

## **Cabinet Commission – Restoring the Wye – Public Update 22<sup>nd</sup> March 2023**

This update sets out the next steps that will be taken following the Cabinet Decision 2<sup>nd</sup> March 2023. Cabinet considered a Strategic Business Case (SBC) for a trading scheme to reduce diffuse pollution on the Wye. Such a scheme would of course be underpinned by a strong regulatory floor using the Environmental Permitting Regulations that would apply to all relevant farms within the Wye catchment not just those in the trading scheme.

The next step is to commence work on a more detailed Outline Business Case (OBC). The purpose of an OBC is to:

- revisit the SBC assumptions and main findings
- establish the preferred option
- put in place the arrangements for the procurement of the scheme, if approved.

**Herefordshire Councils Cabinet Decided on 2<sup>nd</sup> March 2023** - To allocate spend of £250k (of the £480k) to support the following work and report back in July.

1. 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 Welsh Government;
2. The Chief Executive is authorised to work with statutory partners to take forward the Commission's recommendations for a newly reconstituted Nutrient Management Plan Delivery Board to undertake a critical assessment of the draft submission to DEFRA and Welsh Government, and a revised Nutrient Management Plan;

### **The Next Steps currently in train / being put into effect**

1. **NMB Governance Review**- A meeting has been scheduled between NE, EA and NRW and the Council to finalise discussions for the membership and terms of reference for the Nutrient Management Board on the 27<sup>th</sup> March. Officers from Powys and Monmouthshire have been invited too. The outcome will be discussed at a future meeting of NMB.

2. **Progressing the Present Nutrient Management Plan**

A proposal has been made that a senior director supports TAG to review the present NMP and this will be discussed at the meeting with NE/EA/NRW on the 27<sup>th</sup> March.

3. **The Cabinet Commission will be asked to consider preparing a formal report**

The Cabinet Commission has made known some early thoughts provided by the Herefordshire Project team through the Herefordshire Cabinet report. The Commission will meet informally during the election period (purdah) to receive updates and provide guidance. We might expect to see the Commission produce a report in the summer of 2023.

4. **Business Case Options Appraisal**

The project team will undertake a further review and update of the options appraisal to inform the development of the Outline Business Case. Following feedback, three further options have come forward a) asking the agencies to do more b) seeking increased enforcement c) destocking. A working group is being formed with Save the Wye to explore the potential for destocking. Should a viable proposition to destock emerge, it will be the subject of further discussion with the farming community.

A key part of this phase is to undertake a more detailed options appraisal. It is proposed to establish a multi-agency assessment group comprising the four Council's, Natural England, Natural Resources Wales and the Environment Agency. The group will be briefed on the 5 case business modelling process, they will then hold a scoping workshop and use SIMCAT and SAGIS modelling to determine reduction needs. Identify a range of measures to test and develop assessment criteria. Further

workshops to refine the options appraisal will also take place. Upon completion of this phase, the Cabinet Commission will review findings before consultation with the Environmental Lobby and Farming Communities. After a further technical assessment, the options appraisal will be referred to NMB for their consideration too.

#### 5. **High-level assessment of a Water Protection Zone WPZ**

The option of asking the Environment Agency to ask DEFRA for a WPZ will be kept under review in the event that it is not possible to agree consensus on a way forward.

#### 6. **The Outline Business Case for Submission to DEFRA**

Work will commence on the Outline Business Case for submission to DEFRA. After discussions have been completed with the agencies on the 27<sup>th</sup> March a series of work packages will be commissioned to take this forward. Consultation will continue with groups directly impacted by the emerging business case especially those who will need to deliver solutions. Further necessary investigatory work, including on a trading scheme with a strong regulatory floor encompassing all farms will continue in parallel with the options appraisal.

The business case will ideally be developed under the oversight of a reformed NMB and will be subject to an independent assessment before final sign off. The intention always has been to pump prime until others become more involved. It has always been the intention that farmers will pay to operate and maintain any final scheme and the Commission is expecting to see tangible and public commitment from them. The CLA and NFU with Herefordshire Rural Hub are organising a survey to assess potential commitment. Likewise, regulation will sit with the appropriate English and Welsh agencies.

#### 7. **Consultation**

- a. Specific consultation will continue with impacted groups (those who will have to change business practises because of any proposals).
  - b. A working group organised with Save the Wye will look at a destocking option.
  - c. It is also envisaged the Wye Catchment Partnership becomes the interface for lobby groups and NMB. In the meantime, further meetings will be diarised with environmental groups to keep them informed on progress as necessary.
  - d. The Farm working group will continue to meet and welsh farming interests are likely to join.
  - e. Full interaction will continue with the following groups SACROG (the Welsh Government Rivers Oversight Group, the all Wales NMB steering group, the English LGA planning advisory group. NMB TAG and an Officer Steering Group of the Commission Council's.
  - f. Adhoc meetings with technical experts to inform the development of the Business Case.
8. Communications – the Herefordshire Team will resource a multi-agency communications plans to ensure key factual messages on progress are disseminated.
  9. **Cabinet Update-** An update report on progress to be provided to the Herefordshire Council July Cabinet and such further reports as are needed as the submission develops.
  10. A further update will be published after the meeting between the Council's and NE, EA and NRW to be held on the 27<sup>th</sup> March.