

Environmental standards for farming

Summary of responses to the consultation on proposed changes to standards in cross compliance Good Agricultural and Environmental Condition (GAEC) and related measures in England

September 2009

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1 Introduction

This document provides an analysis of the responses received to Defra's public consultation, 'Environmental Standards for Farming: Consultation on proposed changes to standards in cross compliance Good Agricultural and Environmental Condition (GAEC) and related measures in England'. The consultation ran for 12 weeks between 4 March and 27 May 2009.

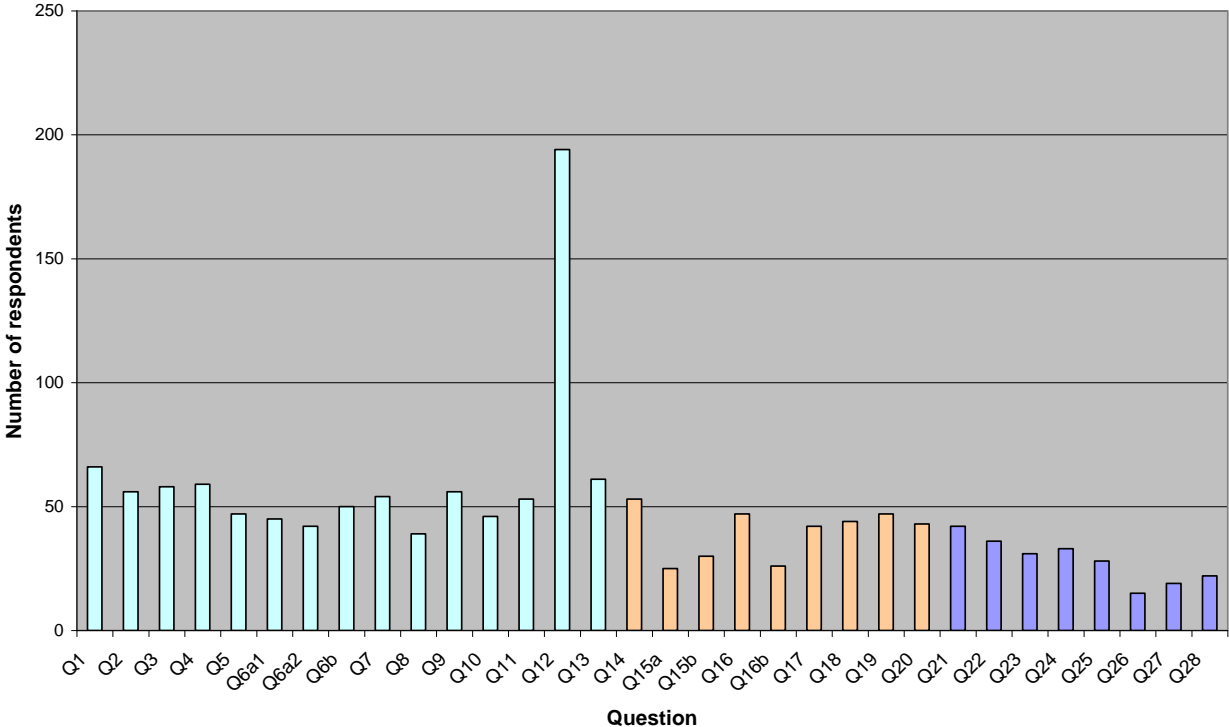
The consultation document explained the background to the consultation and the proposals put forward. It was structured around a series of questions, twenty-eight in total. These asked for views on a variety of options being considered by ministers, including proposals for recapturing the environmental benefits of set-aside; introducing a possible new GAEC standard on no-spread zones and a possible new GAEC standard or advisory initiative on buffer strips next to water courses; streamlining the soil GAEC standards, revising existing GAEC standards 12 (agricultural land which is not in agricultural production) and 14 (protection of hedgerows and watercourses); and introducing a new GAEC standard in relation to water abstraction.

This summary of responses follows the same broad structure as the original consultation document, covering each main issue in turn. Details of the consultation questions are set out in Annex 1.

2 Respondents

A total of 212 responses were received from organisations and individuals across the agricultural and environmental sectors. It should be noted that the majority of responses were focused on one specific question – on the proposed options for recapturing the environmental benefits of set-aside, which received 194 responses. The maximum number of respondents for any of the other questions in the consultation was 66. The number of responses received by question is shown in Figure 1.

Figure 1: Distribution of responses by question



Key: Q1 – 13 = Retaining the environmental benefits of set-aside
 Q14 – 20 = Resource Protection
 Q21 – 28 = Other

The following 57 organisations responded to the consultation:

- Agricultural Engineers Association
- Agricultural Industries Confederation (AIC)
- Anglia Ruskin University
- Arthur Rank Centre (ARC)
- Association of Local Government Archaeological Officers (ALGAO)
- British Association for Shooting and Conservation (BASC)
- British Beekeepers Association
- British Independent Fruit Growers Association
- British Institute of Agricultural Consultants (BIAC)
- British Trust for Ornithology (BTO)
- Broads Authority
- Central Association of Agricultural Valuers (CAAV)
- Central Council of Physical Recreation (CCPR)
- Chilterns Conservation Board
- Council for the Protection of Rural England (CPRE)
- Country Land and Business Association (CLA)
- Countryside Alliance
- Crop Protection Association (CPA)
- Devon County Council
- Devon Hedge Group

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Dorset AONB Office
East Riding of Yorkshire Rural Partnership
English Heritage (EH)
Environment Agency (EA)
Farm Crisis Network
Farming and Wildlife Advisory Group (FWAG)
Food and Drink Federation (FDF)
Food and Farming Champions West Midlands
Forum for Sustainable Farming
Game and Wildlife Conservation Trust (GWCT)
Grain and Feed Trade Association (GAFTA)
Imperial College, London
Institute of Ecology and Environmental Management
Institute of Agricultural Management (IAM)
LEAF
Maltsters Association of Great Britain
Ministry of Defence
National Association of Areas of Outstanding Natural Beauty (AONB)
National Farmers Union (NFU)
National Soil Resources Institute
National Trust (NT)
Natural England (NE)
Plantlife
Processed Vegetable Growers Association
Ramblers Association
Royal Society for the Protection of Birds (RSPB)
Rural Payments Agency (RPA)
Salmon and Trout Association
Somerset Local Access Forum
Suffolk County Council
Tenant Farmers Association (TFA)
Upper Teesdale Agricultural Support Service
Water UK
Wessex Water
Wildlife and Countryside Link (WCL)
Wildlife Trusts (TWT)
Woodland Trust (WT)

Of the other 155 responses, 26 were from individual farmers, farming contractors, consultants or agents and the remainder from individuals.

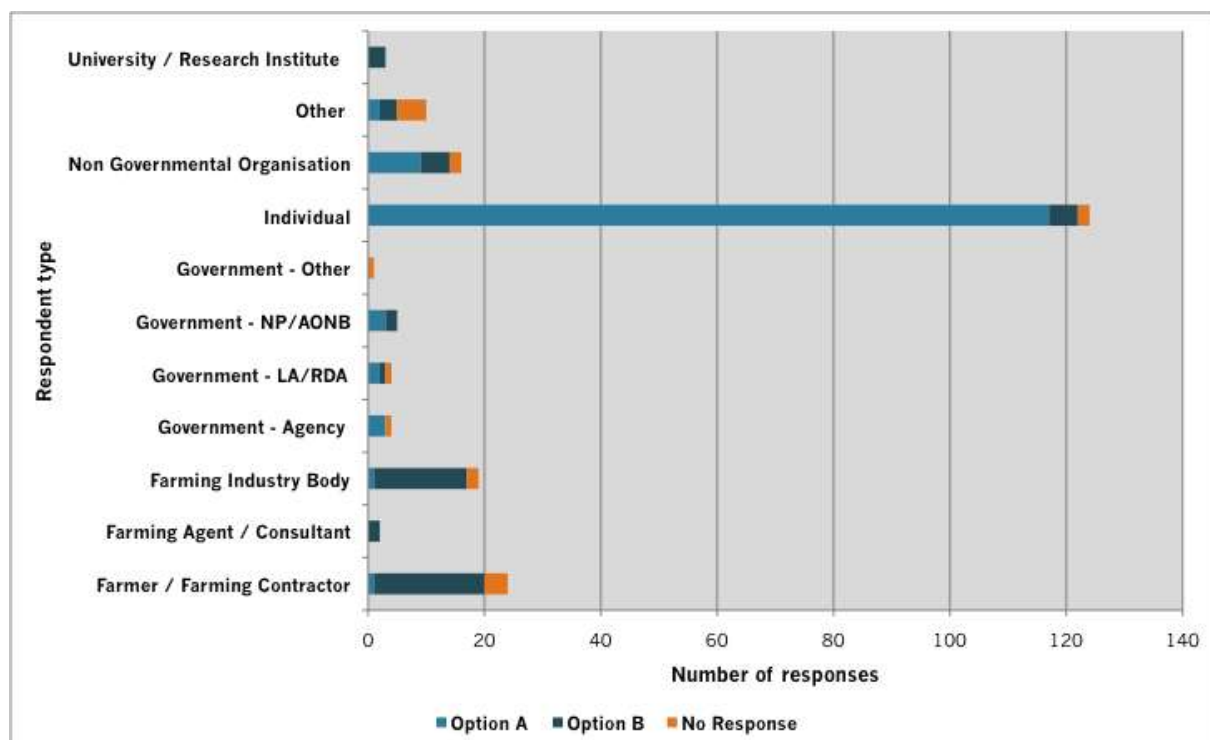
3 Recapturing the environmental benefits of set-aside

Consultation **Questions 1–13** focused on the two proposals for recapturing the environmental benefits of set-aside. The two options were: Option A – a combined regulatory/incentive approach based on cross compliance; and Option B – an industry-led voluntary approach with regulatory fallback.

In general, respondents felt that the evidence base that had informed the development of the different options was adequate, although many, particularly farming interests, including the TFA, NFU and CLA, felt that the scale of the benefits of set-aside had been overstated.

Overall, of those respondents answering the **Question 12** about which option they would prefer to see implemented, 71% favoured Option A (n=138) and 29% favoured Option B (n=56) – see Figure 2a. Twenty six of the individual responses were from farmers/farming contractors. When responses from just organisations are considered, the balance between the two options changes, with a greater proportion in favour of Option B (60%, n=30) than Option A (40%, n=20) – see Figure 2b. Overall, support for Option A largely emanates from the environmental statutory agencies, NGOs and individuals, with support for Option B coming from the farming industry bodies, farmers and farming contractors, agents and consultants.

Figure 2a: Support for Option A and Option B by respondent type



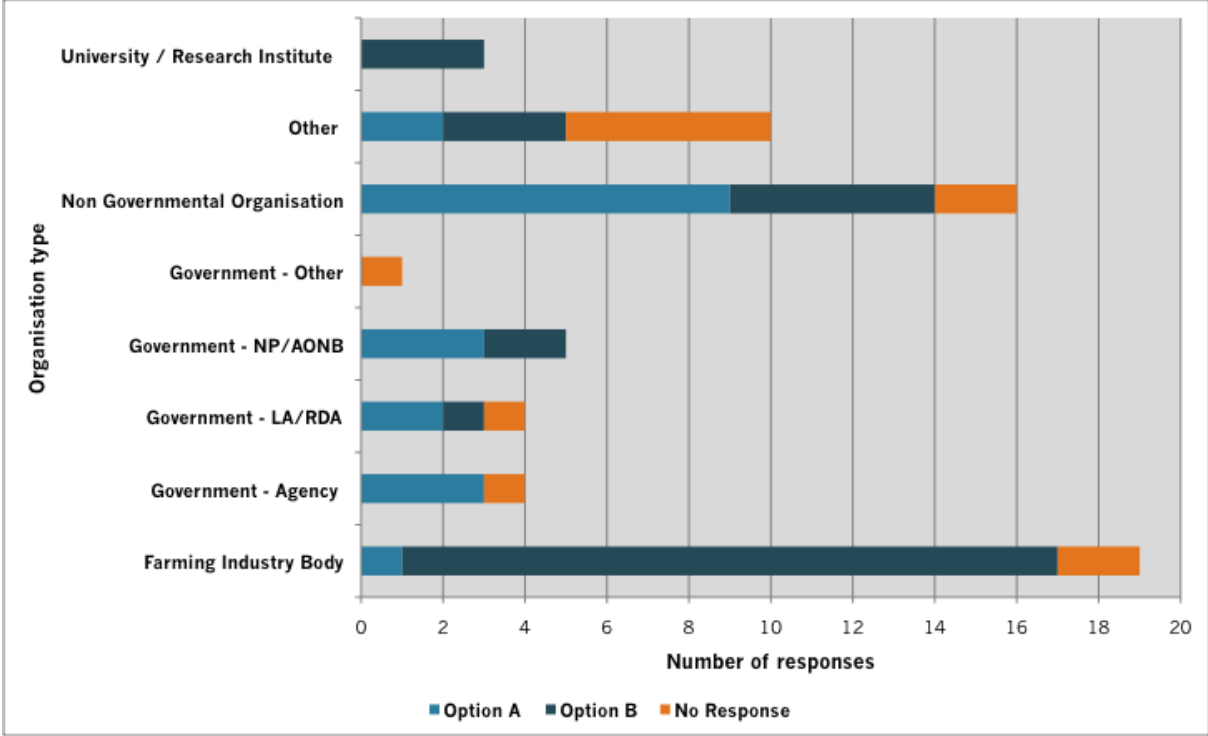
Of the main stakeholders, NE, RSPB, TWT, WCL, CPRE and EH all supported the introduction of Option A, while NFU, CLA, TFA, CAAV, FWAG and LEAF supported Option B. The EA did not explicitly support one option over the other and the NT proposed a slightly different approach, retaining both mandatory (cross-compliance) and voluntary (agri-environment) elements.

Since the consultation, Option B has been further developed by industry bodies and is now referred to as the ‘Campaign for the Farmed Environment’.

The main argument put forward in support of **Option A** was the urgency of the need to recapture and retain the environmental benefits that were associated with set-aside and the need to do so in a more targeted manner to ensure that the delivery of

environmental benefits was maximised. It was felt that the combination of an approach that contained both mandatory and incentive elements would give a higher degree of certainty that environmental benefits would be delivered.

Figure 2b: Support for Option A and Option B by organisations



The main criticisms of **Option A** were that it would increase the regulatory and administrative burden on farmers, that the proposals focus on quantity not quality, and that it would act as a disincentive to entering Entry Level Stewardship (ELS), and might lead to a large number of farmers deciding not to renew their ELS agreements at the peak renewal period during 2010.

Proponents of **Option B** argued that a voluntary approach would achieve greater buy-in from farmers than Option A. It would not penalise those who had already shown environmental commitment by entering ELS and would encourage increased uptake of ELS, thereby helping to meet the 2011 ELS target. They also maintained that with a greater focus on advisory input it could help to bring about long term behavioural change which would ultimately be a more effective means of achieving environmental outcomes.

The main criticism of **Option B** was that the voluntary approach provides no guarantees that environmental benefits will be delivered. More specifically there were concerns that the general targets, as defined in the April 2009 version (Option B has been further developed since then and is now known as the 'Campaign for the Farmed Environment'), are insufficient to enable success to be measured, even if environmental benefits were to be achieved; that the budget and structures for effective implementation (particularly of the central advisory component) have not yet been clearly established; that the planned timetable for implementation is too slow; and that if Option B were to fail, the costs of any subsequent mandatory approach

would be higher than if Option A had been implemented immediately. All these issues were highlighted as needing to be resolved, if Option B were to accord with the selection criteria in the consultation document (see Annex 2 for the list of selection criteria proposed).

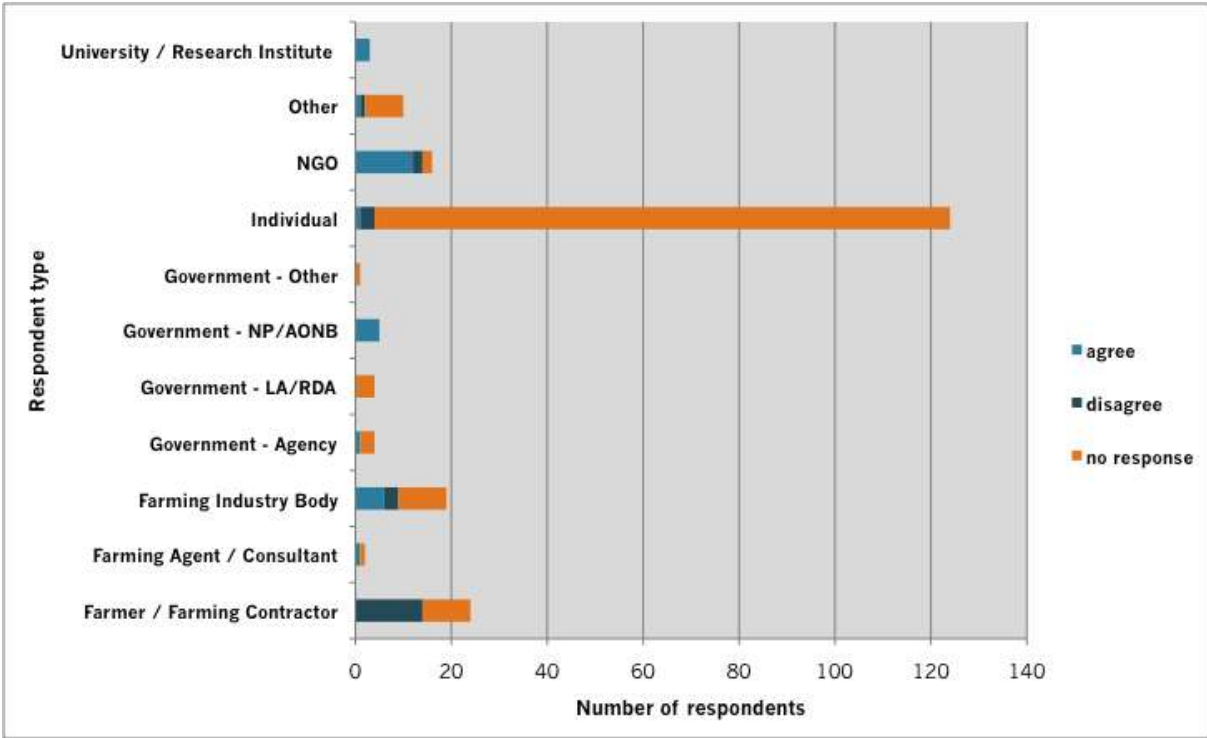
A number of suggestions were put forward as to how these issues with Option B might be addressed, which included:

- greater specificity about the scale, distribution and range of environmental benefits that would be delivered, including the setting of clear targets, both for land to be managed voluntarily and targets for land to be managed appropriately under ELS;
- the establishment of County Implementation Groups as a matter of priority, ensuring that farm advisers are on board and that training is set up for them;
- ensuring that a robust regulatory failsafe is in place and able to be triggered automatically should Option B fail to deliver against its targets; and
- developing robust monitoring mechanisms and processes.

Preferences for the **two proposed variants of Option A** were fairly equally split between those supporting Option A1 (four largely non-cropping options) and those supporting Option A2 (eight options, including those that allow cropping). The EA, the Wildlife Trusts and Water UK supported Option A1 and the RSPB, NT, CPRE and WCL all supported Option A2. Natural England believed that both alternatives could deliver the benefits required but had a slight preference for Option A1. The NFU, CLA, FWAG, LEAF, and CAAV also had a preference for Option A2 as the 'least worse' option, should Option A be implemented. Those that preferred Option A2 believed that it offered greater flexibility for farmers and the potential for delivering a wider range of environmental benefits.

Of the respondents who answered **Question 11**, 57% agreed that Option A is the most appropriate mechanism to act as a fallback should Option B fail to deliver, and 43% disagreed - see Figure 3. The majority of responses in agreement came from organisations, and those who disagreed were mostly individuals and farmers (although this group also included the CAAV).

Figure 3: Views on Option A as the fallback if Option B fails to deliver



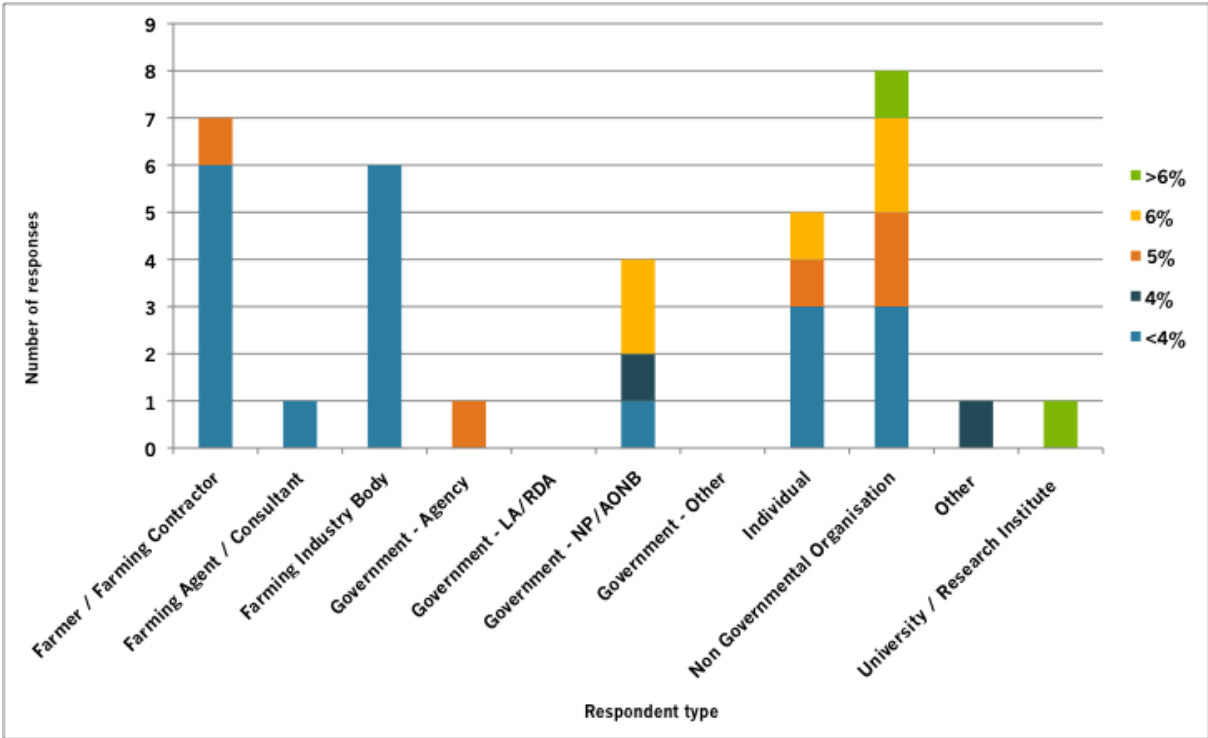
Additional, revised **selection criteria** upon which to base the choice of approach were suggested by the NFU, CLA, TFA, CAAV, TWT, Water UK and the NT. These centred on the need for the chosen option to be simple to deliver, minimising any administrative burden for both the delivery bodies and the farmers. Attention was drawn to the potential impact of both Options A and B on farm productivity and overall food production.

Suggestions for **minimising the potentially negative impact of Option A on ELS uptake and renewals** focused on providing additional flexibility for those already ‘doing the right thing’ within ELS (although this would not be permitted under EU rules), and the importance of high levels of good quality advice and guidance to farmers. This would need to communicate the benefits of ELS in general, and to explain how ELS ‘top up’ options under Option A could be incorporated into ELS agreements. The Enhanced Farm Environmental Record (EnFER) was highlighted as a potentially useful tool both for incentivising farmers to enter ELS, and also for identifying the most appropriate options for a particular holding.

There were mixed views on what proportion of land farmers should be required to put in environmental management under Option A (Figure 4). The NFU, CLA and CAAV, alongside other organisations such as English Heritage were keen to limit the requirement to 4% or less of cultivated land for either options A1 or A2. Organisations such as CPRE, Water UK and the Association of AONBs argued for a 6% rate for either option. The TWT, RSPB and NE all suggested 5% as a realistic average figure. A number of organisations, including the RSPB, NFU and FWAG, highlighted the point that focusing on a percentage figure alone is misleading, and suggested that the focus should be more on the delivery of environmental outcomes

through targeting and the placement of management options in the most appropriate locations.

Figure 4: Preferences for different percentage rates, by respondent type



Most of the key stakeholders thought that the **20 hectare threshold** proposed was sensible. However the CPRE, NT, TWT and Water UK all questioned the need for a threshold at all, arguing that this requirement should apply to all farms in England equally. In contrast, the CLA argued that the threshold should be raised to 50 hectares. The CLA and NFU also both raised an issue around the **types of land uses** that would be subject to these requirements and set out a range of operations that they felt should be exempt, including some operations that were exempt from set-aside prior to 2005.

It was generally agreed that the **provision of advice** would be vitally important, whichever option is implemented. One of the key messages was that no single form of advice suits all farmers, and a range of different types of advice and guidance would be needed. Guidance in both printed and electronic format were seen as essential, but needed to be accompanied by other forms of advice, most importantly face-to-face contact with advisers, farm demonstrations and farm walks. The value of these types of advice was highlighted by both farming and environmental stakeholders. CAAV, LEAF, FWAG and GWCT saw the need to invest in training for farm advisers as critical to the success of both options, ensuring that advisers would have the right range of skills and knowledge.

Many felt that the **criteria for measuring success** should be revised to place more emphasis on measuring the quality of the environmental outcomes of the

management undertaken, rather than just the area of land under certain management options. It was suggested that the criteria needed broadening to capture the full range of environmental benefits, not just those relating to farmland birds. The NFU, CAAV, NT and CLA raised issues about the baseline for monitoring. There was concern about including existing ELS commitments (i.e. increasing ELS uptake to 70% by March 2011) in the baseline, and attention was drawn to the way in which official records of uncropped land may significantly underestimate the amount of land not in production.

A number of key stakeholders, including the CLA, NFU, NE, RSPB, EH, Water UK, WCL and TWT, raised a range of fairly detailed points in relation to the **benefits, costs and risks** associated with the Consultation Stage Impact Assessment. A number of stakeholders felt that the environmental benefits of Option A had been understated (particularly in relation to the historic environment), while others felt that the benefits had not been quantified sufficiently. Farming organisations (the NFU and CLA in particular) did not think that the calculations for Option A had considered the costs of the impact of the proposals on food production, the profitability of farmers, or the implications of taking land out of production on cereals production outside England and the related environmental impacts that this may have. The RSPB did not think that the costs of delivering Option B had been fully considered, including the costs advice provision, renegotiation of ELS agreements, and monitoring and evaluation.

3 Introduction of a new GAEC standard for buffer strips next to watercourses

Consultation **Questions 14 – 18** focused on proposals for introducing a new GAEC standard on buffer strips next to watercourses to tackle the issue of water pollution from agriculture and implementing Nitrate Vulnerable Zone no-spread zone requirements across England from 2012. Four policy options were set out, with Defra's favoured approach being an advisory approach to the targeting of buffer strips (Option 3), alongside the mandatory extension of no-spread zones within the Nitrate Action Programme to all agricultural land. Overall this set of questions received between 25 and 53 responses in total, mainly from the farming industry, farmers/farming contractors, Government Agencies and NGOs.

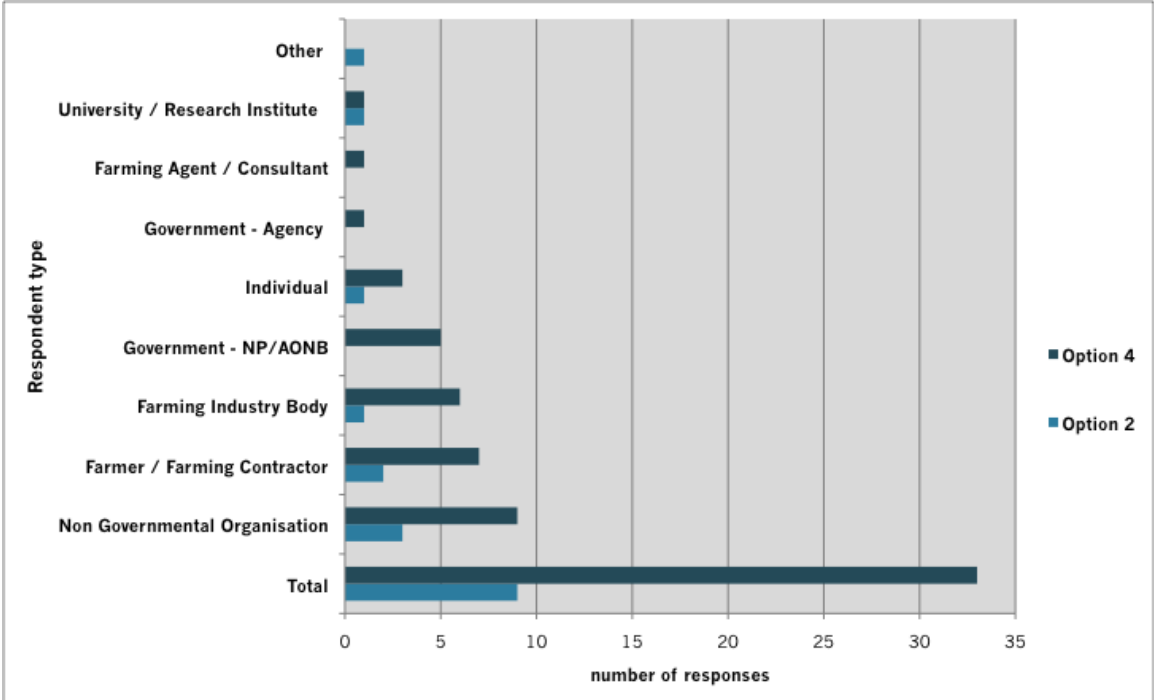
While the majority of respondents agreed with Defra's favoured approach (**Option 3**), RSPB, Water UK, NT, CPRE, and WCL felt that the voluntary approach did not go far enough and would be unlikely to ensure no deterioration in water quality. Conversely, the NFU and TFA stated their in principle opposition to any measures that went beyond EU requirements, seeking to ensure that English producers are able to operate on a level playing field with other EU Member States. However, the NFU did acknowledge that Option 3 is in keeping with the principles of the industry led Option B for recapturing the benefits of set-aside.

A number of **modifications to Option 3** were proposed, which included limiting the types of watercourses covered, considering the benefits of buffer strips to both biodiversity and resource protection, thinking more creatively about the types of management beyond buffer strips that might help with improving water quality, and

ensuring adequate advice and guidance are available, building on existing advice where possible.

Option 4 was the preferred alternative approach, should Option 3 prove not to work in practice (see Figure 5). Those in support included CAAV, FWAG, LEAF, NE, RSPB, TWT, CPRE and WCL, with RSPB, CPRE and WCL wanting Option 4 brought in immediately. Those supporting **Option 2** include the National Trust and Water UK, quoting administrative simplicity and maximum coverage as reasons for preferring this option. Again there was a preference for the option to be introduced with immediate effect. The Environment Agency did not express a preference for either option, but stated it does not believe that implementing mandatory buffer strips for all watercourses would be an appropriate mechanism for delivering water protection because their effectiveness is dependent on too many factors.

Figure 5: Preferences for Option 2 or Option 4 as an alternative to Option 3.



The NFU and the TFA rejected both Option 2 and Option 4 as viable alternatives, and both organisations were opposed to any requirements going beyond the regulatory baseline. The NFU also raised concerns about the potential impact on farmers’ participation in Environmental Stewardship. The NFU and CLA also questioned the degree to which it will be possible to measure the success of Option 3.

Views were split on whether Option 3 would be less successful if Option B for recapturing the environmental benefits of set-aside were introduced. In general, those supporting Option A thought that the success of an advisory approach to targeting buffer strips would be reduced by introducing Option B. This group included NE, RSPB, TWT, NT, WCL and Water UK. Those supporting Option B, however, saw no reason why this should be the case. This group, including the CLA, NFU, CAAV, FWAG and LEAF, argued that advice on the importance of buffer strips for

water quality would be an integral part of Option B, that many farmers already have buffer strips in place, and that advice on the benefits of buffer strips is already available from a range of sources, including NVZ advisory services and the Catchment Sensitive Farming programme. Suggestions for mitigating the risk that Option B might diminish the success of Option 3 included providing appropriate advice and guidance, setting clear targets for resource protection within Option B, and specifically monitoring those targets. Some respondents suggested that this risk would be minimised if buffer strips next to watercourses were made mandatory rather than voluntary.

Farming and environmental organisations alike stressed that the effective provision of appropriate **guidance and advice** would be critical to ensure the successful delivery of Defra's proposals on buffer strips. There was roughly equal emphasis placed on the need for information on slope, soil and location of watercourses, and on the value of risk assessments for determining where buffer strips might best be placed. The importance of providing information and guidance to farmers on the minimum requirements set out in Option 1 was also highlighted.

In terms of delivering advice, the points made about the options for recapturing the benefits of set-aside were reiterated here. Most of the key stakeholders stressed that no one form of advice will be sufficient as different farmers will respond to different types of advice. However, in general face-to-face advice was considered to be the most effective, accompanied by on-farm demonstration and written guidance, both in hard copy and electronic format. The importance of training the advisers was also stressed, particularly by the farming organisations.

4 Soil management – helping farmers manage their soils

Consultation **Questions 19 and 20** focused on the proposals for consolidating current GAEC standards 1-4 into the Soil Protection Review (SPR).

The majority of respondents agreed with the proposed approach to consolidating the four current GAEC standards on soils into one, with respondents commenting on the benefits of a simplified approach, and the positive nature of giving farmers more flexibility and responsibility for managing their own soils. However there were some notable exceptions, with RSPB, CPRE and WCL all concerned that the proposals could lead to a weakening of the current standards and baseline conditions for the management of soils. The RSPB is concerned that the proposed SPR is not clear about what the specific cross compliance requirements are, or the critical failure points.

FWAG, the TFA and CAAV were all concerned that the revised Soil Protection Review should not lead to a significant increase in the administrative burden faced by the farmer, while the CLA stated its opposition to any development of the SPR that would introduce penalties for pollution from runoff, under the Water Resources Act 1991.

Almost half of respondents had suggestions on how the proposals might be improved further, including the majority of key stakeholders. Most suggestions focused on the

SPR guidance and advice, but comments were also made on the content and the structure of the GAEC standard, and on monitoring.

5 Abstraction licences for irrigation

Consultation **Question 21** sought views on whether there was evidence to suggest that Defra should be considering a different approach from that proposed to implement the new, compulsory cross compliance standard on abstraction licences.

The majority of respondents agreed with the proposed approach. Not all were happy with the introduction of an additional GAEC standard, including the NFU, LEAF, CAAV and TFA, but recognised that this was a requirement placed on Defra by the EU. The EA was also unconvinced about the additional benefits that adding abstraction licensing to GAEC would bring, over and above existing domestic legislation. The CAAV highlighted the need for this change to be widely publicised, and for guidance and support from both the EA and the RPA to ensure that farmers understood what was required of them.

Natural England highlighted the need for the wording of this new GAEC to be sufficiently flexible to accommodate any future legislative changes to the abstraction-licensing regime – for example changes to the Water Act 2003 as a result of the Cave Review and the current draft Flood and Water Management Bill.

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

Changes proposed to GAEC 12 are intended to give farmers more flexibility and responsibility in ensuring that land not in production is maintained in suitable condition, and to complement the possible introduction of Option A to recapture the environmental benefits of set-aside. Consultation **Questions 22 and 23** invited comments on the proposed list of non-agricultural and storage activities that would be permitted on this land, and their impacts on agriculture and the environment.

The proposed list was considered appropriate by the majority of respondents although several, including NE, RSPB, FWAG and LEAF, noted that if Option B on recapturing the environmental benefits of set-aside were implemented, the list would need to be reviewed to ensure adequate environmental protection for GAEC 12 land. NE and RSPB were less concerned about the added flexibility of GAEC 12 because if farmers put uncultivated GAEC 12 land towards their Option A environmental management requirement, the management prescriptions for Option A would exclude uses incompatible with the intended environmental benefits.

In general, farmers and farming organisations, including the CLA, FWAG and TFA wanted the rules to be relaxed to allow greater flexibility, without a need for derogations to manage the land for environmental purposes. In addition, the CLA and CAAV pointed out that if the requirements of GAEC 12 were altered to allow increased flexibility, then farmers would be more likely to declare this land properly as fallow rather than choosing to record it as temporary grass (codes TG1 and OT1).

Several specific suggestions were made for amendments to the list of permitted activities.

7 Protection of hedgerows and watercourses (GAEC 14): clarification of the rules to allow hedgebank maintenance

Consultation **Questions 24 and 25** addressed proposals for clarifying the current GAEC 14 requirement to facilitate the management and restoration of hedgebanks.

The majority of respondents supported the proposed exemption to allow casting up for traditional hedgebank maintenance and restoration, with CPRE reinforcing the caveat that this must be limited to traditional hedgebanks. EH also stated that there should be a limit to the increase in the height of the bank allowed through recasting, and that any increase greater than 30cm should be considered as rebuilding, and not be included in the proposed exemption.

NE suggest that the exemption should also allow for turf-faced hedgebank repairs where turf is cut in rectangular blocks from the adjacent land and used to re-build the hedgebank. A number of organisations stressed that the materials for casting up should come from local sources, preferably from the ditch at the base of the hedge, but that materials from cleaning adjacent ditches should also be allowable. In areas of high environmental and landscape sensitivity, work should be carried out by hand, swing shovel or with a mini digger (ALGAO and English Heritage).

The importance of seeking advice was stressed, especially where a hedge is an archaeological site or overlies one, as well as the importance of monitoring to make sure that any unintended consequences of introducing this measure can be addressed.

Several respondents suggested restrictions on the timing of work, some conflicting with others.

8 Advice and Guidance

Consultation **Questions 26-28** sought comments from respondents on possible ways of increasing farmers' understanding of the rationale behind cross compliance standards, and how this information could be provided.

Many of the points made about the importance of appropriate advice and guidance were the same as those raised earlier, in relation to the recapturing the environmental benefits of set-aside, buffer strips and soils. Respondents reinforced the general view of a need to provide sufficient advice to make farmers aware of both the management requirements and the rationale behind the GAEC standards.

CAAV, FWAG, LEAF, Water UK, NT, NE, and WCL all agreed that the classification of cross compliance standards produced by ADAS was a useful structure around which further information could be developed and provided.

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In terms of the most effective way of providing farmers with advice and guidance on cross-compliance in general, respondents highlighted the point that a combination of different types of advice and guidance is needed. Again, face-to-face visits from advisors and on farm demonstrations, coupled with written guidance, were highlighted as the most effective methods. LEAF, FWAG and the GWCT emphasised the need for an integrated advice service that covered both cross-compliance and Environmental Stewardship. The importance of training advisers was noted, to ensure that they have the breadth of knowledge necessary to advise farmers on the whole range of issues relating to cross-compliance, and how these might interact with agri-environment schemes.

9 Government Response: Next Steps

A wide range of responses were received representing the diverse views from organisations and individuals. The Government has been carefully considering the responses and has used them to inform the changes being made to cross compliance.

The Government will also continue to work closely with the industry on the Campaign for the Farmed Environment, which will be developed on the basis of the industry-led proposal for Option B.

A more detailed document showing the Government responses to the views received in the consultation will be published in the near future.

ANNEX 1: Proforma for Consultation Responses

Department for Environment, Food and Rural Affairs
March 2009

Environmental Standards for Farming:

Consultation on proposed changes to standards in cross compliance Good Agricultural and Environmental Condition (GAEC) and related measures in England

Proforma for responses

This form is designed to be completed electronically. Where appropriate, check boxes are used to make it easy to respond. Text boxes for additional information will expand as you type. If completing by hand please use black ink. You may need to expand the text boxes manually before printing.

Please send completed forms to GAEC.consultation@defra.gsi.gov.uk or post to: Sustainable Farm Management Team, Defra, Area 5C, 9 Millbank, c/o 17 Smith Square London SW1P 3JR by **27th May 2009**.

Name	
Address	
Telephone	
Email	

Important note: if you do not want your response - including your name, contact details and any other personal information - to be publicly available, please say so clearly in writing when you send your response to the consultation (you may use the space below). If your email automatically includes a confidentiality disclaimer, it will not count as a confidentiality request. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under freedom of information legislation. But, because of the law, we cannot promise that we will always be able to keep those details confidential.

(use this space if you wish to request confidentiality)

No.	Question
Recapturing the environmental benefits of set-aside (Option A - mandatory approach plus ELS 'top-ups'; Option B - voluntary approach)	
1	Do you have any further evidence (preferably quantified) on the environmental benefits of set-aside/uncropped land? <input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)
2	Do you think other or additional selection criteria should be considered in selecting which

	option to implement?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
3	Do you think other or additional criteria should be considered in measuring the success of any measures adopted?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
4	Do you agree that the short term outcomes (e.g. 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?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If NO, please provide further information in the box below)	
5	For Option A which alternative would you prefer to see implemented, A1 or A2, and why?
<input type="checkbox"/> A1 <input type="checkbox"/> A2 (Tick only one. Please provide any further information in the box below)	
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? Please give reasons.
Tick only one box for either alternative. You may provide further information in the box below	
Option A Alternative A1 <input type="checkbox"/> <4% <input type="checkbox"/> 4% <input type="checkbox"/> 5% <input type="checkbox"/> 6% <input type="checkbox"/> >6% <input type="checkbox"/> Other	
Option A Alternative A2 <input type="checkbox"/> <4% <input type="checkbox"/> 4% <input type="checkbox"/> 5% <input type="checkbox"/> 6% <input type="checkbox"/> >6% <input type="checkbox"/> Other	
6b	Do you agree that the Option A requirement should only apply to farms with more than 20ha of cultivated land?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If NO, please provide further information in the box below)	
7	Do you have suggestions for minimising any potential negative impact on ELS uptake should option A be implemented?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
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?

9	Do you have any suggestions for developing Option B so that it could deliver against the proposed success criteria (para 3.7.1)?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
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? (Examples include – hard copy, electronic form, workshops, farm demonstrations, farm walks, a telephone help-line, published articles, training of advisors etc.)
11	Is Option A the most appropriate mechanism to act as a fallback should Option B (a voluntary approach) fail to deliver?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. Please provide any further information in the box below)	
12	Which option would you prefer to see implemented, Option A or B? Please state why.
<input type="checkbox"/> Option A <input type="checkbox"/> Option B (Tick only one. Please provide any further information in the box below)	
13	Do you have any further information and/or views on the costs, benefits and risks of the proposals?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
Introduction of new GAEC standard on buffer strips next to watercourses	
14	Do you have further information, preferably quantified, that would improve the analysis presented in the impact assessment associated with the buffer strip options?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
15a	What guidance and advice will be necessary to assist farmers in deciding where to locate buffer strips next to watercourses?
15b	What is the most effective way of providing guidance and advice to farmers on locating buffer strips?

16a	Do you agree that the success of policy option 3 (advisory targeting of buffer strips) is likely to be reduced if Option B for recapturing the benefits of set-aside is undertaken?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. Please provide any further information in the box below and see question 16b)	
16b	How would you mitigate this risk?
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)?
<input type="checkbox"/> Option 2 <input type="checkbox"/> Option 4 (Tick only one. Please provide any further information in the box below)	
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?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
Consolidation of GAEC Standards on Soils	
19	Do you agree that the approach outlined above will improve the cross compliance GAEC standards on soils?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If NO, please provide further information in the box below)	
20	Have you any additional ideas for how the proposals might be further improved?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
Abstraction Licences (for irrigation)	
21	Do you have any evidence that suggests we should consider a different approach to implementing the new cross compliance standard on abstraction licences?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	

Agricultural land which is not in agricultural production (GAEC 12)	
22	Is the list of proposed activities that would be permissible on agricultural land that is not in agricultural production appropriate?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If NO, please provide further information in the box below)	
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?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
Protection of hedgerows and watercourses (GAEC 14), clarification of the rules to allow hedgebank maintenance	
24	Does the proposed exemption for hedgebank maintenance and restoration provide sufficient flexibility without decreasing the level of protection given to conventional hedgerows?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If NO, please provide further information in the box below)	
25	Can you provide any advice or referenced material that will help further inform clear definitions of casting up and hedgebanks?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. If YES, please provide further information in the box below)	
Information and Guidance	
26	Which aspects of the activities undertaken as part of cross compliance are unclear in terms of their added value?
27	Is the proposed grouping a useful clarification around which further material could be developed?
<input type="checkbox"/> NO <input type="checkbox"/> YES (Tick only one. Please provide any further information in the box below)	

28	What is the most useful way for you (farmers) to receive such information? (e.g. in written format, face-to-face, site visits & farm walks, or any other suggestions you may have).

ANNEX 2: Selection Criteria

The consultation document set out a list of proposed selection criteria against which the options to recapture the environmental benefits of set-aside could be assessed (paragraph 3.6.2). These were that any proposed option should:

- i. Have the potential to deliver the desired environmental benefits (for example, scale, geographical distribution, and range of benefits), beyond the baseline, such as agreed measures already planned for ELS in 2010;
- ii. Be implemented and start delivering benefits from 2010, to coincide with very high level of ELS renewals and following the 0% rate in 2007;
- iii. Offer high degree of confidence that the environmental benefits will be delivered through immediate and enduring changes to land management;
- iv. Be able to be monitored and verified with an in-built review of the short term outcomes and longer term potential at the end of the first year of implementation; and
- v. Be accommodated within existing public resources.