

**Agriculture (Wales) White Paper –
Welsh Government Consultation
December 2020**

**Response from CPRW
(The Campaign for the Protection of Rural Wales)**



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CPRW was founded in 1928, this year celebrates its 93rd anniversary, and is Wales' only organisation whose primary concern is the country's rural landscape and the land uses that support it. It is a membership charity (number 239899) with its head office at 31 High Street Welshpool Powys and has Branches throughout the country. Further details are to be found on its website (<https://cprw.org.uk>) including its National Executive Committee (NEC) and geographically representative advisory Council.

This response has been compiled by members of the NEC and its Chief Executive

Consultation Questions

Regulatory Reform

1 What are your views on:

(a) The proposed approach to the creation of the National Minimum Standards?

CPRW is in favour, as a first principle. The concept of NMS would form the starting point for higher standards of best practice which could then be used to attract specific incentives. It would also provide a basis to judge failures or lapses in practice. All three words are important, but 'minimum' is ultimately the key. It must be a starting point on the road to excellence, where adherence is recognised, and achievement is rewarded. Much of the success of this initiative will depend on whether the chosen subjects and standards accurately reflect the sustainability goal.

(b) The need for flexibility to amend the National Minimum Standards where necessary? Are there any further considerations which are needed?

CPRW accepts that some flexibility must be available to reflect the variety of natural and seasonal conditions which make a simple 'tick-box' system for NMS impracticable. This would also allow a suitable phasing-in period, and contain a mechanism to avoid non-fault penalties in the event of external events. Flexibility will also allow timely response to unforeseen new environmental challenges. We commend the specific practical details suggested by Wales Environmental Link (WEL) in responding further to this question.

2 What are your views on:

(a) How advice and guidance can effectively support farmers to understand the National Minimum Standards; and

(b) The further considerations needed for advice and guidance? For example, what form guidance should take, who should provide it, the scope of guidance and how farm advisory services may support farmers.

CPRW appreciates that the complex technical and psychological factors in setting up the necessary advisory and support system are immense, but if this fails, the whole concept could be endangered. Somehow this must be done without a gulf arising between the farming community (as a whole) and the new service. Undue regulation – or the fear of it – can easily create civil war in the countryside. Given the aspirations of a sustainable land management approach in producing food and the stewardship of land, a new partnership between consumers (who also 'consume' environmental benefits) and producers (who also 'produce' public goods) is essential. No longer should advisors or regulators fear the reception they might get in the farmyard: they should be welcomed as equal partners and not 'men from the ministry'. This will not happen overnight and cannot happen unless detailed practical recipes are available on a farm-by-farm basis and supported by a wide range of expert and practical help from statutory, third-sector and commercial sources.

3 What are your views on the proposals for civil sanctions to enable proportionate enforcement of regulations? Are there any further considerations which are needed?

CPRW believes that any blatant contraventions of good practice should become a source of censure from **within** the farming community - in the sense of 'letting the side down'. A mechanism of peer-disapproval should be created to reduce the sense of bureaucracy and division which otherwise is in danger of perpetuating old schisms. Nevertheless, the availability of last resort civil sanctions must be available, and a way should be found to make this less cumbersome and time-consuming.

Where irreversible damage has taken place, we support the concerns from WEL about the option to provide equivalent 'environmental benefit' which as a fall-back would be satisfied by a donation to an environmental cause. In these extreme cases this should not be a substitute for criminal prosecution. That threat must still be available as a last resort. However, if the proposed regime works as intended, things should rarely - if ever - reach such a point. In their own interests, farmers should realise that specified natural resources are precious capital both for them, the nation, and ultimately for the planet.

SLM – Future support

4 What are your views on the proposed purposes for funding in support of the delivery of SLM? Are there other purposes which you feel should be considered?

CPRW believes that there is one important funding purpose missing: the maintenance and enhancement of the character, beauty and distinctive qualities of our landscapes. This is surprising in view of the explicit and welcome text at 1.17 which reads: *The results of centuries of farming and woodland management in Wales are clearly visible. Our scenic and often spectacular landscapes are one of the principal reasons why tourism thrives in many parts of Wales.*

We agree, and are pleased to see this, but our landscapes are important not just for their own sake but for their environmental linkages, and are fundamental to the enjoyment and appreciation of Wales. They play a unique part in understanding its ecology, environment and culture. All these roles would stand to be enhanced under the new regime being proposed. Given their multiple importance it is essential that the protection and enhancement of landscape character and components is one of the stated outcomes for which farmers and land managers are incentivised and rewarded.

The opportunity should be taken to enable management of landscape character and components at both farm-scale and wider collaborative levels and to ensure that impacts from land use change are beneficial. LANDMAP can provide a basic tool in this process but needs to be modifiable for use at both a specific and a context level to fit the individual farm-based and wider area-based aims of the scheme.

These comments relate to all farmed landscapes, but an enhanced approach in collaboration with the relevant authorities should apply in National Parks, AONBs and any future candidate Nationally Designated Areas.

Industry and Supply Chain

5 What are your views on the proposed priorities for industry and supply chain support?

In terms of the wider food supply chain, CPRW notes that the farming sector was integrated just prior to the Food and Drink Action Plan 2014 – 2020 in a move that has provided some synergy in terms of developing and diversifying the raw material supply base in Wales into the processing sector.

While this has been the case, there has, we feel, been a disconnect between the wider objectives of sustainable development and the drive for 30% growth in the food and drink sector to 2020. The food and drink action plan deployed by Welsh Government over the last seven years has been driven by manufacturing and industrial growth within the sector and we feel that this is now at odds with the move to a sustainable land management approach that may result in import substitution for raw material supply for our processing sector.

We have been pleased to see the inclusion of food security within the White Paper, in the context of the UK being able to feed its own population from its own supply base. This was something that was missed within the Brexit and Our Land consultation but has now been included, albeit driven by the outcome of the Trade and Cooperation Agreement and COVID.

As CPRW campaigns for the protection of our rural communities as well as landscape and environment, employment and opportunities within the existing supply chain should not be put at risk by squeezing raw material supply where demand for Welsh-processed added value food and drink can be demonstrated. This will only result in both price increases within the supply chain that will not be sustainable and the aforementioned import substitution.

As the next food and drink action plan appears to be moving towards sustainability as its key theme, we are concerned that the ambition and structure of a full sustainable approach to food and drink production in Wales is not being realised. Good science, research, data and monitoring are key to validating Wales's sustainable credentials, and this requires buy-in from a range of stakeholders if the opportunity is to be realised.

Future support for the supply chain should be underpinned with criteria that encourage businesses to integrate sustainable practices into their operations in order to gain publicly funded support. There should be alignment with sustainable land management and - as has been the case with EC funds - a commitment to source a percentage of ingredients from Wales / UK sources that are able to demonstrate validated sustainable credentials.

Collection and sharing of data

6 What are your views on the proposed purposes for collecting, sharing and linking data?

In conjunction with the comments made in point 5 with regard to good science data and monitoring, the collection of data, its sharing and use, will become critical to validate and claims of sustainability of Welsh food and drink and agricultural products.

As an organisation CPRW is very aware of the deficiencies of monitoring within our environments in Wales particularly with regard to pollution and biodiversity monitoring. There is a huge opportunity to deploy innovative and technology-driven data collection and monitoring throughout Wales, not just within the agricultural sector but also to monitor nature and biodiversity targets.

As we live in a world that is becoming more data and information driven, we are very aware of the monetisation of information that may be gleaned from our environment and agriculture sector. We firmly believe that data collected from landowners should remain the property of landowners. We therefore support the voluntary approaches undertaken by initiatives such as Blue Flag Farming with cooperative structures that allow data to be owned by a farmer-owned cooperative and independently validated by a standalone assurance body.

Again from a sustainability and rural development perspective, we should not look outwardly for solutions to data collection processing and management. We should look to support Welsh companies within Wales to further develop initiatives that can provide independent, validated data to our statutory bodies for their use from our landowner base.

We have touched on this area in point 3 of this document that good practice and cultural change within the agriculture sector should come from within. There is a huge opportunity for the agriculture sector to self-regulate and monitor itself. Rewarding good farmers through recognition is something that has been a missed opportunity in the run-up to the agricultural pollution regulations.

There is a huge opportunity to develop this area in terms of technology use and data interrogation, and CPRW will support any initiative that will in the process protect our terrestrial and marine environment from pollution and degradation.

7 What are your views on the establishment of a national database for farms and livestock?

This is a positive step which could pave way for both focussed and wider scale initiatives consistent with the scheme's intentions. CPRW has frequently commented that the livestock totals in published national agricultural statistics fall below the actual numbers. National planning to maintain food supply, combat climate change and halt biodiversity loss must be based on comprehensive, transparent and reliable figures. An acceptable way should be found to prevent it being constrained by the confidentiality and data agglomeration constraints which hamper the usefulness of the present agricultural census.

8 In terms of the future scheme, what are your views on the proposals to enable the data we collect on a farm to be used by farmers to track progress and demonstrate their sustainability credentials?

As we have mentioned in our previous answer, we believe that farmers as businesses should be responsible for collecting and managing their own data and taking responsibility for their actions with regard environmental good practice and animal husbandry.

It has been the case that data collection has been something that has been 'done to' the agricultural sector and like any other business there should be a level of ownership taken by the sector of assessing their impact on the environment.

Alongside the statutory obligations of Welsh government and its agencies, as we have mentioned there should be support for voluntary initiatives that empower, encourage and reward best practice that is recognised within the wider food supply chain, creating value from data collected by farmers.

It is unfortunate that to date the Welsh Government has not recognised or supported credible initiatives for data capture that would have helped a sustainable agriculture production system to realise its full potential.

Having been involved in Welsh Government's Sustainability Cluster delivered by Food & Drink Wales, it is clear that there needs to be serious consideration to the level of resource required to deliver fully validated and assured sustainability criteria for Welsh food and drink. The work on sustainable brand values has underestimated the task at hand, and there is a danger that without a clear, well resourced, well planned approach we will lose the opportunity to achieve the end goal of promoting Welsh agriculture and food and drink as one of the most sustainable systems in the world.

Data collection, how we collect it, and how we use it is front and centre of how we can track, demonstrate and validate our sustainability credentials and we would therefore ask that this is given the level of attention it needs.

9 What are your views on the proposals for improving the monitoring of regulatory compliance?

A serious attempt to address this problem must be linked to the development control system operated by local planning authorities, which is at best patchy and at worst negligent.

CPRW supports the response made by WEL:

Farming practices – especially those that involve intensive use of housed livestock - must be subject to scrutiny of husbandry and control and monitoring of pollution. There is much evidence to show that there has been insufficient monitoring of regulatory compliance on farms – particularly in relation to agricultural pollution. Inspections have shown widespread non-compliance with SSAFO regulations and NRW has reported a substantiated 3 pollution incidents per week in recent years. In addition to this, it took a serious public outcry for additional phosphate monitoring of river SACs to be undertaken, concluding that 60% were failing on phosphate loading.

NRW is clearly under-resourced in terms of its ability to respond to pollution reports. There are not enough inspection staff to investigate and build credible cases in any but the most serious cases of pollution. Investment in skills for farm inspection staff is important to ensure good relationships with farmers as well as the ability to spot compliance issues.

Currently, NRW is advising that much compliance for new agricultural developments is made subject to planning conditions with monitoring and enforcement by LPAs. LPAs do not have the resources or agronomic skills to do this and so regulation by this means is a fiction. Any delegation of monitoring by NRW must be to suitably skilled, resourced and publicly accountable bodies and NRW should retain and implement its ultimate responsibility for regulation and enforcement.

A Green Recovery program offers both an opportunity and challenge to develop a skilled workforce, with practical on-farm experience as an integral part of training. Enhanced advice, monitoring, regulation and enforcement capacity is fundamental to the success of sustainable farming.

CPRW is, however, aware of low morale in the service, difficult and stressful relations with farmers where public complaints of incidents have been made, and a subsequently tense atmosphere in the neighbourhood giving rise to a polarisation between farmers and the public. This is a tragic state of affairs and it is to be hoped that sustainable land management will lead to sustainable community relations in which each 'side' respects the position of the other.

Forestry and woodland

11 What are your views on the proposed amendments to forestry legislation?

CPRW endorses the detailed response made by WEL, complete with its many caveats, emphasising the complex nature and role of woodland, and the '*urgent need to amend and update the Forestry Act and make it a relevant consideration*'. However, to bring woodland establishment and suitable forms of management (whether for timber production, ecological or climate reasons) within the ambit of SLM, there should be a clear policy debate as to how this could best be done. Currently the White Paper seems confined to woodland within the farm unit, but seems unable to make the mental leap to consider whether woodland management and timber production might eventually be classified as a form of farming.

Nevertheless, within the farm context there is a danger of riding a politically attractive wave when thinking about woodland creation to address the climate emergency. It is to be hoped that NRW will advise that indiscriminate planting of the numbers suggested may not be the panacea it is sometimes depicted, unless nature-based principles prevail when devising incentives. Only then can woodland creation be regarded as SLM in its widest sense.

21 We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Common Land (for which there is no Question)

CPRW notes and endorses the lengthy response made by WEL in relation to Commons while recognising that – especially in upland Wales – their agricultural use is just one of the multiple roles that these areas provide.

Uplands within the former EU Less Favoured Areas

CPRW believes there are immense and complex challenges which are not represented in this document or questionnaire. These areas have a key role in a wide range of multiple land use systems, within which farming tends to be a key but not always dominant use. The areas are an integral necessity to sheep farming, although its long-term future may be in a state of flux following Brexit, and has in recent history always been basically sub-economic without dedicated financial underpinning. This area and its land use system must lend itself to be a specialist exemplar of SLM if it and the associated communities, habitats and landscapes are to survive as interdependent components. We feel that there should have been a more explicit statement of how SLM policy will evolve in the uplands of Wales.

Climate Emergency options

Although this issue will permeate and characterise policy in the coming half-century, there should be an explicit sector of SLM to address the climate emergency in the round, so that broader policy options and combinations can be devised in the form of suitable packages for farmers to take up. This could most suitably be designed to encourage locally contiguous groups of framers so that cohesive area programmes could be designed and supported.

The increasingly blurred boundary between industry, farming, waste-management and energy production

The proliferation of biomass plants and anaerobic digesters and treatment, plus the spreading of human and animal wastes involves a network of transport between locations in England and Wales making traceability and regulation extremely challenging. These arrangements can provide a major threat to sustainability. CPRW hopes that the rapidly changing nature of farming and its relationship with other sectors will be seriously considered and taken into account when setting out the details of the proposed changes.

The risk of further pandemics

Expert scientific opinion across the world tells us that this is “*not if but when*” with intensive poultry and pig rearing being the highest-risk sources. Legislation for sustainable farming should take this risk into account.