NRW)***

#### **Water Standard Report:**

The Chair asked for feedback from the Group on the Water Standard Report. The Chair questioned whether there was any funding to take this forward. Bob Vaughan advised that there is a team at NRW that looks into external funding.

***Action Point 9: Speak to the Team at NRW who looks at external funding to see what opportunities might be available in supporting the Water Standard Report and taking forward the next steps (Bob Vaughan, NRW)***

Aled Jones suggested to have a discussion with John Owen from Gelli Aur regarding funding for projects.

***Action Point 10: Speak to John Owen, Gelli Aur about external funding as per AP 7 (Bob Vaughan, NRW)***

Kate Snow advised that United Utilities could probably financially support getting a unified message to farmers in North Wales on how to reduce pollution of water and to raise awareness.

Marc Williams questioned whether the Chair would like to see the document in a similar action plan format to the one which was put forward in Summer last year and use the 5 themes as headings.

***Action Point 11: Review format of the Action Plan for the Water Standard Report (The Chair and Marc Williams, NRW)***

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## **6) WLMF Communications Update**

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Katy Simmons talked through the draft Communications Plan then shared onscreen the key messages, objectives, and questions which had been circulated prior to the meeting.

Steven Bradley advised that Catherine Jones has joined their communications team on the Brecon Beacons Megacatchment Project and understands that Catherine and Katy know each other. Catherine is willing to work with Katy in terms of content. Katy advised that she had already been in touch with Catherine.

There was some discussion on how best to engage with those in particular who don't have access to the internet. It was agreed that a balanced approach of using as many communication avenues as possible would be the best way forward to try and reach as many people as possible. Livestock markets and other events are also used to get information out.

It was also raised that Objective 2 needs to be clear on what is a regulatory requirement, what falls within cross compliance, what may fall under legal agreements – agricultural environment, and what is advisory i.e. COGAP.

Creighton Harvey suggested there needed to be a simpler message about farming and water generally to say it is not acceptable to dump waste in the river, including a number of different materials such as slurry, plastics, and dead animals rather than referring to regulatory control or guidance.

***Action Point 12: Review Communications plan based on comments received around Objective 2 and send the amended draft around for the next meeting (Katy Simmons – NRW)***

Rachel Lewis-Davies commented that you could eradicate agricultural pollution and still have waters failing, this is what the evidence shows. Proper representation of issues is vital to secure trust and buy in from the farming community.

Katy Simmons will be arranging some individual one to one meetings with some members of the Group to find out more about what their organisation are doing and what information they already hold that would be useful for this and further ideas on the approach to take.

It was agreed that the Sub Group would review the questions raised by Katy and feedback after the meeting.

***Action Point 13: Review communications plan questions and feedback to Katy Simmons or Marc Williams, NRW (All)***

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## 7) Agricultural Pollution Statistics

Marc Williams shared a presentation on Agricultural Pollution Statistics and Dairy Projects Data and talked through the slides. He explained that the document needed to be quality checked before being shared.

The following comments/questions were raised:

Slide 2: Pollution Incidents to Water by Sector – what does 'Premises Not Identified' mean

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and does Water Industry include CSOs (Combined Sewer Overflow Systems).  
If an incident had been substantiated (confirmed) but the source was not identified the pollution incident would be highlighted as Premises Not Identified.

It was uncertain whether CSOs was included and this would need clarification. Combined Sewer Overflow Systems are permitted to release storm water, which could contain sewage, into a water course during storm events.

**Action Point 14: Clarify whether the Water Industry statistics includes CSOs (Nik Salter, NRW)**

Rachel Lewis-Davies advised that a member shared some statistics from the DCWW website on Combined Sewer Overflows and has asked for an explanation. The site quoted in Llanwrtyd Wells was spilling one hour in every four and the member wanted to know how this reflected in statistics.

**Action Point 15: Provide information to Rachel Lewis-Davis in response to the enquiry about statistics on Welsh Waters website on CSOs and how this reflected in the statistics (Bob Vaughan, NRW)**

Slide 3: Agricultural Incidents with impact to water - Creighton Harvey requested information on how the lockdown has affected the recording of incidents and confirmation of incidents that did take place and whether the incidents he reported in March are included in the graph. Marc Williams cannot comment on individual pollution incident reports but he highlighted that the next graph will show the number of incidents that occurred during lockdown and the number of reports to water that were unsubstantiated relating to agriculture.

Slide 4: Substantiated and Unsubstantiated Incidents to water related to Agriculture – Rachel Lewis-Davies requested that definitions of substantiated versus unsubstantiated are provided when the figures are published. Marc Williams advised that he would add an explanation caveat to the graph.

Marc Williams handed over to Matt Lowe to present the remainder of the slides.

Slide 5: Important as per previous slide 4 that an explanation caveat is added to the graph.

**Action Point 16: Quality check and amend Agricultural Pollution Statistics as per feedback and circulate graphs to the Sub Group (Marc Williams, NRW)**

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## 8) Arrangements for future Sub Group meetings

The Chair advised that these meetings will continue to take place via Skype for the foreseeable future.

- Monday 13<sup>th</sup> July
- Monday 17<sup>th</sup> August

- Monday 14<sup>th</sup> September
  - Monday 19<sup>th</sup> October
  - Monday 16<sup>th</sup> November
  - Monday 14<sup>th</sup> December
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## 9) Update on relevant diary activities or cancellations/postponed events

No update

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## 10) Any other business

- **Ammonia Guidance Consultation**

The Ammonia Guidance is now out for consultation should members wish to view this. Bob Vaughan advised that discussions have previously taken place and are taking currently taking place with NFU Cymru and will also being taking place with other organisations.

- **Gravel Removal Press Release** - <https://naturalresourceswales.gov.uk/about-us/news-and-events/news/illegal-gravel-removal-puts-river-wildlife-at-risk/?lang=en>

A press release has recently been issued. Another press release will be issued to remind farmers and land owners, or anyone using the river, that gravel removal requires consent in a majority of cases, and that river disturbance can be very damaging to the aquatic environment. They would like some messages from Fisheries / Farmers Unions that they can include in a press release.

***Action Point 17: The Sub Group members to provide any messages on Gravel Removal for a further press release to Marc Williams, NRW (All)***

Creighton Harvey raised the question as to whether there is a limited consent for the amount of gravel which can be taken. Bob Vaughan to clarify this.

***Action Point 18: Clarify whether there is a limited consent on the amount of gravel which can be taken (Bob Vaughan, NRW)***

- **National Association of Agriculture**

The Chair advised that the National Association of Agricultural contractors had been in touch to offer support. They are looking at doing a survey of Welsh contractors which could be useful in understanding things such as how is the best way to communicate with them, and who they are. This information has been passed on to Katy Simmons.

- **Dairy Report**

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The Chair asked if there was an update on dairy reports as discussed at the last meeting where reports were missing as the Dairy Officer had left. Matt Lowe updated the Group that to date 688 visits had taken place and 640 reports have been issued. There are 6 outstanding for visits completed prior to lockdown and 42 reports that have not been issued which are overdue by Officers whom have left the project. We are still looking at these and making time to get the reports out. An agreement had been reached with Line Managers of former Dairy Officers to complete outstanding reports following farm visits. Where this cannot be done, the farmer will be offered another visit. All the farmers have been contacted and are aware of the situation.

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**The Meeting was closed.**

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