

WildFish response to consultation – *Challenges and choices – a consultation on Wales’ significant water management issues*

Q1. Which River Basin District are your answers relevant to?

A. All Wales

Q2. To better support how we deliver the RBMPs how would you like to see measures tracked and evaluated? How should we report progress? And what could you contribute to this?

1. The consultation asks for views on “delivering” RBMPs and how “measures should be tracked and evaluated”; how progress should be reported and so on.
2. What appears to be missing from the consultation documents is a clear understanding of the statutory obligations on the relevant authorities under the Water Framework Directive and the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, as clarified by the Court of Appeal in *Pickering*.
3. To be clear, a major problem for the Welsh RBDs is that targets are not being met (only 43% of water bodies meeting GES), monitoring has been poor and sporadic; measures have not generally been effective – especially on iconic waterbodies such as the Wye.
4. The plain interpretation of the WFD and Regulations is that the objectives are directed to preserving and enhancing the status of each individual body of water (article 4(1)(a) and regulation 13(1)). The WFD scheme requires Programme of Measures (PoM) schemes to be proposed, approved, reviewed and achieved on a 6 yearly cycle with the aim of achieving water body level environmental objectives (Article 11 which contains a list of measures - and regulation 12(1)(b) and 16(6)(b)).
5. That means in turn that regulation 12(6) (which is the review obligation) requires an assessment of the adequacy of the existing PoM, and any measures to achieve the objectives, to be *water body specific*.
6. This is because the aim to achieve status objectives for the particular waterbodies (all of which will have been classified based on their status) is essential to the way the WFD works. Any review would necessarily entail an assessment of the *particular measures* for achieving *individual* waterbody improvement.

7. The statutory scheme must therefore require the setting out of the relevant measures at a waterbody specific level in order to meet the overall objectives and purpose of the WFD.
8. A compliant PoM should include actions to prevent pollution, such as reviewing and eventually tightening up permit conditions for point source pollution from sewage discharges.
9. The obligations under regulation 25 are clear on the “evaluation” of measures and progress and they necessarily imply that there is proper investigation and that there is detail applied to describe the appropriate basic and additional measures:

Action where environmental objectives are unlikely to be achieved

25. Where monitoring or other data indicate that the environmental objectives set for a body of water under regulation [12](#) are unlikely to be achieved, the appropriate agency or, where relevant, the appropriate authority must ensure that—

(a) the causes of the possible failure are investigated,

(b) relevant permits and authorisations are examined and reviewed as appropriate,

(c) the monitoring programmes under regulation 11 are reviewed and adjusted as appropriate, and

d) such additional measures as may be necessary to achieve those objectives (subject to the application of regulations [15](#) to [19](#)) are included in the programme of measures applying to that body of water.
10. The OEP report “*A review of implementation of the Water Framework Directive Regulations and River Basin Management Planning in England*” describes the failure of the English authorities to properly implement the WFD requirements. This report is also instructive for Wales as there are similarities to the RBMP methodology in England. In brief, the relevant parts of the report say that the PoMs for waterbodies are not detailed enough; there is a lack of funding for work required to meet WFD objectives; the justifications for exemptions are misused, data and other RBMP materials are difficult to access and water bodies have declined, in contravention of the regulations. There is insufficient investment in measures to address all major pressures. There is a “lack of pace and certainty” where timings “appear drawn out, or in certain instances unknown or open ended”; there is a “lack of clear governance arrangements for practical delivery”. There are gaps in monitoring.
11. Although Wales is not the worst of the nations of the UK with regard to performance under WFD and the quality of the RBMPs, it is certainly the case that more needs to be done substantively (and not just performatively) to comply.

12. On the matter of presentation of the pressures impacting waterbodies in the consultation document, deterioration should clearly be indicated (i.e. any negative changes to waterbody status); it is also confusing that whereas there are colour indicators for measures given in the consultation document, it is not clear how this links with waterbody status or WFD criteria.
13. Where a measure/ action has stopped, not started or is red – it should be made clear what the underlying pressure is.
14. We find the case studies which are provided in the link to the interim report on PoMs¹ slightly confusing, partly because we are unsure of their purpose in the consultation. Are these to demonstrate process going forward? If so, there is a lack of detail on “improvements” and we are also concerned that this vagueness may be carried across into the draft RBMP.

Additionally, the high level list of measures seems to include actions which are anticipatory rather than actual measures, e.g. “research or demonstration projects or pilots” or vague references to “education and advice” or “regulation”.
15. Part of the problem with identifying appropriate measures and understanding progress is down to monitoring. NRW’s program of monitoring is limited and there are significant gaps in data. This concerning trend is highlighted in Afonydd Cymru’s “Water Framework Directive Concerns” paper,² which demonstrates an astonishing lack of recent and up to date information used when classifying Welsh waterbodies. Although officially, 43% of Welsh rivers are estimated to have “good overall status”, data used as part of this assessment can be old and or “rolled over” from previous RBMPs rounds. Furthermore, broad brush assumptions are applied in the absence of monitoring, which in combination with the above means that the actual status of many Welsh rivers could be lower than official classifications, undermining attempts to apply relevant measures and rendering reviews of progress difficult to determine.
16. NRW should take the opportunity to rectify this lack of appropriate engagement with the WFD in the draft RBMPs.
17. In short, what is required in Wales is for:

¹ [Natural Resources Wales / River basin management plans 2021-2027: interim programme of measures progress review](#) - The Bala, Gwynedd, case study notes that a key outcome is “positive changes for fish migration” – but it isn’t absolutely clear what this has entailed. We would expect NRW to provide underlying data as to what the impact has been and what is projected/ further measures in the next RBMP. Similarly, in the Western Wales case study – Cemlyn Lagoon (which is now being fenced to prevent stock from entering/ buffer zones / new wildlife corridors created), what is the timescale for improvement of the water quality and what is it now vs. where it should be? The summary case studies beg more questions than they resolve.

² Accessed 17 April 2026, <https://afonyddcymru.org/wp-content/uploads/2025/11/WFD-Concerns.pdf>.

- Detailed routine monitoring to understand pressures, condition and improvement and to drive good decision making and allow properly considered decisions to be made on measures.
- Details on measures should be waterbody specific;
- RBMPs to include measures and follow-up actions that are compliant with Regulation 25;
- The data on WFD waterbodies should be detailed and easily accessible by members of the public which, at present, it is not.

Q3. Do you have any other suggestions for how we should address these issues in RBMPs? Please tick which issue(s) you answer relates to:

- **physical modifications**
- **pollution from rural areas**
- **pollution from towns**
- **cities and transport**
- **pollution from abandoned mines**

It is difficult to understand what is being asked here. The obligations on monitoring, measures and investigation that sit in the PoM and the RBMP are defined in the WFD and the Regulations by individual pressures. The pressures are dealt with through the measures. There may be multiple pressures but themes in common between areas. For instance, the “pollution from towns” label would include pressures such as sewage; misconnections and so on. But these can also be found in rural settings too.

Using the language of WFD would simplify these issues for the purposes of reporting.

Q4. For the purposes of this consultation, we have highlighted chemicals, plastics, microplastics, nutrients and bacteria as significant issues in addition to pollution from rural areas, wastewater, towns cities and transport and abandoned mines that we used in previous RBMPs.

Do you find this a useful way of presenting the issues that we should use in future RBMPs? Yes/No

Please provide any further comments below:

1. While the categorisations of the issues are useful, the information presented is surface level and does not sufficiently detail the ways in which these issues are being navigated and addressed.
2. More detail (and data) is required to exhibit the issues and the steps taken to address these.
3. Where sufficient data is not available due to a lack of monitoring, the authority should make clear as to the reason for this and the ways in which this will be addressed in the next period.
4. Similarly, where the authority is aware of an issue (e.g. microplastics) it should not be ignored simply because it is suggested the legislation does not require investigation. We welcome the inclusion of plastics and priority substances not currently in the WFD EQS list. It is also notable that although

plastics are not dealt with specifically in the WFD EQS, some chemicals which they contain are included already.

Q6. Climate emergency

Do you have any other suggestions for how we should address the climate and nature emergencies in RBMPs? /Q7. How should climate change adaptation be factored into RBMPs?

1. As acknowledged by NRW in its consultation, there are a number of ways in which climate change is likely to impact the UK's waterways – including, decreases in summer rainfall which will lead to longer periods of water scarcity and low flows which may increase concentrations of pollutants.
2. However, NRW must avoid using climate change as a reason to rely on “technical infeasibility” in not attaining the objectives of WFD. Urgent action on other anthropogenic pressures must be prioritised to increase resilience.
3. It is difficult to see how RBMPs could deal specifically with climate change as a pressure as it is not something RBMPs and the WFD PoM can deal with directly.
4. There are specific pressures caused partly by climate change which need to be mitigated, for instance, through measures to reduce abstraction or provide alternative sustainable water resources; reducing pollution and dealing with surges in volume received at waste water treatment facilities due to heavy rain; working to restore heavily modified waterbodies that are less resilient to flow and subject to bank erosion and so on.
5. Measures will need to be put in place in coordination with planning for water and sewage treatment which will require significant alignment, to be factored into future changes to legislation post-abolition of Ofwat. It is important that the detail is set out in full for waterbodies in the RBMP.

Strategic Environmental Assessment

**Q8. Do you agree with the assessment criteria set out in the SEA scoping reports?
Yes/No**

Is there any other information that we should be considering as part of the assessments?

The scoping reports are very high level and it is difficult to comment.

The Significant Water Management Issues – our challenges

In this consultation we have set out the main significant water management issues we have identified in Wales.

- **Physical modifications**
- **Pollution from rural areas**
- **Pollution from wastewater**
- **Pollution from towns, cities and transport**
- **Changes to the natural flow and levels of water**
- **Chemicals and emerging contaminants**
- **Plastics and microplastics**
- **Nutrients**
- **Bacteria**
- **Invasive non-native species**
- **Climate emergency**
- **Nature emergency**

Q11. Do you agree with the challenges? Yes/no

If not, what is missing or what would you change?

The categories seem to mix up the hierarchies of pressures and sources. For instance, pollution from rural areas is a higher category problem which would include the specific pressures such as “nutrients”, “chemicals” and “contaminants” as well as pesticides. Pollution from towns and cities would include all of the above. This needs to be reconsidered.

Q15. Where did you hear about this consultation?

Email.

Q16. If you are responding on behalf of an organisation, please provide the name of your organisation.

WildFish

Email address:

justin@wildfish.org