

**Minutes of the Meeting of THRIVING COMMUNITIES OVERVIEW AND SCRUTINY
COMMITTEE held remotely on Friday, 11 March 2022**

PRESENT: Councillor Marc Davies (Chairman), Councillors John Adams-Lewis, Clive Davies, Gethin Davies, Ifan Davies, Steve Davies, Keith Evans, Gwyn James, Lyndon Lloyd MBE, Dai Mason and John Roberts.

Also in attendance: Councillors Rhodri Evans, Catherine Hughes, Gareth Lloyd, Ray Quant MBE & Alun Williams (Cabinet Members).

Gavin Bown, Head of Mid Wales Operations, Natural Resources Wales.

Officers in attendance: Alan Davies, Corporate Manager – Planning Services, Lisa Evans, Standards and Scrutiny Officer & Neris Morgans, Democratic Services Officer.

(10.30am - 12.32pm)

1 Apologies

- i) Councillors Euros Davies (Vice-Chair), Gareth Davies, Meirion Davies and Elizabeth Evans apologised for their inability to attend the meeting.
- ii) Sarah Groves-Phillips, Planning Policy Service Manager apologised for her inability to attend the meeting.

**2 Disclosures of personal interest (including whipping declarations)
Members are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. In addition, Members must declare any prohibited party whip which the Member has been given in relation to the meeting as per the Local Government (Wales) Measure 2011.**

There were no disclosures of Personal and Prejudicial Interests (including whipping declarations) from Committee Members.

3 Natural Resources Wales planning and phosphates discussion

The Chair welcomed and thanked Gavin Bown from Natural Resources Wales (NRW) for attending and for his readiness to speak with Committee Members regarding this issue of concern. The Chair explained the original meeting had been arranged for January with representatives from NRW and Dwr Cymru Welsh Water (DCWW) invited, but unfortunately, NRW had been unable to attend.

Gavin Bown apologised for his inability to attend the meeting arranged in January. Gavin Bown provided a presentation to the Committee outlining the following:

- Background
- SAC rivers in Wales

- Standards
- Structure of new targets
- An overview of the SAC rivers in Wales (includes maps) with a focus on the River Teifi
- Implications
- NRW Response
- Nutrient Management Boards (including Teifi Nutrient Management Board)
- External Groups
- Next Steps- Wales-wide & Teifi

Committee Members then had the opportunity to question Gavin Bown. The main points/concerns raised were:

- In response to whether NRW were satisfied they had complied with the Well-being and Future Generations Act 5 ways working with the original release, Gavin Bown noted that generally, NRW were attempting to learn from every element of the process, which includes putting a framework in place to ensure any discussion and consultation were held accordingly in moving forward.
- Significant Mine Water Projects are being delivered at present across Wales by NRW to improve water quality. Gavin Bown to provide a written update regarding Rheidol Valley to the Committee Members.
- In response to whether NRW had gone out to consultants for potential mitigations work despite data from Wye and other Local Authority's (LA's) commissioning similar evidence, it was noted that one of the key reasons NRW had pushed for an Oversight Group was to avoid duplication of efforts and to ensure the public had value for money.
- Carmarthenshire's nutrient calculator has been developed specifically for the River Towy but work will be done as part of the Oversight Group to look at other calculators and to develop a calculator suitable for all rivers. Consideration is needed in terms of how NRW will manage the output of calculators.
- NRW will be involved in the Oversight Group along with each Nutrient Management Board (NMB) to ensure there is a joined-up approach, but it is important to understand that all rivers have different needs and that solutions will vary.
- In response to a question around water quality, Gavin Bown clarified the revised standards varied between rivers to factor in the natural background, but generally, it was around 50-80% tighter than the previous standards.
- NRW has prevented the LA from further development on the River Teifi (which affects 40% of Ceredigion), due to SAC following conducting a compliance assessment which the planning department must follow, yet, during the planning consultation process where NRW are statutory consultees, they respond with no objections to applications of development of new dwellings on the River Teifi. Concerns raised as this gives the public the impression that the planning department/ Elected Members are preventing development rather than NRW and therefore

transparency is required. Gavin Bown suggested for examples to be sent to him to look into.

- Alan Davies explained there were around 40 applications not yet given consent purely due to issues relating to the phosphate pathway and the department was continually apologising to the public due to NRW's lack of response. Gavin Bown confirmed the amended Phosphorus Guidance was currently being worked on and the work was taking a little longer than anticipated to ensure the advice was correct and of assistance to local authorities. Once finalised, it will be shared immediately with planning departments.
- NRW's objective is to lower the levels of phosphates to ensure there would be no restrictions on the work that needed to be carried out. Gavin Bown was aware the meeting with DCWW had possibly been more focused on sewage and therefore he had not included much on this in his presentation.
- Committee Members felt the agriculture sector was given the blame as it has been suggested that over 80% of phosphorus is as a result of agriculture. There was uncertainty whether agriculture departments (including IBERS at Aberystwyth University) had been contacted given their knowledge and expertise; Gavin Bown noted he would look into this.
- Consideration was currently given to whether a national agricultural sub-group should be formed. If so, agricultural departments along with farming unions (e.g FUW & NFU) would be invited to attend. Cllr Rhodri Evans (Chair of Ceredigion NMB) clarified representation from the agricultural sector would be invited to Ceredigion's NMB meeting. Gavin Bown noted he would check whether farming unions were involved in the Oversight Group.
- In terms of NMBs, Gavin Bown was not aware of any financial support from NRW nor from WG for the development of management plans or for someone to overlook the boards similar to Natural England. Due to concerns that nothing will progress otherwise, Gavin Bown will escalate this and Cllr Rhodri Evans as Chair is asked to raise this with other Chairs of the NMBs. NMBs are encouraged to work collaboratively and to link in with the Oversight Group where possible.
- Following a member's input, Gavin Bown stated he was unaware of Norfolk's experience with phosphates but there had been discussions with other agencies from England and so he would raise this along with the information around large European companies who specialise in tanks to collect phosphates.
- Hirwan and Dulais rivers are a part of the Fisheries Habitat Improvements Project. Further information will be sent around the work by Gavin Bowen.
- Concerns were raised with the manner the interim planning advice was released in January 2021 as there was no grace period. Businesses and organisations plan ahead yet NRW failed to take this into account. In addition, the NMBs & Phosphate Guidance should have been in place before the changes.
- It was strongly felt by the Committee Members that rural areas such as Ceredigion were not treated fairly and questions were raised why the Marine SAC had not been yet been released; Gavin Bown clarified he

was unaware of any political or any other reasons why this data had been delayed.

- Once the Marine SACs will be published, 90% of Ceredigion could be faced with no development until mitigation factors were in place. Nothing was in place as things stood. Gavin Bown noted that any learning from the River SACs work would be put in place in the future to find solutions to problems such as with the Marine SACs.
- DCWW officers had assured that a small quantity of phosphates was released from the Waste Water Treatment Plant (WWTP). Significant investment is needed in installing stripping plants at the WWTP but this work had not been incorporated into DCWW plans of yet which is a worry.
- Strong concerns were raised that the SAC Rivers imposed by NRW has brought Ceredigion to a halt in terms of developments, yet they were not taking ownership of the issue. Committee Members felt this was having a detrimental impact on the local economy including on employment and on the population's decision to live and work in the area, particularly young people and families. It was strongly felt that NRW and WG needed to provide a clear directive of the way forward, and for a solution to the issue.
- Gavin Bown explained that he clearly understood the importance of the matter to the Committee Members and in ensuring the work progressed promptly but it was key for everyone to work together to find a solution and this was the approach they were trying to take, on a national and catchment level. He explained that he would discuss the matters raised at today's meeting accordingly.

The Chairman, on behalf of Committee Members, thanked Gavin Bown from NRW for attending and for his valued contribution at the meeting.

It was suggested and agreed by Committee Members that the Chairman writes to the Chairman of Natural Resources Wales and the Welsh Government expressing the concerns raised at today's meeting.

4 To confirm the Minutes of the previous Meeting and to consider any matters arising from those Minutes

The Committee resolved to confirm the Minutes of the Meeting of the Committee held on 18th February 2022 as a correct record.

Matters arising:
None.

Gethin Davies noted he had raised at the meeting held on 20 January 2022 that Waste Water Treatment Plant (WWTP) discharged effluent into Aberporth beach too, along with Aberaeron harbour.

5 Any other business

The Chair apologised for his use of unappropriated language at a previous meeting.

The Chair explained this would be the last Thriving Communities Overview and Scrutiny Committee for this administration. He thanked all for their co-operation and wished everyone well.

Confirmed at the Meeting of the Thriving Communities Overview and Scrutiny Committee held on 27 July 2022

Chairman: _____

Date: _____