



Mike Hedges AM
Chair
Climate Change, Environment and Rural Affairs Committee

17 January 2020

Dear Mike,

Thank you for your letter of 16 December, regarding my appearance before the Committee on 20 November. I have set out responses to your questions below.

Bovine Tuberculosis (TB)

Informed purchasing

In 2015 the Welsh Government introduced a grant for livestock markets to apply for up to 50% grant funding to update their display equipment and software to allow TB information to be displayed during cattle sales. Prior to this funding being made available, a letter was sent to all farmers whose cattle herds were TB free to inform them of the informed purchasing initiative to encourage wise buying practices and encourage them to share TB information when selling cattle. Despite the grant funding being available to all cattle markets in Wales, only ten markets applied. All were successful in their application. The criteria for the grant funding can be found in the copy of the Informed Purchasing factsheet attached at Annex 1 to this letter.

Post-implementation audit visits were carried out on the relevant markets to check their compliance with the grant funding. The visits assessed whether their cattle pre-entry forms were updated to request TB information such as the date of the pre-movement test, the date of the last whole herd test and the date the herd last came off restrictions. Also considered during these audits was whether the TB information was prominently displayed above the cattle ring as specified in the grant funding requirements. Disappointingly, the audits found little TB information was being displayed at markets. Discussions with market operators and auctioneers showed the reasons for this were two-fold: TB information was not being provided by vendors nor was it being requested by purchasers.

I am aware of the commercial sensitivities associated with providing TB information at markets along with a potential conflict of interest for the farmer, for example a subsequent potential loss in value of their cattle if this information was displayed. However, we know in some areas of Wales, eight in ten TB breakdowns are primarily attributable to cattle movements. The importance of informed purchasing cannot be overstated.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Feedback from the audit visits and during other engagement with market operators and auctioneers shows us, while the farmer has a choice of whether or not to provide TB information for the market to display and until it becomes a legal requirement to provide and display it, compliance is likely to be unfavourable. We continue to encourage farmers to request TB information at the point of sale and for markets to display it.

Effective Informed Purchasing on a voluntary basis requires the cattle industry in Wales to recognise cattle movements are a significant cause of new TB breakdowns. It also requires farmers actively to try to minimise the risk of new TB introduction via this route. The evidence we have from cattle movement and TB breakdown data currently suggests the industry does not fully buy into this. For a voluntary system to work, information needs to be exchanged between sellers and buyers so they are aware of the TB status of animals, the herds from which they originate and the potential risks involved in bringing these animals into their own herd. Despite the controls we have in place, the epidemiological evidence suggests bought-in cattle are a primary source of new infection. Pre and Post-Movement Testing reduces but does not eliminate this risk because cattle can become infected after testing or may be at the earliest stages of infection, too early to be picked up by the test.

Following careful consideration of the voluntary approach, an evaluation of the policy was undertaken and as part of a refreshed TB Eradication Programme I announced the introduction of a mandatory system. Given the volume of cross-border cattle movements between Wales and England, we are working in collaboration with Defra to develop options for a mandatory system. Particular focus is on the development of herd risk scores and potential consequences of bringing higher risk animals into a herd. It is a very complex area and will require consultation and a change in legislation. There are risks a Wales-only system could put our farmers and markets in a disadvantaged position to England where additional information might not be made mandatory.

I am happy to update the Committee on progress in developing a mandatory scheme and information on the necessary legislative requirements in due course. In the meantime my officials will continue to promote the benefits of informed purchasing to farmers and market operators in Wales. This will include provision of appropriate advice and guidance to farmers and market operators.

Compensating farmers

The review of TB compensation is intended to explore options to make the system financially sustainable whilst also ensuring it encourages good practices and discourages bad practices, working towards our long term objective of TB eradication.

The review is still in the early stages of development and, as with all potential policy changes of this type, the available options have been discussed with the TB Programme Board. No timescale for implementing changes has been agreed as yet, however, I aim to consult on proposed changes by the end of 2020 at the latest.

TB Eradication Programme funding post Brexit

The Welsh Government continues to seek commitment from the UK Government to ensure TB funding currently provided by the EU will continue post Brexit. I will provide further information as soon as it is available.

Over the last three and a half years the Welsh Government has consistently called on the UK Government to honour the promises made during the EU referendum campaign that Wales would not lose a single penny of funding for agriculture after Brexit.

It is essential the UK Government provides the same level of funding as we currently receive from the EU and full flexibility to decide how the funding is used.

Agriculture

Farm support

The Minister of State for Defra, George Eustice MP, wrote to me on 20 December confirming his intention to introduce an Agriculture Bill in January. This Bill will provide Welsh Ministers with powers to continue operating the Basic Payment Scheme beyond 2020. I intend to take powers in the Bill allowing for continuation of the BPS beyond 2020 to provide stability to farmers during this period of uncertainty, and certain other powers which are important to ensure the effective operation of the internal market in the UK. I will be seeking legislative consent from the Senedd for these continuity powers in accordance with our Standing Orders.

Antibiotics

In response to the threat of Antimicrobial Resistance (AMR), the Office of the Chief Veterinary Officer of Wales and the Wales Animal Health and Welfare Framework Group (WAHWFG) has encouraged actions to control AMR by veterinary delivery partners, including a large-scale and unique antibiotic prescribing benchmarking exercises. We are supporting the new UK Five Year National Action Plan 2019 – 2024 by developing and delivering a detailed programme of work and applying the “One Health” approach by addressing human, animal and environmental aspects of the AMR threat together.

We published the Welsh Animal and Environment AMR Implementation Plan in July 2019. The work will be led by the Animal and Environment AMR Delivery Group, which includes representatives from the farming industry, veterinary profession and Public Health Wales. A copy of the Implementation Plan can be found at <https://gov.wales/antimicrobial-resistance-animals-and-environment-implementation-plan>.

This new Group, a first for Wales, reports to the WAHWFG and also to the highest level AMR control group in the Welsh Government, chaired by the Chief Medical Officer. This will ensure our efforts are fully aligned with those of the NHS and Public Health Wales. It is essential we work together closely with medical counterparts and human, animal and environmental components of AMR are addressed in a joined-up way.

Regulation of the veterinary profession and the use of antibiotics is a reserved matter, led by the Veterinary Medicines Directorate and the Veterinary Medicines Regulations. The Veterinary Medicines Directorate’s objectives are to protect public health and meet high standards of animal welfare.

In the UK, antibiotics are prescription-only medicines from a veterinary surgeon and livestock keepers are legally required to record all medicine usage. All prescription-only medicines have a specified withdrawal period, to protect the human food chain and routine residue testing is conducted for meat and dairy products.

Only vets have the privilege and responsibility to prescribe antibiotics for animals and, livestock keepers are legally required to record all medicine usage. There is no legal requirement for medicine usage to be recorded electronically and many livestock keepers use a hard copy medicine record book. As such, it would be difficult to capture accurate usage data for Wales. However, there are industry initiatives being developed to record medicine usage electronically and we are closely engaged with this work to consider what data may become available in the future. The Welsh Government's Rural Development Programme has also awarded funding for a project, Arwain Vet Cymru, which will look to improve the standards of antibiotic stewardship in Wales. Notwithstanding this, in line with the second major goal in our Implementation Plan, we want to develop guidelines for vets in Wales to improve the decisions made when animals require treatment with antibiotics.

Government cannot control AMR in animals alone. The control of infectious diseases and the antibiotics used to treat them are in the hands of animal keepers and their veterinarians. We therefore need those people and scientific experts to work together, and with us, to achieve the goals of our Animal and Environment AMR Implementation Plan for Wales.

We are supporting the work of our veterinary delivery partners, bringing the relationship between Welsh farmers and vets closer. Creating a culture of prevention being better than cure, through animal health planning and improved biosecurity, leads to a reduction in the need for animals requiring treatment in the first place.

The Welsh Government intends to stay as closely aligned as possible with the EU and its current revision of regulations including the categorisation of critically important antibiotics. In addition, we do not have an interest in opening our markets to animals and animal products which originate from countries where antibiotics are used as growth promoters. The Welsh Government has no intention of reducing current standards when the UK leaves the EU. Standards will remain at current levels and future developments would be to improve standards, not reduce them.

The Welsh Government continues to have regular engagement with the Veterinary Medicines Directorate and is fully engaged on matters to jointly agree the UK's position, including close collaboration between respective Chief Veterinary Officers. I am happy to keep you informed as matters arise, particularly in the event that the UK exits the EU.

Common Frameworks

The UK Government Revised Frameworks Analysis, published by the Cabinet Office in April 2019, lists areas which potentially require a legislative or non-legislative common framework following the UK's exit from the EU. The areas classified as potentially non-legislative frameworks which fall within my portfolio are:

- Air Quality
- Biodiversity
- Control of Major Accident Hazards
- Efficiency in Energy Use
- Marine Environment
- Radioactive Substances
- Spatial Data Infrastructure Standards (INSPIRE)

- Strategic Environmental Assessment Directive
- Natural Environment & Biodiversity
- Waste Management (responsibility for waste policy in Welsh Government sits with the portfolio of the Minister for Housing and Local Government but is managed by the ERA department).

The Cabinet office publication is available at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/792738/20190404-FrameworksAnalysis.pdf

Common Frameworks are currently scheduled to be in place by 31 December 2020. Discussions are ongoing between the four administrations. There are also elements of potential legislative Common Frameworks likely to be implemented through non-legislative means, such as Ministerial agreed Concordats between the four UK administrations.

The uncertainty surrounding how the UK will leave the EU and the circumstances of any future agreements with the EU and other nations may affect the scope, timing and implementation of common frameworks. Should there be any proposed change to the timescale, I will write to the Committee to make you aware.

Rural Development Programme (RDP)

The RDP continues to make good progress. We are well ahead of the EU's spend targets at this stage. Spend has now exceeded £366m or almost 44% of our allocation. This is in line with the average for other EU Member States.

The RDP is a flexible programme which will be tailored during the period to meet the needs of rural communities, including farmers and foresters.

It is important to remember that whilst the RDP is a seven year programme, spend takes place over a ten year period under the "N+3" rules. The EU's first spend target in December 2018 was €123m and the Welsh Government achieved this well ahead of schedule in November 2017. We also achieved the EU's second spend target of €247m in March 2019, well ahead of the December 2019 target. Including pre-financing amounts (EC advances) we have achieved €303,701,547 to the end of 30 September 2019.

At a project level a total of £647.2m funds have been committed, representing 77.5% of total Programme funds. This figure has dropped due to changes to the exchange rate increasing the overall programme value. We will continue to monitor the commitment levels to ensure the RDP is fully utilised allowing the maximum possible draw down of EU funds.

Plans are in place to achieve full commitment of the Programme by the end of 2020. These were approved by the EU Commission on 14 December 2019 via a programme modification. The focus of this modification provides continued support for environmental land management contracts supported through the RDP to allow for the transition arrangements for post Brexit schemes. This includes funds made available to extend all Glastir Advanced, Commons and Organics agreements to 2021, providing certainty for land managers and ensuring the ongoing delivery of important environmental outcomes. The modification provides a new total allocation for the RDP of £834.8m. Please note the sterling value of the programme is not fixed due to constant changes to the exchange rate.

Fisheries

Stocks

The International Council for the Exploration of the Sea (ICES) provides impartial evidence on the state and sustainable use of our seas and oceans. Of the stocks in Welsh Waters which have been assessed by ICES, 75% are being exploited at levels consistent with achieving Maximum Sustainable Yield, ie 71% in the Celtic Sea, 82% in the Irish Sea and 73% in the Bristol Channel. The stocks which are not yet at this level are cod, haddock, whiting and herring. These stocks are not targeted by the Welsh fleet.

Abandoned, lost or discarded fishing gear

I recognise abandoned, lost or discarded fishing gear (ALDFG) has the potential to cause detrimental impacts upon the marine environment. Due to the open nature of our oceans and the prevailing hydrodynamic conditions, ie currents, ALDFG is an issue which extends beyond Welsh waters. I committed to working with British Irish Council (BIC) parties to develop a coordinated solution for end of life fishing gear. Additionally, the Single Use Plastics Directive came into force in May 2019. This Directive includes a number of requirements including the need to introduce an Extended Producer Responsibility scheme for fishing gear.

In considering the issue, the Welsh Government is commissioning evidence-based research to undertake an inventory of the Welsh fishing fleet focusing on four key areas:

- Quantities of fishing gear currently in use,
- Types of fishing gear, specifically its material content to determine its recyclability,
- Quantities of fishing gear deemed end of life from the Welsh fleet per year, including gear recovered from the sea, and
- Current infrastructure and management processes in place to enable the safe and sustainable disposal of gear.

Beyond this, the research will explore opportunities for 'ghost gear' and marine litter bycatch to be disposed of safely and sustainably. My officials are working with key stakeholders through the Wales Marine Fisheries Advisory Group and have formed a small task and finish group to support the delivery of this work area. The Welsh Government is keen to explore opportunities to work with other administrations through BIC and coordinate any future recycling scheme. It is anticipated a report will be produced in the second quarter of 2020 outlining an inventory of fishing gear and identifying potential measures which could be introduced.

Natural Resources Wales will provide the Welsh Government with the Assessing Welsh Fishing Activities' potting assessments in 2020. The Welsh Government will use these assessments to review the impacts from potting activity on marine features to assess the need for a management response, including the potential use of flexible management measures like those recently discussed in the Welsh Government's 2019 Brexit and Our Seas Consultation.

Biodiversity

I have not recently considered statutory biodiversity targets. This was something that was considered at length and rejected during the drafting of the Environment (Wales) Act on the grounds that they can drive a focus on specific actions, when the aim of the Act is to take an integrated approach to maintaining and enhancing biodiversity and the resilience of ecosystems. However, I am keen to understand and measure the outcomes and impacts of our actions on biodiversity, and the National Indicators under the Well-being of Future Generations Act have started that process. Further indicators to be established under the State of Natural Resources Report will also help us understand the status and trends for species and habitats in Wales.

My officials are engaged in the review of the Aichi targets under the Convention on Biological Diversity. I look forward to the developments towards a report to the Conference of Parties in Beijing in November 2020.

Dog Breeding

The report of the review of the Animal Welfare (Dog Breeding) (Wales) Regulations 2014 was originally due on 31 December 2019. Following a slight delay it was submitted on 7 January. My officials will submit recommendations on next steps to me after full analysis of the report. At this stage, I can confirm the report has recommended a revision of the 2014 Regulations. This includes many of the issues you have raised such as reviewing the current inspection system, staff to adult dog ratio, tackling illegal breeders and addressing barriers to enforcement.

I will provide a further update to you, including timescales once I have considered the recommendations.

Fireworks

The powers to restrict the sale and use of fireworks under the Fireworks Act 2003 rest with UK Government Ministers. The Deputy Minister for Housing & Local Government and I have written to Kelly Tolhurst MP, Minister for Small Business, Consumers and Corporate Responsibility at the Department for Business, Energy & Industrial Strategy to urge a strong UK Government response to the House of Common's Petitions Committee's recent inquiry and its subsequent recommendations.

In addition to this, Welsh Government officials are liaising across a range of departments to establish where we can best focus our efforts here in Wales to reduce the negative impacts of fireworks on people and animals.

Fuel Poverty

The Wales Audit Office (WAO) published its Landscape Review into Fuel Poverty in Wales on 3 October. To allow sufficient time to consider the recommendations made in the WAO's report, it had been my intention to publish the draft plan to consultation on Fuel Poverty Day on 28 November. Unfortunately, the calling of the UK General Election necessitated a further short delay. I now expect to publish our draft plan to tackle Fuel Poverty for consultation in February. This timeline will also allow time to consider findings emerging from the Committee's inquiry into Fuel Poverty prior to the final plan being published.

The Clean Air Plan currently states the Welsh Government has consulted on a new plan to tackle fuel poverty. This was correct at the time of drafting and publishing the consultation on the Clean Air Plan. However, as the Fuel Poverty consultation was delayed due to the UK General Election in December 2019, we are amending the Clean Air Plan consultation to reflect these changes.

Regards,

A handwritten signature in black ink that reads "Lesley". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lesley Griffiths AC/AM

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs