

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-536
Ein cyf/Our ref CS/01163/14

William Powell AM
Assembly Member for Mid & West Wales
Chair Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

Bill
September 2014

committeebusiness@Wales.gsi.gov.uk

Dear Bill

Thank you for your letter of 01 September enclosing further correspondence from World Animal Protection (WAP) dated 20 June, in relation to their petition to stop 'factory' dairy farming in Wales.

I have read WAP's further correspondence in response to my letter to the Petition Committee in April, and have addressed the issues they raise below. My comments in this letter should be read in conjunction with those in my previous letter to the Committee.

Following the High Court judgement to uphold my decision to grant planning permission for the Lower Leighton Farm development it is not appropriate for me to discuss, or comment on, the case any further or the reasoning behind the court's judgement.

In WAP's letter (page 2) reference is made to evidence presented in the Pew Commission on Industrial Farm Animal Production (PCIFAP). This study is based on the farming systems and regulations as applied in the USA, it is not appropriate to read across the findings and conclusions to Welsh agriculture which operates under different regulation.

In terms of economic benefits (pages 7 & 8), it is not considered that large farms put small farms out of business, but due to economies of scale it could be argued that the larger units are able to increase investment to take up modern techniques and practises much earlier than a smaller enterprise. With regards to profitability - a small herd, with well managed cows, can make the same profit per cow as a larger herd. Large herds are also "pasture based" in that housed cows will consume silage, or conserved grass. Grazed grass is a cheaper feed than silage, but it is more complicated than that. Profitability of lower yielding grass systems depend on the weather, high yield systems with cereal/protein supplements profit depends on purchased feed prices.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Carl.Sargeant@wales.gsi.gov.uk
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Legislation regarding farmed animals in Wales requires farmers to provide for the 5 needs of animals. These are provision of a suitable environment, diet, health, ability to exhibit normal behaviour patterns, to be protected from harm and the ability to be together with or separate from other animals as necessary. These apply equally to sheep farmed on extensive open grassland and to cattle in all year round housing.

The Farm Animal Welfare Committee (FAWC) advises the Welsh Government (also the Department for Environment, Food and Rural Affairs (Defra) and Scottish Government) on the welfare of farmed animals. The question of the welfare of continuously housed dairy cattle has been examined by the Committee. In their advice, FAWC recognised the advantages and disadvantages of continuously housed dairy cattle and considered that if a dairy cow is to be housed all year round with little or no access to grazing, it is particularly important that housing and general facilities are appropriate so that the cow remains healthy and has the opportunity for good welfare whilst providing the desired milk yield. In addition to the provision of resources, good management, highly skilled veterinary care, and adequate numbers of stockmen, stockmanship of the highest standard is essential.

Provided that these conditions are met and pending the new evidence about a dairy cow's ability to express normal behaviour, FAWC's advice is that a cow housed all the year round with little or no access to grazing can have a satisfactory standard of welfare.

I provide a link to the letter of advice presented by FAWC in August 2010.

<http://webarchive.nationalarchives.gov.uk/20110615095037/http://www.fawc.org.uk/pdf/cows-welfare-letter.pdf>

WAP also raise concern about the welfare of individual cows within large herds (page 2 and 5). There are challenges in keeping any number of animals in groups whether these are large or small. The large livestock units have developed processes to monitor an animal's performance that can give positive welfare benefits. Monitoring of foot health through automated gait analysis can detect lameness early and provide the opportunities for suitable interventions. Such systems are employed at points where animals are collected together, at exits to milking units, and can monitor animals several times a day. Integrated computer systems that monitor not only milk production but the amount of feed consumed and the frequency of feeding can alert stockmen to animals that are in the early stages of digestive upset avoiding more serious situations developing.

It is useful to compare such conditions to those conditions that may exist on holdings where systems are more traditional and considered more benign for animals. Supervision of animals may be more intermittent under more extensive grazing patterns. Indicators of ill health may not be noticed if the recording systems employed on smaller units are poor. That can lead to more significant health conditions developing that ultimately require more drastic interventions.

In relation to the comment about cubicles on page 5, cows housed in large units are managed in a similar way to cows housed in small units, in Wales both are likely to be in sheds with cubicles. The reference quoted from 1989 is no longer applicable; cubicle design has moved forward in 25 years and is much improved.

On-farm animal welfare in Wales is closely monitored. Animal Health and Veterinary Laboratories Agency (AHVLA) and Trading Standards within Local Authorities (LAs) both undertake animal welfare inspections. AHVLA and LAs respond to complaints received from members of the public by conducting an inspection, which may lead to further action by LAs following a veterinary recommendation by AHVLA. Other AHVLA responsibilities include routine and programmed inspections on farm to monitor compliance with domestic legislation and mandatory European legislation.

Regarding cattle slurry (pages 7, 8, 13 and 14) the total volume on large farms will be far greater than on smaller farms. However, the volume produced by a single cow is the same, irrespective of the size of herd it is in. Larger farms, generally, have better facilities for storing, managing and spreading slurry. They will for instance be more likely to move slurry by pipeline rather than tanker, and use slurry injection (into the ground) or "low trajectory" spreading systems. This greatly reduces the intense smells associated with spreading and leads to benefits for the farmer from better utilisation of slurry nutrients.

In terms of Planning I reiterate my previous position, submitted to the Petitions Committee in response to your letter of 7 April, that existing planning policy is considered to provide sufficient flexibility to allow the issues raised by dairy farms (or other types of farm), both large and small, to be properly assessed and determined on their planning merits. It is for local planning authorities to consider the evidence presented to them by applicants in any particular case in order to determine whether a proposal is or is not appropriate. The planning system includes processes to take account of public concern about planning applications and where developments have not correctly followed planning regulation. Call In allows applications to be considered for determination by Welsh Ministers instead of local planning authorities, whilst development carried out without necessary permission or undertaken in breach of the conditions imposed by the local planning authority may be subject to enforcement action.

I have noted the case studies that WAP present in Appendix A (pages 11 to 15) and which are also referred to on pages 6 and 7 of their letter, but I cannot comment on the specific issues that these raise as they are matters that fall under the responsibility of the relevant local authorities. However issues such as noise, traffic generation, environmental impact, amenity and health are all factors that are required to be addressed by local planning authorities when they assess and determine planning applications, whatever size of development is proposed. Where procedural deficiencies, mistakes or impropriety in the planning application process are identified, mechanisms exist to investigate and redress them, and include recourse to a local authority's monitoring officer or to the Ombudsman for Wales.

Technical Advice Note 6 Planning for Sustainable Rural Communities makes reference to slurry and pollution. It explains that permitted development rights are granted for a range of agricultural buildings and operations, however these rights do not extend to buildings to be used for the accommodation of livestock, or to associated structures such as slurry tanks and lagoons when they are built within 400 metres of a 'protected building'. Protected buildings include most residential and other permanent buildings such as schools, hospitals and offices. To minimise potential conflict between neighbouring uses planning authorities should exercise care when considering planning applications for protected buildings within 400 metres of established livestock units.

Regulations set minimum standards for new, substantially reconstructed or enlarged silage, slurry or fuel oil facilities (The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991). Natural Resources Wales is empowered to serve notice requiring action to improve existing installations when it is considered that there is a significant risk of

pollution. These regulations form an important part of the Welsh Government's commitment to reduce agricultural pollution of rivers. Planning authorities are encouraged to consider sympathetically development proposals aimed at meeting these regulations.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CS', written in a cursive style.

Carl Sargeant AC / AM
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