

Minutes

Title of meeting: Wales Land Management Forum (WLMF) Sub Group on Agricultural Pollution

Location: Microsoft Teams Meeting

Date of meeting: 29th January 2024

Members present: Rhys A. Jones, NRW Board Member (Chair)
Dennis Matheson, TFA
Gareth Parry, FUW
Ieuan S. Davies, NRW
Andrew Chambers, Welsh Government
Sarah Jones, Dwr Cymru Welsh Water
Creighton Harvey, CFF
Kate Snow, United Utilities
Chris Mills, Afonydd Cymru
Marc Williams, NRW
Jon Goldsworthy, NRW
Sarah Hetherington, NRW
David Ball, AHDB
Einir Williams, Farming Connect
Matt Walters, Welsh Government
Ruth Johnstone, NRW
Chris R. Thomas, NRW

Additional attendees: Hilary Foster, NRW (Item 2)
Gideon Carpenter, NRW (Item 2)
Thomaz Andrade, NRW (Item 3)
Dave Jones, NRW (Item 3)
Professor Steve Ormerod, NRW Board Member and Chair of the WFF and WWMF
Betsan John, Welsh Government
Alys Routley, National Trust
Ben Wilson, NRW
Adriana Kiss, Welsh Government
Kristian Kent, Angling Trust
Tom Johnstone, Bannau Brycheiniog (Brecon Beacons) National Park
Inoka T. Manatunga, NRW
Brian Stewart, Welsh Government
Denise Ashton, Wild Trout
Guy Mawle, Usk Local Fishery Group
Gwenllian Roberts, Ofwat
Alwyn Roberts, Dwr Cymru

Apologies: Katy Simmons, NRW
Delyth Lewis-Jones, AHDB

Russ Thomas, Hybu Cig Cymru
Nichola Salter, NRW
Rachel Lewis-Davies, NFU Cymru

Secretariat: Bronwen Martin, NRW

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. This joint session has been arranged for the members of the WLMF Sub Group, [Wales Fisheries Forum \(WFF\)](#) and [Wales Water Management Forum \(WWMF\)](#) due to the common interest in the substantive presentation topics.
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. Overview of the Water Qualities Attributes Compliance Assessment

4. Hilary Foster, NRW joined the meeting to provide a brief overview of the report and headline results: [Natural Resources Wales / Assessment of water quality in protected rivers in Wales.](#)
5. Hilary introduced the Special Area of Conservation (SAC) Rivers in Wales, a background to Water Quality Targets in the SAC Rivers, an overview of the results from the compliance assessments and a summary of some general recommendations.

AP 29th January 01: Bronwen Martin, NRW to circulate a copy of the 'Water Qualities Attributes Compliance Assessment' presentation and contact details for Hilary Foster, NRW.

6. Guy Mawle thanked Hilary for the presentation and the quality of the report. Guy noted that there is a data and regulation gap in relation to sediment and suspended solids. One of the targets in 2005 was suspended solids and the last assessment that was done against it was in 2012 by NRW's predecessor. That showed widespread failure against that target and there is nothing in this report against either suspended solids or siltation. The Common Standards Monitoring (CSM) Guidance for Freshwater Habitats 2016 said there was general agreement that siltation is one of the most widespread pressures on rivers in the farmed landscape, and there there's a major threat to interest features including salmon and freshwater pearl mussel. Hilary agreed that suspended solids are certainly a serious pressure, however, this compliance assessment only looks at the water quality attributes within the CSM. There are many other attributes that the CSM guidance requires us to look at to get the full picture of SAC River condition and sediment is in there as a separate attribute, as are other things like RHS, macrophyte community, invertebrate community etc. So, this report only looks at the

water quality attributes, it is not by any means the full condition assessment of SAC Rivers, which consider all of those other attributes as well. Guy said he is concerned that sediment has been forgotten about because he has not seen anything that suggests NRW are looking at this. Guy said he would be grateful if someone could point him in the direction of NRW information/data relating to monitoring sediment. Hilary said the method of monitoring sediment is via RHS and we do have a programme of RHS surveys ongoing. Professor Steve Ormerod, NRW Board Member and Chair of the WFF and WWMF shared weblinks to some research papers relating to difficulties of sediment measurement and biological impacts.

7. Creighton Harvey, CFF recalled that one of the recommendations refers to the Sustainable Farming Scheme (SFS)¹. One of the proposed SFS actions is to protect soils from erosion and degradation by establishing a cover crop on all land that would have been left uncropped over winter. Creighton said Chapter 5 of The Code of Good Agricultural Practice (CoGAP)² deals with nutrient management and Chapter 4 deals with soil husbandry. Creighton discussed some local issues he has observed regarding bare soil and no cover crops in the winter. In the event of a large sector of farmers potentially not joining the SFS (e.g., intensive dairy), what would NRW's recommendation be regarding codification of Chapter 4 of CoGAP. Hilary understood the concerns raised regarding bare soil. Sarah Hetherington, NRW agreed that there are areas with issues linked to soil erosion and the management of soils. We are undertaking work with Welsh Government in terms of where those risks are in different catchments. The [Welsh Government SFS Consultation](#) was published in December 2023 and the closing date is 7th March 2024 – the group were reminded that this is an opportunity to provide feedback on the contents of the scheme. Creighton said this is a point which we will definitely be feeding back on. This winter in particular has shown the seriousness of the situation with the amount of rain we've had and the frequency of local flooding as a result of bare fields over winter.
8. Gareth Parry, FUW noted that there is a huge question around the scope of the optional and collaborative actions of the SFS in the long term, as well as uncertainty of the overall Rural Affairs budget. We currently don't know how many farmers will actually engage with the SFS, but there may also be budgetary barriers to overcome in terms of how far the scheme can go over and above the universal actions. Some of the collaborative work could happen in catchments, but we don't know whether the SFS could fund that.

Gareth asked if the compliance monitoring of SAC Rivers is ongoing and when we can expect the next compliance report. Hilary said NRW are viewing the report from the 2017-2019 data period as the baseline and the repeat assessment will be done this year.

9. Tom Johnstone, Bannau Brycheiniog (Brecon Beacons) National Park asked about the relative impact of one single pollution event on ecosystems. Hilary explained the CSM assessment process (mean value/pass/failure). In terms of whether there is a difference as to how the ecology behaves, Hilary said if you have a chronic problem on a tributary, then it is possible that the ecological features might not recover. Whereas if you have one severe acute event, there's potential for the ecological features to

¹ <https://www.gov.wales/sustainable-farming-scheme-guide>

² <https://www.gov.wales/sites/default/files/publications/2018-02/code-of-good-agricultural-practice-introduction.pdf>

recover. We also look at patterns in the data to understand whether there are chronic problems or if events are one off.

10. Ben Wilson mentioned that some water bodies are assessed for some parameters but not others and asked if that was based on a risk assessment. Hilary said our monitoring surveillance programme has two main drivers: the Water Framework Directive monitoring and our Special Areas of Conservation monitoring. It is understood that there is an element of prioritisation to understand where the resources are best targeted. Ben said when we talk about ecological considerations in reference to water quality performance, some of our ecological features are under added pressure from other issues as well and therefore are more vulnerable. A one-off pollution incident might not be a massive issue to some features but could be for a salmon population like on the Rhiangoll where they're already suppressed by other factors such as temperature, flow, marine survival etc.
11. Jon Goldsworthy, NRW said he will be bringing a presentation to this group on the Teifi Demonstrator Project. The project is in development but is about exploring different approaches. The premise of the project is around water quality improvements within the Teifi catchment, but also about capturing learning and being able to scale it up into other catchments. We have applied for an Ofwat bid for innovative work in the catchment and 16 partners have signed up to that. However, we won't know until early Summer whether we've been successful. Currently, there are three principal areas of work: monitoring/data visualisation, nature-based solutions and land use and finding a different approach (e.g., collaborative space, different types of regulation etc.). We have an opportunity to do something different in one catchment and measure the success. Upcoming meetings including a partnership meeting on the 14th February and a hackathon (28th & 29th February, Aberystwyth University) where a wider group of stakeholders will discuss and explore ideas of what might be possible in this catchment.
12. Chris Mills said it was stressed at the beginning of this presentation that these are the most important rivers in Wales from a nature conservation point of view, yet, we don't have the resources to fully evaluate their status. Chris asked if this been discussed at the NRW Board. Rhys said this is discussed at the NRW Board along with wider challenges relating to pollution, given that pollution is one of the three wellbeing objectives in the new NRW Corporate Plan³. Ideally, we would have more resources to collect more data, however, it is at the forefront of the Board's agenda. We also have presentations and discussions on the SAC Rivers and issues relating to water quality on a regular basis. Steve said this is an issue he has raised very often. Resourcing of monitoring and assessment is a challenge in all regulatory bodies. There has been a significant reduction in sampling effort over at least 10 years, if not more. These are big, expensive issues like funding landowners to do appropriate things, rolling out climate change adaptation is extremely expensive, tackling pollution throughout all its sources is really significant etc. There is an interesting debate developing around the extent to which this is government's responsibility or whether private finance might help. Steve said he is monitoring what is happening with the Environmental Markets Board in England, which is using permitting systems to fund landowners to do waste water control, nutrient control mechanisms, wetland developments and various other things which are paid for by permits that come from developers who want, for example,

³ <https://naturalresources.wales/about-us/what-we-do/strategies-and-plans/our-corporate-plan-to-2030-nature-and-people-thriving-together/?lang=en>

to build houses or adjust the amount of nutrient that might come out of waste water treatment works. However, there's a degree of nervousness around the extent to which we use private finance. In summary, we are dealing with incredibly significant ongoing issues with biodiversity, pollution and climate change and it will be expensive to fix them.

Item 3. NRW update on water quality risks from sheep dip.

13. Thomaz Andrade, NRW joined the meeting to provide a presentation on the diazinon investigations. Thomaz gave an overview of the situation including a background of the chemical status and chemical failures, a summary of sampling results, brief discussion around the root cause analysis and highlighted some next steps/measures.
14. Creighton recalled the next steps and measures particularly the need to better understand other sources and pathways. Creighton asked if there are resource restrictions that make this difficult. Thomaz said there has been a reduction in monitoring, but NRW overcome this by prioritising sites, undertaking risk assessments, work with partners (e.g., working with the water industry and colleagues developing the scab programme) etc. Thomaz discussed the challenges related to checking compliance, assessing farms and the risk of unpermitted disposal.
15. Creighton asked about resource restrictions in relation to carrying out further work to understand the pathways. Thomaz said we're doing what we can with the available resources. Understanding the issues has provided enough basis to move on to looking at possible measures (e.g., improve disposal).
16. Creighton was concerned about silent pollution in the upper reaches of rivers and said the only people who can determine whether that is taking place are those who do the monitoring. Creighton asked if more resources are needed to complete research in this area. Thomaz said our current programme is aware of those issues and we are reviewing it, changing our permitting, working with Welsh Government and looking at ways to improve disposal. The measures are based on data and that still has an influence on unmonitored sites. Ideally, we would move from disposal to land to disposal by a waste facility, but this is a process that will take time.
17. Creighton mentioned that an offer has been made to Frank Jones regarding a further meeting to discuss this topic with a wider audience. Creighton said he has been asked to request that this takes place as soon as possible before the summer. Rhys provided the context around this suggestion – there is a possibility of a standalone meeting on this specific topic with a broader range of individuals so that we could explore some of the issues and challenges around sheep dip monitoring and disposal. Rhys said we will try to arrange this meeting during the Spring.

AP 29th January 02: Bronwen Martin to work with the leads of the other fora groups and wider colleagues to organise a separate session to discuss issues around sheep dip monitoring (before summer).

18. Chris acknowledged that resources are limited but it seems as though the results are fairly consistent as to the areas that are actually being affected. Chris suggested that NRW could tailor the monitoring programme to those areas where the highest risk is and perhaps abandon the other areas – this could be a better use of total resources. Thomaz discussed competing priorities. There is enough evidence to create a

response with the measures to address this issue. Chris said by doing more targeted monitoring, you're shining the spotlight on the areas of key concern which may actually prevent people doing the wrong thing. Thomaz reminded the group that ultimately the main driver is sheep scab, if you have a period or region with more scab, then you're going to have more dipping. Rhys suggested that the supplementary session could have a focus on sheep scab and the subsequent sheep dip pollution along with a discussion about whether more targeted data collection might be a useful contributor to the policy evolving in this area. Thomaz said NRW has discussed some different methods with Coleg Sir Gar such as localised monitoring (e.g., upstream/downstream) from August when you generally have increased dipping.

19. Guy mentioned that research from the 1990s suggested that the key period for diazinon use was in June/July and asked if that is still the current perception. Thomaz said very broadly, August to December is the key times based on our data. Guy discussed the frequency of WFD sampling and the issue around not picking up an episodic problem. Thomaz explained the current sampling regime and assessments undertaken.
20. Regarding the debate about whether monitoring is targeted, Steve said it's actually quite complicated. One of the characteristics of diazinon is that it actually is quite sporadic in space and time. We not only note elevated concentrations in the Wye, but we also very surprisingly, found elevated concentrations in the Ely also associated with agricultural areas. Clearly there is an association with sheep farming, but aspects of disposal might be very sporadic and might not be easily detected even by targeting. We've also got to understand the flow dependency and the link between discharge and concentration. Regarding the resourcing issue, diazinon is just one of a whole range of chemicals that are problematic in the river environment. We've looked at probably around 100 locations largely in the South Wales valleys and in total we found something like 150 different chemicals either associated with human or veterinary pharmaceutical products (e.g., pesticides, fungicides etc). The resource demands to fully get on top of this problem are very significant. Welsh Government are trying to pool resources and effort by bringing as many different sources of intelligence together as possible (e.g., academic, public health organisations, regulatory bodies etc).
21. Steve said thank you on behalf of the WFF and the WWMF, for bringing this meeting together. This session has been an important opportunity to discuss some very significant shared issues.
22. Rhys reiterated the proposal regarding a potential one-off session to look at the diazinon issue and challenges around targeting data collection, investing in new infrastructure, citizen science and the role of farmers and communities in devising potential solutions.

AP 29th January 03: Bronwen Martin, NRW to circulate a copy of the Diazinon presentation and contact details for Thomaz Andrade, NRW.

Item 4. Review of Minutes and actions

23. 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.

24. The group reviewed the previous meeting minutes from 4th December 2023. No comments or suggested amendments were received in respect of the December meeting minutes.
25. Bronwen shared the outstanding actions log and verbal updates were provided where possible.
26. Rhys mentioned that he met with Delyth Lewis-Jones, and David Ball, AHDB and Marc Williams, NRW last week to discuss the status of the SAC Rivers Agricultural Technical Group report. That group is addressing one outstanding issue and then the report should be in a position to share. David said the final version is imminent and committed to discuss the report in February.

AP 29th January 04: Bronwen Martin, NRW to add the SAC Rivers Agricultural Technical Group report to the agenda for February.

Item 5. Matters Arising

27. The group was encouraged to discuss any matters arising from the previous meeting minutes, relevant documents, or recent topics.
28. Gareth recalled that at the December WLMF Sub Group meeting, he requested some information or a 'how to guide' for farmers to use the slope layer on Data Map Wales. Gareth asked if this could be followed up.

AP 29th January 05: Bronwen Martin, NRW to follow up with Nichola Salter, NRW regarding a possible 'how to guide' for farmers to use Data Map Wales layers.

29. Andrew Chambers, Welsh Government said it is important that Welsh Government engage with this group regarding the Alternative Measures and the 4-year Review process of the Control of Agricultural Pollution Regulations. Andrew suggested bringing a presentation and update to the next meeting. There will also be an opportunity to discuss some of the Alternative Measures proposals before Welsh Government consider whether it is appropriate to take them forward.

AP 29th January 06: Bronwen Martin, NRW to add the Control of Agricultural Pollution Regulations 4 -year review to the February agenda.

30. Creighton recalled Item 4 from the January meeting regarding the update from Nichola and Iwan on the Control of Agricultural Pollution Regulations. It was mentioned that unless there's a pollution incident, farmers would be given notice of an inspection and that was been confirmed with the circulation of the letter that goes out to all farms prior to the visits. However, one of the issues regarding pollution taking place is linked to poor management. Creighton requested that Nichola clarify some statistics before the next update – for example, over the last three years, how many pollution incidents have been caused by overflowing slurry stores or spreading in light of overfull slurry stores. If you're giving 14 days' notice and there's poor slurry management on the farm, that allows time to put slurry out in inappropriate conditions. There is the risk that when the inspection comes around, everything looks fine but that is not the reality.

AP 29th January 07: Bronwen Martin, NRW to follow up with Nichola Salter, NRW regarding potential issues with providing written notice to farmers ahead of visits (e.g., poor slurry management).

Jon Goldsworthy, NRW noted the points raised and said there is a balance to consider. These are new regulations and NRW want to give every opportunity to farmers to comply. Farmers have to provide a number of documents in advance of the visit so that we can look at that compliance on the day and give feedback. There's also checks that happen on the day in terms of the yard areas, volume of the slurry store etc. There are checks that can be done without actually seeing whether the store is overflowing. We'll also have follow-up visits following the initial inspections, particularly where there are actions which are identified. Creighton said seeing some figures would be helpful.

Gareth said perhaps the points raised refer more specifically to inspections that would typically take place in response to a pollution incident, whereas the routine inspections that are being undertaken in terms of the regulations are more about checking to make sure the paperwork is in place and that the slurry stores meet capacity etc. Therefore, regardless of when an inspection is taking place, the outcome should be the same.

31. Rhys mentioned that substantiated agricultural pollution statistics were circulated ahead of the meeting. Creighton said it is disappointing to see that there was an upward trend in 2023 but it doesn't come as a surprise. David said there is a correlation between the number of incidents and the annual rainfall. For example, 2018 was the last peak and 2023 was a disappointing year with an increase which was actually against the trend. This could be as a result of increased rainfall or the amount of rainfall just adding to the problem. Rhys acknowledged this important point, but it is difficult to draw any firm conclusions from the data. Chris Mills said if extra rainfall is the cause, we're not quite so understanding of the water companies and CSO discharges in a high rainfall year – this is about compliance. David acknowledged Chris' point and said he was suggesting that maybe the element of the new regulations which requires a certain capacity of storage (which hasn't taken effect yet) is seeking to address and overcome that rainfall effect, if indeed that's what it is, and to ensure that farms have sufficient capacity to deal with that.
32. Gareth noted that when looking at individual graphs and maps, it is important to understand the date period the data was collated (e.g., accumulative maps). It is also important to look at these graphs compared to all of the other contributors of pollution as a percentage of overall pollution incidents in Wales. This group focuses on agricultural pollution, but it is critical to look at other sources, rainfall and other influences as well.
33. Rhys mentioned that Katy Simmons, NRW has noted that if anyone has any contributions for the WLMF Sub Group newsletter, please send those across.
34. Rhys congratulated Dennis on his recognition in the King's New Year's Honours list. Many congratulations from the group and from the broader WLMF on this well-deserved recognition. Dennis thanked those who wrote to him directly, it was very much appreciated. Dennis said the New Year's Honour is a reflection on everybody at TFA Cymru who's working so hard for tenants in Wales.
35. Dennis mentioned he attended a public meeting to discuss the proposal for a new National Park in North East Wales – this is proposed to be bigger than all three existing National Parks in Wales. Dennis recalled a previous discussion about a farmer in the Brecon area who wanted to cover his slurry store and applied for planning permission. He got planning permission, but it was then blocked by the National Parks Authority on the grounds that it impaired the visual impact. Dennis recommended that an urgent

discussion between NRW, National Parks Authority and Welsh Government should take place because this suggests that farmers are being blocked from trying to comply with the new Control of Agricultural Pollution Regulations which is very serious. The new National Park would include quite a number of very large dairy farms and this approach to planning applications could impact a lot of people.

AP 29th January 08: Bronwen Martin, NRW to follow up with colleagues regarding challenges relating to farms within National Parks getting planning permission for covering slurry stores.

Item 6. Any Other Business

36. Rhys said this has been a good opportunity to bring the different fora together to explore common topics and thanked the group for their contributions.

37. The next meeting will be on 26th February 2024.

38. No other business was raised.