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Dyddiad / Date: 27th June 2022

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Paul Davies MS
Chair, Economy, Trade and Rural Affairs Committee
Senedd
Cardiff Bay
CF99 1SN
By email

Dear Mr. Davies

Inquiry into the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021

I understand that as part of the above inquiry your committee is interested in whether the Regulations will have an impact on local authorities across Wales.

I have taken sought feedback from councils on this and, although I have had only a limited number of responses, I can offer the following comments:

- The situation does appear to be impacting on planning services, with some reporting an increase in applications for the storage of manure
- One council also reported a slowdown in the number of intensive livestock unit applications. They suspect the challenge of being able to manage the manure produced by these units in compliance with the regulations is one of the contributory factors, as it will be less easy to spread manure to land and alternative solutions will have to found
- It was also suggested that there could be indirect impacts arising from the regulations

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.
Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay.

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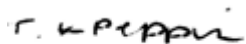
- e.g. further reasons for farms to look at diversifying their operations, which could generate other applications
- One of the local authority Highways departments anticipated they might see an increase in demand for the processing of ordinary water course applications for consents under Section 23 of the 1991 Land Drainage Act.

More broadly, numerous councils have been dealing with the challenge of phosphate levels in rivers/water courses. This is a particular issue for those with River Special Areas of Conservation (SACs). Any new development in these areas has to be able to prove it will be nutrient neutral to prevent phosphate levels from rising any further. This is resulting in planning applications being held up and, in some cases, rejected. This relates also to the need to ensure compliance under the Habitats and Species Regulations 2010, in their role as planning authorities. In some cases, Local Development Plans are being delayed as a result of issues with phosphates.

Measures need to be identified that can reduce phosphate levels to create 'headroom' for new developments to take place. That could include working with farmers to take steps to reduce run-off from agricultural land as source apportionment studies have indicated agriculture is one of the more significant contributory factors behind the high phosphate levels. Nutrient Management Boards are meeting at the local level to calculate phosphate levels and to identify mitigating measures. Whilst not directly related to the introduction of these regulations, the two matters are clearly closely related.

I hope that feedback is helpful to your inquiry.

Yours sincerely



Tim Peppin
Director of Regeneration and Sustainable Development