



Eich cyf/Your ref P-06-1263  
Ein cyf/Our ref LG/00138/22

Jack Sargeant MS  
Chair - Petitions committee

1 April 2022

Dear Jack,

Thank you for your letter of 3 March, regarding the petition P-06-1263 and the control of pollution from agriculture in parts of the rivers Wye and Severn.

Agricultural pollution is detrimental to the environment and to public health. It affects water quality across the whole of Wales. Evidence of poor practice and pollution is not restricted to one area or farm type and agricultural pollution is one of the main reasons waterbodies fail to meet good status requirements.

In January 2021, I introduced the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 to help tackle this issue across Wales. The Economy, Trade and Rural Affairs Committee are currently undertaking a review of the regulations and have received evidence from external stakeholders. I will also be providing evidence at the appropriate time when the ongoing judicial review of those regulations has concluded.

To address the individual points of the petition text in order:

1. *Introduce an immediate moratorium of any new intensive poultry units in the Wye and Severn catchment areas located in Wales.*

Natural Resources Wales (NRW) has provided a planning position statement which recommends any proposed new development which might otherwise result in increasing the amount of phosphate within the Wye Special Area of Conservation (SAC), either by direct or indirect discharges, must be able to demonstrate phosphate neutrality or betterment.

This process ensures livestock units which require planning permission have mitigating measures to ensure they are phosphate neutral.

2. *Strictly control manure spreading according to the phosphate load in the ground.*

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 limit the spreading of livestock manures to 170kg of Nitrogen per hectare annually, averaged across the holding. This limit applies to all farms in Wales from 1 January 2023 and restricts the level of phosphate able to be applied to land from livestock manures.

Nutrients should not be applied to land where there is not a crop requirement. It is an offence to cause or knowingly permit a discharge of polluting matter or solid waste matter into controlled waters, including groundwater and surface waters, without proper authority from Natural Resources Wales.

3. *Monitor phosphate levels.*

Monitoring of phosphate levels within rivers is undertaken as part of the Special Areas of Conservation (SAC) process designated under the Conservation of Habitats and Species Regulations 2017 (as amended), this monitoring is undertaken by Natural Resources Wales (NRW). In January 2021 NRW published a report which presented an assessment of compliance against recently tightened phosphorus water quality targets for SAC rivers.

In response to NRW's findings, the Welsh Government has established a SAC Rivers Oversight Group. The aim of the group is to maintain and enhance the resilience of Wales' riverine Special Areas of Conservation, to protect ecosystems and the environmental, social and economic benefits they provide. Specifically, the Group will provide strategic direction and guidance to the Welsh Government, regulators and delivery organisations to support in the identification of potential solutions and delivery of measures to reduce phosphorus levels in river SAC catchments.

4. *Take legal action against any breaches of pollution legislation.*

The enforcement of pollution legislation is the responsibility of NRW. Officials meet regularly with representatives of NRW regarding agricultural pollution and the reporting of and response to incidents is regularly discussed, to ensure our regulatory enforcement approach is appropriate. NRW's response to an incident based upon an established incident categorisation and prioritisation process. It is important incidents are reported and they are subsequently investigated and recorded so the true impact of agricultural pollution can be assessed and where appropriate enforcement action undertaken. Verifiable Standards are also enforced by Rural Inspectorate Wales (RIW) via cross compliance for participants of funded schemes, such as the Basic Payment Scheme.

I hope the information supplied is helpful to the committee's deliberations. Welsh farming must embrace its future to build on its environmental credentials and we must act to protect our waterways for today and for future generations. The Welsh Government remains committed to supporting farmers to produce quality produce with high environmental and animal welfare credentials.

Yours sincerely,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

**Lesley Griffiths AS/MS**  
**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd**  
**Minister for Rural Affairs and North Wales, and Trefnydd**