

**Challenges and Choices Consultation 22 June 2019 to 22 December 2019  
Written Consultation Response**

Name	Alice Ritchie, Country Land and Business Association (CLA) Cymru
Sector and Organisation	Agriculture, Country Land and Business Association (CLA) Cymru
Contact details (e-mail address)	<a href="mailto:Alice.ritchie@cla.org.uk">Alice.ritchie@cla.org.uk</a>
<b><u>Response summary</u></b>	<p><b><u>Delete as appropriate;</u></b></p> <p><b><u>Yes I would like a copy of this response to be included in a summary for the next consultation</u></b></p> <p>Any response you send us will be seen in full by NRW staff dealing with the issues which this consultation is about. It may also be seen by other NRW staff to help them plan future consultations.</p> <p>NRW intends to publish a summary of the responses. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you <b>do not</b> want your name or address published, please tick the box below.</p> <p><input type="checkbox"/></p> <p>Names or addresses we do not publish might still be published later, though we do not think this would happen very often.</p> <p>For further information about how NRW processes personal data and your rights please see our privacy notice on our website <a href="https://naturalresources.wales/?lang=en">https://naturalresources.wales/?lang=en</a></p> <p>The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including NRW. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would consider. However, there might sometimes be important reasons why we</p>

	would have to reveal someone's name and address, even though they have asked for them not to be published. In that instance, we would contact the person and ask their views before we finally decide to reveal the information.
<b>Would you like your details to be added to our WFD stakeholder list to keep you updated on this work.</b>	<b><u>Delete as appropriate;</u></b>  <b>YES</b>
<b>At what scale are you responding?</b>	<b><u>Delete as appropriate;</u></b>  <b>Area Statement in Wales (North West, North East, Mid Wales, South East, South West, South Central or Marine)</b>  <b>All Wales</b>

### **Consultation Questions**

## ***Cyfoeth Naturiol Cymru/Natural Resources Wales***

Date: 20<sup>th</sup> December 2019

Thank you for the opportunity to comment on the Challenges and Choices consultation. These comments are from CLA Cymru, (Country Land and Business Association) in Wales. We are the membership organisation for rural landowners and businesses. Our 30,000 members own or manage around half of the rural land in England & Wales; some 3,000 members are in Wales.

Water is a vital resource for Welsh farmers and landowners who abstract for agricultural and business applications, who manage water as a by-product, taking measures to protect water quality and who are also at risk of flood and drought. Therefore, it is imperative that Natural Resources Wales (NRW) takes steps to ensure the views of farmers and landowners are included in any consultations and decisions on water issues. We have worked together with NRW on matters such as this in the past for mutual benefit.

The CLA believes that water management should be looked at holistically and that appropriate regard should be given to all users. To ensure long-term food security it is important that water for food production is prioritised as highly as water for public supply, and innovative solutions for water management and efficient use must be explored.

Water quality and pollution is inextricably linked to water management and water quantity, as ‘dilution reduces pollution.’ Further, flooding can lead to an increased amount of nutrient runoff and soil erosion and drought necessarily impacts abstraction and surface water levels. It is essential that River Basin Management Plans look at all aspects of water in conjunction, with a regionally specific slant.

The CLA would like it noted that we support the consultation response submitted by Dŵr Cymru (Welsh Water). Specifically, we agree with the following points raised by Dŵr Cymru:

- The lack of progress to date through the Water Framework Directive has been disappointing, particularly in failing to achieve some of the ambitions set in the 2015 River Basin Management Plans;
- A holistic approach is required to align water policy and land use, particularly in light of the climate crisis and future changes to agriculture policy. In our response to the Sustainable Farming & Our Land consultation we highlighted that key areas of Natural Resource Management such as water-management (amongst others) need to be included;
- NRW must continue to provide both financial and advisory support for farmers to tackle diffuse pollution from agriculture and to adapt to any proposed rules for water; and
- Direct links between the Area Statements and the Programme of Measures contained in the River Basin Management Plans would reinforce the potential environmental benefits for Wales of tackling rural pollution.

We would like to make a number of further points, below:

### **Q.1 Area Statements**

In principle, the CLA supports the idea of Area Statements to implement national policy at a local level. We have previously outlined our concerns around the number of them and the boundaries and potential inconsistencies. We also agree that co-production of Area Statements with partners and stakeholders is crucial. So far, the Area Statement engagement process has been poorly communicated and there has been little engagement with the agricultural sector. When looking at River Basin Management Plans, or water issues more broadly, the agriculture sector is of critical importance.

The Area Statements must “include information about the natural resources in the area, the benefits provided, the priorities, risks and opportunities that need to be addressed to achieve sustainable management in the area”. Many of the natural resources in the area, particularly as far as they relate to water, will be in the direct control of farmers and landowners. This means that farmers and landowners will be largely responsible for delivering any environmental objectives.

Area Statements rely on successful collaboration with those who work on the ground. The CLA has been encouraging members to attend the regional meetings, through communications and guidance, however it is also important that NRW ensures adequate stakeholder engagement takes place and rural views are heard.

Questions 2, 3 and 4 all call for a number of related improvements:

### **Physical modifications of water bodies**

Over the past decades, a number of physical modifications to water bodies have been made with the aim of reducing flood risk, protecting built up areas or creating reservoirs, for example. The CLA agrees that any future modifications should be done in an environmentally sensitive way, but equally, with the increasing risk of flood and drought, it is important that water resources are future-proofed as far as possible. In some instances, this may involve further physical modification. In any instance, it is important that any decisions take into account the needs of farmers and landowners on the ground.

### **Pollution from sewage and waste water**

Many rural properties are not connected to mains sewage systems and have septic tanks. The CLA has communicated extensively with our members on the regulations around septic tank discharges to watercourses, making it clear that these are no longer allowed in Wales. For many of our members this has involved a difficult and expensive upgrade to a sewage treatment plant. It is important that NRW acknowledges that upgrading can be onerous and expensive when looking to further regulate unlawful discharges, and works with the property owner to reach a suitable conclusion.

### **Pollution from rural areas**

Silting owing to ground-disturbance, nutrient runoff and eutrophication are significant issues on inland water-bodies, and farmers and landowners are actively taking measures to reduce this risk, including undertaking riparian planting direct-drilling, reducing fertiliser use and other chemical additives. While rural businesses do what they can, NRW must acknowledge that it too has a responsibility to maintain the quality of inland waters – as it has begun to do on the Wye catchment, notably on Llangorse Lake and the Llynfi.

The new agricultural pollution regulations that were initially due for implementation on the 1<sup>st</sup> January 2020 (and have been delayed pending further consultation) would have significant impacts upon Welsh rural businesses. While we recognise the need to reduce the impacts of agriculture upon water quality, a Wales-wide, compulsory approach would not meet water quality targets of Welsh Government while maintaining the economic future of the Welsh rural economy. The compulsory

requirements are concerning to CLA members due to the complexity of administering the regulations (In England NVZ breaches are one of the commonest cross-compliance breaches due to incorrect paperwork *not* due to incorrect slurry and fertiliser storage and management) and the high capital costs with limited financial support to make required changes to infrastructure and machinery. Furthermore, the majority of Welsh farms are micro or small businesses which face an uncertain future with the details of a future trade environment and agricultural policy yet to be determined. The CLA would like to contribute to a more targeted approach that reflects the regional differences in agricultural pollution during further consultation on these proposals in early 2020.

Reducing fertiliser use can improve water quality, reduce greenhouse gas emissions and improve biodiversity. More precise fertiliser use, resulting in lower amounts needed, can save farmers money. The CLA encourages members to use manure and slurry management techniques and practices that reduce the need for fertiliser, but it is important that this is reflected in any government advice and future agriculture policy. In terms of food production and yields, fertiliser is an extremely important part of a farm business, so this must be acknowledged. In the first instance, tree planting on river banks, woodland creation and farm practices like direct drilling must be encouraged and incentivised.

The CLA sits on the Wales Land Management Forum Subgroup on Agricultural Pollution. We agree with the Group's recommendations for a robust regulatory regime, a voluntary, farmer-led approach to nutrient management, better advice and guidance and promoting innovation.

### **Regulatory baselines**

With regards to the areas outlined above, it is important that any regulatory standards set that may impact farmers or landowners has a strong evidence base. All measures to reduce pollution and run-off or decisions on physical modification of water bodies must be considered in a holistic way, with proper regard given to the needs of farmers and landowners in the area. It is equally important that upholding these standards should not place a disproportionate financial burden on farmers and landowners.

In CLA Cymru's response to the *Sustainable Farming and Our Land* consultation, we noted that it can be extremely difficult to accurately measure water quality. More research and development is needed in this space to ensure that policy and regulatory decisions are based on robust evidence.

### **Q.6 Further points**

The CLA welcomes the opportunity to comment on the Challenges and Choices consultation. It is important that water issues are looked at in the round, from a catchment-based level.



**Cyfoeth  
Naturiol**  
Cymru  
**Natural  
Resources**  
Wales

We would be happy to discuss any of these points further. Should you wish to contact us with regards to our response, please get in touch with Alice Ritchie ([alice.ritchie@cla.org.uk](mailto:alice.ritchie@cla.org.uk)).