

Sustainable Farming and our Land - Consultation Response Form:

This response form provides an opportunity to comment on the content of the *Sustainable Farming and our Land* consultation.

If you have any queries on this consultation, please email:

LandManagementReformUnit@gov.wales

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here

If you do not want your response to be shown in any document we produce please indicate here

Date:	
Name	Dr Stephen Marsh-Smith OBE
Are you responding as an individual or as an <u>organisation</u>?	Afonydd Cymru Cyfyngedig
Are you or your organisation based in Wales?	Yes
If you are answering as an individual, do you identify as Welsh speaking?	n/a
Address	The Right Bank The Square Talgarth LD3 0BW
E-mail address	stephen@afonyddcymru.org

Please indicate which of these best represent you or your organisation (please select only one)	Farming	
	Forestry	
	Environmental	X
	Tourism/Hospitality	
	Food and timber supply chains	
	Public Sector	
	Private Sector	
	Third Sector	
	Trade Union/Representative	
	Other	

If you have indicated that you are a farmer, please identify your main farm activity (please select only one)	Sheep	
	Beef	
	Dairy	
	Arable	
	Horticulture	
	Mixed	
	Other	
Do you currently claim BPS?	Yes	n/a
	No	

Do you currently have rights to graze stock on a common?	Yes	
	No	

Are you a tenant farmer?	Yes	
	No	

Responses should be returned by **30th October** to

Land Management Reform Division
 Welsh Government
 Cathays Park
 Cardiff
 CF10 3NQ

Responses completed electronically to be sent to:

FfermioCynaliadwy.SustainableFarming@gov.wales

FfermioCynaliadwy.SustainableFarming@llyw.cymru

Question 1 - Sustainable Land Management (refer to chapter 3)

What are your views on the Sustainable Land Management framework? You may want to consider:

- whether the structure of benefits, outcomes and actions is a useful tool
- whether the benefits and outcomes sufficiently cover the broad contribution of farmers, foresters and other land managers
- how we have described the Sustainable Land Management outcomes
- whether it is right to focus an income stream on environmental outcomes
- whether an alternative policy framework would be more appropriate

Comments

Firstly we begin by congratulating WG on the excellent presentation and clarity of the consultation document as well as the inspiring content

In answer to your specific points: all five of your points above have successfully been covered in the SLMF and we find broad agreement with the associated narrative

- However, representing Wales six River Trust charities concerned with the freshwater environment and ecosystems, positive outcomes in this area reflect the success **or otherwise** of land management systems. At present these are universally poor. For example: all Wales salmonid fisheries (23 main rivers and 10 other) fail their conservation targets, significant and regular reports of point source and diffuse pollution from farming and forestry, adversely impacting on Water Framework Directive status, especially Phosphate levels. However current monitoring methods play down the severity of these issues.
- Clearly we wholeheartedly welcome this new approach but point out that much of the current problem in agriculture, especially dairy is the historic low profitability and very low levels of investment /maintenance in even the basic infrastructure such as clean and dirty water separation and reliable storage systems etc
- There may, as a consequence, be difficulties 'shoehorning' ancient and outdated farms and their owners into this 21st century thinking

Question 2 - Sustainable Farming Scheme (refer to chapter 4)

What are your views on the proposed Sustainable Farming Scheme? You may want to consider:

- how the Farm Sustainability Review and Farm Sustainability Plan could be delivered in a proportionate manner
- how best to reward farmers for outcomes through their actions
- how the Sustainable Farming Payment should operate
- what business support should be offered to farmers
- what eligibility criteria are needed
- whether there is a role for capped or diminished payments
- how best to design the scheme to leverage additional private finance
- alternative ideas for supporting farmers in a manner consistent with Sustainable Land Management

Comments

Again broad support for the concepts outlined here but:

- The Farm Sustainability Plan (Mandatory Actions) should contain an element of soil protection that proscribes all risky activities eg potatoes or Maize on slopes, heavy stocking leading to poaching, inappropriate ploughing. Soil will not be with us for future generations unless carefully managed
- In the optional section on soil husbandry, could there be additional emphasis placed on carbon capture and allowing water ingress (flood reduction) as priorities?
- Eligibility criteria would surely include farm infrastructure (eg housing, slurry storage, silage clamp, clean dirty water separation etc) being fit for purpose and up to date
- How can a farmer be paid for public goods if environmentally damaging operations are taking place elsewhere on the holding?
- There must surely be a role for capped or diminished payments to avoid cherry picking easy and popular options but should not apply on climate change reducing measures (eg carbon capture, reductions in greenhouse gases – fewer ungulates?)
- Levering in private finance is dependent on **all** farms complying with whatever baseline rules are in place; this in turn needs effective enforcement. Using water quality as an example of an ecosystem service that does attract additional funding: it simply doesn't work for funders to plough money into a scheme when there is a pollution risk from one individual in a given catchment that would annul the additional benefit that funds paid to others seek to attract
- Collaboration is to be encouraged. It is especially important in improving catchment wide water quality as hinted at above
- Common Land: parts of many commons could provide much needed opportunities for tree planting but would be defeated by existing practices and regulations. Collaborative tree planting schemes on parts of commons could go a long way to meeting WG aspirations. This could redress reductions losses in sheep farming. The author managed a 3000Ha common for many years

- Remote monitoring: may we refer you to the success EA has had in Herefordshire in remotely anticipating potential areas liable to soil loss using satellite technology and giving advance warning to farmers to prevent problems before they occur

Question 3 - Advisory service (refer to chapter 5)

What are your views on an advisory service? You may want to consider:

- whether you agree an advisory service should be established
- the functions of the service
- what the relationship should be between the advisory service and the Welsh Government
- the appropriate scale of delivery

Comments

Afonydd Cymru and its member Rivers Trusts employ 19 farm advisors. They conduct advisory visits with the following features:

- Plans to improving water quality/preventing pollution
- Nutrient management advice
- Other environmental options (tree planting, management of semi natural
- Administering appropriate grants
- Comprehensive advisory plan

Clearly we support an independent advisory service but stress it is essential it delivered neither directly by Welsh Government nor Natural Resources Wales. The latter are the ONLY body capable of enforcing regulations and legislation and it simply doesn't work having a regulator visiting farms to give advice: farmers need to feel confident and free to discuss their problems without fear of prosecution.

The River Trusts' advisors have visited over 1150 farms to date and we are able to form a view as to how compliant or otherwise holdings are with existing legislation/regulation, the likely causes of pollution and risk thereof. Plans include a full survey, soil sampling Scimap (to identify overland flow issues) and a sequence of actions or opportunities to correct problems and enabling means of correcting them.

The dilemma we see is that many farms are so far in arrears of even a baseline environmental care/performance (typically absence of Clean and Dirty water separation) that moving to the type of system envisaged here could only be managed by 1 to 1 Farm advisor visits rather than planned group meetings, leaflet drops etc.

Farmers barely have time to manage change and we have noted that these plans catalyze action.

We think that that our current rationale for visits and plans would need very little adaptation to produce the type of plan that would dovetail with Farm Sustainability plans while at the same time effect compliance with current and future legislation

On request, are our calculations for cost per farm for each type of remedial activity, %age uptake, accurate assessments of Phosphate etc saved from polluting watercourses

Question 4 - Industry and supply chain (refer to chapter 6)

What are your views on providing support to the industry and supply chain? You may want to consider:

- whether it is right for support to be subject to Sustainable Land Management
- whether the proposed priorities reflect the right areas of focus

Comments

This is not an area we have any particular expertise but make these general but perhaps rather oblique comments:

We are concerned at the power that buyers (ie supermarkets) have on the farming industry. They set standards that are often wasteful and drive down farm gate prices making investment less likely and poor practices commonplace.

There are early signs of some concern being shown and the Wye Catchment Partnership has engaged with a number of organisations who are resourcing change by incentivizing some producers to improve agricultural practices.

When the overall negative effect of farming is considered in relation to climate change, the concept of polluter pays is largely lost. Changes are needed to address the quantity of food wasted between farm and market, market to consumer and consumer waste itself.

The consultation document mentioned that food production would not necessarily receive funding from the SLM budget. We think the same should apply to the support industry. Unless there is unlimited funding, we suspect that there will barely be enough funding for SLM

Question 5 - Regulatory framework (refer to chapter 7)

What are your views on our proposals to improve the current regulatory system and develop a new regulatory framework? You may want to consider:

- how the current regulatory framework can be improved upon
- the scope of a future regulatory framework
- the role a future regulatory framework would play in championing Welsh standards
- how compliance with regulation should be monitored
- how breaches can be fairly and proportionately enforced

Comments

We agree with nearly every word in the consultation document pages 73 – 79 However it is the ‘Massive Herd of Elephants in the Room’ that needs to be identified:

“A difficulty for WLMF has been the lack of evidence of Industry disregard for the detailed but toothless guidelines in CoGAP. Those of us who live in the southwest Wales dairy belt know the reality having been told of it by farmers who have helped us over a number of years. Those farmers have been understandably reluctant to go on record. The question 'Where is the evidence?' used to undermine assertions of Industry disregard can now be repelled. The presentation of Mr Davies and Mr Phillips can be accepted as they were giving evidence of fact against what some would see as their own and their industry's interests”.

“He (reporting on Farming Connect at a recent presentation to the Wales Land Management Forum WLMF) stated that in over 100 inspections carried out by him in the last year or so there had only been **one farm** which had been compliant with existing SSAFO regulations”.

Our own data, as yet unpublished confirms that a similar ratio of farms had inadequate Clean and Dirty water separation. There has been an 87% uptake of grant to correct this following farm plans, incidentally.

We urge WG to accept that:

1. Existing regulations/legislation have utterly and comprehensively failed. Why is this?
 - a) Low levels of enforcement and feeble punitive measures, both as deterrent and lack of responsibility taken for damages by polluter.
 - b) Action occurs only after offence discovered. No actions taken by regulators to prevent damage as by EA in Herefordshire. Farmers can rely on very, very long odds of detection
2. It is not known whether the available area of suitable land for slurry spreading can accommodate the quantity of slurry produced: if as we suspect, there is not, then all the regulation in the world will not prevent pollution and breaches of regulations

3. From the standpoint of an Environmental NGO, we would welcome any regulatory scheme – all have merits including NVZ pan Wales and Common Binding Rules provided there is adequate enforcement and /or 1 to 1 farm advice and environmental monitoring. The essence is to have a universal baseline in place that can be built on with additional funding. The known presence of monitoring is a useful deterrent.
4. We are concerned at the level of PR activity carried out by a Welsh farming union. All farm pollution comes from farms (!) and given the level of it, we remain dismayed at the attempt to hide this from the general public and WG
5. Measureable reduction in the level of pollution in air and water should be seen as the principal output of any regulatory scheme
6. The recent Dutch ruling compels action here

Question 6 - Transition and funding (refer to chapter 8)

What are your views on the purpose and design of a transition period? You may want to consider:

- the proposed principles for transition
- the relative merits of the three transition options
- alternative proposals for transition
- how the CAP can be simplified and improved while it is still in operation

Comments

Clearly a transition period is needed. Nevertheless we also wonder if there is another plan should Brexit not take place, it is difficult to see if this is more or less likely than when the consultation was launched

Studying the three options, it seems to us that 'B' offers the best option for "getting it done"

Question 7 - Analytical approach (refer to annex A)

What are your views on the analytical approach set out? You may want to consider:

- the different stages of analysis
- the different tools and techniques which may be necessary for different aspects of the analysis
- the range of impacts which we propose to consider with the Integrated Impact Assessment

Comments

We do not propose to comment on this complex and specialist area

Question 8 - Welsh language

We would like to know your views on the effects the proposals in this document would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English. What effects do you think there would be? How any positive effects could be increased, or negative effects be mitigated?

Comments

The farming community are rightly regarded as the custodians of the Welsh Language we appreciate this by engaging with Welsh speakers in our farm teams where possible.

The question may be more succinctly expressed as: will these new proposals help to maintain a healthy farming industry when clearly, judging by the increasing average of farmers today, existing systems are failing to attract young people into the industry?

Our belief is that these proposals are better for the industry and therefore for the Welsh Language particularly if more young farmers are kept on the land

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Question 9 - Other comments

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| <ul style="list-style-type: none">• If you have any related issues that we have not specifically addressed, please let us know. |
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Comments
