



Episode 8: River Wye Pollution, Offshore Wind in Scotland & OEP's Report on Environmental Assessments

[Audio file](#)

Transcript

Sophie

Hi everyone and welcome back to another episode of Nature In A Nutshell, the podcast which breaks down the latest ecology and environmental news. My name's Sophie and I'm the Marketing Officer at CIEEM, the Chartered Institute of Ecology and Environmental Management. I'm joined by my two colleagues and co-hosts, Jason and Doug who will be breaking down the big news stories this month affecting people and nature.

Doug

Hi, I'm Doug. I'm CIEEM's, policy officer.

Jason

And this is Jason. I'm CIEEM's Head of Policy.

Sophie

And what are we covering in today's episode then?

Doug

Today we'll be covering pollution in the River Wye, new developments in offshore wind in Scotland, and the OEP's report on environmental assessments.

Sophie

Well, let's start off with the pollution in the River Wye then.

Doug

Yeah, this is something that people might have seen a bit over the summer. I think this has been quite high up in the news actually. The environmental charity, River Action, has been granted consent by the High Court to pursue a legal challenge against the Environmental Agency over its failure to protect the River Wye from agricultural pollution. There was a court hearing in Cardiff's High Court.

For a bit of background I guess, so the River Wye is the UK's fourth longest river, so it's pretty long. It's about 250 kilometres sort of thing. And much of its course forms the border between England and Wales. And in terms of sort of nature, it's one of the most important rivers in the UK for conservation. So much of its course is designated as a triple SSSI, a Site of Special Scientific Interest. And it's a really important wildlife corridor for terrestrial and freshwater species, so loads of species



use it for migration, the sort of The Woodlands going up the Wye, really important for bats, you get otters, you get water voles, you get loads of those things. Fish, obviously, it's got quite a few little fisheries going up. Actually, historically there was a really large population of Atlantic salmon who would migrate up the river Wye to spawn sort of every three years. About 10 years ago now, in one of the Wye's tributaries near my home in Wales, we found the frozen salmon that had been nibbled on by an Otter. You know, it used to have these salmon that sort of came up and down and, you know, 30-40 years ago loads of them when the population really declined.

For many years, the Wye has suffered from really extensive pollution stemming primarily from the spreading of animal manure. So this is particularly from intensive poultry farms, have popped up loads across the sort of the catchment of the River Wye and artificial fertilisers, which are sort of spread across the river catchments. So when these are spread across the fields and then you get heavy rain, the phosphate in the manure are leached out and take it into the soil and then they travel into the water courses and what you get then is you get really big algal blooms. So like has been seen in Loch Neagh in Northern Ireland over the summer, you get these huge algal blooms, the water turns green and it sort of really chokes it up. It's quite toxic to a lot of fresh water animals.

Earlier this year, the River Wye and one of its tributaries, the Lugg, were downgraded by Natural England to being unfavourable, declining status. So that's actually the worst category that a protected waterway can fall into within the UK. So that's pretty bad news, to be honest. If one of our really important rivers is now in pretty poor state, pretty poor condition. I mean, this has been reported for a long time and so this is all sort of led up to and boiled up to this court case. So that was brought against the Environment Agency essentially stating that they had an effect acted unlawfully by failing to properly enforce the farming rules of water. So these are all stipulate things like the number of requirements when farmers can put fertiliser on their ground, sort of away from seasons, or it's traditionally raining. So it doesn't leach, and all those sorts of things to try and prevent pollution.

However, the Environment Agency pushed back a bit against this, saying that these sort of issues actually clash with DEFRA's statutory guidance. There's a bit of a crossover here and a bit of a wires crossing in terms of laws and rules to protect the environment against pollution and statutory guidance, farmers, which disregards that and ignores that. So a lot of farmers sort of understandably so, are going with some of these other options, which means that they're potentially spreading manure and spreading fertilisers when they shouldn't be, but that isn't being enforced by the Environment Agency.

Following this whole court case, the judge granted a judicial review. So basically what that means is, you know, the Environment Agency will now be examined in court to see if it is actually enforcing its agricultural pollution laws effectively. So now we'll have to sort of wait and see a bit, and we'll have to see what the outcome is from this. I'm not sure when this will happen, but it's definitely positive that an environmental charity's been able to take the Agency to court to say you know you're not doing your job correctly and this is leading to huge amounts of pollution, so. Yeah, it's good to see that these issues being pursued in a way that I think can maybe create some real change and just push us into better River management basically because this is an issue across the UK, but the River Wye's I think are really noticeable low point in terms of where our rivers are at.



Sophie

Thanks Doug, and that follows on quite nicely from our previous episode, so episode 7, where our colleague Mark talked about nutrient neutrality. Do go and have a listen to that if that's something you want to know a little bit more about. For now, let's move on to the new offshore wind developments in Scotland.

Doug

So that's with me again and this again actually weirdly links back to the last episode, we're getting quite good at this. This is sort of following on from a news item in our last podcast episode where I talked about UK government's approval of Rosebank and all these sort of climate rollbacks that we've been seeing. So just briefly, that was the approval of about 100 new oil and gas licences in the North Sea Rosebank oil field. So this is the largest untapped oil field in UK waters, it's absolutely massive. And we've got a little bit of good news and a little bit of bad news sort of surrounding this, so I'll do the sort of bad news first and then we can finish off with the good news, which would be quite nice.

So the High Court rejected a challenge against the government's decision to endorse this fresh round of offshore drilling licences. The environmental charities Greenpeace and Uplift put forward a challenge, arguing that the approval was given without properly assessing the climate impact, and they challenged this based on the government's checkpoints for climate compatibility. So this was a checklist of if you're approving licencing, is it climate compatible and Greenpeace and Uplift sort of rightly argued that maybe drilling for new oil and gas isn't climate compatible and these sort of climate compatibilities were only introduced last year. The challenge was thrown out by the High Court. Both organisations have said they're intended to appeal, but unfortunately we don't get such an easy exit from this, so this might be a sort of, quite a long winded thing really.

And then sort of in tandem with this, the Climate Change Committee, the CCC has warned that due to the net zero policy changes announced by Rishi Sunak and the UK Government, that there is now concern over the likelihood of the UK hitting its future climate target. So we already this year saw there was quite a lot of concern about the UK reaching its international obligations in terms of climate for the year sort of 2045, there's now quite a lot of concern about us even being able to hit our 2030 goals and saying that there's a really substantial policy gap in terms of where we are currently and where we seem to be rolling back to. And where we need to be in 2030 to hit those climate goals. Although the Climate Change Committee welcomed certain positive policy advancements, they said that most any positive steps had sort of been bulldozed by all the rollback announcements. So we've sort of made one step forward, two step back sort of thing.

But on the other side, the good news is that Scotland's biggest offshore wind farm is now working at full capacity. And that there's been a really significant amount of progress that's been made in exposing wind and solar technology around the UK. So this sort of offshore wind farm, it's absolutely massive, it's off the Angus coast, can generate enough electricity to power I think what 2/3 of Scotland's households so I mean that's a huge amount of Scotland this wind farm is now powering and I think it's I mean it's over 100 turbines and it's been about a decade in the making, more than 3 billion being put into it. Obviously, you know, wind farms have their ups and downs, but I think



Seagreen, which is the company, have said that it'll just place more than two million tonnes of CO2 each year. So I mean, this is just an example of, you know, renewable energy works. We can get it into positions. It's actually a lot cheaper and it's not less efficient, it's not less effective. Yes, it's taking up a large amount of water. You know it's the same amount of water that will be taken up by huge oil field licences being given away. So it's not a matter of us not having the technology as it might have been 30, 20 years ago. We have the technology, we just need the ambition and this is an example of how around the UK, that ambition can be hit and alongside that, in terms of tidal and we're an island nation, we're surrounded by some of the strongest tides and sort of biggest tidal ranges in the world, there's been some really important sort of advancements in tidal technology, so there's the University of Oxford in partnership with a couple of British companies who are working to develop new tidal technologies and underwater kites, which they can start to put around the UK. So yeah, I think ups and downs, really. It sort of reflects how maybe instead of developing new oil and gas licences, potentially the UK government could be looking at some of these more renewable sources to sort of hit our climate goals and achieve all those things we want to do.

Sophie

Jason, I think you all going to tell us a little bit about the OEP's environmental assessments report.

Jason

I am, yes. So thank you, Sophie, and thank you, Doug, because this one leads really nicely on actually from big plans for offshore development or any kind of development really.

So the Office for Environmental Protection, the OEP, they are the environment watchdog for England and Northern Ireland, has just published a report around environmental assessments and basically saying that environmental assessment processes aren't working like they should be, so the OEP published this new report in mid October. And it basically says that environmental assessments are not as effective as they should be due to practical barriers to implementation, so there's nothing necessarily wrong with the legislation, the law that creates those processes. Rather, it's the way that they're delivered that's causing the issues and these assessments are processes that are used to determine the environmental impacts from projects and plans, like Doug was talking about big wind farms or tidal projects, that kind of thing.

So the OEP looked at 3 processes: environmental impact assessments, that's EIA's, strategic environmental assessments, SEA's and habitats regulations assessments, HRA's to work out what's working well, what might be creating barriers and how they could be working more effectively. The reason they looked at these processes in particular and at the moment is because the government in England is looking at reforming all three of these and replacing them with what are called environmental outcomes reports (EOR's) and as part of the ongoing process of moving away from EU derived legislation, so the report identifies 3 fundamental reasons for the shortcomings of these processes. The first one is access to information, data, a perennial issue. Number 2 is the extent of post decision monitoring, evaluation and reporting. So that's what happens after, say, planning consent has been given and work starts and then what happens after development has been done as it built or whatever it happens to be and the ongoing monitoring. And then the last one is access to expertise, which is a really important one for CIEEM and something that we're really concerned



about as well. And I'll come back to that in a little bit when we go through some of the potential solutions.

So the OEP says the reasons for these issues is not necessarily with the law or the legislation as it is as written, but rather from shortcomings in the wider planning system and how the laws are actually implemented. The OEP report then makes 5 recommendations to address these issues.

So the first one is they say we need a plan to make data easily available and easy to find and easy to reuse. A plan for information, how it's gathered, how it's collected, how it's stored and easy it is to get back into it for whatever purpose it is needed for.

Number 2 there needs to be a map based online portal to signpost users to data held on national and regional databases, so this is coming back to that data point around a central starting point for anyone who's looking for data. How do you get to it from one single starting point?

Number 3 is new guidance from government on environmental assessments. How do we actually implement and deliver those processes?

Number 4 is the inclusion of information on the success of compensatory measures in government statutory reports. So basically what we want to know is if compensation work is done, can we measure it please and say whether it's worked and just as importantly, can we say it didn't work? And can we make sure that that information is all then recorded and made available so that we know when some kind of intervention is made for the natural environment or for the environment more widely. Did it work or didn't it work and both sides of that recorded much like they do in medicine.

And then number 5 is there needs to be collaboration between government, local planning authorities and other public bodies to implement a strategy to resource and secure the necessary expertise to implement the assessments, absolutely agree with that. We definitely need the resources, the capacity to do that. I think it's wider than just government and public bodies though. It needs to be a much bigger group. CIEEM certainly has a role to play in that and we work really hard to make sure that our training and continuing professional development programmes are up to date, and certainly that they evolve with the changing needs of the sector, so we certainly have a role to play there as well.

The environmental assessment processes are really important, hugely important for protecting and enhancing the natural environment. And I think this is a really timely piece from the OEP to work to help to inform the way forward as government steers England away from these more universal approaches to environmental assessment. So as these things change, probably in the near future, actually I think this is a great piece of work by the OEP.

Sophie

We will leave a link to that report from the OEP in the show notes as well if you want to go and have a look at that. Thanks Jason. For now let's move on to our positive news segment.

So I'm sure by the time this episode comes out then you might have already seen the first two episodes of Planet Earth 3. So Sir David Attenborough is back with this new series featuring footage



gathered over five years across 43 countries. There will be 8 episodes in total, with each episode dedicated to a particular habitat including coasts, ocean, deserts and grasslands, freshwater, and forests, and the final three episodes will focus on life in extreme and remote parts of the world, how humans are sharing land with different species and people, and people working in the conservation space to protect and preserve the future of our planet. So yeah, you can watch planet Earth 3, I think it's on sort of early Sunday evening on BBC One or you can catch up with it on the BBC iPlayer.

Jason

I haven't managed to catch any of those episodes yet, so I'm looking forward to watching those. I've got one more piece of positive news, good news to add, and I was really pleased to see reported coverage around a new plan for Eastern Europe to create a Yellowstone equivalent National Park for Europe or Wildlife Area for Europe. So there's a new plan to create 100,000 hectare Wildlife Reserve in the Carpathian Mountains, the plan is led by foundation Conservation Carpathia, hoping to create this new wildlife area that's on a similar sort of scale to Yellowstone National Park in the USA, which is massive in terms of, you know, entire ecosystem processes that happen within one area and nature can take its course. The area in the Carpathians, Eastern Europe, they already have bears, wolves, lynx, European bison have just been reintroduced recently as well so really great for wildlife. And they're hoping to build something that will be a local economy based on ecotourism that's good for people and for wildlife. Hugely ambitious, but it really is the kind of ambition we need for nature's recovery, so really good luck to them. It really would be great to see this come to fruition.

Sophie

That sounds great. I'm already planning a trip to Romania!

Jason

Yeah. Yeah, I've been to the Carpathians. It's amazing.

Doug

I mean, the pictures look stunning. I think. I mean, if and the numbers of animals that they've managed to promote over the last 10 years, in the last five years, it's just incredible.

Sophie

Well, thanks for listening to another episode of Nature In a Nutshell. We hope you enjoyed it. Please don't forget to go ahead and rate and review the podcast and we will see you next month. Bye!