

Additional written evidence from River Action

Introduction

Founded in February 2021, River Action is a UK registered charity dedicated to campaigning to address the river pollution crisis. Its prime activities at present involve calling on a) food production companies to mitigate the adverse ecological impacts of their supply chains and b) governments to establish the regulatory and legislative frameworks needed to enhance environmental protection and enforcement.

Following our original submission to this inquiry in February (key aspects summarised below), we have discovered further information and wished to make this available to members of the committee ahead of the remaining stages of this crucial inquiry.

The contribution of agriculture to the river pollution crisis

- Raw sewage discharges by water companies and the impact of ever more intensive agricultural practices have combined to create an escalating environmental disaster across the majority of UK river catchments.
- The increasing inability of an underfunded Environment Agency to monitor the levels of pollution in our rivers, enforce regulations and penalise offenders is a key part of the problem.
- Much of the focus thus far has been on the role of water companies; River Action formed to highlight the need for equivalent attention and mobilisation around agricultural pollution and are pleased to see the Committee address this.
- Agricultural pollutants are transported in water runoff from farmed land and consists of four distinct types: fertilisers, pesticides, sediments, and faecal bacteria. Considering that 70% of land in England is farmed, the resultant scale of pollution is significant with estimates that those four types of agricultural pollutants account for 50-60% of the nitrates, 20-30% of the phosphates and 75% of sediment in England's waterways.¹
- As opposed to water companies – who comprise a small number of regulated major corporations – agricultural polluters tend to be hundreds of privately-owned farms whose activities are often difficult to monitor. In that context, the Environment Agency has stated that it has no longer has the resources to effectively tackle agricultural pollution.² Since the introduction of the Farming Rules for Water in 2018, there has not been a single penalty enforced on any of the hundreds of proven agricultural polluters.
- Given its present scale, the potential benefit of action to address agricultural pollution specifically could be enormous. The rollout of the new agricultural subsidies system and ELM scheme, the government's upcoming response to the National Food Strategy, the final stages of the Environment Bill and the UK's hosting of COP26 all provide key opportunities for action.

River Wye: the impact of intensive poultry production

- One prominent example of the damage caused to rivers by agricultural pollution is the River Wye catchment, which has experienced a severe decline in ecological and chemical health, recently documented in the film *Rivercide*.
- A growing body of evidence attributes that ecological deterioration to the unprecedented and disproportionate growth in industrialised poultry farming around the headwaters of the Wye – according to the Campaign for the Protection of Rural

¹ Parliamentary Office of Science and Technology POST Note No. 478 October 2014 *Diffuse Pollution of Water by Agriculture* <https://post.parliament.uk/research-briefings/post-pn-478/>

² <https://www.endsreport.com/article/1696294/bevan-ea-lacks-powers-resources-tackle-farm-pollution>

Wales, the density of poultry farms has reached a level unmatched in Europe, while in Herefordshire and Shropshire over the past decades poultry units have almost doubled in size and more than tripled in number to 1150 housing 38 million chickens (or 70 times the number of people in those counties).³

- That expansion is believed to have led to a two-fold increase in phosphate levels in the lower Wye in the past six years⁴ with devastating impacts to the extent that Wales Environment Link has warned wildlife may be permanently affected.⁵

Inadequate response from major Wye egg producer Noble Foods

River Action formed earlier this year in order to apply direct pressure to major agricultural producers and suppliers to take responsibility for the environmental conduct of their supply chains. There are a number of options available to farms and production facilities to prevent damaging run-off and an experienced network of organisations through the Rivers Trust movement on hand to assist in their implementation.

We have focussed our engagement specifically on Noble Foods. As the UK's leading egg producer and owner of well-known premium brands such as Happy Egg, and also as the key player in the Wye catchment, Noble should be demonstrating leadership in the fight to save our rivers. We believe that the fact that this major agribusiness is sourcing its eggs from an area where poultry farming has been linked to severe environmental damage is of great public interest.

Despite the high standards of environmental compliance and supply chain integrity now expected by all the UK's major food retailers, we find it concerning that, to date and despite our repeated engagement over the course of this year, Noble Foods does not appear to have given any detailed information on how it is working with farmers to help mitigate the problem. Furthermore, the issue of river pollution is still not identified as a focus area for Noble's CSR strategy.

Timeline of engagement

- In February 2021, River Action wrote to Noble Foods CEO Duncan Everett⁶ requesting information on Noble Foods' environmental policies and the actions the company is taking to address the ecological impact of the egg production industry. Specifically, the letter posed a number of critical questions regarding the degradation of the Wye, asking Noble to do the following:
 - Provide details of the mitigation processes that Noble Foods has implemented on its owned egg production sites to prevent nutrient run-offs.
 - Share details of the environmental standards to prevent nutrient run-offs within Noble Foods' procurement policies that third party egg producers must adhere to.
 - Quantify the amount of money Noble Foods has invested in run-off mitigation measures over the last 12 months and what capital expenditure is allocated going forwards.

³ <https://www.theguardian.com/environment/2021/jun/14/bird-costs-less-than-pint-welcome-to-britains-poultry-capital-hereford-shropshire-powys>

⁴ <https://www.brecon-radnor.co.uk/article.cfm?id=112425&headline=The%20nation%E2%80%99s%20%E2%80%98favourite%E2%80%99%20river%20is%20facing%20ecological%20disaster§ionIs=news&searchyear=2020&cat=Environment>

⁵ <https://www.theguardian.com/environment/2020/oct/05/river-pollution-leads-to-welsh-demand-for-halt-to-intensive-poultry-units>

⁶ <https://riveractionuk.com/wp-content/uploads/2021/04/River-Action-letter-to-Noble-Foods-15.02.2021.pdf>

- Provide details of their reported work to remedy pollution with the Wye and Usk Foundation: what this comprises; what the likely outputs are and when they will be implemented.
- State whether supplying major UK supermarkets eggs from an area where poultry farming is linked to environmental degradation contravenes of the environmental standards expected by those major customers.
- In the context of the issues surrounding nutrient run-offs, give evidence of the policies and practices implemented to support Noble Foods' claim that they "strive for sustainability in all that [they] do".
- Justify the omission from Noble Foods' recent 'Environmental Sustainability Programme' of any reference to arguably the most significant environmental issue facing the business – ecological damage done by nutrient run-off of chicken excrement into river systems.
- Supply a copy of Noble Foods' Environmental Report with immediate effect.
- Mr Everett responded in March 2021⁷ informing River Action that Noble Foods is 'working on site visits gaining a greater insight and understanding of the issues faced on farms dealing with soil health, nutrient and water management' and that they were working in close partnership with the Wye and Usk Foundation to consider how to address the major issue of nutrient run-off.
- Shortly thereafter, River Action responded to welcome the above but also to express major concerns as to why these basic environmental assessments are only starting to take place now and secondly why these critical actions had not taken place before the construction of Intensive Poultry Units. Accordingly, River Action called as a matter of urgency for Noble Foods to:
 - Provide a time commitment of when site visits will be completed and publish a summary of findings and details of the plan **to address the issue of nutrient run-off**.
 - Publicly commit to a **nutrient mitigation plan** with an implementation timetable.
 - Commit to **invest an appropriate and disclosed level of capital expenditure** to implement measures to tackle nutrient run-off.
 - **Publish an environmental code of standards** that third-party producers must adhere to in order to be contracted as a Noble Foods supplier.
 - **Publish a credible environmental policy statement** on the Noble Foods website.
- In May 2021, Noble Foods announced the sale of its Gu Puds brand to Exponent. While the price was undisclosed, it was reported that industry sources believed it to be in the region of £150m. River Action publicly called⁸ on Noble Foods to reinvest a significant part of these proceeds to implement much-needed environmental mitigation measures to clean up the extensive nutrient pollution originating from its Intensive Poultry Units in the Wye Valley.
- In July 2021, River Action Chairman Charles Watson once again wrote to Noble Foods CEO Duncan Everett⁹ following a conference presentation by Noble's Agriculture Director who outlined four key focus areas of Noble's sustainability goals, which did not include river pollution. The letter expressed disbelief that one of the UK's major food producers would not perceive this as a top four sustainability issue relating to its

⁷ <https://riveractionuk.com/wp-content/uploads/2021/04/Letter-from-Duncan-Everett-to-Charles-Watson.pdf>

⁸ <https://riveractionuk.com/blog/river-action-urges-noble-foods-to-invest-vast-gu-puds-sale-profits-into-urgent-action-on-farm-pollution/>

⁹ <https://riveractionuk.com/wp-content/uploads/2021/07/Charles-Watson-Noble-Foods-letter-July-2021.pdf>

owned agricultural units and those of its third party supply chains, and to reiterate our questions above.

- We have had no further response to our last two letters and, six months after our first engagement with Noble we are no closer to understanding their timeline for and financial commitment to tackling river pollution relating to their supply chain. It is now our intention to raise these critical issues with Noble Foods' major supermarket customers.

Inability of underfunded Environment Agency to address agricultural pollution

It is our view that action by individual companies is not only a moral duty of businesses operating in the context of a climate and nature crisis, but also makes financial sense given the increasing awareness of and demand for sustainability by investors and customers alike. However, actions at the farm or business level must be enabled and driven by an effective overarching policy environment: it is critical that a strengthened regulatory framework is created which both rewards and incentivises good practice at the farm level and which requires that the food processing industry pays its share in supporting farmers financially in implementing the necessary remedies.

An area of particular concern to us, which has become increasingly clear through the course of our campaigning, is the complete collapse in environmental protection across the UK which means that polluters (agricultural and otherwise) continue to get away with degrading our rivers: without addressing the current lack of enforcement against river polluters we can only tackle the symptoms of the crisis rather than the cause.

The Environment Agency has publicly stated that it lacks the resources to tackle agricultural pollution. Recent evidence of this, which may be of interest to the Committee includes -

- An April 2021 report¹⁰ published by Salmon and Trout Conservation which found that:
 - At the 2018-19 rate of inspections, each farm business could expect to receive just one visit in the next 263 years.
 - With the overall EA agricultural budget just £650,000 with only a small fraction of that being for regulatory visits and enforcement action, assuming that ¼ of the agricultural budget is aimed at the 2018 Farming Regulations for Water, that would equate to about £1.50 for regulating each of the country's 106,000 farming businesses.
- A Freedom of Information request to the Environment Agency (NR210326) revealed that:
 - The EA uses Grant in Aid from Government to fund its action and received no additional funding when the Farming Rules for Water were introduced.
 - The core Grant in Aid for the Environment and Business side of the EA's work (which includes waste crime, incident response, enforcement activity, monitoring, regulation, planning, advice and stakeholder engagement) has fallen from £117 million in 2010/11 to £40 million in 2020/21. That is a cut of 75% in real terms.
 - The EA's 14 Area teams received a combined total of around £0.32 million from this budget for agricultural enforcement in 2019/20, equating to about 0.65 FTE per Area available for enforcing this suite of regulations.
- Following a Freedom of Information request (Reference NR215030), River Action received letters from Environment Agency Chair Emma Howard Boyd to the Secretary of State George Eustice MP regarding the lack of funding available to the Environment

¹⁰ https://salmon-trout.org/wp-content/uploads/2021/04/Doing-its-job.stc_.pdf

Agency and the implications this will have for environmental protection. In these letters, Ms Howard Boyd states that:

- “over the last few years, the drop in the grant [government funding to EA for its environment work] has **forced us to reduce or stop work it used to fund, with real world impacts (e.g. on our ability to protect water quality)** for which we and the government are now facing mounting criticism.”
- “**one thing which we cannot maintain with the current settlement is our response to environmental incidents.** In the absence of the necessary government funding for this over the last few years we already had to reduce our response levels and have been effectively subsidising our remaining incident response with charge income from the businesses we regulate. Our bid for grant funding for FY21/22 to fill the gap was unsuccessful, so as we made clear in our bid **we will now have to further reduce our response to environmental incidents.**”

Conclusion: Give Us Back Our Rivers campaign

In light of the degraded state of our rivers and the collapse of our environmental protection agencies' capacity to tackle agricultural and other sources of pollution, in June 2021 River Action launched the Give Us Back Our Rivers campaign¹¹ with a public [petition](#) calling on the UK and Welsh Governments to double the environmental protection budgets of the Environment Agency and Natural Resources Wales. This petition has so far been signed by over 50,000 people, making it one of the top trending petitions in the UK this year.

While funding alone is certainly not enough to resolve the issue, the reality is that we get the environment we pay for: adequate funds and resources are required immediately or our agencies have no chance of tackling this issue.

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¹¹ <https://riveractionuk.com/Campaigns/give-us-back-our-rivers/>