

Feedback Form-Sustainable Farming Scheme Outline Proposals for 2025 Name

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Environment sector

Views on Chapter 2 Sustainable Land Management Objectives

We support the concept of land sharing with no single group having total control of the way land is managed. Environmental and social outcomes continue to be limited by bad land management practices causing pollution to land, water and air. As well as shaping sustainable agricultural practice, these objectives should increase public engagement with the countryside. This will enable the public to recognise and report damage to ecosystems.

Sustainable Land Management Outcomes

Viewed objectively these outcomes should be welcomed by all, whether they be the land manager or member of the wider community. Unfortunately, those who manage land are sometimes faced with pressures which undermine this objectivity. These pressures are sometimes the result of a failure to invest in necessary infrastructure or to manage their business in a sustainable way. An example would be a farmer who has overstocked his land with cattle resulting in there being insufficient land on which to spread slurry. This could be compounded by a lack of storage infrastructure. He might be left with little choice but to spread in inappropriate conditions. Sufficient storage and sustainable management might have avoided this pressured. One would hope that compliance with all relevant legislation and participation in the SFS would prevent these pressures developing.

Scheme Design

It is important that farmers remain on the land both in terms of the food they produce and for the support they provide for Welsh culture and the wider rural community. There is sometimes conflict between the agricultural industry and other members of the rural community. The cause can be pollution of land, water or air or what some might see as unreasonable use of local infrastructure such as roads. Co-design may help in resolving these problems.

We support the idea that the Scheme is accessible to all farmers including tenant farmers and commoners. The Scheme is important as it addresses some of the sustainability issues not dealt with by the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 and earlier legislation intended to protect the environment. The Scheme must be attractive to all farm businesses, large or small, intensive and non intensive,

Views on Chapter 3 National Minimum Standards

The idea of bringing together all agricultural legislation under an umbrella system of National Minimum Standards is both bold and ambitious. This should be accompanied by widening the range of regulatory and enforcement tools available to Natural Resources Wales for non compliance. Currently, there is an enforcement gap between warnings and formal cautions, and prosecution. The circumstances in which enforcement undertakings can be used are limited. The introduction of fixed and variable penalties, reparation or rectification orders would do much to ensure that the penalty for unlawful behaviour is proportionate and dealt with in an appropriate way.

We were disappointed that NMS and wider civil sanctions were not included in the Agriculture Bill but are encouraged by the ambition that these will be in force by the time the SFS commences in 2025, We would hope that this work can be completed as soon as possible.

Scheme Structure

We support the idea of NMS underpinning Universal, Optional and Collaborative actions. The test of this structure will be on the percentage of farmers joining the Scheme and on the percentage of farmers applying for funding for optional and collaborative actions.

The funding under the scheme must be sufficient to attract all qualifying businesses but the actions required should not be so easily achieved that there is no sustainability or environmental benefit. The payments for optional actions should be at a level to encourage farmers to go beyond universal actions. Collaborative actions might be able to deliver Sustainable Land Management Outcomes on a catchment basis. Actions should be ambitious in terms of outcome and this is an area where proactive assistance from Farming Connect as well as financial assistance from Welsh Government could achieve much.

Views on Chapter 4 Scheme Characteristics

The Scheme characteristics reflect the Sustainable Land Management Outcomes set out in 2.2.

Farming Connect

Although many of the actions under the scheme will be familiar to farmers, payment for undertaking SLMAs will be a novel concept. Whilst obtaining payment will be the primary motivation for many, this will be more easily achieved with appropriate advice. We know that the current Farming Connect contract is shortly up for renewal. Whichever organisation carries out this role it will also have to change some of the knowledge imparted to equip farmers to comply with the scheme. The Farming Connect role in this is crucial. Compliance must not be hampered by a farmer's lack of knowledge. Although sustainability targets need to be challenging to produce results the process should be made as simple as possible. Farmers must be equipped not only to achieve compliance but to apply successfully for funding under the scheme.

Proposed Actions

As an introduction to proposed actions we would repeat our comments under **Scheme Structure**.

The funding under the scheme must be sufficient to attract all qualifying businesses but the actions required should not be so easily achieved that there is no sustainability or environmental benefit. The payments for optional actions should be at a level to encourage farmers to go beyond universal actions. Collaborative actions might be able to deliver Sustainable Land Management Outcomes on a catchment basis. Actions could be ambitious in terms of outcome and this is an area where proactive assistance from Farming Connect as well as financial assistance from Welsh Government could achieve much.

Our comments here reflect our position as a charity established to protect the rivers and waters of Wales. They focus on the management of land where it affects water quality and quantity and on the management of water. Our comments are founded in part on the ground level, on farm work of the rivers trusts.

4.3.1 Resilient and productive farms

We welcome annual self-assessment against a minimum of the sector and industry KPIs as a way of recognising good practice already adopted and informing the farmer where improvement may be sought. Guidance from FC, at least in the early years, would be invaluable.

Diversify, differentiate, specialise for added value

The optional objectives set out here would allow diversification and allow farmers to develop their businesses away from intensive means of production. Establishing collaborative action will allow more managers of smaller areas of land to develop a market for their produce.

Minimise risk of catching and spreading disease

The universal actions to establish and preserve bio security, although important in themselves, bring additional benefits. Prevention of the spread of bovine TB, for example, takes pressure off farmers in relation to increased stock numbers brought about by restrictions on animal movement. This lowers the risk of animal manure production exceeding the carrying capacity of the land.

The optional action of establishing a three metre hedge and fence boundary could give considerable benefits for wildlife. It should be emphasised to land managers that this could be a collaborative action with neighbours. This would reduce the cost burden on individuals and prevent animals from adjoining farms coming into contact. Joint management of such boundaries should include rotational hedge management.

4.3.2 Reduce, reuse and recycle inputs, nutrients and waste Make best use of artificial fertiliser through nutrient management and soil testing

The universal actions set are essential for the working of the SFS. Soil testing at the start and renewal of a SFS contract is essential. Not all farmers will join the Scheme and this universal action should have the force of regulation. The Collaborative action to work across a catchment could provide increased benefit.

Prioritising the use of manure and fertility building

This heading did not reflect the content of the information provided. We would support the mixed arable rotations referred to as a way of reducing pest and disease damage and building crop fertility.

Best use of supplements, antibiotics and medicines

We would support measures to reduce the use of supplements, antibiotics and medicines.

Minimise use of pesticides and herbicides through integrated pest management

Universal actions to collect, record and report data on Plant Protection Product use and to complete an IPM assessment supported by FC advise should lower pesticide use to the benefit of the general environment.

Make best use of grassland through alternative approaches to grazing, introducing multi species leys and mixed grazing

Establishing multi species swards, mixed grazing and graze and rest systems have obvious benefits but there might be resistance to this where often badly managed, one crop fodder production, for example maize growing, is already the norm.

Lowering the environmental impact of ammonia emissions

The suggested optional actions are welcome but there would be benefit in making precision slurry spreading a universal action or, as not all farms will join the Scheme, making precision slurry spreading a legal requirement. This would not only reduce ammonia emissions to air but reduce nutrient losses to water.

4.3.3 Reduce on farm emissions and maximise carbon sequestration Adopting energy efficient practices and producing renewable energy on farm

These measures, as well as having environmental and climate benefits would also lower farm costs. The cost benefits should be emphasised to farmers to encourage adoption.

Efficient animals:

We have no comment to make here.

Improvement cycle

We have no comment to make here.

Genetic improvement (Advisory support)

We have no comment to make here.

Restore semi-natural peatland

The suggested Universal, Optional and Collaborative actions in respect of peatland will achieve not only restoration and maintenance of peatland but will regulate river flows which in turn will help prevent flooding whilst ensuring higher flows in times of drought. The use of the words 'manage appropriately' in the Universal action is too wide and leaves scope for abuse. All land users managing peatland should be given clear guidance. Collaborative action might well be necessary in respect of peatland as much will be on common land and both the landowner and the commoners should be given clear guidance.

Create new and manage existing agro-forestry and woodland

Trees, hedges and woodland can have benefits for the diversity of wildlife, both plant and animal, farm animal welfare, pollution reduction and mitigating climate change. Climate change is resulting in warmer winters and for some animals at the southern end of their range this is causing existential threats. For example, migratory salmonids need low water temperatures to breed successfully. The increasing frequency of warm wet winters is restricting breeding opportunities for species such as Atlantic salmon. Equally, riverine temperatures are sometimes in excess of safe limits for salmonids. This reduces the number of adult fish available to breed. This was seen in the rivers of south east Wales especially the Wye, in the summer of 2022. The shading of rivers by trees to lower water temperature all year round. River shade planting should be encouraged by Universal, Optional and particularly Collaborative actions. This could be combined with buffer zone planting along rivers and streams.

Additionally, consideration should be given to the use of Management Agreements (legislative provision already in place) to establish riparian corridors on all failing SAC rivers, under the Habitats Directive. These would establish buffers, which are part of a series of measures being supported by the SAC Rivers Oversight Group and would meet commitments set out by the First Minister. These riparian corridors should and could be managed in such a way to allow occasional grazing which would support management of the corridor and management of stock.

4.3.4 Protect and enhance the farm ecosystem Protect soils from erosion and degradation

We welcome the statement setting out the importance of soils. There is a statement that arable soils are at risk of erosion from water, wind and cultivation. It must be remembered that this applies to the growing of fodder crops too. We highlight below the universal action set out in the scheme outline.

(U) To protect soil from erosion, farmers will need to establish a multi-species cover crop on all land which is uncropped over winter.

This is a vital action which will require some land managers to change their practices. It should be a legal requirement. This would encourage good practice generally.

Despite clear advice being given by the Maize Growers Association maize is often grown on sloping ground or on land liable to flooding and in breach of the specific CoGAP guidelines. It is often planted and, consequently, harvested too late to establish a cover crop if undersowing has not taken place.

Rich on-farm diversity: Mixed farming

Mixed farming, particularly in upland areas, encourages diversity and should be encouraged. There is a trend of upland beef and sheep farms converting to dairy, either directly, or indirectly by the intensive rearing of heifers for the dairy sector. Upland beef and sheep farms will be little affected by the Water Resources (Control of Agricultural Pollution) (Wales) Regulations but the introduction of intensive farming to the uplands will impose a strain on sensitive riverine habitats and add to the management burden of farms.

Preserving native breeds

Intensification of farming leads to less use of native breeds, increased inputs and the increase of manure production beyond that which the land can support. Collaborative action will encourage local markets for increased local production from low intensity breeds on a catchment basis.

Manage Habitats and Species:

It is often said that farmers are the guardians of the environment. This saying has become increasingly meaningless as agriculture has intensified. Using the same phrase repeatedly does not make it any more true. There is much more that the industry has to do to give credence to this saying. The measures outlined under Manage Habitat and Species and Water is Protected from Pollution give the industry the opportunity to do this whilst being rewarded for doing so.

Habitat maintenance and creation

(U) Farmers will need to actively manage at least 10% of their land to maintain and enhance semi-natural habitats. Where there is insufficient semi-natural habitat available, farmers will need to select actions to create permanent or temporary habitat features on other agricultural land.

This proposed Universal action has been much publicised and the subject of much debate. It will be informed by the habitat baseline review. The combination of the HBR and this action should help farmers appreciate what natural assets already exist on their farms and what more can be achieved. Financial reward for this Universal action should provide the incentive. The Optional action to provide more bespoke site specific actions is welcome as is the scope for Collaborative action.

Benefitting habitat on improved land

This heading deals with the management and enhancement of semi natural habitat and should secure continual maintenance of semi natural habitat. It is important that the HBR is seen as a living document to ensure that the maintenance of semi natural habitat, for which land managers will be paid, is on going until the next HBR.

Designated sites

Having Management Agreements in place for designated sites imposes a burden on the landowner but the Universal and Collaborative actions will allow for reward. This is an area where we have some sympathy for individual land owners who work hard to preserve the status of the site. 80% of designated sites are in unfavourable condition. Having read the NRW SAC rivers phosphate report this comes as no surprise. Collaborative action involving land managers and those who are licensed to discharge into our rivers is essential. This should not be restricted to designated sites but should include all streams and rivers. Support under the SFS will help to improve the status of designated sites but this will not be sufficient to restore sites to their intended condition. WG and NRW should ensure that both the finances and the will are there to protect designated sites by monitoring, regulation and enforcement. Intelligence gathering by NRW should include citizen science to inform NRW where formal monitoring, regulation and enforcement is required. The Cleddau, Wye and Usk rivers are in a very poor state and designation has done little to protect them. Agriculture and the water industry have each played a part in rendering designation a mere title. Welsh Water are funding an under sowing project on the Cleddau and this sort of collaboration is welcome but it should not be forgotten that the undersowing of maize or the planting of a cover crop is part of specific reference in the Code of Good Agricultural Practice. There is work being done by others and NRW, in its role of sole regulator, should be prepared to accept the input of others. Where this cannot be accepted for evidence purposes, then intelligence may help target monitoring and enforcement. The work of Lancaster University's RePhoKus Project shows how serious and long term the problems are in the Wye for example.

Water is protected from pollution:

This is another opportunity for the agricultural industry to show that it is the guardian of the environment and be rewarded for doing so.

Lowering the risk of diffuse pollution

The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 set out the minimum standard required however any further measures adopted will benefit the environment and lessen the risk of farmers committing an offence of polluting a watercourse. The suggested further measures will help. The suggestion of bespoke measures for a farm will require a proactive farmer seeking advice from Farming Connect and FC providing practical advice and support.

Collaborative catchment actions would provide wider scale benefits. Where there is an application for funding for such collaborative actions there should be provision for owners of smaller holdings or essential infrastructure to be rewarded as part of a scheme. The inclusion of such landowners may provide disproportionate benefits.

The Collaborative action set out below dealing with catchment based solutions is ambitious and welcome. There is also considerable work ongoing on SAC rivers which recognises the requirement for catchment-based delivery and other drivers which will also result in a change in land management practice. Therefore, collaboration is required for effective delivery.

(C) There will be support for collaborative action to improve water quality in catchments. We want to explore how the Scheme could bring together a wider group of farmers, land owners, interested parties and water companies to ensure actions undertaken on farm are part of a wider package dealing with all sources of water pollution.

Protected watercourse banks

(O) Farmers will be supported to establish a buffer strip alongside watercourses. This must be at least 6 metres wide and can include a mix of grasses, shrubs and trees.

The benefits of watercourse buffer strips are clearly set out. Such strips should be gated to allow maintenance or limited occasional grazing to prevent colonisation and spread on non-native invasive plants.

Whilst we would prefer this action to be universal we appreciate that establishing such strips is not possible in all situations. Funding should be sufficient to encourage all farmers with riparian land to establish such strips where possible.

However, on failing SAC designated rivers we believe that existing powers for Management Agreements should be compulsory for the protection of water quality and the management of nutrients in cases where 6m buffers are not feasible.

Conserve and retain water:

Ponds and scrapes

We welcome both the universal and optional actions here for the reasons set out in the guide. Where such water features are in areas subject to pollution and flooding they can provide reservoirs of fauna and flora for recolonisation after a pollution event.

Water harvesting and storage

The optional actions and capital support here are welcome. Payment for such optional actions must be sufficient to encourage wide adoption of these actions. The harvesting and storage of water, as well as lowering pollution risk and providing useable water, will reduce the amount of water taken from boreholes which will preserve water table levels and help prevent streams running dry.

Natural flood management

This heading brings together Universal, Optional and Collaborative actions in respect of land and water management which will reduce but not eliminate flood risk. The difference between high water levels and devastating flooding can be a matter of a couple of inches of water level. Natural flood management will not only help to alleviate flood risk but level out river flows to the benefit of nature. The brief nature of our response, and indeed of this chapter, belies the fact that it brings together actions from across the SFS scheme. Brevity does not undermine importance.

4.3.5 Benefit people, animals and places

The actions in this chapter emphasise the importance of protected landscapes, historic environments, enabling people to engage with and access the natural environment, ensuring livestock have a good quality of life, investing in people providing fair work and creating a valued workforce and for farmers to invest in health and safety measures.

These goals are those of a fair, just and inclusive society and will support the more specific sustainability actions of the scheme.

Views on Chapter 5 Farmer Registration and Eligibility Criteria

Support from Farming Connect will be available from registration through the Sustainability Review, agreement of Actions to application. This support will be vital for the success of the scheme. Farming Connect should be able to explain any complexity to ensure no farmer is discouraged from applying under the Scheme.

We note that there will be separate eligibility for the Collaborative layer of the Scheme due to the possibility of a more diverse list of collaborators. In light of the potential for catchment wide schemes to increase diversity and prevent pollution we think Farming Connect could have a significant role here.

The eligibility criteria seem fair but there is a danger in being too prescriptive. We note the desire to explore the eligibility criteria further as part of the second phase of Co-design. A land owner might not comply with the current list of eligibility criteria but the inclusion of his land in a

collaborative scheme might substantially improve its performance.

Sustainability Review

The SFS will require a mindset change for many farmers and an input change from Farming Connect. This may be off putting for the farmer. The farmers current motivation may be weighted more towards maximising profit than the effect of their farm management on the environment and biodiversity. The farmer may not realise what natural assets he already has on his farm. He or she may not realise that some profit driven actions will also be benefitting nature. This underlines the importance of the Sustainability Review. As well as a way of recording the natural capital of Wales' farms it is a way of showing farmers what good work they do already. It will also identify areas where there is work to be done. Diligently prepared Sustainability Reviews will be the bedrock of the Scheme.

Action Selection

We note that Action Selection will consist, inter alia, of reviewing the applicable Universal Actions for farm type, land type and landscape features. This tailored approach is a good one which ensures working with the land and the local climate. This will increase the likelihood of successful initiatives. We would hope that this approach would be applied to Optional and Collaborative Actions too.

Optional Actions will be the subject of budgetary and time window restrictions. Farmers should be used to this under the Farm Business Grant and Sustainable Production Grant schemes. The level of support available will be crucial in ensuring as many farms as possible apply for support for higher levels of action to increase the success of the Scheme.

The Contract

The amendment provision to allow for unforeseen circumstances or a desire to complete additional actions is a good one. We would expect participants to flag up unexpected circumstances as soon as it becomes clear it might not be possible to complete contract actions. Flexibility for tenants is welcome.

Scheme Rules

We are heartened by the express requirement for compliance with the regulatory baseline as well as non-compliance with National Minimum Standards and the Scheme rules.

Payment

The desire for stable payments is encouraging and will give certainty to businesses. The possibility of grant or revenue payments depending on circumstances should make the payments fit the work undertaken.

Monitoring and Checking

We would encourage full disclosure of monitoring methods and compliance checking to encourage compliance.

Data sharing, subject to anonymisation, is important to monitor effectiveness of the Scheme and as part of Scheme improvement.

Inspection Regime

It is good that WG will explore earned recognition through membership of farm assurance and certification schemes but we would advise caution. Such schemes are often run by industry bodies. The Wales Land Management Forum agricultural pollution sub-group heard evidence on this subject. In respect of milk, under the Red Tractor and FAWL schemes, the bodies carrying out inspections are appointed by the first purchaser of the milk. This undermines the integrity of the schemes. We would also point to Environment Agency inspections on the river Axe in Devon where 86 out of 92 farms were non-compliant with SSaFO legislation. 42 farms were polluting at the time of inspection. Every offending farm was a member of Red Tractor. There was a similar finding in respect of river catchments draining into the Taw/Torridge catchments in north Devon.

Penalties

The cautionary nature of this section of the Scheme explanation is welcome. The integrity of the Scheme is essential.

Reporting and Evaluating of the Sustainable Farming Scheme

This is important not only for Scheme evaluation but for future improvement of it.

Views on Chapter 6 Sustainable Farming Scheme: Transition Plan

There will be a separate consultation on the Preparation and Pilot Phase and the Transition Period in 2023.

The industry requires stability. The SFS is a significant change in the way farming is supported. Support in the Transition Phase for those farms that have yet to decide on whether they will participate in the Scheme is important and it is hoped they would eventually join the Scheme. The Scheme incentivises SLM Actions which will compliment actions required to achieve regulatory compliance.

Background, other views and evidence

As stated earlier in this submission Afonydd Cymru, being a charity and the umbrella body for the Rivers Trusts in Wales has a mission to protect the fresh waters of Wales. Our submissions reflect this. The problems of our waterways are caused by poor land management and the poor management of waste water. Poor land management includes the failure to protect soils and the failure to establish a rate of stocking that is appropriate for the land area involved.

To join the SFS soil testing is a Universal required action however not all eligible farms will join the Scheme. There is a risk that work done by Scheme members could be undermined by those who do not join the Scheme. We would suggest that soil testing should be a legal requirement. We are aware of the suggestion that there might be a licensing scheme for those farmers wishing to obtain a nitrogen limit grassland derogation under an amendment to the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. This will be the subject of consultation but soil testing should be a condition of any such application.

We specifically welcome the Universal action under 4.3.4 of the need to establish a multi-species cover crop on all land which is uncropped over winter. This would be of benefit to rivers and streams across Wales but particularly in those areas where fodder crops such as maize are grown. We would ask that the matter of protecting soils where winter fodder beet is grown is considered too.

We would ask that precision spreading is included as a Universal action as a minimum and consideration is given to it being a legal requirement.

We would repeat our support for the ambitious Collaborative action for a catchment approach to achieve the lowering of the risk of diffuse pollution. We set out the action again here. Afonydd Cymru would be able to provide input as an interested party.

(C) There will be support for collaborative action to improve water quality in catchments. We want to explore how the Scheme could bring together a wider group of farmers, land owners, interested parties and water companies to ensure actions undertaken on farm are part of a wider package dealing with all sources of water pollution.

Finally, we should emphasise the points raised under Designated Sites. Designation is meaningless unless all stakeholders, government and the regulator play their part in respecting the meaning of a designation. It is not sufficient to proudly proclaim a designation as protection for the environment. Designation merely sets out the responsibility to protect an area or environment. All parties should be judged on whether the conditions relating to that designation are met.