

Environmental Targets briefing from Wildlife and Countryside Link & Greener UK

The Environmental Targets (Water) (England) Regulations 2022

Summary

- The proposed water targets would not guarantee an improvement in the freshwater environment in England. With only 16% of water bodies in Good Ecological Condition, improvement is vital to halt the decline of nature by 2030.
- The absence of an overarching water quality target leaves uncertainty for businesses, and uncertainty about environmental outcomes. The existing target set under the Water Framework Directive Regulations expires in 2027. This leaves a gap, with no long-term regulatory driver for improvement of water bodies.
- Individual targets to reduce particular pollutants (Nitrogen, Phosphorus and sediment) are a helpful addition to the current framework of targets. Unfortunately, the targets proposed lack ambition and rely too heavily on modelling and self-reporting. They also represent a siloed approach – progress could be made against these individual targets whilst the overall health of water bodies fails to improve.
- A target to reduce water demand is also helpful. Unfortunately, the target has been framed as a relative target, based on population, so could allow overall water abstraction to continue.

This statutory instrument was laid in draft under the affirmative procedure on 15 December 2022 under [Section 1](#) of the Environment Act 2021. It will place a legal duty on the Secretary of State to reduce pollution of the freshwater environment from abandoned metal mines; from agriculture (Nitrogen, Phosphorus and sediment); from waste water (Phosphorus); and to reduce demand for water abstraction.

The lack of an overall target for water quality means the ecological health of rivers could decline further

The Government currently has legally binding targets for water health in the Water Environment (Water Framework Directive) Regulations 2017. These require water bodies to achieve Good Ecological Status by 22 December 2027 at the latest.

After that date, under current proposals, there would be no long-term target for the overall ecological improvement of rivers and streams in England. The Government stated in its [consultation](#) that the targets framework is intended to deliver three objectives:

- drive action by successive governments to protect and enhance our natural world.
- allow for objective scrutiny and accountability of government's progress to society.
- require action across the economy, including a step change in investment flows from the private sector.

A target that expires in four years is not sufficient to achieve those objectives. All of the water targets in the proposed framework could be met, while the real condition of the freshwater environment continues to decline. Private sector investment is likely to fall without a legal target for scrutiny and accountability.

The Secondary Legislation Scrutiny Committee's [report](#) on Environment Act targets highlights our concerns about the absence of an overall target after 2027 and provides the Government's response on this point. That response illustrates the low ambition embedded into policy by the lack of an overall target – the Government simply commits “to maintain non-deterioration of all water body health after 2027”. Non-deterioration of our water bodies, which are already in appalling health, means ongoing environmental harms.

The Government should set a long-term, overall water body health target to expand on current Water Framework Directive targets. This recommendation is supported by water industry and [business](#) bodies as well as [environmental NGOs](#).

Targets to reduce pressures on the water environment are not ambitious enough

Nitrogen and Phosphorus run-off from agriculture can cause eutrophication and algal blooms, starving freshwater ecosystems of oxygen and harming wildlife. Specific targets to reduce these pollution pressures on the freshwater environment are welcome. Together, agriculture and wastewater nutrient pollution are [responsible](#) for the large majority of failures to meet good ecological status for the water environment: 40% of all water bodies are affected by pollution from agricultural pollution and 36% are affected by wastewater.

However, experts and public responses agreed that the level of ambition proposed for the targets for nutrient and sediment pollution is too low.

- The Government's Water Expert's Advisory Group [suggested](#) (p42) that “a significantly higher level of ambition is required to achieve the goals of the 25 Year Environment Plan”.
- 92% of respondents to the [consultation](#) disagreed with the proposed level of ambition for reducing nutrient pollution. 98% of those wanted a stronger target.
- Furthermore, in December, the Government agreed to the COP15 Global Biodiversity Framework, which includes [Target 7](#) to reduce “excess nutrients lost to the environment by at least half” by 2030. The Government's target to reduce nutrient pollution from agriculture by 40% by 2038 does not make a proportionate contribution to that global effort.

A target to reduce water demand is also welcome. Excessive abstraction of water can cause low flow rates, leaving ecosystems parched, further concentrating pollution. However, the water demand target has been set as a relative target – to reduce the use of public water supply in England per head of population by 20% by 2037. This means that improvements in overall water demand on the aquatic environment will be qualified by changes in population. As the Water Expert Advisory Group noted: “the overall ambition of the demand target in the Environment Act 2021 was to leave more water in the environment – dividing the DI [Distribution Input, the metric used for demand] target by population could mean that the total DI could increase... and not leave more water in the environment”.

The state of English rivers and streams

Today, just 16% of water bodies in England are in Good Ecological Condition. [0% meet good status overall because of chemical pollution](#). Many water bodies fail because of nutrient and sediment pollution from agriculture and wastewater, exacerbated by low flow rates, so targets to reduce these pressures on the freshwater environment are welcome.

However, the level of ambition is low compared with international targets and environmental urgency. Furthermore, proposed wastewater and agriculture targets rely heavily on modelling to assess compliance. Combined with the lack of an overarching target for water quality to drive long-term action and investment, this means that the freshwater environment could continue to decline.

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