

REGULATORY APPRAISAL

AGRICULTURE, WALES

THE COMMON AGRICULTURAL POLICY SINGLE PAYMENT AND SUPPORT SCHEMES (CROSS COMPLIANCE) (WALES) (AMENDMENT) REGULATIONS 2005

Background

1. Cross compliance is a set of environmental standards and conditions required by the European Commission that farmers have to meet in order to receive full payment under the Single Payment Scheme. Cross compliance comprises two elements:
 - compliance with Statutory Management Requirements (SMR) – a number of specific standards established in EU Directives and Regulations, phased in over 3 years (2005 to 2007). Most of the 19 SMRS relate to existing laws and address environmental, public and plant health, animal health and welfare and livestock identification and tracing objectives; and
 - maintenance of land within the Good Agricultural and Environmental Condition (GAEC) - a framework established in EU Regulations.

Purpose and intended effect of the measures

2. The purpose of the Common Agricultural Policy Schemes (Cross Compliance) (Amendment) (Wales) Regulations 2005 is to introduce legislation to:
 - allow arable farmers whose normal farming practice determines that the winter arable crop (e.g. winter oil seed rape) is planted before 31 August to cut the relevant hedges subject to compliance with the Wildlife and Countryside Act 1981. (Hedge cutting in Wales is prohibited between 1 March and 31 August). This allows arable farmers in Wales to operate on the same basis as arable farmers in England;
 - hedge cutting and laying cannot take place between 1 March and 31 August unless for health and safety reasons e.g. next to road sides. However, hedge laying and restoration may take place from 1 March - 31 March subject to compliance with the Wildlife and Countryside Act 1981. Under the Act, it is illegal to knowingly cut hedges where there are nesting wild birds. This legislation will enable the dates of 1 March - 31 March to be extended to 1 March - 30 April for specialist training and competition events;
 - allow farmers to maintain their soil management records on farm instead of having to submit declarations to the Welsh Assembly Government's Rural Payments Division; and

- strengthen the current requirements of the existing legislation with regard to the powers of authorised persons and clarification on the prevention of damage to land that leads to soil run off into watercourses.
3. These Regulations implement some distinct Welsh provision as they provide for different hedge cutting and laying prohibition dates to that in England and also allow farmers in Wales to retain their soil management records on farm

Risk assessment

4. Farmers must meet cross compliance requirements in order to claim on Single Payment entitlements. The risk of not modifying the requirements is inappropriate land management by farmers. This, and failure to submit soil assessment forms could lead to financial penalties applied to their payment. The financial penalty regime is complex and dependent upon the level of cross compliance breaches identified. These penalties are applied on the same basis across the UK.

Options

Option 1: Do nothing

5. Failure to make these Regulations would mean arable farmers in Wales would not have a derogation to permit them to cut relevant hedges before planting winter arable crops prior to 31 August. In addition, farmers would still be required to submit their soil assessment forms to the Welsh Assembly Government each year and be subject to financial penalties for failing to comply.

Option 2: Make the Legislation

6. These Regulations introduce a derogation for earlier hedge cutting dates for arable farmers and reduced paperwork if soil assessment records can be maintained on farm.

Benefits

7. The benefits of the cross compliance measures will help to promote the Assembly Government's strategy for bio-diversity and sustainability.
8. The reduction in disturbance to nesting birds through maintaining the current cutting and laying restrictions for the majority of farmers will significantly benefit wild fauna.
9. Bureaucracy will be reduced for farmers (i.e. farmers will be able to keep the soil assessment forms on farm and not be required to submit them to officials).

Costs

10. The costs of making these Regulations and the cost of providing a Soil Management booklet to all farmers will be met within the existing Rural Payments Division budget. The estimated cost of providing the booklet is £5,000. There will be no additional financial implications for farmers.

Competition assessment

11. The competition filter test has been completed and it shows that there is unlikely to be any market competition impact from these Regulations.

Consultation

With Stakeholders

12. The Welsh Assembly Government has consulted farming and countryside interests about proposed changes to the cross compliance requirements. The consultation started on 15 August 2005 and ended on 9 September 2005. Forty-five responses were received, a list of consultees is attached at Annex A and a summary of the responses can be found starting attached at Annex B. The proposals on which we consulted were:

- to amend the hedge cutting dates. Currently hedge cutting is not permitted between 1 March and 31 August. The proposal was to allow hedge cutting after 31 July;
- to amend the hedge laying dates. Currently hedge laying is permitted during the period 1 March to 31 March, when hedge trimming is not permitted. The proposal was to allow hedge laying up until 30 April; and
- to amend the process of soil management self assessment - currently farmers are required to submit their assessment to the Rural Payments Division by 28 February. For 2006, it was proposed to issue all farmers with a soil management assessment record book, to be maintained on the farm and to be made available to Rural Payment Division when requested.

13. These consultation proposals were developed following comments from the Industry and to bring the requirements for hedge cutting and hedge laying in line with those in England. The revised arrangements for soil management assessment were generally welcomed. The hedge cutting/laying proposals were supported by the farming unions, representatives from the farming community and Auctioneers on the grounds of health and safety, difficulties for agricultural contractors including the impact of inclement weather, and difficulties faced by arable farmers planting winter crops. The conservation lobby raised concerns in relation to sustainability and the wider biodiversity agenda. They were also concerned about the negative impact of the change on the breeding success of hedge nesting birds such as the yellowhammer, linnet and bullfinch, which are listed as Principal importance for conservation under the Countryside and Rights of Way Act 1980.

14. Consequently, it was necessary to make modifications to the proposals on the hedge cutting and hedge laying requirements. Therefore, there will be no change to the hedge cutting dates in Wales except for arable crops where the normal agricultural practice determines that the winter arable crop is planted before 31 August. Farmers will be able to cut the relevant hedges subject to compliance with the Wildlife and Countryside Act 1981. In addition, there will be no change to the hedge laying dates in Wales, except permission on application may be given for specialist and training events up to the 30 April, provided they are conducted in compliance with the Wildlife and Countryside Act 1981.

With Subject Committee

15. The proposed Regulations were notified to the Environment, Planning and Countryside Committee via the rolling programme of forthcoming legislation (EPC(2) 11-05 (p.7) Annex 1, item No. 50) on 5 October 2005 and were identified for detailed scrutiny. The Committee scrutinised the Regulations on 3 November 2005 (EPC(2)-12-05 (p5)) and recommended approval of the legislation without amendment.

Review

16. The Common Agricultural Policy Single Payment Scheme Cross Compliance legislation is subject to continued monitoring and review by Assembly Government officials, external specialists in Wales, the European Commission and EU auditors.

Summary

17. Cross Compliance is a mandatory requirement of the Single Payment Scheme. These Regulations represent a balanced approach that will help deliver the Assembly's objectives consistent with the principles of better regulation.

Annex A- List of Consultees

Alphabetical List Of Organisations, EPC Committee Members and Individuals

ORGANISATIONS

Countryside Council for Wales	B Pawson; B Long; L Hughes
Country Landowners Business Association	Colin Hedley; Julian Salmon; Dawn Harding
DEFRA	David J Collins
Environment Agency	Richard Davies; Bob Merriman
Food Standards Agency	Mike Pender
Forestry Commission	Peter Garson Steve Hunt
Farmers' Union of Wales	Arwyn Owen; Rhian Nowell-Phillips
Gelli Aur College	John Griffiths
Local Authority	Graham Capper
National Farmers' Union	Mary James
Organic Centre Wales	Sue Fowler
Powys Local Authority	Idris Jones
Royal Society for the Protection of Birds	Katie-Jo Luxton; Tim Stowe
Snowdonia National Parks Authority	Emyr Williams
Welsh Local Government Association	Sue Perkins

EPC COMMITTEE MEMBERS

Alun Ffred Jones (Chair)	Carwyn Jones (Assembly Minister)
Lorraine Barrett	Helen Mary Jones
Mick Bates	Sandy Mewies
Glyn Davies	Carl Sargeant
Irene James	Brynle Williams

PARTNERSHIPS

K Bellis	C Morgan
Mrs M Dalton	J Morris
J Davies	Ms O Moss
K Davies	G Owen
P Davies	G Owen
M Dolan	R Parry
A Edwards	E Perkins
D Evans	D Rees
Farmers Marts	P Rees
P Francis	H Richards
J Ganes	A Roberts

D Gatehouse
Miss A Giddings
H Griffiths
L Griffiths
C Horn
S James
D Jarrett
B Jones
C Jones
D Jones
H T Jones
G Lewis
G Lloyd
R Meadmore

G O Roberts
I Roberts
J F Roberts
D Siencyn
R Voyle
G Watkins
S White
A Williams
D Williams
G Williams
J LI Williams
LI Williams
Miss R Williams

**Annex B - Summary of the '2006 SPS Modifications' Consultation
– Cross-compliance**

Questions	Consultee: Countryside Council for Wales
<p>Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.</p>	<p>Does not believe that prohibition of hedge cutting in August is likely to cause problems for the majority of farmers in Wales. 77% of Wales is LFA and all farms in receipt of Tir Mynydd are subject to the requirements of Good Farming Practice since the adoption of the Rural Development Plan for Wales on 1 January 2000.</p> <p>It is suggested that ground conditions are more suited to mechanical operations during August, yet Met Office data shows that on average September is likely to be drier than August. It has also been suggested that hedge trimming in August will allow more time for establishing winter crops, but only 3% of Welsh agricultural area is arable. Whilst with the exception of oil seed rape most arable crops are likely to be established after the end of August.</p> <p>Supports the WAG's concern that land be managed in ways that minimise soil structure damage but considers the proposed change to hedgerow management, as it affects all Welsh agricultural land, to be a disproportionate response to dealing with a problem that affects certain parts of the country at certain times.</p> <p>They consider that the soil types susceptible to structural damage from working the land during September cover less than 25% of Wales and these are mostly overlain by grassland/marshy grassland. The highest risk occurs on arable land which covers only 3% of the Welsh agricultural area and only a relatively small proportion of the arable area is underlain by soils prone to damage during September. AS a result the proposal to amend hedge cutting dates across the whole country appears to represent a disproportionate approach to reducing the risk of structural damage to Welsh soils.</p> <p>Risk to soil structure up to early October in normal years and early September in wet years in the drier climates of West Wales (e.g. Ardleen 825mm annual rainfall). In contrast there is little opportunity for cultivation after 1 September on Cegin soils in the wetter climates of Llanerchymedd</p>

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<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>Believes the proposed change will affect the entire agricultural area of Wales in order to resolve a small number of issues within certain parts of the country. A more refined approach, which takes into account geographical differences and/or particular circumstances, may represent a more effective way of dealing with the issues identified.</p>
<p>Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.</p>	<p>Appendix II provides the dates at which a number of bird species typical of Welsh hedgerows are recorded as fledging young. The data suggests that although the first broods should have safely left the nest by the end of July, species that have a second and even third brood will not have fledged by the end of August and are vulnerable to the disturbances caused by flail cutting. Species such as Yellowhammer, Bullfinch and Linnet, which are listed as being of principal importance for conservation of bio-diversity under section 74 of the Countryside and Rights of Way Act (2000).</p> <p>In the context of this consultation it should be noted that Yellowhammer and Bullfinch are amongst the farmland bird species whose populations have declined significantly in recent years across Wales. Data from the BTO/JNCC/RSPB Breeding Survey show a 39% decline in abundance of Yellowhammer between 1994 and 2003 whilst the comparable figure for Bullfinch is 28% (The State of Birds in Wales, 2003, RSPB, CCW, WOS, BTO and WWT).</p>
<p>Q.2b How would the benefits identified be affected by the proposed change?</p>	<p>Believes the proposal will have a damaging impact on a range of farmland birds, including at least one species of principal importance where the National Assembly has responsibility for furthering the delivery of practical conservation measures. Under section 1 of the Wildlife and Countryside Act (1981) it is an offence for any person to intentionally damage or destroy the nest of any wild bird whilst that nest is either in use or being built. One of the principal conditions of the SPS is that farmers comply with Statutory Management Requirements (SMRs), one of which relates to the conservation of wild birds (European Council Directive 79/409) as well as obligation set out under GAEC. Article 5 of Directive 79/409 prohibits the destruction of both nests and eggs, so that farmers in the UK must comply with section of the Wildlife and Countryside Act in order to abide by the SMR. Therefore, the proposed change risks placing farmers in breach of another part of the cross compliance regime.</p>

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<p>Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.</p>	<p>Supports the use of hedge-laying and coppicing as a means of restoring hedges, although the latter involves the wholesale removal of woody material down to ground level such that protective fencing is necessary to protect the subsequent re-growth from grazing animals and ensure a rejuvenated hedge in the longer term. As far as CCW is aware the bulk of hedge restoration in Wales takes place under agri-environment schemes, whether nationally schemes.</p> <p>As all hedgerow restoration work under agri-environment schemes is subject to environmental conditions, the majority will be completed by mid-March. The existing GAEC conditions which require all hedgerow work to be completed by the end of March, thus appears reasonable. Although there maybe some specialist or exhibition events that would benefit from work being carried out in April, it would seem better to use specific derogations, rather than a change for all of Wales to deal with a relatively small number of exceptional cases.</p> <p>Is not aware of any need to delay the laying of Whitethorn (<i>Crataegus monogyna</i>) until April. This is one of the most common species and is frequently laid earlier in the year. Similarly holly is often laid throughout winter but is not a major component of many hedgerows.</p>
<p>Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?</p>	<p>Annex II shows the points at which typical hedgerow bird species in Wales are recorded as starting to lay eggs. All but one of these species now starts egg laying in April. Associated breeding activities such as establishing territories and building nests will commence well before egg laying. Therefore, any extension to the hedge laying period to the whole of April is likely to cause substantial disturbance to a number of species. In particular, the Song Thrush (another section 74 species which the Assembly is responsible for conservation) could be particularly affected, since 50% of the breeding population can be expected to have laid eggs by 19 April.</p> <p>In response to the previous cross-compliance consultation CCW noted that there was now evidence of a trend for birds to nest earlier in the year and advised that cessation of hedge trimming should begin from 1 March. CCW had welcomed the compromise decision not to allow hedge trimming from 1 March to 31 August but to allow hedge-laying during the month of March.</p>

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	<p>Have substantial concerns over extending the hedge-laying dates to the end of April. Under section 1 of the Wildlife and Countryside Act (1981) it is an offence for any person to intentionally damage or destroy the nest of any wild bird whilst that nest is either in use or being built. One of the principal conditions of the SPS is that farmers comply with Statutory Management Requirements (SMRs), one of which relates to the conservation of wild birds (European Council Directive 79/409) as well as obligation set out under GAEC. Article 5 of Directive 79/409 prohibits the destruction of both nests and eggs, so that farmers in the UK must comply with section of the Wildlife and Countryside Act in order to abide by the SMR.</p>
<p>Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?</p>	<p>Is concerned about the implication in the consultation that since the quality and quantity of self assessment forms submitted in 2005 was inadequate, the administrative burden on farmers needs to be reduced. Although the SPS is not an environment payment, as part of CAP reform the EU Council of Ministers determined that farmers should receive public support provided a range of legislative and good practice standards was complied with. This implies that where non-compliance is identified then the rate of inspection should be increased, together with the application of appropriate sanctions. Nevertheless, an on-farm soil management record book has the potential to deliver significant benefits provided the new system is applied effectively. The forms used in 2005 did not provide sufficient space to describe problems nor detail of how these would be dealt with. Furthermore, the fact that the form had to be submitted at one point in time reduced the opportunity for farmers to use the assessment as part of an ongoing process of review coupled with action to address identified problems.</p> <p>Would support on-farm recording provided it is effectively monitored through an inspection system and:</p> <ul style="list-style-type: none"> • the information available on farm includes definitions of heavy poaching and rutting, as well as when action should be taken to control any soil erosion in fields and bankside erosion adjacent to rivers, streams and watering points. Guidance on how much of an area has to be affected before it is classified as a problem and clearer definitions are required in relation to acceptable conditions around gateways.

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	<ul style="list-style-type: none"> • The record book is updated regularly throughout the year and not just in time to meet an artificial 1 January deadline. The most vulnerable periods for soils occur in the spring and autumn, and therefore the recording mechanism should reflect conditions of the soil at regular intervals or as issues are identified (In the same way that cattle movements are updated as changes occur or in a given period of time). • The guidance must make it clear that if the record book fails to reflect the condition of the soil at the time of inspection that this could affect the entitlement to SPS (again a similar approach to cattle movements). • The entire approach is based on the recognition that soil problems can occur even when land management is of a good standard. The identification of problems and the deployment of appropriate measures will not result in penalties. Conversely a failure to identify problems will be treated seriously. This approach will put the onus on keeping the system up to date and using it as a positive tool to aid both the overall health of the business and the environment. <p>Recommends the use of tabulated fields capable of holding the following minimum levels of information: details of the enclosures affected (field name or IACS number); the nature of the problem; what is proposed to rectify the problem, when action will be taken; the date rectification measures take place; details of immediate/proposed changes to farm management designed to prevent recurrence; date planned changes are expected to be implemented; and actual date of implementation.</p>
<p>Q.6 If not, have you any suggestions on how we could improve/refine the requirement?</p>	<p>As above.</p>

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Questions	Consultee: RSPB Cymru
<p>Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.</p>	<p>Does not agree that significant problems are caused to farming operations due to the current hedge cutting dates. 77% of Wales is LFA, and the Tir Mynydd Good Farming Practice conditions have been using the 31 August start date since 2000. In these five years there have been no significant problems raised by farmers or their representatives to RSPB Cymru. RSPB considers the lack of enforcement of the conditions is likely to have been a more serious concern. RSPB receive many calls from members of the public concerned that hedge cutting disturbing or destroying nests during the breeding season.</p> <p>Does not believe that poor enforcement of existing conditions is an acceptable reason for amending cross-compliance, as this would set a negative precedent and lessen public understanding or acceptance of the agricultural subsidy system. Also disagrees that ground conditions are more suitable for mechanical operations under the new dates, because of the implication in the consultation that September is wetter than August. Met Office information based on 1985-2004 shows that average monthly rainfall in August is 74.34mm and in September is 69.23mm. Since 1914 when monthly rain records are available, September has been drier than August 51 out of 91 years.</p> <p>Does not believe that the use of tractors with cutting equipment or flails in September would cause a concerning level of soil structure damage. Significantly less in scale and compaction than the damage caused by mechanical cultivation of autumn crops or winter use of machinery. Hedge cutting does not normally take place as soon as the restrictions are lifted but is fitted around other activities throughout the autumn and winter.</p> <p>The relatively small amount of autumn crops sown in Wales and the current hedge cutting dates allow adequate time for the work to be fitted around other farming operations. As hedges do not need to and should not be cut every year, there is ample time if the farmer plans ahead to avoid clashes between autumn planting and hedge cutting rotations. Also considers that planning hedge management on rotation would avoid clashes with re-establishing grass leys in intensive pastoral systems. Good practice guidelines and the WAG should encourage farmers to introduce margins around arable fields to avoid conflict between hedge cutting and crop planting. These margins</p>

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	<p>benefit wildlife significantly, particularly in providing seed food and invertebrate prey for hedgerow nesting birds in autumn and winter. Where there are health and safety concerns caused by using machinery on steep ground in wet weather conditions, the WAG should encourage farmers to carry out such activity in September or cut/lay their hedges through agri-environment schemes.</p>
<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>No comment.</p>
<p>Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.</p>	<p>Believes the current hedgerow cutting dates are a reasonable compromise between farming practices and the conservation of late nesting hedgerow birds. Records show many species nest into August and September, but we believe the current dates are most important for Yellowhammer, Bullfinch and Linnet. Best practice advice recommends avoiding hedge management between April and the end of September. Significant bodies of evidence including natural history records, the Nest Record Scheme and autecological research shows that these species will have eggs or chicks in nests very late into August and early September.</p> <p>Annex III shows the average nesting dates for farmland species taken from first egg dates.</p>
<p>Q.2b How would the benefits identified be affected by the proposed change?</p>	<p>The Wildlife and Countryside Act 1981 gives legal protection to all wild birds, and under section 1 it is an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built. By extending the dates, the WAG would be inviting farmers to flout the law and breach the Statutory Management Requirements, which will impact on farmers' receipt of SPS. Under section 74 of the countryside & Rights of Way Act Yellowhammer, Bullfinch and Linnet are all species of Principal Importance in Wales. The WAG has a responsibility to take or promote to others such steps as is reasonably practical to further the conservation of these species. This is not compatible with the proposed change to the dates.</p> <p>The WAG has committed itself to stabilise or reverse the decline in wild bird populations by 2010. Any erosion of the protection would not be compatible with this aim. Furthermore, Yellowhammer and Bullfinch</p>

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	<p>are red listed (high conservation concern) and Linnet is amber listed in Wales. All three are red listed at the UK level. Yellowhammer abundance began to decline in the mid-1980s and the most recent Breeding Bird Survey shows a decline of 37% between 1994 and 2004 in Wales. Based on the UK long term trend and the current short term Welsh trend, it is highly likely that there has been a Yellowhammer decline of more than 50% in Wales in the last 25 years. Overall nest success rates are low probably because later nests, which tend to be more successful, are underrepresented in the Nest Record Scheme data set.</p> <p>Yellowhammer nest preferentially in short, thick hedgerows or scrub with adjacent grassy margins or ditches. They have two breeding attempts (sometimes three) between May and August, with later broods more successful. Early nests before the hedge is full leafed tend to be in the herbaceous vegetation abutting the hedge, with later nests in the hedge itself. The UK Bullfinch population has been in decline since the mid-1970s, following a period of relative stability. In Wales, over the last 10 years, there have been periods of steep decline followed by more recent partial recovery. CES data indicate that productivity may have increased over the last decade. However, nest failure rates at the egg stage have risen through the 1990s. Bullfinches nest in tall, thick hedgerows and scrub, and are also particularly dependent on these habitats for year-round feeding. They nest from May until August.</p> <p>Historic data on Linnet abundance cannot be desegregated for Wales-only, but on a UK level they declined rapidly between the mid-1970s and mid-1980s. In the last ten years, numbers in Wales have remained stable, with some recovery. Nests failed more often during the principal period of population decline, and this represents the most likely demographic mechanism driving the observed decreases in abundance. Linnets nest preferentially in short, thick hedgerows or scrub. They generally have two breeding attempts between April and August. Exceptionally a third attempt will be made, lengthening the breeding season.</p> <p>For curlew bunting (now extinct as a breeding species in Wales, but closely related to yellowhammer) studies show that late nests not only produce more chicks, but chicks fledged from late broods are significantly more likely to get recruited into the breeding population.</p>
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	<p>A similar trend has been observed for yellowhammer and this is likely to be as result of higher availability of some food sources such as grasshopper, at this time of year.</p> <p>Linnet declines appear to have been partly due to loss of late season productivity - as illustrated by partial recovery when oilseed crops replaced dwindling late-season food sources. A recent study has also shown that predation appears to have a bigger impact on earlier nesting attempts partly due to less dense hedgerow foliage leaving early nests more exposed to predation and changes in predator activity. This theory is supported by CES results, which suggest that hedgerow quality is likely to be a contributory factor in the low productivity of this species.</p> <p>Consequently, in these two species, (and probably in other late breeders), loss of late season nests has a significant and disproportionate effect on annual breeding success. This implies that late nests have a greater impact on future population trends, than early nests. Additionally, bullfinch and linnet both nest in the outer edges of the hedge, in the dense new growth, making them particularly vulnerable to hedge trimming. Recent information shows that later nests of yellowhammer also follow this pattern.</p> <p>Believes delaying trimming until the end of August is a very important and low cost conservation management prescription which has the potential to contribute to the population recovery of these farmland birds. The cost of implementing equivalent measures though agri-environment schemes is likely to be significantly greater and participation likely to be too low to have a major conservation impact. Strongly opposes any changes to the current hedge cutting dates.</p>
<p>Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.</p>	<p>Strongly supports hedge laying as a method of hedge management, if managed through trimming on a 3 year rotation, a well laid hedge will be thicker and have better structure for nesting and cover for wildlife. Does not support extending the hedge laying dates as this will conflict with the bird-breeding season. Any environmental benefit gained from hedge laying would be outweighed by the significant disturbance to nesting birds and the likely loss of broods.</p>

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<p>Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?</p>	<p>Does not support the revised hedge laying dates as the 30 April is well into the breeding season for many common and migrant hedgerow-nesting birds. The activity of hedge laying/coppicing is likely to be more disturbing to nesting birds than hedge cutting - both in terms of the amount of hedge material that has to be removed to allow laying and the length of time needed to undertake the management. RSPB had previously expressed concern that the 31 March date was already too late into the breeding season and argued for the 1 March as the cut off date, on the grounds that this avoided impact on nesting birds and was a clear cut off point, consistent with the hedge cutting date in Good Farming Practice (and Cross Compliance). Accept the 31 March date as a compromise, given the need to encourage hedge laying, however, RSPB would not be prepared to consider a date later than this.</p> <p>Are concerned that by extending the hedge laying date to the 30 April, the WAG will be encouraging farmers to break the law with regard the Wildlife & Countryside Act 1981. We do not feel that this proposal is compatible with WAG commitments to reverse farmland bird declines.</p> <p>Many wild birds are nesting in April – from resident species such as dunnock, wren, robin, thrush and blackbird to migrant species such as whitethroat and willow warbler (see Annex III). With climatic changes, many of these species are nesting earlier and earlier with records starting for some species such as blackbird, robin and song thrush are nesting as early as second week of March. Song thrush is a species of Principal Importance in Wales, and is amber listed in Wales (red listed on a UK basis).</p> <p>It is good practice to under take active management of the hedgerow whilst the plants are dormant and RSPB is concerned that laying into April could detrimentally affect the health of hedge itself, potentially resulting in the loss of some hedge plants/trees.</p> <p>Accept that an extended hedge-laying window may be more convenient for farmers and we are sympathetic to the need to encourage such traditional practices but do not believe that the level of impact on breeding wild birds is acceptable. Believe the WAG should look to use the agri-environment system to provide an incentive on hedge laying rather than altering the dates.</p>
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	<p>With regard to traditional hedge laying events, believes that the Assembly should strongly encourage these to take place before April in order to demonstrate best practice (both in terms of cutting the hedgerow plants when they are dormant and in minimising disturbance to nesting birds). However, given the importance of supporting the traditional practice, RSPB would be prepared to consider a very few derogations for such events later in the season, providing appropriate checks had taken place to ensure that disturbance to nesting birds would be avoided.</p>
<p>Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?</p>	<p>No comment.</p>
<p>Q.6 If not, have you any suggestions on how we could improve/refine the requirement?</p>	<p>Considers they are not qualified to comment in detail on the proposals regarding the soil self assessment arrangements, however are concerned by the implication in the consultation document that as a result of WAG concerns regarding the quality and quantity of forms submitted, that the requirement on farmers to assess their soil management is being reduced. RSPB does not feel that this is a good precedent.</p> <p>Understand that a considerable number of farmers (around 20% of farmers registered for SPS) did not return their soil proformas and this is worrying both as a breach of cross compliance and as it implies that there are many farmers who either have significant soil management issues or did not understand the requirement. Either way there is a considerable onus on the WAG and other enforcement bodies to increase inspections and follow up on these non-compliant farmers.</p> <p>Believe that addressing the current lack of compliance and improving farmers understanding of their environmental responsibilities should be the priority for the WAG and industry representatives. We therefore feel that should this new approach be adopted, that compliance inspections of the Soil Self Assessment should be increased. We propose that both the Environment Agency and Rural Inspectorate be required to inspect the farmers Self Assessment records when they are undertaking inspections.</p>

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	Additional advisory support should be made available to farmers. This should include guidance on how to undertake soil practices that are beneficial for priority species e.g. root crop management. Believe that any changes in this regard should be monitored and reviewed to ensure that the WAG is tackling non-compliance and that soil management issues in Wales are addressed.
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Questions	Consultee: Association of Local Government Ecologists
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Is not aware of the groundswell of opposition to these dates. Late nesting Yellowhammer, Bullfinch and Linnet could be badly affected by a move to allow cutting to take place a month earlier. These species are listed in the WAG's 'List of Species and Habitats of Principal Importance for the Conservation of Biological Diversity' following the duty placed on the WAG under section 74 of the Countryside and Rights of Way Act 2000.
Q.1b Would the proposed change alleviate these problems?	Believes a move to allow hedgerow laying throughout April would seriously impact many common species of nesting birds at the start of the breeding season. It is against the law to disturb a nesting bird and it is possible that a change of these dates will result in an increase in those breaking the law or not acting within the spirit of the legislation. The WAG's Nature conservation Branch will be aware of climate change and earlier nesting of many birds, any hedge laying activity will make it harder for these birds to nest and breed successfully. Requests the rules remain unchanged.
Q. 2 to Q.6	No comment.

Questions	Consultee: Montgomeryshire Wildlife Trust
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Does not believe August to be the optimal month (due to concerns about compaction and soil damage) for hedgerow management. The Wildlife Trust manages over 5,430 hectares of land and regularly undertakes significant works across a wide range of environments utilising large machinery often associated with hydrological management. Can confirm that September is the optimal month for such work and much of the work done on sensitive soils are timed specifically to be undertaken in September. The Environment Agency also operates on this principle.

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<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>No comment.</p>
<p>Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.</p>	<p>Scientific literature shows clearly that Bullfinch, Linnet and Yellowhammer all nest late into August. Section 74 of the Countryside & Rights of Way Act identifies Yellowhammer, Bullfinch and Linnet as species of 'Principal Importance in Wales'. The Welsh Assembly Government has a duty to take steps, or to promote others to take steps, to further the conservation of these species. In addition Bullfinch and Yellowhammer are red listed species in Wales and Linnet is amber listed. A delay in hedge trimming until September can only benefit these threatened species.</p>
<p>Q.2b How would the benefits identified be affected by the proposed change?</p>	<p>Believes cutting in August will have an impact on Yellowhammer, Bullfinch and Linnet, which breed until late August. Late breeding individuals are known to contribute a proportionally greater degree of productivity to bird populations. For other bird species there is an increased trend towards multiple broods, which also increases the value of August as part of the nesting season.</p>
<p>Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.</p>	<p>Can see no significant need for the extension of hedge-laying/coppicing dates. Although the Wildlife Trust do recognise the traditional management aspect to this proposal, any marginal benefits arising will clearly be outweighed by the inevitable impact on hedgerow nesting bird species.</p>
<p>Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?</p>	<p>Page 3 of the consultation states, "Based on the trend of birds to nest earlier in the year, it is not proposed to change the [latest hedge cutting date of] 1 March." The Trust cannot see a reason why hedge cutting should be prohibited whilst hedge laying is permitted. Both operations can be extremely disruptive to nesting birds as a number of hedgerow nesting bird species start nesting during March. The Trust would argue for a further restriction of hedge laying (31 August to 1 March) to bring it into line with the permitted hedge cutting dates. Any extension of hedge laying dates into April will result in destruction of bird nests, including a number of priority species. It would also be outside the spirit of the UK Biodiversity Action Plan, the Crow Act 2000 and the WAG's commitment to stabilise or reverse wild bird population decline by 2010.</p>

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	Any extension to the cutting dates could also be seen as giving permission to break the Wildlife and Countryside Act 1981. Records show that over recent decades, hedgerow birds are breeding earlier each year. This change will result in an increased number of species adversely affected over time. Statistics show that Thrushes (a UK Red listed species), Robins and Wrens are starting their nesting in March.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Believes it would be inappropriate to weaken the soil management assessment arrangements due to poor compliance. Soil management was correctly identified as a key area of environmental concern during the drafting of the Cross-compliance regulation and it is essential that the farming community be enabled to undertake appropriate self-assessment to an effective standard.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	Believes the self-regulation arrangements should contain adequate and appropriate advice. It maybe possible to undertake a degree of streamlining of the assessment process, however, this must be achieved without abdicating the need for effective action. If necessary, additional financial support should be made available through agri-environment support.

Questions	Consultee: NFU Cymru
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Due to the topography (80% LFA) and climate in Wales, as well as the nature of machinery used in hedge maintenance, it is difficult for health and safety reasons to get onto land for a significant part of period between 1 September and 28 February. Due to the significant cost of purchasing hedge-trimming equipment, most of the work is done by contractors, who seek to minimise costs by maximising the use of their equipment. If wet weather prevents access to land for a few days this has ramifications for completion of work within the deadlines. The shorter day length during the winter exacerbates the problem. The start date of 1 September does not accommodate farm management practices, particularly in arable areas where there is a short window in August for hedge trimming following combining of winter Barley in July and sowing of oilseed rape in late August. Given the restrictions, farmers carrying out routine hedge maintenance will damage newly planted crops. Once the weather begins to deteriorate it is unsafe to hedge trim in hill and upland areas and in any case farmers want to alleviate soil damage to fields.

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<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>Considers bringing the start date back to 31 July would help to address the problems being experienced by arable farmers. It would also allow more time for LFA farmers to trim hedges before the weather deteriorates. This will alleviate concerns regarding damage to soil or watercourses and health and safety considerations in relation to sloping terrain. Would wish to see latitude exercised by the Divisional Offices, given the weather and seasonal effects on hedge trimming operators, in determining the 'closed' period.</p>
<p>Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.</p>	<p>No comment</p>
<p>Q.2b How would the benefits identified be affected by the proposed change?</p>	<p>No comment.</p>
<p>Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.</p>	<p>Would like to see an extension of the current final date for laying hedges, to allow laying and coppicing until 30 April. The determining factor as to when to lay a hedge is whether the sap has begun to rise and this varies season to season. A hedge where sap has begun to rise will pleach better and thus will have more life in it. A late winter or cold spell will suppress growth and thus discretion to lay and coppice later is needed. Extending the period by one month will have no bearing on the availability of food for birds since hedges would not be trimmed prior to laying.</p>
<p>Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?</p>	<p>Agree.</p>
<p>Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?</p>	<p>Would welcome any reduction of administrative burden on farming industry. The self-assessment record book approach would avoid the need to submit forms and amendments throughout the year to the Assembly. Would like to see the book issued by the Assembly to ensure consistency in the format of information recorded.</p>
<p>Q.6 If not, have you any suggestions on how we could improve/refine the requirement?</p>	<p>N/A</p>

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Questions	Consultee: R. Richards County President of Denbighshire Farmers' Union of Wales
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Yes, if fields need ploughing, unable to cut hedges before working the fields.
Q.1b Would the proposed change alleviate these problems?	Yes.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	No.
Q.2b How would the benefits identified be affected by the proposed change?	N/A.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes, provides re-growth and thicker shelter.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	No.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	Does not see the need to change.

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Questions	Consultee: Caernarfon Branch of Farmers' Union of Wales
Q.1a to Q.1b	Yes.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	No.
Q.2b How would the benefits identified be affected by the proposed change?	No comment.
Q.3 to Q.4.	Yes.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Believes it would depend on how much detail would have to be included.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	No comment.

Questions	Consultee: Brightwells Ltd
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	With regard to hedgerow cutting, believed an earlier start date would be of benefit to Welsh farmers.
Q.1b Would the proposed change alleviate these problems?	As above.
Q.2a to 2b.	No comment.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Commented that additional time for hedge laying/coppicing will be of benefit to agricultural operations. In Wales the date of hedge laying is determined by hedge growth/building. This varies depending on spring weather conditions and altitude, so that in many upland areas, the weather conditions are not suitable until later March/April.

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Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Agreed that hedge laying should be allowed until the end of April.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Approved of the arrangements for 2006, as the self-assessment form had caused much concern. Having such a record would be useful for land agents when selling/letting land, as it could be examined or provided to new owners/tenants.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	Many farmers are concerned about non-compliance due to poaching, as the result of spring livestock feeding. Can it be clarified whether it would be acceptable for such poaching to occur if it is a usual farming activity and pasture repair is undertaken when conditions are suitable? It should also be pointed out that broken and poached pasture has environmental advantages, for example to insect and bird populations.

Questions	Consultee: McCartneys Chartered Surveyors – Glyn R Owens
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	The cutting dates are limiting the time available for farmers/landowners to carry out this operation. On health and safety grounds alone the revised starting date is preferable.
Q.1b Would the proposed change alleviate these problems?	It would certainly help.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Not aware of any.
Q.2b How would the benefits identified be affected by the proposed change?	N/A
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	With so little agricultural labour available and so few specialist contractors this can only help to alleviate an already difficult situation.

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Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	N/A.

Questions	Consultee: McCartneys LLP – C W Jones
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Consider the existing proposals will lead to many hedgerows being cut at an inappropriate time. Many hedges would have become overgrown and encroached on lanes and fields with the obvious problems associated with this. The layering of hedges and their management, which are important parts of rural life, are difficult to carry out within the dates that exist.
Q.1b Would the proposed change alleviate these problems?	Believe this is a step in the right direction and would be welcomed by farmers. As layering and coppicing of hedges improves habitat for wildlife, any cross-compliance or environmental rules should encourage the layering or coppicing of hedges as opposed to mechanical cutting. Therefore, an extension to the deadlines will be a definite improvement.
Q.2a to Q.2b	No comment.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Believe it will benefit wildlife, ground conditions and improve management of hedges, fences and field boundaries. Believe the changes will not be detrimental to the environment.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Agree.

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<p>Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?</p>	<p>Considers the process of completing the soil management self-assessment forms not effective and many farmers are reluctant to complete them accurately. Any change, which allows a farmer to take control of the management of his business, should be encouraged. The farmer is in the best position to have full knowledge of his soil and soil type, as he is relying on its productivity for his income. The proposal to keep records of soil management and details of any flooding, poaching etc will be beneficial to farmers for future reference and in taking appropriate action.</p>
<p>Q.6 If not, have you any suggestions on how we could improve/refine the requirement?</p>	<p>The soil record documentation should be checked regularly, whenever a visit by an official from Trading Standards, DEFRA or a FABBL/FAWL inspection occurs. Farmers should be encouraged to keep accurate records of problems relating to fields; such as at cultivation of harvest time, relating to field conditions and record made of any action taken.</p>

<p>Questions</p>	<p><u>Consultee: Morris Marshall & Poole Chartered Surveyors, Auctioneers, Estate Agents & Valuers</u></p>
<p>Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.</p>	<p>No comment.</p>
<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>Consider that any extension to the periods will be welcomed by the farming community, as much of the work is done by contractors who find it difficult to undertake their usual commitments in the short period currently allowed.</p>
<p>Q.2 to Q.6.</p>	<p>No comment.</p>

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Questions	Consultee: Powys Land Internal Drainage Board
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	The majority of its drain maintenance is carried out in August/September. Farmers are required to flail the ditch banks and hedges adjacent to the watercourses usually in July and August, so as to allow the Digger to enter in August and September every 3-4 years. The new restrictions have created chaos with a backlog of flailing occurring at the end of August. Farmers do not wish to flail the ditch one month and have to flail the hedge another month. As a result of the limited period for flailing watercourse hedges, watercourse maintenance will be at a lower standard this year. Therefore, drains will not be working to their full potential during the winter, which will result in flooding.
Q.1b Would the proposed change alleviate these problems?	The Internal Drainage Board supports the moving of the date for commencing hedge flailing to 1 August, although it would like to see the rules for the flailing of watercourse and adjacent hedges to commence from 1 July provided it is only flailed after every third year, which will allow for less wildlife disturbance.
Q.2a-6	No comment.

Questions	Consultee: Hedge Trimming Contractor - JCR
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	There is no scientific evidence to support a later start date and an earlier finish date for hedge trimming in Wales. Hedge trimming contractors are under extreme pressure from arable farmers to commence hedge trimming so that they can prepare and sow their winter crops before September 1 st . It is difficult to manage labour and have a long enough period to cover all the demands of customers. Would like the regulation reconsidered.
Q.1b – Q6	No comment.

Questions	Consultee: Anonymous
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	During August, as seen this year, hedges grow too far out into narrow rural roads, endangering drivers and walkers.
Q.1b Would the proposed change alleviate these problems?	The proposed change would be a great help to the industry and public safety.

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Q.2a to 2b.	No comment.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Agreed the dates should be changed.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Considers this a difficult question to answer as it depends on how detailed the questionnaire will be. Therefore, it is impossible to comment on information that is not available.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	No comment.

Questions	Consultee: National Trust Wales
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Not to their knowledge. It should not be presumed that hedges are cut each year.
Q.1b Would the proposed change alleviate these problems?	Changes would allow an extra month and provide a longer season for hedge cutting /contractors.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Untrimmed hedge growth can provide nectar and fruits in August.
Q.2b How would the benefits identified be affected by the proposed change?	Up to one month less nectar and fruit on trimmed hedges in August

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Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Extra time would extend the quantity of possible laying/coppicing which could increase the amount of hedge restoration overall.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No. Bird nesting will be disturbed during April.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes, this could be a useful arrangement, particularly for subsidiary holdings where soil management may have specific requirements within cross compliance. Agree with the 2006 proposal, as long as adequate guidance and recording information is provided.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	No comment

Questions	Consultee: FUW
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Caused considerable problems, as hedges are normally trimmed before the establishment of Autumn crops, any delay could result in damage to soil structure due to unpredictable autumn weather However would also like the consideration to be given to changing the 1 March date, as this prevents the "siding" of hedges taking place when ground conditions are at their most favourable.
Q.1b Would the proposed change alleviate these problems?	Yes
Q.2a- Q.2b	No comment
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	The change will result in both agricultural and environmental benefits given the optimum time for pleaching species such as whitethorn and holly.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes

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<p>Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?</p>	<p>Until further information has been made available, as to the details the farmers will be required to keep, and how Inspectors will interpret this information, they cannot support the proposal. Would be happy to discuss further with a view to keeping the burden of paper work to a minimum.</p>
<p>Q.6</p>	<p>No comment</p>

<p>Questions</p>	<p>Consultee: CLA</p>
<p>Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.</p>	<p>As most hedge cutting is carried out by contractors, greater flexibility will allow for the varying ground and weather conditions, spread of workload, and requirements for cropping a replanting to be considered. Drainage companies also require an earlier date to allow for effective preparation for “mudding out”.</p> <p>Most birds using hedgerows have finished nesting by the end of July and allowing a longer window may well reduce soil damage in a wet autumn.</p> <p>The change will bring Wales and England requirements into line, making life simpler for the cross border farmer.</p> <p>For Arable cropping, in certain situations for example rape following wheat, the current rules do not allow the hedges to be cut before the field is drilled.</p> <p>For grassland areas, with may being steep or wet, for practical reasons hedges need to be cut while the ground is dry. Accidents will happen on wet steep ground, and the situation is made worse by contractors being under pressure. On these grounds alone a change is not just desirable but essential;</p> <p>At the very lease they would like a derogation for arable crops and drainage work.</p>
<p>Q.1b Would the proposed change alleviate these problems?</p>	<p>Yes, although in case of drainage 1 July would be preferable.</p>
<p>Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.</p>	<p>Yes, if the maintenance of an effective and viable farming/rural community and the stewardship skills it provides are valued as being as much a part of the environment as wildlife.</p>

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Q.2b How would the benefits identified be affected by the proposed change?	If the change allows contractors to complete the job unrushed and at one go, disturbance to wildlife will be minimised.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes, by enabling greater flexibility in the management and long term maintenance of hedges by allowing for seasonal variation and weather conditions, reflecting local experience and tradition, their future as environmental feature is secured.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes, strong support for this proposal, as hedge restoration is essential for the long term viability of welsh hedgerows and the work is very dependent on the weather and availability of skilled labour. This greatly outweighs the small risk t nesting birds, This would also bring us into line with requirements in England.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes, as long as the purpose is made clear and simple.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	Clear guidance of what is required

Questions	Consultee: RICS
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Consider that the date is too restrictive, problems could occur is October is very wet.
Q.1b Would the proposed change alleviate these problems?	Yes
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	The protection of nesting birds is a significant environmental issue.

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Q.2b How would the benefits identified be affected by the proposed change?	In most circumstances they consider that that the change will have a negligible effect.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes, the greater flexibility will allow contractors a longer period of time to complete their work
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes, on the basis that agricultural and environmental benefits are given due consideration.
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes if it reduces the administrative burden on farmers, if not to remain as it currently is.
Q.6	No comment

Questions	Consultee: Glyn Roberts
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	It is required to be able to finish before the wet weather makes things difficult and dangerous.
Q.1b Would the proposed change alleviate these problems?	Yes
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	No
Q.2b How would the benefits identified be affected by the proposed change?	No affect.

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Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes, but must recognise that the change does not need self-assessment arrangements on some patterns of farming.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	No comment

Questions	Consultee: Peter Francis NFU Carmarthen
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Yes
Q.1b Would the proposed change alleviate these problems?	Yes for wet farms and reseeded purposes. Will have little effect on wild life.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	On a wet farm the rutting caused by cutting hedges would be an environmental issue.
Q.2b How would the benefits identified be affected by the proposed change?	Work could be carried out in good weather conditions.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	As 1b above

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Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes, but the completion date to corresponding to the Single Application Form Period, so that farm records could be updated.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	No comment

Questions	Consultee: Miss A D Jones
Q.1a – Q2a	No comment
Q.2b How would the benefits identified be affected by the proposed change?	The proposed change will disturb and threaten breeding birds. The proposal appears to be in conflict with the Wildlife and Countryside Act 1981.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No, as per Q2.b
Q.5 – Q.6	No comment

Questions	Consultee: S W and L B Weaver
Q.1a –Q1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Yes
Q.2b How would the benefits identified be affected by the proposed change?	The alteration would have a serious effect on the population of small nesting birds in Wales. It may also breach the Wildlife and Countryside Act 1981.

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Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No as per Q2b above
Q.5 - Q. 6	No comment

Questions	Consultee: H Roberts
Q.1a – Q1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Yes
Q.2b How would the benefits identified be affected by the proposed change?	Chicks were hatching in the North Wales Area in late August; the proposal will not help the decline in the Wild bird population.
Q.3 – Q.6	No comment

Questions	Consultee: Bob Dennison
Q.1a - Q2.a	No comment
Q.2b How would the benefits identified be affected by the proposed change?	Will have a serious impact on the breeding success of species such as Yellowhammer, Bullfinch and Linnet. Considers the change to be in contradiction of the Wildlife and Countryside Act 1981 and the Assembly's commitment to reversing/stabilising the decline in the bird population.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No, after March birds are nesting and have their first clutches.

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Q.5 - Q. 6	No comment
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Questions	Consultee: Paul Seligman
Q.1a – Q1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Yes, opposes the change as it is not needed and it conflicts with the aims to protect and increase the population of breeding birds, such as yellow hammers who depend on the hedgerow habitat. Considers that roadside hedges should only be cut by the local authority, where there are road safety concerns.
Q.2b How would the benefits identified be affected by the proposed change?	As above.
Q.3 - Q. 6	No comment

Questions	Consultee: Angela Callanan
Q.1a – Q. 1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Yes, change appears to be in conflict with the Wildlife and Countryside Act 1981. May species particularly the yellowhammer, bullfinch and linnnet all have active nests in August and these three species are in serious decline. This undermines the commitment by the Assembly to halting biodiversity loss by 2010.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No, as per Q2.a
Q.5 – Q.6	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Kath Stevens
Q.1a to Q1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Yes, Is appalled that the Assembly would consider amending the dates to a time when birds are nesting.
Q.2b How would the benefits identified be affected by the proposed change?	As above.
Q.3 to Q.6	No comment

Questions	Consultee: Peter Black AM
Q.1a – Q. 1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Has been informed by a constituent, that the proposed change would affect the success of the breeding season of wild birds in decline. The yellowhammer, bullfinch and linnet start breeding late and continue until August.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	The songthrush, blackbird and robin have their first clutches in April and would be affected by the change.
Q.5 – Q. 6	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Janet Davies AM
Q.1a – Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	There will be an adverse affect to the breeding season of wild birds if the change goes ahead, as many birds are still using the nest in August. The proposed change contravenes the Assembly commitment to reversing wild bird numbers by 2010 and the Wildlife and Countryside Act 1981.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No, as by the end of April most common hedgerow nesters and several migrant birds will have started nesting.
Q.5 -Q. 6	No comment

Questions	Consultee: Mick Bates AM
Q.1a – Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Has written on behalf of constituents who are concerned that the change may be detrimental to wildlife, as birds such as yellowhammer, bullfinch and linnet will also have a second brood in August. Has requested assurances for his constituents that any changes will ensure what is best for birds in Wales.
Q.2b How would the benefits identified be affected by the proposed change?	As above.
Q.3 – Q. 6	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Lord Dafydd Ellis Thomas AM
Q.1a to Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Whilst the importance of hedge cutting and laying are recognised he has written on behalf of a constituent who is concerned about the decline in the yellowhammer, and that it and the bullfinch and linnet would be vulnerable if the change went ahead.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As per Q.2a above
Q.5 to Q. 6	No comment

Questions	Consultee: Denise Idris Jones AM
Q.1a –Q1.b	No comment.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf on two constituents, who are concerned about the impact on the yellowhammer, linnet and bullfinch, as well as the songthrush, robin and blackbird, during the breeding season. It also contravenes the aim of the Assembly to reversing/stabilising the decline in bird population by 2010, and the Wildlife and Countryside Act 1981.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Questions	Consultee: David Davies AM
Q.1a – Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Has been contacted by several constituents regarding the impact of the changes to the breeding success of the Yellowhammer, bullfinch and linnet who have active nests in August. It contravenes the aim of the Assembly to reversing/stabilising the decline in bird population by 2010.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above and in addition, by the end of April most common birds will have their first clutches.
Q.5 – Q.6	No comment

Questions	Consultee: Jeff Cuthbert AM
Q.1a – Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf of several constituents, who consider that the current timings allow for birds such as blackbirds, robins, dunnock, wren and song thrush who nest in April, and yellowhammer, bullfinch and linnet who still actively nest on August to complete their breeding activities.

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Q.2b How would the benefits identified be affected by the proposed change?	Would have a serious impact on nesting birds, and would appear to contravene the Wildlife and Countryside Act 1981 and the Assembly commitment to stabilise wild bird population by 2010.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comments
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No, as above
Q.5 –Q.6	No comment

Questions	Consultee: Edwina Hart AM
Q.1a – Q1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf of several constituents who were concerned about the impact of the change on wildlife especially birds.
Q.2b How would the benefits identified be affected by the proposed change?	As above.
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5-Q.6	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Environment Agency Wales
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Do not believe that current hedge cutting dates cause significant problems to farming operations. As 77% of agricultural land in Wales is less favoured claimants under Tir Mynydd have to abide by Good Farming Practice. They were not aware of difficulties cutting hedges after the end of August due to unsuitable soil conditions, soil erosion, soil damage or of increased operator risks. Equipment for cutting hedges is considerably lighter than the equipment used for cultivating land.
Q.1b Would the proposed change alleviate these problems?	As above
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Believe that current arrangements provide valuable shelter for stock, nesting cover for birds, a variety of habitats and food for wildlife and play an important part in sustaining biodiversity. Would like farmers to be made aware of good practice guidelines for hedgerow management. Excessive trimming is recognised as a major cause of food shortage for birds over the autumn and winter and can bring wider bio-diversity threats. Conservation bodies are recommending that hedges are only trimmed every 3-5 years.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 – Q.4	No comment
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	They strongly support this issue but firmly believe that, farmers should be provided with comprehensive guidance. They should be updated on at least an annual basis, and remedial measures should be effective and well documented. The Environment Agency should also be given access of the record book on request, which they consider will help with the preparation and implementation of the Water Framework Directive. Clear and widely publicised penalties if the record book is not fully maintained. Would like the 1April date to be considered as the most appropriate date for completion of the record book.
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	As above

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Prydderch Rees
Q.1a Are the hedgerow cutting dates for 2005 causing any problems to farming operations? If so, provide details and answer question 1b.	Yes, farmers are unable to trim hedges around arable fields before cultivation.
Q.1b Would the proposed change alleviate these problems?	One month earlier trimming would alleviate the problem.
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	No
Q.2b How would the benefits identified be affected by the proposed change?	
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	Yes, the additional time will provide agricultural benefits for the laying of older thorn hedges and holly susceptible to frost damage.
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	Yes
Q.5 Do you support changing the soil management self-assessment arrangements? If so, do you agree with the proposals for 2006?	Yes
Q.6 If not, have you any suggestions on how we could improve/refine the requirement?	Let the farmer decide his own soil management.

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Mrs R A Jones
Q.1a – Q.1.b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Many bird species will be affected because of their breeding and nesting time, and a great many of these are in decline. The proposal appears to conflict with the Wildlife and Countryside Act 1981 and the Assembly commitment to stabilise declines in the bird population.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q. 6	No comment

Questions	Consultee: Christine Gwyther AM
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf of her constituents, who are concerned that the extension to the period will have a detrimental effect on the native bird population, which have suffered alarming decline due to previous practices.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Questions	Consultee: Sue Essex AM
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf of her constituents, who are concerned of the impact this may have on birdlife in the hedgerows.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Questions	Consultee: Nicholas Bourne AM
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Written on behalf of a constituent, who is concerned about the effect the change will have on the habitat of the bird population. Endangered species such as bullfinch, yellowhammer and linnet will have their nesting and breeding cycle disrupted, which will accelerate their decline.
Q.2b How would the benefits identified be affected by the proposed change?	As above

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Questions	Consultee: Mrs M R C Young
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Concerned about the effect of the changes on the yellowhammer, bullfinch and linnet. Existing restrictions already obliterate enormous quantities of hedgerow fruit and invertebrate species and habitats.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No – the proposed changes would extend into the flowering and nesting season. Does not consider that there is a justification for the change.
Q.5 – Q.6	No comment

Questions	Consultee: Brecknock Wildlife Trust
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Believes that there is no justification for the change. Concerned about the effect on nesting birds. The farming community must accept that the environmental standards that form the basis of Cross Compliance have been established for a purpose and cannot be set aside just for management convenience. As part of

Summary of responses to proposals for modifications to the SPS cross-compliance regime

	cross compliance farmers should be asked to trim two sides of a hedge in alternate years, to allow for more fruit production from trees such as hawthorn, blackthorn and hazel.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	No - They agree that farmers should be given encouragement to continue with this traditional practice, however when there is much evidence that with climate change, the onset of spring is becoming progressively earlier they so not consider the change justified.
Q.5 – Q.6	No comment

Questions	Consultee: Dr John Marek AM
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Was concerned after hearing form a constituent about the proposed change and considers that April is too late for cutting hedges and the start of August may well be too early and could catch the second brood of chicks.
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Summary of responses to proposals for modifications to the SPS cross-compliance regime

Questions	Consultee: Philip J N Ellis
Q.1a –Q.1b	No comment
Q.2a Are environmental benefits derived from the current restrictions? If so, provide details and answer question 2b.	Supporting the RSPB in opposing the change, as many species are becoming rare in Wales and a further decline would be hastened by the proposed changes
Q.2b How would the benefits identified be affected by the proposed change?	As above
Q.3 Will the additional time for hedge laying/coppicing provide agricultural and environmental benefits? If so, provide details.	No comment
Q.4 Do you agree that hedge laying should be permitted between 1 August and the end of April? If not, why not?	As above
Q.5 – Q.6	No comment

Annex I

Alphabetical List of Organisations and Individuals that replied to the Consultation

Anonymous
Association of Local Government Ecologists
Mick Bates AM
Peter Black AM
Brecknock Wildlife trust
Brightwells Ltd (Land Agent/Auctioneer)
Nicholas Bourne AM
Caernarfon Branch of Farmers' Union of Wales
Angela Callanan
CLA
Countryside Council for Wales
Jeff Cuthbert AM
David Davies AM
Janet Davies AM
Denbighshire F. U. Wales – R.Richards
B Dennison
Philip J N Ellis
Environment Agency Wales
Sue Essex AM
FUW
Christine Gwyther AM
Edwina Hart AM
JCR (trimming contractor)
A D Jones
Denise Idris Jones AM
R A Jones
Dr J Marek AM
McCartneys Chartered Surveyors – Glyn R Owens FRICS
McCartneys LLP – C W Jones MRICS FAAV
Montgomeryshire Wildlife Trust
Morris Marshall & Poole (Chartered Surveyors, Auctioneers, Estate Agents & Valuers)
National Trust Wales
NFU Cymru
NFU Cymru – Peter Francis Carmarthen
Powys Land Internal Drainage Board
Prydderch Rees
Glyn Roberts
H Roberts
The Royal Institution of Chartered Surveyors Wales (RICS)
RSPB
Paul Seligman
Kath Stevens
Lord Dafydd Ellis Thomas AM
S W Weaver
M R C Young

Annex II

The following summary data have been extracted from a draft BTO report (Joys & Crick 2004 Breeding periods for selected bird species in England. BTO Research Report no. 352). Analyses are based on data from the BTO's National Nest Record Card Scheme. In the current absence of analysed trends from Wales, most of the species summaries are based on data from the three English Government Office Regions that are closest to Wales (namely North West, West Midlands and South West), although the data for both Bullfinch and Linnet represents the average of the English situation.

First egg-laying dates showing minimum, maximum and mid-point:

Wren	16 April	30 July	7 May
Dunnoek	3 April	21 July	28 April
Robin	20 March	11 July	16 April
Blackbird	21 March	19 July	19 April
Song Thrush	20 March	27 July	19 April
Blackcap	24 April	10 July	11 May
Chiffchaff	18 April	27 July	4 May
Willow Warbler	2 May	3 July	14 May
Chaffinch	16 April	30 June	5 May
Greenfinch	8 April	18 August	14 May
Linnet	20 April	10 August	13 May
Bullfinch	29 April	15 August	17 May
Yellowhammer	26 April	21 August	25 May

Fledging dates showing minimum, maximum and mid-point:

Wren	24 May	9 September	14 June
Dunnoek	2 May	25 August	27 May
Robin	21 April	11 August	22 May
Blackbird	18 April	29 August	24 May
Song Thrush	18 April	29 August	21 May
Blackcap	23 May	5 August	8 June
Chiffchaff	20 May	28 August	8 June
Willow Warbler	3 June	5 August	16 June
Chaffinch	13 May	21 August	5 June
Greenfinch	9 May	16 September	21 June
Linnet	17 May	13 September	14 June
Bullfinch	1 June	15 September	2 July
Yellowhammer	20 May	12 September	25 June

Note that the min, max, and mid point are the 5%, 100% and 50% percentiles respectively.

Appendix 1 Nesting times of bird species likely to be affected by farming operations

a. Species predominantly found in farm hedgerows and scrub (and number of broods per year, *species predominantly found in field margins). Dark shading indicates the main breeding season and lighter shading indicates extreme dates.

Species	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Grey partridge* (1)			Light	Dark	Dark	Dark	Dark	Light			
Wood pigeon (1-2)		Light	Dark	Dark	Dark	Dark	Dark	Dark	Dark	Light	Light
Turtle dove (2-3)			Light	Dark	Dark	Dark	Dark	Dark	Light		
Wren (2)		Light	Dark	Dark	Dark	Dark	Dark	Light			
Dunnock (2)		Light	Dark	Dark	Dark	Dark	Dark	Light			
Robin (2)			Light	Dark	Dark	Dark	Dark	Light			
Blackbird (2-3)	Light	Dark	Dark	Dark	Dark	Dark	Dark	Light			
Song thrush (2-3)	Light	Dark	Dark	Dark	Dark	Dark	Dark	Light			
Lesser whitethroat (1)			Light	Dark	Dark	Dark	Dark	Light			
Whitethroat (1-2)			Light	Dark	Dark	Dark	Dark	Light			
Garden warbler (1)			Light	Dark	Dark	Dark	Dark	Light			
Blackcap (1-2)			Light	Dark	Dark	Dark	Dark	Light			
Willow warbler (1)			Light	Dark	Dark	Dark	Dark	Light			
Long-tailed tit (1)		Light	Dark	Dark	Dark	Dark	Dark	Light			
Chaffinch (2)		Light	Dark	Dark	Dark	Dark	Dark	Light			
Greenfinch (2)		Light	Dark	Dark	Dark	Dark	Dark	Light			
Goldfinch (2-3)			Light	Dark	Dark	Dark	Dark	Light			
Linnet (2-3)			Light	Dark	Dark	Dark	Dark	Light			
Bullfinch (2-3)			Light	Dark	Dark	Dark	Dark	Light			
Yellowhammer (2)			Light	Dark	Dark	Dark	Dark	Light			
Cirl bunting (2)			Light	Dark	Dark	Dark	Dark	Light			

Annex IV

	Organic	Intensive
10	0	0
20	0	0
30	1	1.1
40	11.9	4.5
50	14.4	13.6
60	11.9	15.5
70	11.4	13.6
80	11.4	15.5
90	12.4	11.3
100	14.9	11.7
110	5	8.7
120	3.5	3.4
130	2	1.1

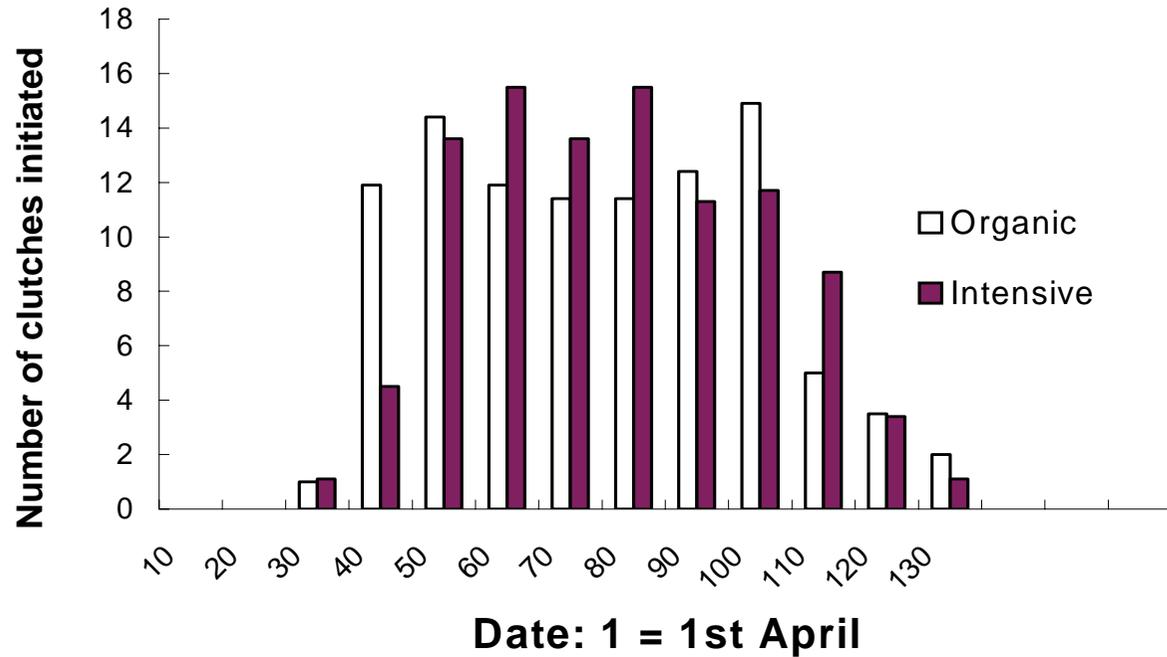


Figure 3. First egg date distribution of yellowhammers nesting on organic and intensively-managed farms.

Note the tendency for earlier clutch initiation on organic farms in early May (day 30-40).

Clutch is complete 4-5 days after first egg date, eggs take 13 days to hatch and young in nest for further 12 -13 day

Extracted from

Bradbury, R.B., Kyrkos, A., Morris, A.J., Clark, S.C., Perkins, A.P. & Wilson, J.D. 2000.