



Eich cyf/Your ref P-06-1398
Ein cyf/Our ref HIDCC/05546/24

Jack Sargeant MS
Chair - Petitions committee

25 June 2024

Dear Jack,

Thank you for your letter of 30 May that highlighted additional issues raised by the Save the Teifi Community Group

I am pleased that Ofwat has agreed to work with NRW to develop and shape a future bid to their Innovation Fund, following the disappointing outcome of the Teifi Demonstrator bid. This funding would help amplify the work already taking place within the Teifi catchment.

Notwithstanding this, we have taken the issue of funding water quality improvements very seriously. Since 2022, Welsh Government has provided NRW with £40m capital funding to address water quality problems across Wales. This has included projects in the Teifi catchment.

Like the petitioners, I am pleased with how Dwr Cymru/Welsh Water (DCWW) are actively working towards reducing phosphorus in effluent from their operations in the Teifi. However, I recognise that phosphorus pollution can come from many different sources, including runoff from rural areas and businesses, wastewater infrastructure (including storm overflows and or sewage treatment works), misconnections from faulty plumbing and small private septic tanks and sewage treatment plants.

The causes, contributors and impacts of water pollution across Wales' rivers are varied and complex and as a result of this, each river requires different interventions. You will be aware that the former First Minister established the River Summit process and Rivers Action Plan in recognition of this and with the objective of bringing together the stakeholders with the relevant levers to enable a cross-sector approach to improving our rivers.

The Welsh Government has made nearly £1.5m available to Nutrient Management Boards, who are commissioned as locally led and democratically accountable boards to assess the extent and sources of pollution in each of their affected Special Area of Conservation (SAC) rivers, and to identify and support the delivery of targeted solutions. Each board is in the process of developing a nutrient management plan to address the challenges associated with phosphorus levels in their river. The work of the Teifi Nutrient Management Board is

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

expected to give us a better understanding of nutrient levels in the river – a major cause of poor water quality – and help us to identify medium to the longer-term interventions required to support the restoration and improvement of our SAC rivers.

For many SAC rivers impacted by phosphorus pollution, rural land use has been identified as the main contributor. The Welsh Government's Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (CoAP Regulations) are one tool the Welsh Government has put in place to address and mitigate the risks of water pollution from agricultural activities. Implementation has been spread over almost four years, with the final measures coming into force by the end of this year. This was done to give affected farm businesses more time to comply with one of the more challenging requirements.

To support the intended outcomes from the CoAP Regulations, we have offered over £31m of direct support towards on-farm infrastructure investments to help farmers meet the requirements. This investment has supported:

- the Nutrient Management Investment Scheme in 2022
- the Yard Covering Scheme via our Small Grants Offering
- the delivery of a Service Level Agreement (SLA) by NRW for the support and enforcement of the COAP Regulations,
- the Sustainable Production Grant (SPG).

We have also made an additional £20m of extra funding available across Wales to support compliance with these regulations.

Measures are already in place to limit the practice of bare over-wintered fields. Farmers in receipt of Basic Payments must adhere to cross compliance verifiable standards, which include requirements to provide minimum soil cover (GAEC 4) and for land to be managed in a way which limits soil erosion (GAEC 5). Additionally, the Enhanced Nutrient Management approach for the 2024 calendar year has introduced similar soil protection measures into the CoAP Regulations for farms undertaking the approach. This requires soils to be protected by ensuring that all land is covered by crops, stubbles, residues or other vegetation at all times, except where establishing such cover would create a significant risk of soil erosion and significant risk of nitrogen and phosphorus getting into surface water.

The CoAP Regulations require a review to be undertaken every 4 years on the effectiveness of the measures imposed by the Regulations as a means of reducing or preventing water pollution from agricultural sources and if necessary revise them. This review must be completed by April 2025 and it will provide an opportunity for the issues of bare soils and soil protection to be considered.

The Welsh Government has supported innovation in the relation to manure management, including supporting the Tywi Farm Nutrient Partnership management as well as a recent £1m Small Business Research Initiative addressing ammonia emissions from agriculture.

Legislative measures to limit rainwater from entering the existing sewer system have been in place since 7 January 2019. It is a requirement for all new developments in Wales with a construction area of 100 square metres or more to include Sustainable Drainage Systems (SuDS). The implementation of mandatory SuDS is already delivering multiple benefits. As befits a sustainable approach to managing drainage, SuDS relieve the ever-increasing pressure on the sewerage network. It also helps improve water quality by managing pollution at source, rather than relying on downstream interception or treatment. By slowing down the rate at which rainwater might enter the existing sewerage network, SuDS can also make a difference to the frequency of spills from Combined Storm Overflows (CSOs).

Following a criminal conviction of an environmental crime prosecuted under the Regulatory Enforcement and Sanctions Act 2008, Section 59 of the Act requires payment of any penalties (and interest etc) to be made to the the UK Treasury. However, where the law allows, the regulator Natural Resources Wales (NRW) will always seek to recover the costs of investigation and enforcement proceedings. Where NRW have carried out remedial works, they will seek to recover the full costs incurred from those responsible in accordance with the 'polluter pays' principle. Many of the regimes that NRW enforce already contain powers to serve specific notices that require the recipient to stop offending, to restore or remediate an affected environment or to come into compliance with regulatory requirements. These existing provisions may be used wherever appropriate. For example, regulation 57 'Remediation powers' of the Environmental Permitting Regulations 2010 (EP Regulations) grants NRW the 'power to prevent or remedy pollution and recover costs.

I along with NRW recognise the potential of citizen science to contribute to our evidence base on river pollution and am always open to novel proposals for ways to reach and capitalise on the input of volunteers across Wales.

Once again, thank you for writing to me on this important topic. I hope this information is helpful to the Committee and petitioner.

Yours sincerely,



Huw Irranca-Davies AS/MS

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig
Cabinet Secretary for Climate Change & Rural Affairs