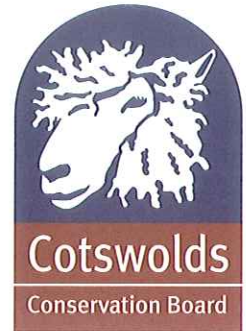


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21<sup>st</sup> May 2009

Dear Sir/Madam

**Consultation on proposed changes to standards in cross compliance GAEC and related measures in England**

The Cotswolds Conservation Board welcomes measures to re-establish the environmental benefits which were associated with set-aside, particularly as the Cotswolds are an important area for farmland biodiversity notably farmland birds and arable land flora. The Board, however, has some concerns about the consultation and the options presented in it.

Of the two options presented in the consultation document, the Board's preference would be Option A. However, the Board considers that neither option would deliver the full range of benefits envisaged.

The consultation document makes clear Defra's preference for Option B. The Board is not convinced that Option B would deliver the desired outcomes as it would be an entirely voluntary scheme. Commodity prices will largely dictate the area of land taken out of production under a voluntary scheme and the volatility of the markets will mean the land taken out of production will come and go, offering no stability and continuity of environmental benefits. A voluntary scheme may well work for 2-3 years due to the good nature and co-operation of the farming community. However, as global demand for food increases and commodity prices rise, the temptation will be there to put land back into production.

Option A would guarantee a certain level of land taken out of production and would deliver some environmental benefit more or less from the introduction of the scheme. The risk is that as commodity prices rise, farmers may be tempted out of the SPS altogether to avoid cross compliance measures that make no business sense.

Increasingly, to take even a comparatively small percentage of land out of production needs to make sense to the farm business. Any successor to set-aside, therefore, must not be seen as a burden. Consequently, the Board suggests that using ELS would be a better approach, by making the proposed cross compliance options a compulsory element of ELS for which ELS payments would be made. This approach would also have the advantage of bringing land

Conserving, enhancing, understanding and enjoying the Cotswolds Area of Outstanding Natural Beauty

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taken out of production into the Farm Environment Record so ensuring that such land is in optimum locations and to provide a baseline for monitoring.

The Board would also make the point that whilst the proposal for option A has been designed and described in some detail, option B has not and consequently can only be considered as a principle in the Board's response.

Responses to Consultation document questions:

*Question 1: Do you have any further evidence (preferably quantified) on the environmental benefits of set-aside/uncropped land?*

No

*Question 2: Do you think other or additional selection criteria should be considered in selecting which option to implement?*

No

*Question 3: Do you think other or additional criteria should be considered in measuring the success of any measures adopted?*

No

*Question 4: Do you agree that the short term outcomes (for example, area, distribution, management of uncropped land) and longer term potential of any measure adopted should be assessed at the end of the first year of implementation?*

Yes

*Question 5: For Option A which alternative would you prefer to see implemented, A1 or A2, and why?*

A1, principally because there would be less of an overlap with Environmental Stewardship.

*Question 6a: Bearing in mind the costs to farmers and environmental objectives, what percentage area do you think should be set for option A – as alternative A1 or as alternative A2?*

6%.

*Question 6b: Do you agree that the option A requirement should only apply to farms with more than 20ha of cultivated land?*

Yes

*Question 7: Do you have any suggestions for minimising any potential negative impact on ELS uptake should Option A be implemented?*

*Question 8: What suggestions do you have for changing the existing GAEC 12 (agricultural land which is not in agricultural production) as part of Option B?*

*Question 9: Do you have any suggestions for developing Option B so that it could deliver against the proposed success criteria (para 3.7.1) ? Please give reasons.*

Option B includes a Farmland Bird Action Plan. Set-aside was important for farmland birds but it was also important for wider arable biodiversity, including rare arable plants. The focus for Option B should, therefore, be wider. It should also be realised that rotational set-aside was important for arable biodiversity and for controlling arable weed species and pests as part of crop rotation.

*Question 10: What would be the best form of cost effective guidance and advice to help you understand the proposals for either Option A or B?*

*(Example include – hard copy, electronic form, workshops, farm demonstrations, farm walks, a telephone help line, published articles, training of advisors etc)*

The examples given are all useful forms of guidance and all should be made available. However, the most effective form of guidance is one to one guidance on the farm with an advisor. If this is not considered cost effective, the nearest to this from the list of examples above are farm walks, farm demonstrations, workshops and training of advisors.

*Question 11: Is Option A an appropriate mechanism to act as a fallback should Option B (a voluntary approach) fail to deliver?*

Yes

*Question 12: Which option would you prefer to see implemented, Option A or B? Please state why.*

The Board is not confident that a voluntary scheme would be effective in delivering the desired outcomes. It might work for a short time, but a compulsory scheme will be needed and it would be better to introduce a compulsory scheme from the outset – please see comments at the beginning of the Board's response about the options in the consultation.

*Question 13: Do you have any further information and/or views on the costs, benefits and risks of the proposals?*

Un-cropped land needs to be in the right place on the farm to be most effective for biodiversity, particularly as less land area is likely to be taken out of production than under the set-aside policy. Neither option in the consultation makes it clear how this will be achieved.

There is already evidence, from conversations, that farmers are holding back from entering ES agreements pending the decision on cross compliance.

Would existing ELS options on the farm count towards cross compliance requirements to take land out of production? If not and it is removed from the ELS agreement, what would happen to the ELS agreement and the payments received?

Would the required percentage of land removed from production be in addition to land currently out of production under ELS or HLS?

Introduction of new GAEC standard on buffer strips next to watercourses.

Most of the Cotswolds is within the NVZ. Consequently this new standard seems to increase the already required 2m strip to 6m.

*Question 14: Do you have further information, preferably quantified, that would improve the analysis presented in the Impact Assessment associated with the buffer strip options?*

No

*Question 15a: What guidance and advice will be necessary to assist farmers in deciding where to locate buffer strips next to water courses?*

The location of buffer strips alongside watercourses should be obvious. Consequently, the advice and guidance should be straight forward. Clarification of what constitutes a watercourse may be useful in some circumstances.

*Question 15b: What is the most effective way of providing guidance and advice to farmers on locating buffer strips?*

The most effective method of providing guidance and advice to farmers is always face to face on the farm

*Question 16a: Do you agree that the success of policy option 3 (advisory targeting of buffer strips) is likely to be reduced if a voluntary approach to recapturing the benefits of set-aside is taken?*

Yes

*Question 16b: How would you mitigate this risk?*

By monitoring and the provision of on-farm advice

*Question 17: If monitoring showed that the advisory/incentive approach under Policy Option 3 had not been successful in delivering sufficient buffer strips in appropriate locations, would you prefer to adopt Policy Option 2 (a blanket mandatory approach) or Policy Option 4 (a targeted mandatory approach)?*

To be effective the buffer strips need to be in the right place. Consequently Policy Option 4 would be preferred but with appropriate guidance.

*Question 18: Can you advise on modifications to the options outlined that would effectively address water quality issues through the use of buffer strips next to watercourses as part of the GAEC standards?*

Soil Management: helping farmers manage their soils.

*Question 19: Do you agree that the approach outlined will improve the cross compliance GAEC standard on Soils?*

Yes. The proposal makes sense and is pragmatic

*Question 20: Have you any additional ideas for how the proposals might be further improved?*

No

Abstraction licences (for irrigation)

*Question 21: Do you have any evidence that suggests we should consider a different approach to implementing the new cross compliance standard on abstraction licences?*

No

Agricultural land which is not in agricultural production (GAEC 12)

What is not clear from the consultation document is what, if anything, is to be retained in GAEC 12. The management of land taken out of agricultural production, whether it is for re-capturing the benefits of set-aside or buffer strips, is important. Consequently the guidelines covering the cutting of scrub or rank vegetation and the timing of cutting etc needs to be retained.

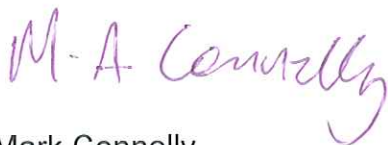
*Question 22: Is the list of proposed activities that would be permissible on agricultural land that is not in agricultural production appropriate?*

If question 22 refers to the list in appendix 7, then yes they are appropriate as long as the activities do not impact on the purpose of the land taken out of agricultural production. For example, many of the activities are not appropriate for strips or areas of land taken out of production for farmland birds from March to July.

*Question 23: Are there any activities you would wish to see included/excluded, if so provide an explanation of the impact on agriculture and the environment*

If you wish to clarify or discuss further any of the above comments, please do not hesitate to contact me.

Yours sincerely,



Mark Connelly  
Land Management Officer