

**Notes of the Water Group Meeting held at Brockington, Hereford on 16th November
2012**

Present:

Dane Broomfield (DB) - Environment Agency

Ian Butterfield (IB) - Natural England

Mark Rychnovsky (MR) – Dwr Cymru Welsh Water

Caroline Chapman (CC) - David Tyldesley Associates

Kevin Singleton (KS), Kevin Bishop (KB), Philip Deeley (PD), Rob Widdecombe (RW), Bill Bloxsome (BB) - Herefordshire Council

Apologies:

Mark Davies – Environment Agency

Hayley Pankhurst – Natural England

1. Introductions

Participants were welcomed and introductions took place.

2. Statement of Intent

KS advised that Council would wait for the Sol before determining how the HRA issue may be progressed. The detail within it would be important. IB advised that the Sol would include principles for, and indication of level of confidence in the Nutrient Management Plan (NMP) but not where improvements will be made. IB and DB said it was expected that the Sol would include statements based on professional judgements to the effect that the organisations concerned are confident that what they can and will do should achieve what is necessary. The intention is there will be a number of measures in the NMP that will solve the problem by bringing the rivers to favourable conservation status by 2027. There was concern to ensure that the Sol would be sufficient for the Council's purposes.

The objective is to have a NMP by June although they may be drafts before this. The timetable for the Core Strategy was explained emphasising the need to have a HRA alongside the document at each stage. Council indicated it would like sight of the Sol as soon as possible in order to help keep to the timetable, IB advised he would try to get a draft to the Council during the following week.

The different risks in relation to the Core Strategy and planning application process were raised.

It was acknowledged that it must be more than a possibility that a competent body will solve any risk through mitigation measures.

The process is likely to include:

- i) the EA should refresh its conclusions in relation to the Review of Consents;

- ii) the Sol commits the NMP to measures aimed at solving the problem overall not though necessarily across the whole of the area;
- iii) the Council assesses whether the NMP will allow it to meet its development target.

3. Nutrient Management Plan

Background issues included:

- Even if all point source pollution was turned off on the River Lugg it would still fail its phosphate target.
- Dwr Cymru Welsh Water could argue that solutions were only available at disproportionate cost if tighter targets for its licence were set.
- CSS is diminishing and this potentially reduces opportunities to address diffuse pollution.
- It is difficult to assess what phosphate pollution comes from agriculture.
- Rural point source pollution through old cesspits, etc. could cumulatively be significant but there is very limited information about these.
- The NMP must identify who is responsible for overseeing the approach;
- It should address both point source and diffuse pollution;
- To be fit for purpose the NMP must be credible in terms of ability to reduce phosphate levels;
- Delivery mechanisms and resources should be available to undertake measures, and this would include regulatory and permissive powers;
- There must be a reasonable expectation that measures can be delivered.

DB advised that modelling for the river had been undertaken. The Water Group would in effect act as a pseudo project board to deliver the plan. Elements of the plan may be progressed in the form of an iterative process.

IB advised that the NMP will contain a table of actions for all parties to implement. NE intended to let a contract with a timeline for delivery. Timetables will be presented to the Water Group and colleagues. Data may be needed from the Council and others.

It was thought that information on Sewage Treatment Works had already been provided to the Council.

It was suggested that a specific website/section on Council's website might be set up for the Sol and NMP. North West Leicester had done this.

The approach should proceed on the basis that the three organisations (NE, EA, HC) are going forward collaboratively on this. CCW is aware and supportive as are EA colleagues in Wales. PD has spoken to Powys, Monmouthshire and Gloucestershire about establishing a Board. It should be noted that CCW and EA Wales will combine so EA Wales might usefully lead for the time being on liaising about matters.

4. Letters to DEFRA and CLG

The Council Leader had written to these two organisations about the constraint posed by phosphates. There was a concern that it was not just affecting the Core Strategy but the

Enterprise Zone as well. NE felt that previous work with them and the EA had shown that all three organisations were working together well and that issues related to the Enterprise Zone had been solved such that it was not at risk.

5. Favourable Condition Tables

UK TAG is looking to agree a single phosphate target for the WFD and SAC measurement.

6. Development Management

Discussion took place about the current constraint on development/planning applications. For proposals away from mains drainage yet within an agreed catchment area a de-minimis level might be set. It might also include a specification for works to pass a 'nutrient test'. Correspondence between HC and NE might be exchanged on this matter.

7. Next Meeting

17th January 2013, at 10.30 am.