



Ein cyf/Our ref LG/05488/16

The Wye and Usk Foundation  
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Dear Ally

I would like to thank your members for writing to the First Minister regarding an article entitled "Do we need more silt in our rivers?" featured within your recent e-bulletin. As the Cabinet Secretary with responsibility for the Environment and Rural Affairs I have been asked to respond.

Due to the amount of correspondence this has generated, I am writing to you directly and ask you to disseminate my response to members of the Wye and Usk Foundation.

I am fully aware of the incident which occurred at Llanfiangel-nant-Melan, Powys, which created the need to publish the article.

I would, therefore, like to set out the Welsh Government's position in terms of policies in place to protect our natural environment.

All farming practices need to be undertaken to standards outlined by the Code of Good Agricultural Practice and the requirements of the Good Environmental and Agricultural Conditions (GEACs) as set out under the Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014 (Cross Compliance Regulations), which underpin the Basic Payment Scheme in Wales.

The Code and the GAECs set requirements for farmers in respect of soils, as well as maintaining a range of habitat and landscape features which are characteristic of the countryside. Each of the UK regions is able to define GAEC standards to take into account the diversity in landscape and farming practices characteristic to their areas.

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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.

In terms of soil protection, farmers are responsible for limiting threats of erosion, organic matter decline, compaction and contamination. In the case highlighted within your article, this had been undertaken. The farmer in question had left a buffer on the field above the 5 metres recommendation and therefore complied with the rules of Cross Compliance. This was also the case with regards to the Environmental Impact Assessment (Agriculture) Wales Regulations 2007 (EIA Regulations), which is in place to protect semi natural habitat sites from agricultural improvement works. The site in questions was outside the remit of the EIA Regulations and hence the farmer was not obliged to apply for EIA screening.

The Welsh Government carried out a full inspection of the incident and found there was no breach of Cross Compliance rules or the EIA Regulations.

At the time the work was undertaken, the weather was quite possibly at its most unpredictable we have seen for a number of years. Soon after the work was completed, severe localised rainfall created a situation which resulted in soil from the newly ploughed bank breach the buffer strip and flow across the road and onto the surrounding fields. Welsh Government officials are working with the farmer to remediate the site, in order to prevent further damage.

This was an exceptional incident and various lessons will be learnt by all parties.

Moving forward, it will be important for the Welsh Government to engage more closely with the farming sector in order to prevent such incidents in the future. Ground works on steep slopes not only pose issues from a health and safety point of view, but also increase environmental risks. I have instructed my officials to review the effectiveness of the current regulatory requirements. However, any interventions in the future will need to be applied proportionately without restricting farming within the uplands of Wales.

Yours sincerely  
Lesley Griffiths

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig  
Cabinet Secretary for Environment and Rural Affairs