



# Wales Land Management Forum (WLMF)

## Minutes

**Title of meeting:** Wales Land Management Forum (WLMF)

**Location:** Skype Meeting

**Date of Meeting:** 9<sup>th</sup> September 2020

**Present:**

Bob Vaughan, NRW (Chair)

Ruth Jenkins, NRW

John Browne, NRW

Marc Williams, NRW

Sarah Hetherington, NRW

Dennis Matheson, TFA

Aled Jones, FUW

Hedd Pugh, NFU Cymru

Rachel Lewis-Davies, NFU Cymru

Chris Blake, NRW

Anthony Geddes, Confor

Fraser McAuley, CLA Cymru

Spencer Conlon, WG

Huwel Manley, NRW

**Additional Attendees Present:**

James Owen, WG (For Item 5 only)

## **Secretariat(s):**

Marc Williams (WLMF Agri-Pollution Co-ordinator, NRW)

## **Apologies:**

Zoe Henderson, NRW

Mark Alexander, WG

Sian Thomas, Wales YFC

Dominic Driver, NRW

Martyn P Evans, NRW

Katy Simmons, NRW

Geraint Davies, NRW

Tim Kirk, Confor

## **Item 1 Introductions, Apologies and Declaration of Interest**

1. Bob Vaughan welcomed all to the meeting noting apologies.
2. No declarations of interest were raised in respect of Agenda items to be considered.

## **Item 2 Minutes from the last meeting and any matters arising**

3. The Group reviewed the minutes from the May 2020 meeting and approved as a true record.
4. The Chair explained there have been issues with publishing the meeting minutes on the NRW website due to the pdf documents not being in the correct format to meet the conditions set out in the Web Accessibility Regulations 2018. NRW are dealing with this issue and are making the relevant changes to the documents.
5. The Chair reviewed the Action Log, and the following comments were made:
  - February AP02: Mark Alexander to seek more information with regards to the emergency information pack, when this will become available and the information it is likely to contain.
    - *Spencer Conlon to provide information to the group.*
  - February AP04: The Chair extended an invitation for Dr Ceris Jones to present a future meeting of the Forum.
    - *The invitation for Dr Ceris Jones to attend a future meeting will be carried forward to later in the year due to current circumstances. Bob Vaughan, NRW to provide an update.*

- February AP05: Mark Alexander to speak to colleagues in Welsh Government with regards to funding for farmers removing Ash trees impacted by Ash Die Back.
  - *Spencer Conlon is currently liaising with the Forestry Resources Policy branch in WG and they will provide an update very soon. This will be circulated to the members.*
- February AP07: Secretariat to recontact Steve Ormerod with regards to attending a future meeting of the Forum.
  - *Steve Ormerod was unable to attend but an invitation will be sent for the December 2020 meeting.*
- May AP01: Members to contact Ruth Jenkins if they wish to view the NRW Business Plan (All).
  - *No members have contacted Ruth Jenkins.*
- May AP02: Spencer Conlon to find out the latest position of WG funding support and circulate to the members. Spencer provided an update on the WG funding support.
  - *The Glastir Woodland Creation (GWC) round 9 budget was £8 million and WG received 379 Expression of Interest to a total value of £17.5 million. The applications are currently going through an eligibility check and contracts will be issued to successful applicants when the process has been completed. The Glastir Woodlands policy has been transferred internally in WG and is now under the Forest Resources Policy team. Aled Jones, FUW, was informed that the budget for the next GWC round will be £10 million, this was confirmed and was part of the Minister's written statement. NFU Cymru requested an update on GWC Round 8. Anthony Geddes provided an update stating 47% GWC Round 8 are currently in processing with a deadline of 5th October for completion.*

**AP September 01: Circulate figures from previous GWC rounds to members (Marc Williams, NRW)**

- May AP04: NRW to circulate further information to the group on Area Statements future engagement planning (Martyn Evans, NRW).
  - *Huwel Manley will follow up with Martyn Evans to provide an update and circulate to the members.*
- May AP05: Martyn Evans to set up a meeting to discuss Area Statements with the AS Leads and Confor.
  - *Anthony Geddes confirmed that this has not progressed. Huwel will discuss with Martyn and to provide an update to the members.*
- Beavers – recent update made by Ruth Jenkins. There have been two applications received by NRW. One to have up to 6 beavers to be held in an

enclosure on the Afon Dyfi. NRW are minded to issue a licence but NRW recognises there is a high level of public interest and are now undertaking a 4 week 'minded to issue' public consultation, which will be advertised on the NRW website mid-September. The second application is a 5 year project to release 10 pairs of beavers into the wild in the Dyfi catchment. The assessment is still being undertaken by NRW, awaiting further information from the applicant, and the intention is to carry out a full public consultation. NFU Cymru highlighted that NRW will need to consider the length of consultation during current circumstances to enable organisations sufficient time to consult with members.

- Ash Dieback – John Browne has produced an options paper regarding Ash Dieback, which can be circulated to the group. Confor have been persuading the Forest Policy team in WG to publish guidance on Ash Dieback for over 12 months. There is a concern that there may be fatalities on farms and private estates from ash without any guidance. There is a matter of urgency to publish this guidance. NFU Cymru echoed this concern, particularly with their members along with the cost implications. The guidance and funding are desperately needed. Ruth Jenkins also raised that farmers are concerned about the impact this will have on the local environment. Huwel Manley mentioned the local authorities are appointing Ash Dieback Officers and are marking ash trees on highways. The liability and the costs for removing these trees will lie with the landowners. Dennis Matheson raised an issue with trees on tenanted land and who receives the order and cost to remove these trees. Anthony Geddes added there is a further concern of landowners/tree surgeons being accused of illegal felling by NRW after the most dangerous ash trees have been removed. There is a need to integrate the policy and licencing/enforcement teams on this issue.

***AP September 02: Circulate the options paper regarding Ash Dieback to members (John Browne, NRW)***

***AP September 03: Raise with Ceri Witchard's team regarding the urgency to publish guidance on Ash Dieback for landowners (Ruth Jenkins, NRW)***

### **Item 3 WLMF Woodland Creation Task and Finish Group**

6. Chris Blake, Chair of the WLMF Woodland Creation Task and Finish Group, provided an update and highlighted that the purpose of the group is to identify the barriers to woodland creation in Wales and how to meet WG targets. It is a stakeholder group and not a public consultation. There have been three meetings to date, which have been well attended. The goal is to produce a report in February, ahead of the WG elections, and will be reviewed by this group before submission to the Minister.
7. Forest Research has provided some resource to the group. It will focus on the particular barriers each landowner or land manager, including tenant farmers, faces and what they can do towards woodland creation. This is not large blocks of woodlands but includes hedgerows and small groups of trees. The next meeting will be held on the 22<sup>nd</sup> September. The stronghold so far is the financial incentives/investments to create woodland and how to access finance going forward is vitally important. The report will look at the processes involved with woodland creation and whether they can be streamlined. There is an appetite to plant trees on farmland but the work by the group will be looking at how this is properly fulfilled.

8. Sarah Hetherington queried whether the report will look at the 5 work themes (Advice and Guidance, Regulation, Voluntary Approaches, Investment, and Innovation). Chris Blake confirmed that the report will look at all the barriers and how to deliver the 5 work themes from the perspective of each landowner or land manager.
9. Dennis Matheson raised that WG aspirations was to plant 10,000 Ha in Wales by 2020. However, the Forestry Statistics released in June highlighted that only 80 Ha of woodland planted across Wales in 2019. The total area of woodland in Wales is well underestimated, the official statistics state 15% of Wales are wooded areas but Dennis believes there is at least another 5% that is not recorded. Dennis wanted to highlight that the Woodland Creation Schemes is one of the biggest threats to agricultural tenancies in Wales. Confor is there to support and help tenant farmers and would like to change that threat to making it an opportunity.

## **Item 4 Sustainable Farming & Our Land: Next Steps**

10. James Owen, Deputy Director for Land Management Reform in WG, joined the meeting to discuss the Sustainable Farming & Our Land and the next steps. After the consultation, the WG published an independent analysis in May which was undertaken by Wavehill based in Aberaeron. In July, the Minister made a statement in the Senedd which set out the WG policy response after the consultation analysis and the timetable what will be implemented over the next couple of years.
11. The Minister has confirmed that WG will publish a White Paper this Assembly term, which is currently being drafted. This White Paper is very much different to the two previous publications, which focused on the exit from the EU and a proposed scheme to replace the Basic Payments Scheme. The White Paper paves the way for a Bill which is planned to be introduced after the elections in May next year. The Bill will be much broader in scope than the previous consultations and will set out the primary legislative powers that WG needs to shape agriculture and forestry over the next 15-20 years. They currently have a complex regulatory picture for agriculture drawing on the Cross Compliance rules in the Common Agricultural Policy. Creating a set of new National Minimum standards for regulation is being proposed in the White Paper. This will bring together the Cross Compliance standards. Create a baseline for agricultural regulation for the future which will primarily be based on current regulations with powers for Ministers to introduce secondary regulation to alter the baseline over a period of time. In order to have access to the scheme the landowners need to be compliant with the regulations. WG are conscious that they need to monitor and enforce the two aspects of regulation and the scheme in a proportionate way. This is policy in development and the proposal is introducing a civil sanctions regime alongside regulatory national minimum standards, which will enable a key gap. There will be powers to apply a framework from stop notices to fixed/variable monetary penalties for more serious breaches of the regulations.
12. Welsh Government recognise there is an opportunity to use data and one chapter is dependent on the approach to data and how it is gathered, shared and used effectively. There is an importance to share data with farmers to make decisions at a farm level. It is a potential win-win on a number of levels. If we can reduce the number of enforcement and regulatory burden, we can take a more risk-based approach to inspections. Share data WG hold on agricultural land classification which will enable

farmers to make decisions on what they may or may not want to do on their farms. This is to reduce the randomness of inspection and enforcement regime currently in place.

13. There will be a range of provisions on forestry in the White Paper, to meet the ambitions of the National Forest and planting targets. This will provide the primary legislation to enable WG to reach those ambitions along with Ministers to retain powers at meeting targets with forestry.
14. The White Paper is intended to be published in December 2020 in order to move quickly after the elections to produce a Bill in the Senedd and to introduce the legislative framework in advanced of powers lapsing in 2024. The view is to introduce the legislation in 2021/22 with secondary legislation following in 2022/23. In 2024 the new scheme, with transitional periods, and the regulatory baseline will be introduced.
15. Welsh Government are very keen to obtain good input from stakeholders on the evidence base they are developing to support these proposals. They are doing a lot of work on the economic analysis of the proposed scheme and understanding the link between the environmental outcomes being sought and the actions for farmers to undertake. WG are modelling the range of different farm types across Wales to understand the different impacts the proposals will have on these, but also to determine how the scheme will be valued. WG will be writing to stakeholders inviting them to input into the evidence base. Workshops on the co-design of the Sustainable Farming Scheme will be taking place over the autumn. WG have undertaken a range of surveys and one-to-one interviews through Menter-a-Busnes.
16. James Owen questioned the group on how WG can engage with the members in the future and how to best share information to maintain the connection and engagement. Bob Vaughan is sure that the group will rise to the challenge with anything that is brought to the group from WG and will engage across the sector.
17. Fraser McAuley, CLA, raised that many farm businesses do not appreciate the changes that will occur over the next few years, therefore a coordinated campaign with WG and other stakeholders to communicate these changes over the next few years is needed. James Owen agreed and highlighted that there was an opportunity missed this year with no shows to engage with farmers. WG focus at the moment is engaging with stakeholder organisations but understand there is a need to engage directly with farmers. James Owen is willing to attend any stakeholder events to explain the next steps with the scheme. WG are planning direct engagement with farmers around the White Paper, which will look more at the enforcement and regulatory.
18. Anthony Geddes, Confor, highlighted that there was no language around forestry in the last consultation in July on simplifying agricultural support and cautioned that WG are moving towards exclusive language that will alienate sectors to deliver and achieve the desired outcomes.
19. Rachel Lewis-Davies, NFU Cymru, raised if the White Paper will be accompanied by an Impact Assessment, particularly on the proposals of the regulations. James Owen confirmed an Impact Assessment and the evidence being gathered at the moment will be published alongside the White Paper. The Impact Assessment will be a live document as the White Paper moves into a Bill the information will evolve and include further evidence.

20. Ruth Jenkins queried what ideas WG have that the group can be involved with or is it for the group to be informed. James Owen is open to both informing the group of developments and specific asks on the proposals such as the evidence and data available.

***AP September 04: Bob Vaughan to discuss the timescales with James Owen and to organise a workshop to coordinate ideas and evidence.***

21. Sarah Hetherington raised if the funding framework that is part of CAP is going to be covered in the White Paper. James Owen highlighted that the comprehensive spending review currently being undertaken by UK Government will define the funding that will be given to WG in the future. WG are creating a funding framework to replace CAP, which will look at two periods of time. The first between now and the new scheme being introduced using domestic funding and the second will look at the funding framework thereafter.

## **Item 5 NRW Update**

22. Huwel Manley mentioned how useful and effective the Area Statements engagement workshop was that occurred last year in Builth Wells and queried whether it would be useful to hold a similar event on a virtual basis. This will explore some issues that may need to be addressed. Anthony Geddes welcomed another event to involve more forestry sectors to provide stronger feedback.

23. Rachel Lewis-Davies highlighted that an event in a virtual setting is very difficult to get farmers and landowners attention and to be part of a long session. Need to take care on how to arrange an event that will be meaningful and useful.

24. Area Statements can be critical to feed into the work that James Owen is looking at for the evidence around the proposals in the White Paper.

***AP September 05: Explore another agricultural and forestry stakeholder event on Area Statements on a virtual basis (Huwel Manley/Martyn Evans, NRW)***

25. Bob Vaughan provided an update on the issues regarding the algal blooms on the River Wye and the River Usk over the summer, along with other areas across Wales. NRW are currently undertaking a source apportionment assessment on the River Wye and are looking at the data. This will be published at the end of September. The monitoring on the River Wye has shown that phosphate levels have decreased over the years.

26. The Ammonia Screening Guidance consultation is currently open on the NRW website and has been extended until November, due to Covid-19. The proposals within the consultation are not a major change from what is currently in place. Subsequently, NRW have been in discussions with the Farming Unions on planning advice, and this is currently being reviewed internally to prevent any conflicting advice.

27. Rachel Lewis-Davies, NFU Cymru, welcomed the extension to the consultation and wanted to highlight that the proposals in the consultation are a significant change as it applies to all farm developments when previously it has been applied to intensive farming defined as pigs and poultry. The Clean Air Act has specific targets for ammonia

reduction from agriculture and NFU Cymru believes that the application of the Ammonia Screening Guidance will be the biggest barrier to reach those targets. NFU Cymru have been made aware that there has been a change already to how NRW are applying the existing guidance which is due to changes to internal guidance.

***AP September 06: Provide a copy of the NRW Internal Guidance regarding the Ammonia Screening to NFU Cymru along with any previous iterations (NRW)***

28. Ruth Jenkins, NRW, provided an update on SoNaRR2020 and mentioned the chapters had been out for external review. All the chapters will be edited to produce the final chapters and to be presented as a one-voice version. A summary report and Natural Resources Register will be produced in December 2020 with the final chapters being published in March 2021. Rachel Lewis-Davies queried if the chapters will be a web-based document rather than a hard copy. Rachel has many concerns with them being solely web-based and the NRW website do not provide dates of when the page was last updated. Marc Williams, NRW, reassured everyone that SoNaRR2020 will be published as a web-based document and a pdf version. John Browne, NRW, highlighted that the NRW website is currently being reviewed due to the web accessibility regulations and will limit the amount of pdf documents being uploaded. A web-based approach may be the new way of working in the future.
29. Ruth Jenkins, NRW, mentioned the NRW Chair Sir David Henshaw is involved with the Green Recovery group and if any of the members want to be kept up to date to let NRW know. Many ideas have been submitted to the group including around food production.

## **Item 6 Update from other WLMF Members**

30. FUW: Aled Jones, FUW, explained that FUW have been liaising with members at county and the committee on the contractual relationships in the UK dairy industry consultation. FUW raised there are concerns with rural housing and the increases in sales and prices due to people moving out of cities or purchasing second homes. They have received reports in one county where a buyer bought five houses with the intention of renting these out as holiday homes. FUW have written to the Minister regarding this issue. FUW main focus currently is responding to the WG consultation on simplifying the agricultural support.

Ruth Jenkins considered whether there is an opportunity to link the issues with rural housing with the Green Recovery work, particularly with the outcomes of Covid-19. Rachel Lewis-Davies has written to the Housing Minister regarding the sustainable housing and the opportunities to use more wool which is an extremely sustainable product to replace plastics. Chris Blake highlighted that with the Green Recovery there are 160 proposals but creating markets for wool has been one of the themes.

31. NFU Cymru: Rachel Lewis-Davies, NFU Cymru, published a Covid-19 paper along with the Net Zero in agriculture by 2040 document in July. There has been a lot of interest with the achieving net zero paper, particularly from the UK Government. FUW and NFU Cymru co-hosted a Cabinet Office event with Nigel Topping, the High Level Climate Action Champion for COP26. NFU Cymru continue to support their members through the pandemic and are responding to a number of high level consultations. They have

recently launched a survey to develop a vision for upland farming in Wales, which will develop research with findings being published in a report.

32. Confor: Anthony Geddes, Confor, explained there has been changes to the organisation with a restructure taking place. Lord Ian Duncan has been appointed as the new Chair for Confor. They are currently responding to a number of consultations including the NRW five year timber marketing plan consultations. Glastir Woodland Creation Window 9 has had a very good uptake with over 4,000 Ha of applications and have all been submitted by qualified woodland planners. There is a possibility that the 2,000 Ha target can be reached over the next two years.
33. TFA: Dennis Matheson, TFA, highlighted the main area of work is highlighting to UK Government to make amendments to the Agriculture Bill relating to tenancy issues. TFA have support for the changes by a member of the House of Lords along with the Environment and Climate Change Committee in the Senedd. Another concern is the high volumes of people and traffic in the area, particularly on small backroads, that have caused disruption and preventing farmers accessing fields or tracks. Rachel Lewis-Davies highlighted that Covid-19 has intensified the number of anti-social issues around access, wild camping and fly-tipping. There is also little support for landowners that need to clean up the mess that has been left behind.
34. CLA: Fraser McAuley, CLA Cymru, provided a written update and stated they have been dealing with a broad range of queries from members regarding Covid, planning and future agricultural policy. CLA are setting up a number of small members working groups looking into a range of issues associated with the forthcoming White Paper. They are also working on a Planning for Wales paper and agricultural pollutions paper for forthcoming Polisi Cymru committee meetings.
35. Welsh Government: No further updates to make.

## **Item 7 Fora Updates**

36. The WLMF Sub Group on Agricultural Pollution have paused meetings for a few months due to pressures with work and members taking leave. The Sub Group have highlighted a number of priority recommendations that will be taken forward and the short break will allow the members to review these and to bring ideas to the meetings. The meeting will reconvene in October.
37. The minutes from the Fisheries Forum have been circulated to the members on the group.
38. The next Wales Water Management Forum will be in October. No updates available.

## **Item 8 Details of upcoming meetings**

39. The Chair confirmed that the next meeting date is:
  - Monday 7<sup>th</sup> December 2020
40. The Chair highlighted that if there are any topics to be included on the agenda for the next meeting to let NRW know.

## Item 9 AOB

41. Rachel Lewis-Davies asked if there were any indications of timelines for the General Licences Judicial Review. Ruth Jenkins explained there are currently no timelines available and they are waiting for further details.
42. Dennis Matheson, TFA, highlighted that for the Basic Payment Scheme groups of trees cannot be claimed in Wales, which is different to England. TFA would like to encourage NRW to persuade WG to change these rules and not to penalise farmers for having trees. The tree trunk should be excluded and not the whole canopy. This is completely against WG policy to plant more trees and look after existing ones. Ruth Jenkins explained that this will need to be brought up with James Owen in WG and to be considered in the future scheme. Rachel Lewis-Davies highlighted that the future scheme will be introduced in 2024 and will need to consider the environmental outcomes to be delivered in the interim period.

## Close meeting