



Evidence paper for Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs for General Scrutiny at Economy, Trade and Rural Affairs Committee

14/11/24

Information provided to aid the Committee in advance of the Deputy First Minister's attendance for General Scrutiny on 5 December.

Contents

1. Sustainable Farming Scheme	3
2. Animal diseases	4
3. Animal welfare	6
4. Community food strategy.....	8
5. Agricultural pollution regulations	9
6. Fisheries	11

1. Sustainable Farming Scheme

1. I am due to update the Senedd on 25 and 26 November on an updated Scheme Outline for the SFS and publish an updated Scheme Outline.
2. The Scheme Outline is based on the culmination of extensive engagement with the Ministerial Roundtable, Officials Group and the Carbon Sequestration Evidence Review Panel. This has included reviewing the technical aspects of each Universal Action and the scheme requirements individually and as a whole based on the framework of a Universal layer for all, with additional Optional and Collaborative Actions for those who choose to do more. The Carbon Panel were responsible for considering the evidence on additional and alternative actions to sequester carbon which could be included in the Scheme.
3. This Scheme Outline will set out an interim position that is the result of discussions and agreement with the Roundtable so far. This is not the final Scheme. The changes made address the needs of farmers, while meeting the Sustainable Land Management objectives from the Agriculture (Wales) Act, as well as climate and nature commitments.
4. The Scheme Outline will be used to undertake an updated economic analysis and impact assessment to determine impacts on a range of agricultural, environmental and social aspects.
5. The Ministerial Roundtable and Officials Working Group will continue to review additional detail of the Actions, scheme requirements and administrative processes.
6. Ministers will make final scheme decisions next summer, based on evidence including the economic analysis and impact assessment once it has been considered by the Roundtable.

2. Animal diseases

Bovine TB.

7. The TB Technical Advisory Group has met regularly since its establishment in April, including a meeting with stakeholders at the Royal Welsh Agricultural Show in July. At their October meeting, the TAG reviewed inconclusive reactor policies and heard from farming unions, veterinary delivery partners and the Animal and Plant Health Agency (APHA). A forward work programme is in development.
8. Following advice from the TAG, changes to on-farm slaughter were announced in April and monitoring this alongside industry.
9. In September, a [Written Statement](#) announced the membership of the TB Eradication Programme Board. The Board has a wealth of practical expertise and first-hand experience of bovine TB. Also represented are the farming unions and the British Veterinary Association (BVA). The Board will hold its first meeting in December. An immediate priority will be reviewing improvements to communications and engagement with farmers and vets. The TAG and Programme Board will work together to provide strategic advice to the Welsh Government.
10. The long-term bovine TB statistics from across Wales as a whole show positive progress in tackling TB, with new herd incidents decreasing. We recognise the situation varies across the different regions and this is why we are taking a targeted approach.

Bluetongue Virus (BTV-3).

11. On 23 September 2024, [‘The Exotic Disease \(Application and Amendment of Enactments\) \(Wales\) Order 2024’](#) came into force making amendments to key pieces of legislation. This provides a more flexible, proportionate, and risk-based approach to disease control in Wales, which will allow industry to continue to operate in a safe manner.
12. A Written Statement was issued in November confirming Bluetongue restrictions were lifted from the affected farms in Gwynedd and Ynys Môn. We continue to work closely with APHA, the Pirbright Institute, other UK administrations and industry stakeholders to ensure we are prepared to deal with the threat of Bluetongue, including important decisions such as the role of livestock vaccination.

Highly Pathogenic Avian Influenza (HPAI) risk levels.

13. Due to the increasing number of wild bird cases in Great Britain and the start of migration season, the risk of HPAI incursion in wild birds and poultry have been increased with risk levels anticipated to increase further

over the winter. Given we are in the bird migration season, risk levels are subject to change and will be assessed on a regular basis.

African Swine Fever (ASF) - Exercise Whitebeam (GB Wide)

14. Welsh Government officials took part in a tabletop exercise to test government preparedness for an ASF incursion on a large-scale commercial pig premises. To identify gaps and strengthen governments' contingency plans for handling a significant outbreak of animal disease, a lesson learned document will be created.

3. Animal welfare

Animal Health and Welfare Plan for Wales 2021-26:

15. We continue to progress our 5-Year Animal Welfare Plan, including Programme for Government commitments. Reports on progress are published here: [Animal Welfare Plan for Wales 2021 to 2026 | GOV.WALES](#). A report on year three will be published early 2025.

CCTV in slaughterhouses

16. [The Mandatory Use of Closed Circuit Television in Slaughterhouses \(Wales\) Regulations 2024](#) were laid on 30 April. Requirements to install and operate a CCTV system came into force on 1 June. The offences and powers to inspect, seize and enforce the Regulations will come into force on 1 December 2024.

Live Exports

17. [The Animal Welfare \(Livestock Exports\) Act 2004](#) bans the export of live cattle, sheep, goats, pigs and equines for slaughter and fattening from GB. We support the ban because the export of animals for slaughter or fattening is unnecessary, and they could be slaughtered or fattened domestically. [The Animal Welfare \(Livestock Exports\) Enforcement Regulations 2024](#) are another milestone and supplement the Act by establishing enforcement powers, offences, and penalties relating to the prohibition on export. The Regulations are scheduled to come into force on 1 January 2025.

Responsible Dog Breeding and Ownership

18. The second Responsible Dog Ownership Summit took place on 24 October with a [Written Statement](#) issued in November. A series of events have been held throughout 2024 that have promoted and embedded multi-agency partnership working and actions, in particular, with local authorities, police forces and charities.

National Model for the regulation of animal welfare, a Programme for Government commitment

19. The consultation on the licensing of animal welfare establishments, activities and exhibits closed in March. Over 1100 responses and evidence were received. The summary of responses will be published by the end of the year.

Animal Licensing Wales:

20.A Welsh Government funded [Animal Licensing Wales](#) project has introduced a new website and portal for local authorities, breeders, and the public. This development goes hand in hand with efforts to combat illegal breeding and the raising of standards and conditions. The project has supported 161 investigations relating to unlicensed dog breeding and 9 Local authorities in executing 145 warrants. Their important work was recently recognised with a prestigious RSPCA 'PawPrint' Special Recognition Award.

4. Community food strategy

21. The Programme for Government 2021 – 2026 includes a commitment to ‘Develop a Wales Community Food Strategy (CFS) to encourage the production and supply of locally-sourced food in Wales’.

22. The vision of the CFS is ‘to create a strong, vibrant and more prominent, grass roots, local element to the food system, rooted in communities and benefitting communities.’ This will start to recreate a lost local element to the food system, strengthening local food supply activity and connectivity and to meet local food demand. Building a richer web of local food activities and connections can only help strengthen food system resilience to adapt to the modern challenges of the wider UK and international food system.

CFS Development Approach:

23. The following principles are guiding the development of the CFS:

- To focus on forming new ways of working by creating an ongoing joined-up partnership approach across Welsh Government and with the key local level actors, including local authorities, public bodies and third sector organisations.
- To provide enabling solutions that will support local level direction setting and action. The CFS will avoid a ‘top down’ directive approach and instead stimulate the creation of local initiatives that have been designed to address local needs.
- For the priorities and goals of the Strategy to be developed and refreshed through an ongoing process of engagement and collaboration to ensure the focus and direction remains pragmatic and relevant.
- For the inclusion of relevant key performance indicators to provide the CFS with credibility and accountability, and to help measure impact.

5. Agricultural pollution regulations

24. The Welsh Government continues to support farmers to deliver improvements in our water, soil and air quality, by enhancing nutrient management, and to reach compliance with the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 (the Regulations), including the slurry storage requirements. Slurry mismanagement, linked to slurry storage issues, is one of the main causes of agricultural pollution, which itself is one of the main causes of water pollution in Wales.

25. In April 2024, £20m was committed for two schemes to support farmers reach compliance with the Regulations. The Nutrient Management Investment Scheme and the Small Grants – Yard Coverings scheme application windows opened during the summer. This brings our total offer to £52m to support on-farm infrastructure investments since the Regulations were introduced. Over 800 farmers applied for support in the latest application windows. Grant Awards with a value of £1.06m have already been accepted under the Yard Coverings scheme and more than 700 farmers, all eligible applicants, have been invited to progress to the next stage of NMIS and will need to submit their full applications by 9 December 2024.

26. The Regulations require a minimum level of slurry storage to help farms manage slurry appropriately to prevent agricultural pollution. The issues being faced by farmers in respect of the closed periods highlight the importance of manure management in preventing pollution. The closed periods are evidence based and their purpose is to prevent excessive losses of nitrogen and phosphorus to water following application of manures during those periods, when crop growth is limited. During the closed periods, when crop need for nutrients is limited and rainfall is greater, leaching and run-off risks are increased and significant nutrient losses can occur.

27. The guidance accompanying the regulations makes it clear that additional storage may be needed to comply with the other requirements of the Regulations, to prevent pollution. The guidance states the slurry storage calculation “*provides the statutory minimum only and does not take into account all factors relevant to your ability to comply with the other requirements of the Regulations. Relevant factors should be taken into account, such as whether the store will be completely empty prior to the closed periods and the provision of additional storage to address the risk of poor weather preventing spreading of slurry following a late autumn silage cut and future rainfall predictions.*” The amount of storage needed will be highly dependent on the farming practices of individual farm businesses. Hence the regulations do not unnecessarily burden farms

which may be able to operate with a lower level of storage (the statutory minimum).

28. Whilst some farms may have faced difficulties with planning for slurry stores, local planning authorities have advised that planning is usually taking around 10-18 weeks. A transitional period of 174 weeks was provided in relation to slurry storage and the closed periods, meaning most farms will have had sufficient time to adapt. However, in recognition of the difficulties farms have faced since the regulations were introduced, the Welsh Government introduced changes to the Cross Compliance Verifiable Standards to provide a more proportional approach, balancing the risk of pollution to the environment and the administrative and technical requirements of the Regulations.

29. These changes were announced in a Written Statement: [The Water Resources \(Control of Agricultural Pollution\) \(Wales\) Regulations 2021 Closed Periods and changes to the Cross Compliance Verifiable Standards SMR1: Water Protection](#). The revised Cross Compliance Verifiable Standards have been published [here](#).

30. Where breaches of the slurry storage requirements occur, the closed periods and the restrictions which apply following the closed periods will be reduced where the breach is identified before 1 August 2025. This will only be the case where the pre-existing regulatory storage capacity is met (as introduced by the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 and carried forward in the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010) and evidence of having taken reasonable steps to achieve compliance is available.

31. The review of the effectiveness of the Regulations to prevent or reduce pollution is due to be completed by the end of March 2025.

6. Fisheries

Strategic Approach to Welsh Fisheries and Aquaculture

32.I confirmed in the Senedd on 13 November my intention to set out a strategic approach to Welsh fisheries and aquaculture within the next few weeks.

33.In the meantime, I expect our future direction to remain as previously set out, with the delivery of sustainable management at its core, and a focus on delivery of Fisheries Management Plans and adaptive management measures. All supported by science and evidence and engagement with stakeholders. We will continue to deliver in line with our statutory duties and seek opportunities and initiatives to support the industry to develop and grow. Our regular funding rounds through the Welsh Marine and Fisheries Scheme will be designed to underpin all the priorities to help deliver the outcomes we all want to see.

Fisheries Management Plans (FMPs)

34.Significant progress has been made with FMPs. The joint England and Wales plans for Bass and King Scallop were published in December 2023 and work is underway to develop the Crab and Lobster FMP for Wales. The latest position on these plans is given below.

35.Bass - The Wales Sea bass Advisory Group (WSBAG) was established in January to advise officials and the Cabinet Secretary on the prioritisation and implementation of the FMP actions in Wales. So far, the group has met six times this year and agreed the following priority actions for Wales, aligned with the bass FMP goals:

- Strengthen our evidence base to inform how we manage the bass fishery i.e. data on discarding and recreational removals in the Welsh zone.
- Understanding the social, cultural and economic benefits of bass fishing in local coastal communities in Wales and how they can be maximised.
- Reviewing the most appropriate closed season for the stock.
- Consider the current authorisation system for all removals of Bass in Wales.
- Reviewing the regulation of shallow inshore and shore-based netting to ensure sufficient protection is in place for migratory fish.

36.The group has already begun to review the practice of shore-based netting and officials are developing an implementation plan based on the agreed priority actions for Wales.

37. King Scallop - The Wales King Scallop Advisory Group (WKSAG) was also established in January to advise officials and the Cabinet Secretary on the prioritisation and implementation of the FMP actions in Wales. To date the group has met five times and agreed the priority FMP actions for Wales:

- Build on current king scallop monitoring data set in Wales to inform management and assess stock status against MSY or a proxy.
- Address evidence gaps of importance to Wales to inform FMP actions and the development of measures.
- Review the current regulation of scallop fishing in Wales before developing a new framework of adaptive management measures. It may be necessary to take a phased approach considering measures such as:
 - Broad alignment of measures across administrative boundaries.
 - Preventing over-exploitation in the short term before developing harvest control rules responsive to stock status.
 - Mitigation of negative environmental effects of scallop dredging.
 - Climate change mitigation and adaptation.

38. The group has discussed the data available on king scallop stocks in Wales and, whilst it is improving, it is not yet sufficient to provide an assessment of the stock's status relative to its maximum sustainable yield (MSY) or a proxy measure. The actions from the FMP therefore necessarily lead towards gathering additional scientific data to assess the stock against MSY and inform a new framework of management measures to ensure the stock is fished sustainably.

39. The group has reviewed the regulatory framework for king scallop fishing in the Welsh EEZ. Potential changes to regulations have been identified with a view to create a new fishery management framework of measures and deliver FMP actions. The additional environmental impacts of scallop fishing will also need to be considered in relation to seafloor integrity and effects on climate change.

40. Officials are developing an implementation plan to deliver the short-term and longer-term actions necessary to manage the King scallop stock in the Welsh EEZ.

41. Crab and Lobster - The Welsh Government commissioned Seafish to carry out public consultations for the commercial and recreational fisheries. Over the spring and summer this year, stakeholders were asked what the strengths and weaknesses existed of the current management approaches in Wales. Developing a strong understanding of what our stakeholders felt important put us in a strong position to start developing the first Wales only fisheries management plan for crab and lobster.

42. We expect from this autumn to summer 2025 we will draw together the information on the fishery, including scientific evidence to help us produce a draft Fisheries Management Plan.⁵²

43. The first meeting of the Crab and Lobster Advisory Group was held in October. Through the engagement and advice from the group we will be in a position to produce a draft plan and formally consult on the plan. We aim to publish the plan in 2026, in line with the Joint Fisheries Statement.

Wales Marine and Fisheries Scheme

44. Funding round four closed to applications on 24 May 2024 with 34 applications being submitted. Following stage 1 assessment, 22 applications were selected to progress to the second and final stage of assessment. Of these, 15 applications were successful and were awarded contracts totalling £493,036.59.

45. Evaluation of the initial three rounds has been procured and is underway with the final report expected in December 2024.