

## Consultation Questions

<b>Confidentiality</b>
Responses to consultations may be published online or in a report. If you do not want us to show your name and address on any documents we prepare, please tick here
If you do not want us to show your response on any documents we will prepare, please tick here

Questions about demographics:

<b>Name</b>	Welsh Language Commissioner	
<b>Are you responding as an individual or on behalf of an organisation?</b>	Organisation	
<b>Is your home, or your organisation's base, in Wales?</b>	Yes	x
	No, but I or my organisation works in Wales	
	No - and we don't work in Wales	
<b>If you respond as an individual, do you consider yourself a Welsh speaker?</b>	Yes	
	No	
<b>First half of postcode (4 digits)</b>		

<b>Identify which of these best describes you or your organisation (choose just one)</b>	Agriculture	
	Forestry	
	Environment	
	Veterinary	
	Tourism/Hospitality	
	Food and timber supply chains	
	Public Sector	x
	Private Sector	
	Third Sector	
	Trade Union/Representative	

Research/Academia	
Other	

<b>If you have said you are a farmer, please indicate your main farming activity (choose only one).</b>	Sheep	
	Beef	
	Milk	
	Arable	
	Horticulture	
	Poultry	
	Mixed	
	Other	

<b>Do you currently have rights to browse commons?</b>	Yes	
	No	

<b>Are you a tenant farmer?</b>	Yes	
	No	

<b>Do you receive BPS?</b>	Yes	
	No	

<b>If you're responding as an individual, what is your age?</b>	Under 18	
	18-34	
	35-49	
	50-64	
	65+	

<b>Are you currently participating in an agri-environment scheme?</b>	Yes	
	No, but I've participated in agri-environment schemes in the past	

No, I've never participated in an agri-environmental scheme.	
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## Framework

Q1. The Plan will support our agricultural sector for the long term to meet changing challenges and needs, contributing to the Sustainable Land Management objectives. What do you think can strengthen this support?

We are concerned that introducing the Scheme in its current form will be detrimental to the viability of the Welsh language and will undermine the Government's [Cymraeg 2050](#) strategy. The agriculture industry is the employment sector with the highest proportion of Welsh speakers in Wales. Agricultural businesses support many rural communities where Welsh is the everyday language. Ensuring the prosperity of the rural and agricultural economy is therefore essential to ensure the prosperity of the Welsh language.

As part of its strategy to support Welsh-speaking communities, Welsh Government (the Government) has established the Commission for Welsh-speaking Communities (the Commission), which will be responsible for exploring ways of strengthening the position of the Welsh language as a community language. In its [initial findings](#), the Commission states that the agriculture industry and its culture is a core part of the social fabric of Welsh-speaking rural areas.

The Sustainable Farming Scheme's Welsh language impact assessment acknowledges the indirect importance of the agricultural sector to the viability of the Welsh language. The impact assessment analyses how changes to the support system could have a negative impact on those communities and we agree with the conclusion that the disruption to the sector needs to be minimized to reduce negative side effects on the viability of the Welsh language in rural communities. However, neither the impact assessment nor the Scheme explains in detail how this will be achieved. There is a significant risk therefore that introducing the Scheme will have detrimental ramifications for the Welsh language.

The document *Potential economic effects of the Sustainable Farming Scheme* confirms the concerns identified above. The economic impact assessment estimates that introducing the Scheme will mean overall output losses of £125m a year, livestock reductions of 122,000 and a decline of 11% in on-farm labour. The general picture of the scheme's economic effects suggests that there will be a decline in the size of the rural economy as a result of introducing the Scheme. It is not clear to us to what degree the findings of the Welsh language impact assessment were considered, or the implications of the economic impact assessment for the Welsh language, when developing the Scheme. This is a clear weakness when considering

that the impact assessment acknowledges that the Scheme as it currently stands could have a negative impact on the viability of the Welsh language, even though this sector is a key part of Welsh Government's Welsh language strategy. It is therefore a cause for concern that Welsh Government has prepared a Scheme that could undermine one of the intended objectives for sustainable land management stated in the Agriculture (Wales) Act 2023 (Agriculture Act), namely 'sustaining the Welsh language and promoting and facilitating its use'.

The Scheme demonstrates Welsh Government's ambition to improve the biodiversity of Wales and the natural environment to contribute to efforts to tackle the global climate emergency, and we support those objectives. The Commission for Welsh-speaking Communities' position paper sees potential for the economy of western areas of Wales to become stronger as a result of the green transformation economic opportunities, especially as those areas have many relevant natural resources. It makes the connection between the need to support the economic prosperity of Welsh-speaking communities, and the exciting opportunities that exist because of net zero economic developments.

We agree with the Commission's assessment that it is important to interlink agriculture, develop rural areas and protect nature alongside setting a strong foundation for the prosperity of Welsh as a community language. Our concern is that the current scheme, and the economic impact suggested in the economic assessment, will undermine rural communities, and therefore the viability of the Welsh language. The Welsh language impact assessment does not give adequate consideration to how to mitigate the effects of reducing the contribution of the agricultural sector to the rural economy. The Government needs to explain what its plan is for regenerating and growing the rural economy as well as how it intends to make use of the economic opportunities that come from the green transformation to develop and upskill the current workforce.

To support the *Cymraeg 2050* strategy, the rural economy and the agricultural sector must be developed and strengthened, not diminished. It is crucial that the Scheme does not lead to disrupting efforts to support the socio-economic infrastructure of Welsh-speaking communities. The rest of our response details the improvements the Government could make to mainstream the Welsh language within the current Scheme. However, our main position is that the Government needs to ensure the Scheme meets all the objectives of the Agriculture Act, and ensures a prosperous future for the rural economy in Wales, thereby 'sustaining the Welsh language and promoting and facilitating its use'.

#### **Universal Actions**

Q2. All farms in the SFS will be required to have at least 10% tree cover, and to manage at least 10% of the farm for the benefit of biodiversity.

- a) What do you think of these requirements?
- b) What support might you need to maintain them?

Q.3 Apart from the 10% of woodland and habitat requirements, will the Universal Actions be:

- a) advantageous to your farm business?
- b) a set of practical steps you can take that the Universal Basic Payment will pay for?

Q4. By compiling farm data reports, you will give the Welsh Government the means to confirm that you have carried out actions and they will help you make decisions about your farm. In your opinion, are the Universal Actions requirements for the formulation of reports appropriate?

Q5. The Stability Payment will provide additional support during the Transition Period. Do you think this is appropriate in presenting the Optional and Cooperative Actions?

Our response to this question should be read in the context of our response to question 1 above. Here we explain that our aim in answering this question is to suggest improvements the Government could make to mainstream the Welsh language within the current Scheme. However, we note that the Government needs to ensure that the Scheme meets, in essence, all the objectives of the Agriculture Act, including the objective of 'sustaining the Welsh language and promoting and facilitating its use'.

The Welsh language impact assessment details how important the agriculture industry is to the resilience of the Welsh language and the *Cymraeg 2050* strategy. It suggests that farmers who are farming to make a living, are more likely to be engaging with government support schemes, are also those who are more likely to be Welsh speakers and part of well-established farming families, and have higher levels of participation in their local communities. It is explained further that small farms are more likely to receive payments through the Single Payment Scheme, and that any changes to the support system are more likely to impact them, either positively or negatively. We agree with the assessment that changes to the structure of the agricultural sector could potentially change the contribution of the sector to the resilience of the Welsh language. We are therefore of the opinion that the proposal to mitigate the risk of impacting negatively on small farms through the Stability Payment is a fundamental and essential requirement.

#### **How the Scheme will be run**

Q6. We have proposed that applicants should have complete control of their land for 10 months and that they maintain the Universal Actions for the full year of the scheme (12 months). Do you think the 10 month period is enough?

Q7. We propose that everyone in the Scheme uses the same carbon calculator. Do you agree and how can we support you in doing this?

Q8. To continue to maintain the high standards on our farms, we are proposing a proportionate way of dealing with control measures and sanctions, including complying with additional legislation as a condition of receiving the Scheme payment. What are your thoughts on this?

Our response to this question should be read in the context of our response to question 1 above. Here we explain that our aim in answering this question is to suggest improvements the Government could make to mainstream the Welsh language within the current Scheme. However, we note that the Government needs to ensure that, in essence, the Scheme meets all the objectives of the Agriculture Act, including the objective of 'sustaining the Welsh language and promoting and facilitating its use'.

The Scheme mentions using "existing scheme processes where possible, which may be scored and selected in line with SLM objectives where the budget restricts take up". In the Government's publication, *Introducing the Sustainable Land Management Framework*, supporting actions that "conserve and enhance our countryside and its cultural traditions, including promoting and facilitating the Welsh language" is one of the 4 objectives that form the basis of the framework. However, this objective is not included in the list of Optional Actions proposed in Annex 2 of the Scheme.

The Welsh language impact assessment explains that "there may be scope to include actions within the Optional and Collaborative Layers of the SFS that directly contribute to the health and vitality of the language within the agricultural industry". It is disappointing that the scheme does not provide guidance on how to address this, as that would be an effective way of demonstrating that the Government is serious about achieving one of the objectives of the Act which is to support the Welsh language directly within an agricultural context. Guidance should be included within the scheme to demonstrate how the efforts of farmers could contribute to the health and vitality of the language within the industry, and that this leads to funding through the Scheme.

Q9. The Welsh Government's appeals process will provide us with an effective and efficient regime. Is there any reason why we shouldn't follow it?

#### **Payment Method**

Q10. We'd like to hear your thoughts on the proposals for:

- a) SFS general basic payment
- b) SFS stability payment

#### **Transition period**

Q11. Farmers outside the scheme may want help carrying out actions similar to those proposed in the Optional and Cooperative Tiers. Do you think farmers involved in the Scheme should be prioritised to carry out these actions?

Q12. What steps and support in the Optional and Collaborative tiers do you think should take priority?

Our response to this question should be read in the context of our response to question 1 above. Here we explain that our aim in answering this question is to suggest improvements the Government could make to mainstream the Welsh language within the current Scheme. However, we note that the Government needs to ensure that, in essence, the Scheme meets all the objectives of the Agriculture

Act, including the objective of ‘sustaining the Welsh language and promoting and facilitating its use’.

Our response to the *Sustainable Farming Scheme: outline proposals for 2025* consultation suggested that the Government should encourage farmers who speak Welsh, and who choose to undertake the optional action of hosting “educational and care farm visits”, to provide visits through the medium of Welsh. It’s disappointing to see that this advice was not used as we believe that there is an opportunity here to mainstream the Welsh language within the body of the Scheme, and a genuine opportunity to encourage farmers to achieve the objectives of the Agriculture Act to support the Welsh language directly within an agricultural context.

Within the section on preserving the culture and heritage that comes from farming in the Explanatory Memorandum for the Act, it is stated that one particular aspect of the Welsh-speaking farming community is its “dialects and sector-specific terminology of the Welsh language used by farmers and their families”. Place names and landscape features should also be included in the valuable language information farmers have as part of the list of optional actions. Farmers should be supported to share that information and be recognised for doing so, and farmers who cannot speak Welsh should be supported to increase their awareness of the wealth of information about their farm that comes from the associated landscape names. This would co-ordinate with Welsh Government’s [programme for government](#) where it is stated that the Government will ‘act to protect Welsh language place names’.

The Scheme should encourage and support farmers to use the Welsh language as a unique marketing tool that can increase the market's potential by making produce stand out, reinforcing the origin of local produce and using it as an indication of quality.

Our comments above outline support actions that could be included in the Optional and Collaborative Layers. However, we believe it would be better to include these actions under Universal Action 14 (UA14) within the Scheme. If UA14 was expanded from “Historic environment – maintenance and enhancement” to “Historic **and cultural** environment – maintenance and enhancement”, it would be easier to include actions that could contribute to achieving one of the objectives of the Act, namely supporting the Welsh language directly within an agricultural context; as well as contributing to the SLM objective to “conserve and enhance our countryside and its cultural traditions, including promoting and facilitating the Welsh language”.

## BPS

Q13. Do you agree with the changes we are proposing to the BPS from 2025? They will include:

1. The rate at which BPS payments will be reduced.
2. Closing the National Fund to new applicants.
3. Thresholds for capping.

4. Prohibition of transfer and lease of rights.

**Regulations**

Q14. We would like to know your views on the secondary legislation we are proposing to introduce, to support the BPS and to introduce support schemes under the powers of the Agricultural Wales (Wales) Act 2023.

**Evidence**

Q15. Economic analysis and modelling will conclude in 2024 providing the evidence to help Welsh Ministers make a final decision on how to implement the Plan. We would like to know your views on the current analysis and the evidence required.

We were surprised to see that the Welsh language was not considered as part of the work commissioned by the Government to assess the evidence concerning the social values from changes in natural capital and how these might be reflected in payment levels under the Scheme. The health of the Welsh language within agricultural communities should have been one of the outputs to assess the socio-economic effects of the Scheme. This is something we have raised in previous consultations, and in correspondence with the Minister for Rural Affairs and North Wales, and Trefnydd. We cannot see that there is an approach in place to collate and monitor the effects of the Scheme on the Welsh language. This would therefore make it difficult to report on how the Scheme is achieving the objectives of the Act and the Scheme itself from a Welsh language perspective. We would like to know how the Government will measure the contribution of the Scheme towards supporting Theme 3 of the *Cymraeg 2050* strategy, which is to support the socio-economic infrastructure of Welsh-language communities and the objectives of the Agriculture Act 2023.

**Monitoring and evaluation**

Q16. We would like to know your views on what information and evidence should be used to monitor and evaluate the Plan.

The Welsh language impact assessment makes the important connection between the actions within the Basic Layer of the Scheme, and the indirect impact that taking those actions to support farmers to stay on the land will have on the viability of the Welsh language within rural communities where there is a high density of Welsh speakers. The Government should ensure evidence is gathered consistently to measure the viability of the Welsh language in the rural areas where farms receive support through the current scheme in order to monitor any changes (as has been done in the Welsh language impact assessment). There are many current projects that develop the national data base on the Welsh language, such as the work being done by the Government and the Office for National Statistics to improve their understanding of the main sources of administrative and survey data used to produce statistics on the Welsh language; the work of the Commission for Welsh-speaking Communities; and the 'Sociolinguistic Survey of High Density Welsh Language Communities'. We suggest you discuss with the Welsh language division



and the Government's statisticians to gain a better understanding of these projects, and discuss how this scheme can contribute to them.

In our opinion, the Government needs to be able to analyse any changes in the context of introducing the Scheme, and analyse the potential impacts it is having on the objectives of the *Cymraeg 2050* strategy, then consider whether different actions are required. This should happen as part of the Annual Report and Impact Report.

#### Other

**Q17.** What do you think would be the likely effects [the matter under discussion, recommendation, option, proposal, policy, legislation etc] on the Welsh language? We are particularly interested in any potential effects on opportunities to use Welsh and on not treating Welsh less favourably than English.

Do you think there are opportunities to promote any positive effects?

Do you think there are opportunities to mitigate any negative impacts?

We welcome the detailed Welsh language impact assessment that has been produced. It makes the important connection between the actions within the Basic Layer of the Scheme to support farmers to remain on the land, and the indirect impact taking those actions will have on the viability of the Welsh language within rural communities where there is a high density of Welsh speakers. We agree that prioritising that principle would contribute to supporting Theme 3 of the *Cymraeg 2050* strategy, which is to support the socio-economic infrastructure of Welsh-language communities. However, no explanation is given of how the Government intends to mitigate the impacts on the Welsh language as a result of the estimates in the economic study, which suggest the Scheme will diminish the rural economy and reduce on-farm labour. We do not want to see the Scheme leading to the destabilisation of the industry and its workers and, in doing so, destabilising naturally Welsh-speaking communities. We hope the Government, through the consultation and the public commitment to revisit the Scheme, will succeed in finding ways of strengthening the Scheme that alleviate our concerns. In essence, we believe that the Government must ensure that the Scheme meets all the objectives of the Act and specifically the objective of 'sustaining the Welsh language and promoting and facilitating its use'; the Welsh language impact assessment and the economic assessment suggest that it is not currently meeting this objective, as stated in our response to question 1.

**C18.** Yn eich barn chi, a fyddai modd ffurfio neu addasu [y mater dan sylw, argymhelliad, opsiwn, cynnig, polisi, deddfwriaeth ayb] er mwyn sicrhau:

- ei fod yn cael effeithiau positif neu fwy positif ar gyfleoedd i ddefnyddio'r Gymraeg a pheidio â'i thrin yn llai ffafriol na Saesneg; a
- nad yw'n cael effeithiau andwyol ar gyfleoedd i ddefnyddio'r Gymraeg a pheidio â'i thrin yn llai ffafriol na Saesneg?

In our responses to previous consultations regarding changes to agriculture funding arrangements in Wales, we have expressed our opinion consistently that the viability of Welsh-speaking communities needs to be a central part of the relevant policy and legislation. We have emphasised the need for purposeful planning that promotes the

Welsh language, and the need to collect data about the language and monitor the impact of policies. We have also highlighted the value of the Welsh language as a unique marketing tool that can increase the market's potential by making produce stand out, reinforcing the origin of local produce and using it as an indication of quality. We were therefore pleased to see that one of the objectives of the Agriculture Act is 'sustaining the Welsh language and promoting and facilitating its use' and that this objective is reflected as one of the outcomes of sustainable land management in the Scheme. It is therefore disappointing that the Scheme's impact assessment and economic assessment suggest that the Scheme will undermine the Welsh language.

The Scheme in its current form has missed an opportunity to achieve one of the objectives of the Agriculture Act. An opportunity has also been missed to contribute to one of the objectives of the *Sustainable Land Management Framework (SLM)*, which is to "conserve and enhance our countryside and its cultural traditions, including promoting and facilitating the Welsh language". As you reflect on the results of this consultation exercise, we ask you to ensure that the final Plan will, in essence, meet the above objective and ensures that it does not undermine the Welsh language.

We have also, in our responses to the other questions in this consultation, suggested alternative means of including the Welsh language in the Scheme by amending the universal actions or the Optional and Collaborative Layers. These include the points below that we ask you to consider:

- Explain under UA2 that improving Welsh language skills can contribute to farmers' continuous personal development
- Expand UA14 from "Historic environment – maintenance and enhancement" to "Historic **and cultural environment** – maintenance and enhancement", in order to facilitate the inclusion of actions that could contribute to achieving the objectives of the Act and the SLM in the context of the Welsh language.
- Encourage farmers who speak Welsh, and who choose to undertake the optional action of hosting "educational and care farm visits", to provide visits through the medium of Welsh
- Encourage and support farmers to use the Welsh language as a unique marketing tool that can increase the market's potential by making produce stand out, reinforcing the origin of local produce and using it as an indication of quality
- Support farmers to share valuable language information about dialects, terminology, place names and landscape features which are specific to the Welsh-language agricultural sector
- Support farmers who cannot speak Welsh to increase their awareness of the wealth of information about their farm that comes from the associated landscape names
- Detail what evidence will be gathered to measure the viability of the Welsh language in the rural areas where farms receive support through the current

scheme, how the information will be monitored, and publish the results in the Annual Report and Impact Report.

Q19. Do you have any additional comments on any aspect of this consultation document?

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