

c/o Governance Support
Herefordshire Council
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Hereford
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09.06.2023

Dear Cllr Lester,

RE: Wye Commission

We welcomed the establishment of a joint Cabinet Commission in 2022. A catchment-wide approach to saving the river Wye is the only way any action will succeed. However, we are now concerned that the approach taken by the commission has become one-sided and feel that it is now time for the Terms of Reference to be revisited and an independent chair to be appointed to this Commission, selected jointly by all Commission members.

In March, CPRW and FOUW wrote jointly to Herefordshire, Monmouthshire and Powys Councillors, to voice various concerns about the [Herefordshire Council Commission Report on Phosphate Reduction in the Wye](#), which is later described as a "Prospectus" rather than a report.

Amongst our concerns was the dominant role of Herefordshire Council and the lack of adequate assurance that the work of the Commission would apply equally to all areas of the Wye Catchment, in England and Wales. Nor do we feel assured that it would consider all options for urgent reversal of the ecological collapse in the Wye.

The average farm and its economics tend to be vastly different in Wales than England; with a lot of uncertainty currently surrounding the future of farm support for Wales. So, any approach to a catchment wide plan must consider farming practices and needs from Wales, as well as England.

Powys County Council also have poorer resources for planning and guidance, compared to across the border, though we welcome the appointment of the new nutrient officer for rivers. We have deep concerns that Welsh stakeholders in the Commission are becoming junior partners and Wales is being overlooked for support, funding, and solutions. This could be detrimental to any progress, and potentially create limited buy-in from Welsh stakeholders.

Moreover, the scheduled Wye Nutrient Management Plan Board Meeting on 12th April was cancelled and replaced with a "private board meeting" on 26th April 2023. This apparent move to meetings in confidence does little to assure us that all views are being taken on board.

Further correspondence with the Delivery Director (DD) for the Commission has increased our concerns about the lack of democracy and a catchment-wide approach.

After the 2/3/23 cabinet meeting where the report was discussed, Richard Tyler, of Save the Wye, wrote to the DD on behalf of a small group of people who have regularly attended the Wye Nutrient Management Board meetings as public visitors who wanted to discuss various possible solutions to reduce phosphates in the Wye.

Some of Mr Tyler’s suggested items for discussion included:

1. A strategy for preventing new IPUs and over time reducing their number/intensity.

To which the DD replied:

On the basis that no new IPUs have been approved since 2019 and from a phosphate reduction perspective, before looking to reduce numbers of legitimate businesses, there is first a need to explore whether poultry manure can be better managed.

2. A strategy for generating new agricultural and business models....

To which the DD replied:

This really does sit locally with Herefordshire Rural Hub and the Agricultural and Horticultural Development Board.

3. A partnership based rural regeneration programme to support this.

To which the DD replied:

See above- HRH and AHDB

In Wales, five IPU applications in the Wye catchment have been approved since 1/1/20 with another eight applications currently awaiting decision. At present, these eight applications are under a Welsh Government Holding Direction following requests for the applications to be called in. There are also active undecided applications for another 624,000 birds in Herefordshire, including a Planning Appeal for 320,000 birds.

Poultry numbers in recent planning application approvals across the Wye catchment

	Gloucestershire	Herefordshire	Powys	Monmouthshire	Total
undecided	0	624,000	450,000	0	1,074,000
2023					
2022	0	0	90,000	0	90,000
2021	0	0	0	32,000	32,000
2020	0	0	265,000	0	265,000
2019	0	32,000	403,000	0	435,000

**Information from CPRW and Dr Alison Caffyn*

Cont.

The DD's comments ignore the Welsh poultry planning history and only mention Herefordshire Council area applications. Yet the Terms of Reference for the Joint Cabinet Commission say it comprises three Commissioners, one Cabinet Member from Herefordshire, Powys, and Monmouthshire (and possibly Forest of Dean).

The terms also state that Commissioners will commission additional research and call for evidence necessary to support the delivery of the Commission's objectives and work with the Agricultural sector, the NFU, CLA and Farm Herefordshire, to develop a catchment specific road map.

There is no mention of Welsh Water regulations, the FUW, or any consultation with catchment sensitive farmers in Wales. There is also no description of a Delivery Director role, or the role of what said position's duties would include.

The Herefordshire Council Minutes following the 2/3/23 Cabinet meeting where the "Prospectus" was discussed reached six resolutions including item d.:

The Chief Executive is authorised to continue the council's work with stakeholders and to prepare a draft submission considering all potential options to Defra and the Welsh Government.

While the resolution is to consider all options to submit to DEFRA and the Welsh Government, the Terms of Reference of the Commission and the DD's report to the Herefordshire Cabinet are heavily weighted towards England.

The "Prospectus" report put before the Cabinet favoured a phosphate-trading scheme, modelled on the Poole Harbour Nitrate trading scheme, which is due for evaluation of effectiveness 12 years after its initiation in 2032.

We are concerned that, despite resolution d., which requires evidence for all potential options to be considered, the preferred option of a phosphate trading scheme seems likely to be pursued to the exclusion of other urgent measures.

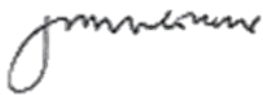
We do not see sufficient evidence that the Welsh Commissioners have been involved in decision-making or generation of the "Prospectus" report. Nor have we seen that the interests of the agricultural sector are being balanced by evidence and experience from other scientific and environmental sources.

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With Natural England downgrading the status of the Wye from “unfavourable improving” to “unfavourable declining” this May, we feel that neither England nor Wales can afford to wait for urgent, effective action.

We do not think that the current approach is consistent with a cross-border catchment-based approach. Nor do we see how it will achieve an urgent response to the crisis facing the Wye.

Yours Sincerely,



Jonty Colchester
Chair
CPRW

Enc. Copy of email sent to councillors in March regarding Herefordshire Council Commission Report.

CC.

Leaders and Environment cabinet members of Herefordshire, Powys, Forest of Dean, and Monmouthshire Councils.



Dr Alison Caffyn, Researcher on Herefordshire IPU Statistics
Helen Hamilton, Marches Planning