

The Welsh Government's proposed Sustainable Farming Scheme: restoring biodiversity

October 2019



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October 2019



About the Committee

The Committee was established on 28 June 2016. Its remit can be found at: www.assembly.wales/SeneddCCERA

Committee Chair:



Mike Hedges AM
Welsh Labour

Current Committee membership:



Andrew RT Davies AM
Welsh Conservatives



Llyr Gruffydd AM
Plaid Cymru



Neil Hamilton AM
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Jenny Rathbone AM
Welsh Labour



Joyce Watson AM
Welsh Labour

The following Members were also members of the Committee during this inquiry



Gareth Bennett AM
UKIP Wales



John Griffiths AM
Welsh Labour



Helen Mary Jones AM
Plaid Cymru

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Chair's Foreword

The speed and scale of the decline in biodiversity in Wales is truly shocking.

The latest research, set out in the State of Nature 2019 report, paints a very bleak picture. Many species in Wales are in decline. 666 species are threatened with extinction from Wales and 73 species have been lost already. No habitat is truly resilient.

We agree with the Welsh Government that reversing the decline of biodiversity is one of today's greatest challenges, alongside climate change and sustainable food production.

In July 2019, the Welsh Government published for consultation the second iteration of its proposals for farming support after the UK exits the EU, "Sustainable Farming and our Land". This iteration proposes that a key component of the new arrangements will be a "Sustainable Farming Scheme".

As a Committee, we have already undertaken a considerable amount of work concerning the various proposals for a "public goods scheme" for farming support after Brexit. For this piece of work, we wanted to consider the proposals in the context of biodiversity.

We believe that a key priority of any new scheme should be the restoration of biodiversity, alongside other sustainable outcomes.

Exiting the EU provides us with an opportunity to rethink how we can use resources to underpin these sustainable outcomes. It is an opportunity that we must grasp if we are to arrest the decline of species and begin to restore biodiversity in Wales.

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Our approach

1. The Committee undertook a short inquiry into biodiversity in the context of the Welsh Government's proposed framework for farming support after the UK exits the EU.
2. The Committee took oral and written evidence following the publication of the Welsh Government's initial consultation proposals for the future of agriculture support, "Brexit and our Land".
3. Before finalising its report, the Welsh Government published the second iteration of its proposals, "Sustainable Farming and our Land" (July 2019) for public consultation. This iteration sets out several changes in approach, including the merging of two proposed schemes into one "Sustainable Farming Scheme".
4. The Committee agreed that the evidence it had heard in relation to the Welsh Government's initial proposals continued to be relevant and should be refocused to reflect the proposals in the latest consultation.

Terms of Reference

5. The terms of reference for the Committee's inquiry were:
 - How could the Welsh Government's proposed Public Goods scheme, set out in Brexit and our Land, be applied to restore biodiversity;
 - How could the various existing Welsh Government policies and legislation for biodiversity restoration be applied in the design and implementation of the proposed Public Goods scheme; and
 - What lessons can be learned from the Glastir Monitoring and Evaluation Programme (GMEP) to ensure effective monitoring and evaluation of schemes to support the restoration of biodiversity? How should the new Environment and Rural Affairs Monitoring and Modelling Programme (ERAMMP) be designed and implemented effectively for this purpose?
6. A list of those who contributed to the Committee's work is included at The Annex of this Report.

1. The proposed “Sustainable Farming Scheme”

7. Biodiversity is defined in the Environment (Wales) Act 2016 (the Environment Act) as “the diversity of living organisms, whether at the genetic, species or ecosystem level”.

8. In its Sustainable Farming and our Land consultation document, the Welsh Government says that “reversing the decline of biodiversity” is one of today’s most significant challenges, alongside climate change and sustainable food production. It says that farm support should be used to reward those farmers who take action to meet these challenges and sets out a series of proposals to give effect to this.

Sustainable land management

9. Sustainable Farming and our Land describes the Welsh Government’s overarching approach to future support as being based on an objective of “sustainable land management”. This, it says, is an “internationally recognised concept”, which reflects “the use of land for production, while ensuring long-term productive potential and maintenance of key environmental services”.

10. The Welsh Government states that “Biodiversity” is a category of benefits arising from its sustainable land management approach. It describes the value of biodiversity to society, as well as its intrinsic value, including “providing a functioning array of habitats and species, which underpins the appeal of the Welsh landscape that our tourism sector relies on, as well as providing benefits to our own well-being through contact with nature”. It acknowledges the value of biodiversity for other “ecosystem services” such as healthy soils, carbon sequestration and water filtration.

Sustainable farming payment scheme

11. Sustainable Farming and our Land explains that the proposed Sustainable Farming Scheme will “reward farmers for delivering SLM (Sustainable Land Management) outcomes”.

12. Stakeholders were generally enthusiastic, in principle, about a scheme that would be focused on the delivery of public goods and based on outcomes. However, stakeholders emphasised that the focus of any new scheme should be on restoring biodiversity, and not on managing its decline. Several suggested that the Common Agriculture Policy had proven to have had little success in reversing

the decline of biodiversity and the new scheme would be an opportunity to devise a new scheme focused on addressing this.

13. However, several recognised that designing schemes that include outcomes relating to biodiversity can be challenging. For example, NRW said that species presence would be a difficult outcome to measure and reward fairly, as colonisation can be beyond land managers' control. NRW suggested that a solution would be to use "proxies" such as habitat condition to measure species presence. Lawrence Brooks also believed that using habitat condition as a proxy measure would be a simple, yet robust approach.

14. Stakeholders were particularly supportive of the use of proxy measures for outcomes that could take longer to come to fruition. Confor explained that "It may take us 10 years to come off the bottom of the bell curve for declining species. But if you encourage people to do the right thing, to farm in a sustainable, high-quality way, you will start to get those results, even if you can't quite measure them yet".

15. However, RSPB Cymru explained that the use of proxies such as habitat condition has its limitations, one of them being that "you can get 90 per cent of your habitat right for species, but that [remaining] 10 per cent might be critical to success". The British Ecological Society echoed this, saying that, under previous agri-environment schemes, there was a poor understanding of species biology so that management options for specific species was limited to general habitat management. This may not deliver the specific outcomes that benefit priority species.

16. Several respondents emphasised that, in order to deliver change at the scale that is needed, the numbers of farmers participating in the proposed scheme will need to increase significantly. The proposed scheme will, therefore, need to be easy to understand and accessible. Ecology Planning warned that "the biggest problem with the current scheme is people don't want to go onto it because the rulebook is this thick and there's a lot to read". Several stakeholders emphasised the need for high quality advisory services. The Committee considers this matter further in Chapter 2.

The scale of the scheme

17. Pembrokeshire Coast National Park Authority said that the spatial scale of the approach should depend on each desired outcome. This could be "according to species, it could be according to habitat, it could be according to landscape". It explained:

“A good example perhaps would be a valley, where say, the protection of hares is an aim that everyone is agreed upon. That protection plan would operate on an individual farm, but it would also be implemented across the whole area, and would require landowners to co-operate, which is an aim in itself. They would monitor, co-operate and work together, and that whole area would unite in that aim. There would be different aims then and different outcomes.”

18. RSPB Cymru agreed that “the issue of scale...depends on the public good you’re delivering”. It said that, in relation to certain mobile species, a larger scale approach would be necessary and gave the example of curlew in an area of North Wales, where “some of those birds are using the landscape and travelling several kilometres during the course of a day”.

19. Stakeholders suggested that area statements and SoNaRR¹ could be applied to select appropriate sites in the targeting of schemes. Wales Environment Link said area statements could potentially “highlight some specific areas for habitat restoration, species recovery, and delivering site condition”.

Monitoring the proposed scheme’s impact

20. Currently, the Glastir Monitoring and Evaluation Programme (GMEP) assesses the environmental impacts of Glastir, Wales’ agri-environment scheme. The Welsh Government has recently procured the Environment and Rural Affairs Monitoring and Modelling Programme (ERAMMP) to build on GMEP.

21. The Committee explored with stakeholders how the effectiveness of the proposed scheme could be monitored in future. Some stakeholders called for targets aimed specifically at restoring biodiversity. Others highlighted the challenges of monitoring impact on biodiversity, given the long timescales and the complexity of ecological systems.

22. The British Ecological Society said that any new monitoring approach would need to reflect the potential delay between an action and its results. A positive aspect of GMEP “was the re-surveying so that you could see trends over time”. However, a weakness of that monitoring programme was that it did not monitor rare species. This would be an important aspect of the monitoring approach, as

¹ Under the Environment Act, NRW is required to produce a State of Natural Resources Report (SoNaRR). SoNaRR must be updated every 5 years to provide details of the current condition of the environment. The first SoNaRR was published in September 2016. The report assesses the current condition and extent of natural resources in Wales and is a critical evidence base for restoring Welsh natural resources.

“sometimes, you can create the right habitat, but the species populations don't increase...you need to be monitoring those species specifically to understand whether you're actually delivering”.

23. Snowdonia National Park Authority believed that self-evaluation by farmers should play a part in the monitoring process. This would encourage a sense of ownership and confidence in farmers and land managers participating in the scheme.

Our view

The speed and scale of the decline in biodiversity in Wales is truly shocking. The State of Nature report, produced by environmental organisations, showed a decline of 57% of wild plant species, 60% of butterflies and 40% of birds in Wales between 1970 and 2013. Natural Resources Wales' report on the State of Natural Resources concluded that many species in Wales are in decline and that no habitat is truly “resilient”.

We agree with the Welsh Government that reversing the decline of biodiversity is one of today's greatest challenges. We believe that the Welsh Government should state explicitly that a key priority of the Sustainable Farming Scheme is the *restoration* of biodiversity. We believe that this is a once in a generation opportunity to channel resources towards biodiversity and it must be grasped by the Welsh Government. The Welsh Government's must use its proposed scheme to leverage funding and resources to meet this huge challenge. We expect that actions to restore biodiversity should complement and strengthen other aspects of sustainable development.

We agree with stakeholders about the need to consider how scheme can work on a local, farm by farm basis, but deliver landscape and national outcomes. We believe that this will be challenging, and could lead to a very complex scheme. It is unclear as yet how the proposed scheme will encourage farmers to work together to deliver some of the actions that are needed on a landscape level. Such cooperation will be vital for the scheme to deliver the desired biodiversity outcomes, such as increases in priority species population.

We recognise that the Welsh Government is now proposing what is, in effect, a hybrid scheme. We welcome the use of proxies, such as habitat creation, as a pragmatic approach that acknowledges the challenges of rewarding farmers for certain outcomes.

We believe that monitoring the overall effectiveness of the scheme and the outcomes it delivers will be challenging, but must be addressed to ensure that it delivers value for money. A future monitoring regime should include specific targets linked to biodiversity and its restoration. In developing a monitoring programme, the Welsh Government must ensure that the concerns raised by participants about the Glastir Monitoring and Evaluation Programme are addressed.

Recommendation 1. The Welsh Government must ensure that the restoration of biodiversity is a key priority of its proposed Sustainable Farming Scheme.

Recommendation 2. The Welsh Government's proposed scheme should include outcomes that are informed by the latest data and evidence on biodiversity and should be focused on species, habitat, and landscape.

Recommendation 3. The Welsh Government should clarify how the Sustainable Farming Scheme will work alongside other policies and initiatives aimed at restoring biodiversity.

Recommendation 4. The Welsh Government should explain how it intends to monitor and assess the scheme's impact in relation to biodiversity.

2. Advice and advisory services

24. “Sustainable Farming and Our Land” proposes an advisory service “that facilitates farmers to enter the scheme, ensures they have the support they need to deliver outcomes and provides support to develop more competitive and resilient farm businesses”.

25. The Welsh Government acknowledges in its consultation document that a balance must be struck between the extent of the advisory service provision and costs. It says:

“On the one hand, a greater degree of support should lead to better outcomes and better tailoring of advice to specific farms. On the other hand, a bigger support offer would be more costly and would risk diverting important funding away from farmers.”

26. The Welsh Government has confirmed that it will bear the costs of advisory services that support any new scheme.

27. Pembrokeshire Coast National Park Authority emphasised the importance of initial investment by the Welsh Government to ensure that advice services were appropriate. In the past, “pressure on the administrative costs of agri-environmental schemes” had a detrimental effect on the advice being provided and this, in turn, had a negative impact on the delivery of the schemes.

28. This was echoed by the British Ecological Society, which described initial investment as “crucial” in order to get value for money from the scheme. RSPB Cymru emphasised the need to invest in advice to support the “more technical elements of scheme delivery”.

29. Stakeholders believed that the delivery of advice would be important, and would need to be tailored. This was described by the British Ecological Society as requiring “basic advice for basic work, complex local advice for complex work”.

30. Stakeholders recognised that the proposed scheme, which might include very many outcomes, could potentially be very complex. They emphasised the need for local knowledge and expertise in the delivery of advice, particularly in relation to biodiversity. “On-farm” advice would be critical, but this had been missing from such schemes in the past.

31. Some stakeholders highlighted that, in the past, advice was available from several sources and it farmers had not been confident that it was reliable. This would have to be addressed if the proposed scheme was to be a success.

Our view

As we have made clear in previous reports on this subject, we believe that the provision of expert advice to scheme participants will be vital. We recognise that advice services associated with previous such schemes have experienced particular challenges. The Welsh Government will need to address this if it expects its proposed scheme to be a success.

The Welsh Government's proposed approach to advisory services appears ambitious, with each farm having its own plan, which will be developed with the help of an advisor. We welcome the Welsh Government's commitment that the costs of advisory services will not have to be met from the funds available for farming support. We also recognise the need to strike a balance between providing an excellent advisory service and the costs of providing the service. However, its proposed approach could be resource intensive and we believe the Welsh Government should undertake a full assessment of the costs of delivering that approach.

The approach will need to be flexible, as users' need for advice may change as understanding of the proposed scheme develops and experience increases. The Welsh Government must consider, therefore, as part of its work to assess the financial implications of its proposals, the extent to which investment in advisory services should be "front loaded" over the first years of the scheme.

In addition to advice services, it is likely that many farmers accessing the scheme will need support to develop skills in new areas. This training support will need to be in place when the proposed scheme is launched and it is unclear, as yet, what impact this will have on resources.

Recommendation 5. The Welsh Government should undertake an assessment of the resources, including staffing, that will be required to deliver its proposed approach to advisory services. This assessment should include projections for the first five years of the scheme.

Recommendation 6. The Welsh Government should clarify how it intends to ensure that sufficient, appropriately trained, advisers are in place by the time of the proposed scheme's launch. The Welsh Government should clarify whether it expects any existing organisation to take on the advisory service.

Recommendation 7. The Welsh Government should explain how it will ensure that users of its proposed scheme have appropriate access to skills development and training. It should also set out its estimates of the costs arising from such training and clarify how they will be met.

3. Regulatory Framework

32. “Sustainable Farming and Our Land” describes the Welsh Government’s proposals for a “transparent, robust regulatory framework” as including “clear minimum standards, smarter monitoring of compliance and a revised system of enforcement”.

33. In its consultation document, the Welsh Government says that “developing and implementing” a new framework “will take a number of years”. Therefore, it sets out short and long term proposals:

“the short-term intention is to retain and clarify existing arrangements. During this period, we will consult further and engage with stakeholders to determine any long-term changes. The forthcoming Agriculture (Wales) Bill will provide an opportunity to legislate, so any regulatory proposals would need to be included in the preceding policy White Paper.”

34. Stakeholders supported the principle of a baseline set in legislation, described as a regulatory floor. Dwr Cymru Welsh Water explained this was necessary “so that we’re not in a position where we’re paying polluters not to pollute—a very basic set of regulations at the bottom end of that standard that we can build on top of”.

35. Stakeholders said decisions on where to set the baseline should be based on evidence and data. Having a full understanding of this baseline would also be vital to effective monitoring of the scheme.

36. Several stakeholders spoke about the need to ensure that the proposed scheme rewards historical conservation management. RSPB Cymru said “we certainly wouldn’t want to see a scheme or a future programme that doesn’t reward existing good management”.

Our view

We fully support the principle of a regulatory baseline. Furthermore, we strongly believe that funding support should be based on the delivery of outcomes that exceed that baseline.

We recognise, however, that those farmers who have practiced sustainable farming over many years should not be put at a disadvantage. We agree with stakeholders that existing good management should be rewarded. We do not

believe this conflicts with the principle of the delivery of outcomes above the regulatory baseline and we are pleased that the Welsh Government has addressed this in its consultation.

We have some concerns arising from the Welsh Government's proposal of a Sustainable Farming Scheme that is be accessible to all. Although we recognise that this addresses one of a concern we have previously expressed – that a scheme based on rewards for public goods could be unfair and create a “postcode lottery” – there are some risks associated with the proposed approach. Ensuring that the proposed scheme is universally accessible could have the unintended consequence of driving down the regulatory “floor”, so that the proposed scheme delivers less ambitious outcomes.

We will want to hear in due course how the Welsh Government proposes to address this potential tension. We welcome its commitment to consult further on the regulatory framework.

Recommendation 8. The Welsh Government should provide details about how it will, in the short term “retain and clarify existing arrangements” in relation to a regulatory framework. This should include an explanation of how its proposed approach will restore biodiversity.

Recommendation 9. The Welsh Government should ensure that the proposed Sustainable Farming Scheme rewards farmers for existing good practice.

Recommendation 10. The Welsh Government must strike a balance between ensuring the Scheme is accessible and also sufficiently ambitious to restore biodiversity. Decisions on where to set the regulatory baseline should be based on evidence.

4. Funding

37. The Sustainable Farming and our Land consultation discusses funding arrangements for the proposed scheme.

38. In its consultation document, the Welsh Government explains its understanding of the funding position for agriculture after the UK leaves the EU. It says that there are significant concerns about the available budget for future agricultural support. The UK Government has given a guarantee to protect farm support funding to 2022; there is no clarity on funding arrangements thereafter.

39. The consultation document confirms that:

“Once funding is returned, we will ensure funds are directed at farming, forestry and other land management support, and not spent elsewhere.”

40. It goes on to explain that, once more is known about the future budget, a decision will need to be taken about the distribution of funding between “the different elements of support”. This will include a decision on:

“the appropriate balance between funding for farmers, foresters and other land managers in the Sustainable Farming Scheme and support for the wider industry and supply chain; and

which elements of the Rural Development Programme should be incorporated into new support arrangements.”

41. Several stakeholders expressed their expectation that levels of funding for agriculture will be maintained after the UK leaves the EU, at least in the short term. NFU Cymru said “we’ve heard that Wales must not receive a penny less” and explained that this should mean “the total of the pillar 1 budget” and “the total of the pillar 2 budget”.

42. Stakeholders also highlighted that a “critical” current source of funding for nature is at risk with Brexit; the EU LIFE Nature Fund, from which the UK currently receives around £20 million per year.

43. Stakeholders recognised that the restoration of biodiversity would require significant levels of funding. RSPB Cymru said work it had undertaken with the National Trust and Wildlife Trusts had identified that “Wales would require an annual amount—something along the lines of £210 million—to deliver

environmental priorities and strategies. Much of that would be through payment to land managers to deliver public goods”.

44. The Committee considered the potential role private investment could play. It was pointed out that raising such investment was normal practice for many wildlife and environment organisations. RSPB Cymru acknowledged that “there are opportunities for funds to be brought in from outside, in addition to public funding, and there are examples of RSPB and other non-governmental organisations working with water companies and utility companies in the UK”.

45. On 6 September 2019, a report was published following a review of distribution of funding for farm support across the UK from 2020 to 2022. The review was commissioned by the UK Government and led by Lord Bew. The report suggested that:

“UK Government Ministers consider engaging collectively with their devolved administration counterparts to agree some principles for the initial 2022 intra-UK allocation of agriculture funding, whatever the mechanism for managing the consequences of subsequent changes to that funding.”

46. The report went on to “advocate including in those principles a recognition both of the social value of upland farming in particular and the challenges facing those practising it, and of the potential for delivering environmental public goods alongside sustainable food production, wherever in the UK that potential exists”.

Our view

Given the scale of the challenge, we know that the restoration of biodiversity will need considerable investment. That is why we believe that all funding needs to work in a complimentary way. As we have said in previous reports, we agree with stakeholders that the widespread commitments made during the referendum campaign about future funding for farming support should be honoured.

We believe that new arrangements will be necessary, after we leave the EU, to ensure that the allocation of funding for farm support across the UK is fair. Future arrangements will need to be flexible enough to respond to changes in circumstances. We note the recommendations of Lord Bew's report and look forward to the Welsh and UK Governments' responses.

The Committee welcomes the commitments from the Welsh Government in relation to ring fenced, multi-year budgets. We believe that surety over future funding arrangements is necessary to ensure that farmers can have confidence in the proposed scheme's long-term sustainability and could, consequently, increase participation.

However, we question the extent to which such a commitment can be sustainable, particularly as the level of funding available to the Welsh Government after the UK leaves the EU is unknown.

Recommendation 11. The Welsh Government should publish its response to Lord Bew's review of the allocation of farming support in the UK up to 2020.

Recommendation 12. The Welsh Government should report back to the Committee on the latest inter-Governmental discussions on a sustainable mechanism to allocate farm support after 2020.

Annex A: Written consultation responses

Reference	Organisation
BIO01	Blaenau Gwent County Borough Council
BIO02	Paul Sinnadurai
BIO03	Chartered Institute of Ecology and Environmental Management (CIEEM)
BIO04	Community Woodlands Group
BIO05	National Parks Wales
BIO06	Welsh Water
BIO07	British Association for Shooting and Conservation (BASC)
BIO08	Laurence Brooks - Ecology Consultant
BIO09	British Ecological Society
BIO10	Glandŵr Cymru – The Canal and River Trust in Wales
BIO11	Country Land and Business Association
BIO12	Coed Cadw – Woodland Trust
BIO13	Royal Society for the Protection of Birds (RSPB) Cymru
BIO14	Welsh Local Government Association
BIO15	Wales Environment Link
BIO16	Natural Resources Wales
BIO17	National Farmers' Union Cymru (NFU Cymru)
BIO18	Wildlife Trusts Wales
BIO19	Confor
BIO20	Nature Friendly Farming Network
BIO21	Farming and Wildlife Advisory Group
BIO22	Farmers' Union of Wales

Annex B: Participants who gave oral evidence

Date	Name and Organisation
07 February 2019	Annie Smith, Wales Environment Link Arfon Williams, RSPB Cymru, Royal Society for the Protection of Birds (RSPB) Cymru Anthony Geddes, CONFOR Rachel Lewis-Davies, NFU Cymru, National Farmers' Union Cymru (NFU Cymru) Charlotte Priddy, Farmers' Union of Wales (FUW)
21 February 2019	Rachel Sharp, Wildlife Trusts Wales Jerry Langford, Woodland Trust Laurence Brooks, Ecology Planning Robert Vaughan, Natural Resources Wales Steve Wilson, Dŵr Cymru Welsh Water Emyr Williams, Snowdonia National Park Authority Geraint Jones, Pembrokeshire Coast National Park Authority Brendan Costelloe, British Ecological Society