



Evidence paper for MRANWT General Scrutiny at ETRA Committee

13/12/2023

Information provided to aid the Committee in advance of the Minister's attendance for General Scrutiny on 13 December 2023.

The contents of this paper were prepared before, and are subject to, the forthcoming budget

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1. Fisheries

Fisheries Management Plans

1. The Joint Fisheries Statement (JFS), published in November last year, includes a programme of Fisheries Management Plans (FMPs) to be delivered, within specified timescales, over the next five years. FMPs will be key tools to deliver sustainable and well-managed fisheries, helping to meet the policy commitments in the JFS.
2. I wanted to provide the Committee with an update on delivery of the FMPs. Some FMPs will be joint approaches with other Administrations to reflect the geographic extent of the particular fish stocks. Others will be regional Wales plans (Crabs and Lobsters, Whelks and Cockles) and will reflect and support the considerations I am undertaking in relation to our own policy aims and ambitions.
3. **Annex 1** sets out the FMPs relevant to Wales to be delivered across 2023 – 2028. This is an ambitious and novel programme of work across the UK and we will learn and refine our approach, where needed, as we develop our knowledge base and receive stakeholder feedback.
4. We will be engaging stakeholders in the development of all FMPs, and they will also be subject to public consultation. In addition, following publication of the FMPs, before there are any changes to the existing management measures in Wales, all proposals for new management measures will be subject to public consultation.
5. Welsh Government officials are working on FMPs for priority stocks to Wales and in conjunction with other Administrations. The Welsh Government and DEFRA recently consulted on draft bass and scallop FMPs for English and Welsh waters and are analysing the responses with a view to publishing final versions in December this year.
6. The Crab and Lobster FMP is due to be published in 2026 and, working with partner organisations, officials are planning to hold pre-consultation meetings early in 2024.
7. My officials are keeping the Ministerial Advisory Group for Welsh Fisheries informed about progress throughout and they will be given opportunities to comment and contribute.

2. Control of Agricultural Pollution Regulations

Introduction

8. Agricultural pollution continues to affect the environment across the whole of Wales, which is detrimental to public health and biodiversity. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (the CoAP Regulations), which came into force on 1 April 2021, are based on long-standing good practice recommendations designed to prevent agricultural pollution. The CoAP Regulations included transitional provisions to provide time for farms to adopt the new requirements where needed. The CoAP Regulations will be implemented in full by 1 January 2025.

Purpose of the Regulations

9. The CoAP Regulations are designed to tackle the causes of agricultural pollution in Wales, to contribute to the delivery of a wide range of our international and domestic obligations. They support Wales' continued commitment to the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the UN's Sustainable Development Goals and the Gothenburg Protocol. They will contribute to the delivery of the goals of the Well-being of Future Generations Act (Wales) 2015 and the aims of the Environment Act (Wales) 2016.
10. The CoAP Regulations recognise the limits of the global environment by promoting resource efficiency and protecting our health and natural environment through healthy, functioning ecosystems that support ecological resilience. They will help farms to reduce harmful emissions and improve the management of our natural resources. They will support farms to tackle and reverse the damage to our natural resources identified in the State of Our Natural Resources Report (SoNaRR) for Wales 2020 and reduce the negative impacts of agriculture on biodiversity.

Agricultural Pollution in Wales

11. Natural Resources Wales (NRW) records the number of substantiated agricultural pollution incidents occurring in Wales. In 2023, 119 agricultural pollution incidents had been substantiated by 1 November. The average number of annual pollution incidents occurring over the last 10 years is 153 and the average occurring over the last 5 years is 167.
12. NRW is currently reviewing the status of waterbodies in Wales. The latest available data confirms 140 waterbodies in Wales fail to achieve good status due to agriculture, with a further 232 probably related to agriculture and 118 suspected as failing due to agriculture, indicating pollution from agriculture is the main cause of failure.
13. There are nine river Special Areas of Conservation in Wales – Cleddau, Eden, Gwyrfai, Teifi, Tywi, Glaslyn, Dee, Usk and Wye. These rivers support some of

Wales' most special wildlife, including Atlantic salmon, freshwater pearl mussel, white-clawed crayfish and floating water-plantain. NRW's assessment of these rivers has identified phosphorus breaches are widespread within Welsh SAC rivers, with over 60% of these waterbodies exceeding phosphorous thresholds.

14. While varying from catchment to catchment, the largest proportion of the phosphorus originates from the rural land use sector. Rural land use is the leading contributor of phosphates in 6 of the 9 SAC rivers and in 4 of the 5 failing SAC rivers, and it accounts for 62% of phosphorus loading across all SAC rivers.
15. Welsh Government and NRW have established a Service Level Agreement for the enforcement of the CoAP Regulations, which will enhance NRW's ability to prevent pollution and take action where necessary to ensure compliance with the CoAP Regulations and prevent pollution.

Enhanced Nutrient Management Approach

16. Through the Co-operation Agreement with Plaid Cymru, we committed to working with the farming community in the deployment of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, to improve water and air quality, taking an approach targeted at those activities known to cause pollution.
17. As part of this commitment and in response to particular concerns about the sector's readiness for implementation of controls from 1 January 2023 on the amount of nitrogen to be applied to the land from livestock manures (at 170kg nitrogen per hectare per annum), a consultation on support and evidence for proposals for a time-limited licence scheme was issued. The proposals would enable farm businesses to apply for a licence for a higher annual nitrogen application of up to 250kg/ha, subject to crop need and additional environmental protection measures, until 2025.
18. Consultation responses showed high levels of support for a scheme, subject to any scheme being simple and straightforward for farm businesses to apply. There was broad acceptance in the support shown for the principles of demonstrating a need for higher nutrient applications and for associated controls to mitigate potential environmental risks.
19. Responses to the consultation also highlighted concerns about the potential effects on the environment of higher nutrient applications and noted the limitations placed on other sectors as a result of pollution in our rivers and waterways. The evidence on which the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 are based remains unchanged, with no new evidence presented in consultation responses.

20. In response to the consultation, amendments to the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 have been introduced, to implement an 'Enhanced Nutrient Management Approach' from 1 January 2024 to 31 December 2024. This approach takes account of the consultation and responses and will provide a limited period during which higher applications of nutrients from grazing livestock manures can be made, alongside additional measures to protect the environment from risk of pollution.

3. Food Policy

Cross Policy Document - Food Matters

21. Over recent years, food issues and related policies have received significant attention due to current affairs and concern about the long term impacts of the food system on the environment and society. The Welsh Government has long had a suite of comprehensive food related policies which collectively address these matters. Nevertheless I was struck during scrutiny of the Food (Wales) Bill by a strong stakeholder perception of food related policies not being joined up. The Welsh Government places great value on working with stakeholders and social partners to develop and deliver policies. Therefore, I committed to addressing this perception by announcing to the Senedd on 24 May I would publish a short document summarising food related policies across portfolios. This document, Food Matters, is well advanced and I will keep the committee informed on its progress.
22. The ETRAC made several recommendations in the event of the Food (Wales) Bill falling and following my reply on 5 July about them the Welsh Government is giving them consideration.
23. Regarding the committee's other recommendations, I will continue to monitor and consider the evidence whether any new targets are required. The Welsh Government will consider the case for food in the National Indicators when they are next revised. In the meantime, we will consider whether there is good quality statistical information already available on food which can be included as contextual information in the annual Well-being of Wales reports.
24. Food policy is relevant to a wide range of public bodies, so I welcome the Future Generations Commissioner's focus on food in Cymru Can. How public bodies and public services boards can support and invest in food issues in their work and communities is vitally important. The Welsh Government is already supporting Local Food Partnerships which we see as a strong model to bring grass roots co-ordination and leadership. This model, the new duty for socially responsible procurement on public bodies under the Social Partnership and Public Procurement (Wales) Act 2023, and the roll-out of the universal primary free school meals policy, are all steps in our commitment to advance a community food strategy approach (CFS). The Programme for Government and the Co-operation Agreement commit to developing a CFS to encourage the production and supply of locally sourced food in Wales. Much work has gone into gathering evidence to inform policy development for the strategy. I was pleased publish the results of detailed focus group work in the summer about a map of all the issues our background policy work had identified. This work has pinpointed issues which the CFS might address and crystallised the principles we might adopt for the strategy. I am convinced the CFS must be empowering and enabling, and nurture what is already happening in communities across Wales. It will not impose solutions.

It will seek to build on a partnership approach, to maximise the potential of the governance structures which exist and to untap the potential of assets and know-how which could be used to benefit communities. As we move into 2024, I will be finalising my proposals to publish the CFS later in 2024.

4. Habitat Wales Scheme and organic regulation

Habitat Wales Scheme

25. The Sustainable Farming Scheme (SFS) will be launched in 2025, which leaves a minimum 12 month 'gap' between Glastir contracts ending in December 2023 and the start of the SFS or any long-term replacement. A key element of the SFS will be support towards habitat maintenance through the universal layer, which would maintain some of the principles within Glastir.
26. As the Glastir agri-environment scheme draws to a close, we wanted all eligible farmers in Wales to have the opportunity to apply for support to protect habitat land and contribute to meeting our climate change and biodiversity commitments. The last opportunity for Welsh farmers to apply for such a scheme was in 2017.
27. The Habitat Wales Scheme was therefore introduced to maintain environmental support during this period from 1 January 2024 until the beginning of the Sustainable Farming Scheme in 2025, providing an alternative offer of support to all eligible farmers, including Glastir Advanced, Commons and Organic farmers when contracts end on 31 December 2023.
28. As well as supporting the key habitats currently under management through Glastir contracts, we aimed to bring additional areas of semi-natural habitat into active management.
29. The scheme Expression of Interest (Eoi) window opened 29 September 2023 and closed 10 November 2023. A total of **3,254** Eois were received, these included:
- **166** from existing Grazing Associations for support on common land. (92.79% of existing Glastir Commons contract holders submitted an Eoi)
 - **1,572** from individual farmers with an existing Glastir Advanced contract. (76.8% of farmers with a Glastir Advanced contract submitted an Eoi)
 - **1,516** from individual farmers without an existing Glastir Advanced contract. (49% of Eois submitted by individual farmers). The habitat land bought under management from these 1,516 Eois would be additional habitat land, supporting our environmental and biodiversity commitments.
30. Applications are undergoing administrative checks and will then be subject to a selection process. Successful applicants will be offered a contract commencing 1 January 2024.

Organic regulation

31. Since the UK's exit from the European Union, organic standards have changed in the EU. The EU made these changes in order to include new products which can be organically certified, to encourage short production chains and local production where possible, and to increase plant and animal genetic variety, among other objectives. Whilst Northern Ireland is following the new EU Regulation 848/2013, organic standards in Great Britain are still governed by Retained EU Regulation 834/2007.
32. In order to keep pace with changing regulations in other jurisdictions, the governments of the Four Nations agreed to establish a joint Expert Group on Organic Production (EGOP) to provide impartial expert advice on issues around organic production, processing and certification. The EGOP fulfils the role previously undertaken for the UK by the EU's Expert Group for Technical Advice on Organic Production (EGTOP). An initial meeting was held between the EGOP and officials from each government in October 2023.
33. The EGOP's work to provide recommendations for changes to organic standards will be a lengthy process, due to the breadth of legislation in the sector to consider, so any new legislative proposals will not be made for several months.
34. Organic standards are a devolved matter. Regulations have always been harmonised across Great Britain, however, and DEFRA act as the Competent Authority for Wales, England and Scotland with the consent of the Welsh and Scottish Ministers. This role involves ensuring organics rules are being properly implemented by the organic control bodies. Because of the highly-integrated supply chain for organic products across Great Britain, officials are working for consensus on proposals for organic standards to be put to parliaments in each nation, based on the advice of the EGOP.

5. Animal disease – Priority Exotic Animal Diseases (Avian Influenza, Bluetongue Virus and Epizootic Haemorrhagic Disease Virus)

Avian Influenza (AI)

35. Avian influenza is a notifiable exotic animal disease which is currently circulating within the United Kingdom. There were 208 UK cases of highly pathogenic avian influenza (HPAI) confirmed in poultry and captive birds in the 2022/2023 period, which covers October 2022 through to September 2023. This included 8 cases in Wales (Anglesey, Flintshire and Powys), 160 cases in England, 39 cases in Scotland and 1 case in Northern Ireland. The last case in Wales was confirmed on 27 April 2023. As of the beginning of October 2023, we have moved into the 2023/24 administrative outbreak period for avian influenza. As of 19 November, there has been two outbreaks during this new 2023/24 period, one in Scotland and one in England.

36. Cases of HPAI have been confirmed at a wide range of premises across the UK, in both recent incidences and historically. From private back yard flocks, to mid-size commercial poultry farms of a few thousand birds, to large scale commercial premises housing a few hundred thousand birds. When HPAI is confirmed at a premises, all avian animals at the premises are humanely culled (there may be rare exceptions), in line with our disease control strategy. The keeper is compensated for birds culled, excluding those which have already succumbed to disease at the time of culling.

Preventative Measures

37. Currently, in Wales, there are restrictions in force prohibiting the gathering of Galliformes, such as chickens and turkeys, and Anseriformes, which includes birds such as ducks and geese. These species of birds are considered to pose a higher risk, in relation to the spread of avian influenza. We continuously review this position.

38. Earlier this year, and historically, we have had other, stricter measures and restrictions in place, including mandatory bird housing and mandatory enhanced biosecurity measures, which have applied to all bird keepers in Wales. Such measures have been implemented further to risk assessments and on the back of expert advice, when we have seen increasing numbers of cases confirmed in kept birds across GB or high numbers of findings in wild birds.

39. There are no mandatory housing or biosecurity measures in place in Wales currently (as of 19 November), as they are not warranted given the level of risk we face. However, we monitor the disease situation very closely at a domestic

and international level, and such measures may be implemented at any time they become necessary to protect our birds and trading position.

40. We have been and continue to issue advice and communications to bird keepers that scrupulous biosecurity is the most effective method of disease control available. All bird keepers should have high standards of biosecurity in place at all times to prevent against the risk of outbreaks.

Avian Influenza in Wild Birds

41. Through the summer, and earlier on this year, we saw a high number of positive findings across Wales in wild birds. Found dead wild birds which had tested positive for avian influenza came from many nature reserves and wetlands, and through the summer we saw many findings in coastal birds, particularly in the Pembrokeshire and Anglesey areas. On the back of these findings, an emergency response group was set up to advise on the situation, led by colleagues in Welsh Government marine policy. The group included ornithologists, operational partners and other subject experts.

42. On 7 November, the risk of infection of highly pathogenic avian influenza in wild birds in GB was lowered from 'high' to 'medium'. This is the first time the risk has been lowered since March, earlier this year.

43. The recent reduction in risk does not mean the risk has gone completely and avian influenza is still circulating in wild birds across GB. We continue to issue advice to members of the public that they should not touch or pick up dead or visibly sick wild birds. We urge the public to report sightings of dead wild birds to the DEFRA Helpline. Many dead birds are then collected and tested for disease by the Animal and Plant Health Agency, as part of our disease surveillance.

AI Vaccination

44. As part of a cross government and industry Avian Influenza Vaccination Task Force, we are exploring the potential for the use of vaccination as a combined preventive measure. The introduction of any vaccination programme will take time and our current policy position remains that preventive vaccination is not recommended to protect against an avian influenza outbreak, unless in exceptional circumstances.

45. We continue to monitor the avian influenza situation in Europe and globally, and the effectiveness of disease control measures taken elsewhere, including vaccine development. Future decisions on the use of vaccination will be based upon the latest scientific, ornithological and veterinary advice.

Legislative Updates

46. On 6 November, The Avian Influenza (Miscellaneous Amendments) (Wales) Order 2023 came into force, amending the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006.
47. The definition of “poultry” was amended to provide alignment with the World Organisation for Animal Health (WOAH) and the definition of “non-commercial premises” has been amended to provide alignment with the WOAH Terrestrial Code.
48. These amendments will help facilitate trade and enable us to implement more proportionate disease control measures when dealing with small non-commercial flocks.

Poultry Registration

49. In March, we held a GB-wide consultation on plans to make it compulsory for all bird keepers to register their birds with APHA. The consultation ran from March to May 2023 and closed on 31 May 2023 with 3,300+ responses.
50. Currently, it is only mandatory for keepers of 50 or more birds to register their flocks, although any keeper can voluntarily register. By mandating all keepers to register their birds, we will be able to improve services provided, such as disease outbreak notification to bird keepers, and facilitate greater disease surveillance and detection, as we will have data on all at risk premises within close proximity to a confirmed outbreak.
51. A formal summary of response document is being produced and will be published jointly between the three administrations.

AI and Human Health

52. On 16 May 2023, the UK Health Security Agency (UKHSA) issued a statement confirming 2 people had tested positive for avian influenza. Both of these people had recently worked on an infected poultry farm in England. Neither experienced any symptoms of avian influenza.
53. The UKHSA has not detected evidence of human-to-human transmission and these detections did not change the level of risk to human health, which remains very low to the general population.

Bluetongue Virus (BTV)

54. Bluetongue virus is a non-contagious, viral disease affecting domestic and wild ruminants (sheep, cattle and goats), which is transmitted by insects, particularly biting midges.

Current Situation

55. On 2 November, the Pirbright Institute reported a non-negative Bluetongue test result in a single cow within a home-bred herd of 75 on a premises in Kent, near Canterbury, England, following routine surveillance for Bluetongue. On 11 November, disease was confirmed, as BTV-3 (a certain serotype of Bluetongue virus).
56. A local 10km Temporary Control Zone (TCZ) was put in place around the premises which restricts the movement of susceptible animals, except under license.
57. At this stage there is no evidence of BTV-3 circulating in GB or affecting other animals, therefore, this is being considered a case rather than an outbreak of BTV-3. However, GB has now lost its BTV-3 freedom meaning there are implications for trade.
58. Surveillance sampling and testing was initiated following confirmation of this case, at all premises within 5km of the index case, to determine if there are further BTV-3 cases in the area. The results of this surveillance will be used to inform further surveillance, as required. Vector surveillance is continuing via twelve midge traps set up across GB which are monitored weekly.
59. Officials are currently updating the BTV control strategy for Great Britain. A series of communications are underway, aimed at animal keepers and the wider public, informing them of the disease, what clinical signs to look for, how to report it and the need to remain vigilant.

Trade

60. Since May 2019 (where (EHC) requirements are met), there has been post-import BTV testing on 100% of live susceptible animals from 100% of consignments from European countries considered to be high-risk of sending animals with undetected BTV infection, (this is applicable to countries with ongoing BTV-8 and BTV-4 outbreaks).
61. Imports of live ruminants from the Netherlands and Belgium no longer comply with the export health certificate (EHC) which relates to certain vaccination requirements for BTV, as BTV-3 has no vaccine, therefore the Netherlands and Belgium can no longer export live ruminants or germplasm to GB.
62. Coupled with restrictions now in place in Spain, France, Italy and Portugal for another virus, Epizootic Haemorrhagic Disease virus (EHDV), means that there are far fewer EU countries able to meet EHC requirements for the export of live animals to GB.

Epizootic Haemorrhagic Disease Virus (EHDV)

63. Epizootic haemorrhagic disease is a notifiable animal disease that affects cattle, deer and other ruminants.
64. The Welsh Government is closely monitoring the spread of Epizootic haemorrhagic disease virus (EHDV) in Europe following confirmed outbreaks in cattle in Italy, Spain, Portugal, and France.
65. EHD resembles other serious but rare diseases of domestic ruminants including Bluetongue virus (BTV) and Foot and Mouth Disease (FMD), so it is important to confirm the diagnosis when outbreaks occur. Virus transmission to livestock from biting midges will predominantly take place during the spring, summer, and autumn months, when midge vectors are most active.
66. Trade restrictions have been applied to the movement of live ungulates from affected regions of Europe. [Current Health Certification requirements](#) prevent France, Spain, Italy, and Portugal from sending consignments of live animals to Great Britain as they are no longer EHDV-free.
67. Additionally, on the basis there is no commercially available inactivated vaccine for EHD, and the risk of the disease spreading from Europe, post import testing will for EHDV will cover all live ruminant animals imported from countries that are disease free but are within 150km of countries with confirmed outbreaks.
68. Officials are currently developing an EHDV control strategy and will be issuing further communications to the public, including communications at the Royal Welsh Winter Fair.

6. Bovine TB

TB Eradication Programme

69. A Ministerial oral statement on bovine TB was made on 14 November which set out progress made since March, highlighting key policy outcomes for delivery over the 5-year delivery plan period, including:

70. The review of Cymorth TB in the context of wider farmer engagement, and further consideration of the Task and Finish Group's recommendations on improving engagement with the farming industry.

- o A workshop took place at the Royal Welsh Show, and a meeting between officials and private veterinary TB leads to discuss their future role is currently being arranged.
- o A collaborative approach to all Welsh Government TB communications to farmers and industry is now in place with Unions and the Farm Liaison Service being asked to comment on content and delivery of messages.
- o We are working with Government partners to identify ways of addressing communication concerns outside of our control.

71. The award of the Pembrokeshire project to deliver a local level collaborative approach.

- o The response from practices has been very positive. So far, all 6 veterinary practices taking part have been represented at the preparatory veterinary training days. In all 15 vets have attended 2 days of training. Day 1 on Biosecurity with Day 2 a science day.
- o The project is on track and vets are currently engaging with suitable farms.

72. Progress on the new Governance arrangements for the Programme, including setting up a Publicly Appointed Programme Board and Technical Advisory Group.

- o During the launch of the new 5-year delivery plan it was announced the establishment of a Technical Advisory Group (TAG) to help support the TB Programme and appointed Professor Glyn Hewinson, Sêr Cymru Chair of the TB Centre of Excellence to lead this work. A key priority for the TAG will be to consider the current TB testing regime given the wide range of views provided in response to consultation.
- o Adverts for both the Publicly Appointed Programme Board and Technical Advisory Group are live and to ensure as many suitable candidates as possible have an opportunity to apply we have extended the application window.
- o The application sifting and interview process is scheduled to take place between December and February.

73. A commitment to review the slaughter of in-calf TB affected cows and heifers on farm and work with farming unions to understand the concerns over mental health and the wellbeing of our farmers.

- We are fully aware of the devastation a TB breakdown brings to a farming family and business. The slaughter of in-calf TB affected cows and heifers on farm, although often unavoidable, is particularly distressing to witness.
- Consideration of this policy will be a priority for WG officials and the Technical Advisory Group, once it is established.

74. In addition to the published long-term trends, which show good progress, the statement comments on improvements made over the last 5 years.

- 94.7% of herds were TB free at end of June 2023.
- Medium-term trends:
 - i. In the 12 months to June 2023, new incidents decreased to **609** from **746** for the same period to June 2018, representing an **18.4% decrease**.
 - ii. In the 12 months to June 2023, animals slaughtered for TB control decreased to **10,024** from **9,529** for the same period to June 2018, representing a **4.9% decrease**.
 - iii. On the 30 June 2023 there were **898** herds under restriction, compared with **857** herds under restriction on 30 June 2018. This represents a **4.8% increase**.
 - iv. Herd prevalence has **increased** from **5.2%** on 30 June 2018 to **5.3%** on 30 June 2023.
- High TB Area West - the number of new incidents has decreased by over 25% when compared to five years ago.

75. Engagement with the industry on future arrangements for TB Payments.

- There are historic, long term overspends against the TB payments budget. The Welsh Government has overspent on the final budget for TB payments since 2015-16. The TB payments budget is forecast to overspend again for 2023-24 by over £1m.
- Current TB payment arrangements are wholly unsustainable to the taxpayer, particularly in the current economic climate. They also offer little incentive for farmers to prevent TB in their herds or follow good practice.

76. The amendment of the Tuberculosis (Wales) Order 2010 to come into force in February 2024 to strengthen our approach to eradication.

- The reinstatement of Pre-Movement Testing for cattle movements in the Low TB Area, whilst maintaining Post-Movement Testing.
- Introduce Post-Movement Testing for all cattle movements to holdings in the Intermediate TB Areas from High TB Areas, the High Risk Area of England and from Northern Ireland.

77. Measures to address an increase in TB incidents in Anglesey, through enhanced cattle control measures along with the vaccination of badgers.

- Cattle control measures are being considered, alongside changing legislation to require Pre-Movement Testing in the Low TB Area.
- As part of the Badger Found Dead Survey, no positive badgers have been identified on Anglesey to date.
- A badger and biosecurity survey was undertaken on Holy Island in March 2023 to assess the levels of badger activity. The first year of a 4-year badger vaccination project on Holy Island was completed in October.

78. The good progress made on the recruitment and deployment of lay TB testers to increase resilience and sustainability in provision of veterinary services.

- As of 28 September 2023, we have 48 Authorised Tuberculin Testers, 47 of which have completed training and given full authorisation.

Legislative Changes

79. As indicated within the delivery plan the following legislative changes will come into force from 1 February 2024:

- The reinstatement of Pre-Movement Testing for cattle movements in the Low TB Area, whilst maintaining Post-Movement Testing.
- Introduce Post-Movement Testing for all cattle movements to holdings in the Intermediate TB Areas from High TB Areas, the High Risk Area of England and from Northern Ireland.
- Introduce a legal requirement for farmers not to move cattle between test day 1 and test day 2 and between blood testing and receiving results.
- Introduce a requirement for authority to be sought from the Welsh Government to collect a sample, perform a test, perform a test on any sample and to ensure results from such tests are immediately reported.
- Prohibit feeding of unpasteurised milk to livestock on OTFW premises.
- Make available on ibTB the number of years a herd has been TB Free.

Cattle Vaccination

80. Government needs to demonstrate both the Cattle BCG vaccine and the associated DIVA skin test are safe and effective to use, before marketing authorisation can be provided by the Veterinary Medicines Directorate (VMD), the body responsible for licensing such products.

81. As part of evidence gathering, field trials are required, these are in two phases. **Phase 1**, which started in June 2021, has been completed. **Phase 2** has commenced and is ongoing.

82. **Phase 1** involved using only the DIVA skin test in trial herds, to generate safety and specificity* data for the test. **Phase 2** uses both the Cattle BCG vaccine and the DIVA skin test in trial herds, to gather further safety and specificity data.

83. The field trials will continue until sufficient data has been gathered to move on to the next phase, which involves assembling a package of documentation to support an application to the Veterinary Medicines Directorate (VMD) for marketing authorisations for both the Cattle BCG vaccine and the DIVA skin test.

84. Marketing authorisations are required from VMD, before the vaccine and the DIVA test can be deployed in the field as part of the TB Eradication. Marketing authorisation enables the removal or relaxation of the current legal barriers to vaccinating cattle in GB.

85. Wales is supporting the development of plans to initially deploy the Cattle BCG vaccine in smaller trial situations, before wider deployment, once marketing authorisations have been provided. The first of a series of Welsh stakeholder meetings has taken place.

Governance

86. Another priority for the Technical Advisory Group will be consideration and review of in-calf TB affected cows and heifers. This will likely involve communication with farmers and other relevant stakeholders.

87. We also announced the establishment of a new TB Eradication Programme Board to support the TB Programme. I will be publicly appointing members to both boards and a chair of the Programme Board.

88. A key priority of TB Eradication Programme Board will be to consider how to improve communication within the industry and to progress other recommendations from the Task and Finish Group.

89. The recruitment window for both the Publicly Appointed Programme Board and Technical Advisory Group has been extended to 4 December to ensure as many suitable candidates as possible have an opportunity to apply. The application sifting and interview process is scheduled to take place between December and February.

Anglesey

90. APHA have identified a deteriorating situation on Anglesey. Surveillance data shows as of 30 June 2023 there were 25 open breakdowns in Anglesey. This compares to 8 for the same period in the previous year.

91. Epidemiological investigation was undertaken to assess the drivers for disease in Anglesey and initial assessment suggests seeding of infection from the Denbigh/Conwy TB Hotspots has played a role. Anglesey constitutes a

large section of the Low TB Area of Wales, and it is therefore a priority to prevent an increasing level of disease in the area.

92. A letter was sent to cattle keepers in the specific area in March 2023 outlining the issue and advising on how they can protect their business.

93. Submissions under the Badger Found Dead Survey suggest the badger population on Anglesey is concentrated on Holy Island.

94. As part of the Badger Found Dead Survey, no positive badgers have been identified on Anglesey to date.

95. A badger and biosecurity survey was undertaken on Holy Island in March 2023 to assess the levels of badger activity. The first year of a 4-year badger vaccination project on Holy Island was completed in October.

96. Cattle control measures are being considered, alongside changing legislation to require Pre-Movement Testing in the Low TB Area.

97. Options to address TB on Anglesey are being considered following epidemiological investigation. Measures will be subject to assessment by APHA and delivery subject to resource, feasibility of implementation and associated cost.

Pembrokeshire Project

98. After considering how to tackle deep-seated levels of infection in parts of Pembrokeshire, where TB incidence and prevalence have worsened against the overall improving backdrop, and in line with responses to our consultation and the NFU's TB Focus Group report, a project was established to explore new governance arrangements for TB eradication at a local level.

99. The project, led by industry, has been established to work on a small sample of farms in Pembrokeshire, with the aim of empowering vets and farmers to make informed decisions and show leadership in disease control. The project is developing and implementing novel approaches to bovine TB control, over and above the statutory measures currently used in the area.

100. The focus is on identifying residual disease risk in clear testing cattle and developing pathways for mitigating risk from cattle-to-cattle transmission. This is being achieved by a risk-based approach involving identification and management of high-risk animals to slaughter and veterinary oversight of biosecurity practices.

101. The Welsh Government has awarded a tender and the project has commenced.

102. The response from practices has been very positive. So far, all 6 veterinary practices taking part have been represented at the preparatory veterinary training days. In all 15 vets have attended 2 days of training. Day 1 on Biosecurity with Day 2 a science day.

103. The project is on track and vets are currently engaging with suitable farms.

On Farm Slaughter of in-calf TB affected cows and heifers

104. We have seen the devastation a TB breakdown brings to a farming family and business. The slaughter of TB reactors on farm, although often unavoidable, is particularly distressing to witness.

105. In many cases on farm slaughter is unavoidable if cattle cannot be transported to an abattoir, or if they are unfit for human consumption.

106. About 10% of animals valued for removal are slaughtered on farm and approximately 10% of those killed on farm are for calving reasons.

107. Following the raising of concerns and discussions with industry during 2019, the Welsh Government piloted on farm euthanasia for heavily pregnant cattle in 2020. However due to low uptake from farms affected and the associated logistical difficulties of removing TB affected animals within 10 working days, the pilot was ceased.

108. Although distressing for the keeper, advice from the Royal Veterinary College at the time suggested there is no distress caused to a foetus if its dam is shot or euthanised by lethal injection, but foetal movements will be visible with either method.

109. The Welsh Government has directed APHA to work closely with farmers impacted by this situation from the very start of the process, explaining the procedure clearly and supporting them through the various stages.

110. Evidence is available from England on how their policy on delaying reactor removal is working, which the Welsh Government will use to consider this issue further.

111. Consideration of this policy will be a priority for the Technical Advisory Group, once it is established.

Payment for TB affected cattle ("Compensation")

112. The Welsh Government is committed to reimbursing farmers a reasonable sum for cattle slaughtered because of TB.

113. Despite the measures we have introduced, we are continually overspending against our TB compensation budget. We are forecasting an overspend of over £1m in this financial year (2023-24). This is not sustainable in the current economic climate.
114. We are not yet at the stage where we can announce a revised TB payments regime, and further, significant work is required alongside industry to now consider options in more detail.
115. The Welsh Government is committed to working towards introducing a revised TB payments regime to find a better balance between compensating keepers for TB affected cattle whilst also managing tax-payers money and resource. The Welsh Government is clear any new regime should incentivise good farming practice and align with the Sustainable Farming Scheme biosecurity standards.
116. This is a complex area. We would therefore like to explore, through further engagement with industry, and farmers, the feasibility of both a proposal for a levy and table valuations with an uplift, to ascertain whether these proposals could offer the cost savings we need to make in respect of TB payments.
117. As the Welsh Government has a statutory duty to pay farmers for animals slaughtered under the Programme, funding to cover these overspends has to be found year on year, diverting much needed funding away from other areas.

7. Animal Welfare – Dangerous Dogs Act 1991, changes impacts and consequences. Responsible Dog Ownership and Breeding in Wales

Changes to Dangerous Dogs Act 1991

118. The Dangerous Dogs Act (DDA) 1991 is reserved legislation to UK Government. In light of recent spate of attacks, work to define and add American bully XL type dogs to the DDA was announced by Prime Minister Rishi Sunak on Friday 15 September.

119. Defra officials have been working at a very fast pace to amend legislation before the end of 2023.

120. The Statutory Instrument (SI) banning the breeding / selling / exchange or re-homing XL Bullies was laid on 31 October by the UK Government. It has a coming into force date of 31 December 2023.

121. A second SI will set out the exemptions and compensation scheme and a third SI will be introduced in relation to rescue and rehoming centres.

122. Guidance was published on 31 October on Gov.uk: Prepare for the ban on XL Bully dogs - GOV.UK (www.gov.uk)

8. EU Rural Development Programme 2014-2020

123. All EU Rural Development Programme payments must be made by 31 December in order to fully maximise the available EU funds. The total value of the programme is £846,449,504.
124. Current commitment level stands at £858.59m, representing 101.43% commitment in funds. The RDP is overprogrammed to take account of anticipated underspends on some projects.
125. Total programme spend has exceeded £807.46m representing 95.39% of total programme value, of which £539.53m is EU funds.
126. Almost £50m worth of claims received are currently being processed which includes over £30m of Glastir 2023 claims; the majority of which will be paid on 1 December.
127. Officials are working hard to complete all the necessary validation checks to allow processing of all claims received by the end of the year.
128. The European Commission approved the 6th modification to the programme on 6 November 2023. This is a final adjustment to the programme. It is solely focused on the financial aspects, to ensure the optimal/complete utilisation of the funds.

9. Sustainable Farming scheme update

Sustainable Farming Scheme (SFS) consultation

Development timeline

129. The final formal SFS consultation will be published in December. We are anticipating a 12 week consultation (dates are to be confirmed).

130. Officials are running a series of stakeholder workshops to brief main stakeholders ahead of the consultation. A series of more detailed stakeholder briefing sessions are scheduled for December. This will be an opportunity to ensure those organisations with a farmer advisory remit (such as the farming unions, Farming Connect, the farmer support groups) are clear on the purpose and content of the consultation to advise their networks.

131. A series of farmer focused roadshow events (10 in total around Wales) are being arranged for January / February. This will be an opportunity for farmers to learn about consultation content in more detail and find out how to start preparing themselves for scheme commencement in 2025.

132. A final decision on the introduction of the scheme will be made in 2024 after evaluation of this final consultation, the economic analysis and other evidence. The final scheme design, rules and payment rates will be published in 2024. Farmers will begin to enter the scheme from 2025.

Consultation content

133. The scheme proposals are based on the same three-layered scheme structure proposed in the 2022 publication *Sustainable Farming Scheme: outline proposals for 2025*;

- o Universal Actions – a standard set of actions all farmers will need to deliver to receive a Universal Baseline Payment
- o Optional Actions – farmers who choose to go further can be paid more for selecting from a list of Optional Actions which best suite their farm and ambitions.
- o Collaborative Actions – an opportunity for farmers to work together to deliver outcomes at regional, catchment, national scale, which cannot be delivered by a single farm.

134. Several amended proposals are included in the upcoming consultation as a result of ongoing policy development and feedback received during an extensive co-design programme (codesign findings were published in July 2023). These include;

- o A Phased Approach – to manage the number of changes a farmer would have to undertake all at once, we have proposed a phased approach for 2025 scheme commencement. The Universal Actions only will be launched

to allow farmers sufficient time to understand and implement the Actions, then Optional and Collaborative Actions will be rolled out over the following transition period.

- o Scheme available to all from 2025 – farmers will be able to choose when they enter the SFS from 2025 onwards, however it is our intention to make the SFS available to all in 2025

- o Recognising all existing habitats and woodlands – we proposed scheme requirements of a minimum 10% tree cover on each farm, and (in addition) a minimum 10% habitat on each farm managed for biodiversity alongside food production. These minimum requirements have not changed but following co-design feedback to recognise the effort made by farmers to manage these wider areas, we propose to support all existing woodland cover and habitat as part of the Universal Actions.

135. These would be major delivery mechanisms for climate change targets and biodiversity 30x30 commitments.

136. 10% tree cover – this proposal has received a lot of attention. This proposal remains in this consultation, however refinements have been made. We have also adapted the action, so it is no longer 10% of the whole farm, but 10% of the area remaining when the unplantable areas have been removed from the calculation. Unplantable areas include;

- o Tenanted land, where the tenant is precluded from managing woodland or planting trees due to the nature of the tenancy agreement
- o High quality and priority habitats
- o Permanent features such as roads, tracks, buildings
- o Other sensitivities such as ground nesting birds or exposed coastal locations may need a more case by case approach.

137. Where tree planting is still to be undertaken, we continue to explore where those trees can add value to the farm such as biosecurity barriers or shade and shelter for livestock from extreme weather. We believe it does not have to be a stark choice between trees or food with different agro-forestry models to choose from.

138. The consultation will also include more details on proposed administrative procedures based on an evolution of the current familiar mechanisms via our RPW Online service.

139. The consultation will include details of the proposed payment methodology, however it will not contain full payment details as the actions will not be finalised until this consultation exercise is concluded.

10. Annex 1 – list of FMPs

Fisheries Management Plan title	Timetable for preparation and publication	Coordinating Authority	Joint Authority or Authorities
King Scallop FMP	2021 to 2023	Defra	Welsh Government
Bass FMP	2022 to 2023	Defra	Welsh Government
North Sea Cod FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
West Coast of Scotland Cod FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Atlantic Cod FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea and West Coast of Scotland Haddock FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Atlantic Haddock FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
West Coast of Scotland Whiting FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea Whiting FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea and West Coast of Scotland Saithe FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Northern Shelf Hake FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government

Fisheries Management Plan title	Timetable for preparation and publication	Coordinating Authority	Joint Authority or Authorities
North Sea and West Coast of Scotland Monk/Angler FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea and West Coast of Scotland Megrin FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Northern Shelf Ling FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea Nephrops FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
West Coast of Scotland Nephrops FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Northern Shelf Mackerel FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Atlanto-Scandian Herring FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea Herring FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
West Coast of Scotland (and Clyde) Herring FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
North Sea Greater Silver Smelt FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
West of Scotland Greater Silver Smelt FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government

Fisheries Management Plan title	Timetable for preparation and publication	Coordinating Authority	Joint Authority or Authorities
Northern Shelf Blue Whiting FMP	2022 to 2024	Marine Scotland	DAERA, Defra, Welsh Government
Irish Sea Pelagic FMP	2023 to 2025	DAERA	Defra, Welsh Government
Irish Sea Demersal FMP	2023 to 2025	DAERA	Defra, Welsh Government
Celtic Sea and Western Channel Demersal FMP	2023 to 2025	Defra	Welsh Government
Celtic Sea and Western Channel Pelagic FMP	2023 to 2025	Defra	Welsh Government
Crabs & Lobsters FMP	2022 to 2026	Welsh Government	N/A
Whelks in Welsh waters FMP	2022 to 2027	Welsh Government	N/A
Cockles FMP	2022 to 2028	Welsh Government	N/A