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Tracey Teague
Deputy Secretary Environment Marine & Fisheries Group
Department for Agriculture, Environment and Rural Affairs
Klondyke Building, Cormac Avenue
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26 Sept 2023

By email only

Dear Tracey,

Nutrient Action Programme for Northern Ireland

I write further to our earlier correspondence¹ with the Permanent Secretary relating to the Environmental Improvement Plan (EIP) for Northern Ireland, in which we also asked for details of your plans regarding the Nutrient Action Programme (NAP).

In her letter of 9 August, the Permanent Secretary informed us that it has not been possible to complete the four yearly review required by the Nutrient Action Programme Regulations (Northern Ireland) 2019 ('the regulations').

As you will be aware, the regulations require that an implementation report be prepared and published at four-yearly intervals, with the deadline for this round being 11 October 2023. Failure to complete the necessary review and public consultation is cause for concern. Not only is there a legal requirement to do so, but also a pressing need to address the significant issues of nutrient pollution in Northern Ireland – as exemplified by the situation at Lough Neagh.

In our view, it is imperative that progress is made on this issue as a matter of urgency. We note that failure to undertake the review is attributed to the absence of ministers. It is not immediately apparent to us why this would be the case given the provisions of Northern Ireland (Executive Formation etc.) Act 2022 and the associated guidance issued by the Secretary of State for Northern Ireland. We would therefore welcome further information as to how this position was reached.

These issues are exacerbated by the deferral of publishing the EIP. Existing measures are not, on the face of it, sufficiently addressing the problem of nutrient pollution in Northern Ireland².

¹ [Failure to meet NI EIP deadline 'deeply regrettable' | Office for Environmental Protection \(theoep.org.uk\)](https://www.theoep.org.uk)

² [Northern Ireland Environmental Statistics Report 2023 \(daera-ni.gov.uk\)](https://www.daera-ni.gov.uk) Figure 4.3 in this report shows that soluble reactive phosphorus concentration in NI rivers continues to increase. In addition, the draft river basin management plans, released for consultation in April 2021, indicated that nutrients were the biggest causes of waterbodies not achieving good status.

Ambition and urgent action are needed to secure the protection and improvement of the environment, particularly in relation to water quality.

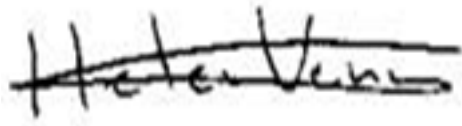
The letter of 9 August, sets out some of the additions to the current NAP, made following the last review. Plus, further actions and policies that are being taken forward to contribute to the NAP aim of reducing excess nutrient inputs to the environment. While we welcome these additional measures, the associated timelines are not clear nor the extent to which these measures will deliver outcomes. I would appreciate any further detail you can provide as to the practical action that is currently underway to address the issue of nutrient pollution. Also, the extent to which that action will contribute to delivering reductions in nutrient inputs with the degree of urgency that is required.

In addition to the above, please also provide detail of the work that has been undertaken so far, along with time-bound delivery plan in respect of:

- The implementation report, required by regulation 34 of the Nutrient Action Programme Regulations (Northern Ireland) 2019
- Review of the NAP (including public consultation and the overall position of derogations granted against the effectiveness in meeting objectives of reducing water pollution from nutrients and preventing further pollution³), required by regulation 35 of the Nutrient Action Programme Regulations (Northern Ireland) 2019

Whilst I would be happy to meet and discuss this further, I would welcome your written response, addressing the above requests, by 11 October 2023.

Yours sincerely,



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³ In accordance with regulation (35(7) of the regulations.