



Llywodraeth Cymru  
Welsh Government

# The Agriculture (Wales) Act 2023

Introducing the Sustainable  
Land Management Framework



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## Introducing the Sustainable Land Management Framework

This document is an introduction to the Sustainable Land Management Framework established in the Agriculture (Wales) Act 2023.

It explains why we need this law, and how it is to be implemented.

This document does not include information on other powers and duties included in the Agriculture (Wales) Act, for example on glue traps and snares, tenancy and forestry. Information on these can be found in the [Explanatory Memorandum](#) which accompanies the Act.



## What is the Agriculture (Wales) Act 2023?

The Agriculture (Wales) Act 2023 provides powers to amend legislation derived from the European Union (EU) and establishes Sustainable Land Management as the framework for future agricultural support and regulation within Wales.

In adopting Sustainable Land Management as the framework, future agricultural support and regulation in Wales will be consistent with Welsh Government's obligations under the Well-being of Future Generations (Wales) Act 2015, helping to contribute to the well-being goals under section 4 of that Act, and the Environment (Wales) Act 2016.

Sustainable Land Management, referred to as "SLM" for the remainder of this document, incorporates the environmental, economic, cultural and social contribution of farmers in Wales. It is based on an internationally recognised concept so that resources, including soils, water and crops, are used for

the production of goods to meet changing human needs in such a way that the needs of the current generation are balanced with our obligations to future generations.

Sustainable food production and responding to the nature and climate emergencies are just some of today's most significant challenges. We have made a commitment that future farm support should support farmers who take action to meet these challenges.

The provisions within the Act empower the Welsh Ministers to provide support and regulation which meets the unique challenges and opportunities of our agricultural industry here in Wales.

We are confident that supporting farmers for their contribution towards the health and well-being of our nation will help create a sustainable, resilient agriculture industry in Wales for future generations.





# This is the first ever Agricultural Act for Wales...

It established four **Sustainable Land Management (SLM) objectives** which will underpin agricultural support and regulation in Wales.

It places an **SLM Duty** on Welsh Ministers to act in the way they consider best contributes to achieving the SLM objectives.

It requires **indicators and targets** to be set to assess progress to achieving each SLM objective.

It defines the **agricultural and ancillary activities** which can be supported by Welsh Ministers.

It gives Welsh Ministers a **Power to Provide Support** to agriculture and ancillary activities in Wales.

It sets the requirements for **monitoring and reporting** to evidence the progress made on each SLM objective.

## Why do we need this law?

The Welsh Government has devolved powers over agricultural policy and support. Leaving the EU has given Wales the opportunity to create an agricultural policy framework that is made in Wales for the people of Wales.

We must protect our land by supporting sustainable farming practices to ensure a sustainable farming sector for future generations. The Act sets out the structure and powers necessary to achieve these, helping to ensure:

- Wales fulfils its international environmental pledges.

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- Farmers receive support to produce high-quality food and other goods sustainably.

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- Actions and outcomes that mitigate and adapt to climate change are encouraged.

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- Our rivers, soils, and wider ecosystems are resilient, diverse, and healthy, and biodiversity is able to flourish.

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- The significant role of agriculture in conserving and sustaining our culture and language is reinforced.

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- Promotion of opportunities to access our countryside and its benefits, balanced with the needs of the farming community.



The SLM framework will enable Welsh Ministers to support the agricultural industry to contribute to multiple Welsh Government commitments including:

- Keeping farmers on the land producing food in a sustainable manner.

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- Agricultural activities within Net Zero Wales.

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- The well-being goals in section 4 of the Well-being of Future Generations (Wales) Act 2015.

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- Commitments under the Environment (Wales) Act 2016.

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- Cymraeg 2050.

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- Commitments under the Animal Health and Welfare Framework.

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- Commitments to international agreements such as the 30 by 30 Biodiversity Target and targets 7 and 10 of the Kuning-Montreal Global Biodiversity Framework.



## Sustainable Land Management

SLM is built around four objectives which celebrate the key contributions our agricultural industry makes to Wales. The objectives capture the sustainable production of food and other goods while also addressing the declared climate and nature emergencies and recognising the key role farmers play in the environmental and cultural health of Wales.



### **Sustainable Production of Food and other Goods:**

We aim to help farmers use both new and traditional farming methods that look after our land for the long term and future generations, as well as meeting the needs of the present. We want to cut down on waste, achieve and promote high standards of animal health and welfare and create a supply chain that looks after both people and the land while also supporting sustainable food production.

**Mitigating and adapting to climate change:** We are committed to supporting farmers help themselves to mitigate and adapt to climate change. By encouraging methods that lower greenhouse gas emissions and store more carbon we can ensure the industry contributes to net zero. We will also support our farms and communities to be better able to handle the effects of a changing climate such as extreme heat and flooding.

### **Maintain and enhance the resilience of ecosystems and the benefits they provide:**

We will maintain and enhance the diversity of plants and animals. We will support the agricultural industry in the careful management of our natural resources including soils, water, crops and habitats, making our landscape strong and flexible.

### **Conserve and enhance the countryside and cultural resources and promote public access to and engagement with them, and to sustain the Welsh language and promote and facilitate its use:**

We will support actions that conserve and enhance our countryside and its cultural traditions, including promoting and facilitating the Welsh language. We will also work on making our green spaces more accessible to everyone, so all of Wales can appreciate our land and farming.

There is no hierarchy between the objectives. The Welsh Ministers, acting in accordance with the SLM duty, will need to consider all four SLM objectives.

The SLM objectives are intended to be complementary, and, in some cases, this will mean that action can be taken that contributes to one, some, or all of the objectives, though not necessarily equally.

## The SLM Duty

The Act places a statutory duty on Welsh Ministers so that they must act in a way that is in accordance with the duty when it applies. A statutory duty means they have to do this by law. The SLM duty states:

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*The Welsh Ministers must exercise each function referred to in this section in the way they consider best contributes to achieving the Sustainable Land Management objectives, so far as consistent with the proper exercise of the function.*

*(Section 2: Welsh Ministers' duty in relation to the objectives)*

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The SLM duty is applicable to certain functions under the Agriculture (Wales) Act (except for functions relating to the Basic Payment Scheme), as well as any other Act that permits or places a duty on Welsh Ministers to regulate or provide support for agriculture, ancillary activities, or other activities carried out on land used for agriculture.



## Agriculture and Ancillary Activities

Underpinning the Act are the core concepts and definitions of 'Agriculture' and 'Ancillary Activities'. The definitions reflect those farming practices that have evolved more recently and captures the range of innovative practices currently used in Wales as well as looking ahead to steps the industry may need to take as it adapts to the challenges ahead.

The definitions apply to the powers and duties under the Act, including the SLM duty, but does not replace previous definitions that are used in other legislation.

### What is included in the definition of agriculture and ancillary activities:

#### Agriculture



Horticulture



Farming arable crops



Dairy farming



Keeping and breeding livestock



Using land as grazing land



Using land as farm woodland or for agroforestry



Controlled environment agriculture  
(such as in large scale glasshouse production)



Otherwise growing plants for sale, or for sale of part of the plant  
(such as producing seeds)



Maintaining land in a state that makes it suitable for an activity listed here

#### Ancillary activity



Taking action on land used for agriculture to create and manage habitats or for other purposes relating to nature conservation.



Taking action on land used for agriculture to mitigate and adapt to climate change.



Selling, marketing, preparing, packaging, processing or distributing products derived from agriculture.



Taking action on land used for agriculture to maintain and enhance the resilience of ecosystems.



## Power to provide support

The Act provides Welsh Ministers with the power to provide support for or in connection with agriculture in Wales and ancillary activities that take place in Wales. This power will be a key mechanism in the delivery of contributing to the achievement of SLM.

**The support can be financial or otherwise and may include support for or in connection with any of the following purposes;**



Encouraging the production of food in an environmentally sustainable manner



Helping rural communities to thrive and strengthening links between agricultural businesses and their communities



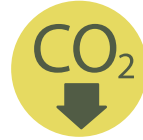
Improving the resilience of agricultural businesses



Sustaining the Welsh language and promoting and facilitating its use



Reducing emissions of greenhouse gases



Maximising carbon sequestration and storage



Maintaining and enhancing the resilience of ecosystems



Conserving and enhancing landscapes and the historic environment



Improving air quality



Improving water quality



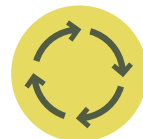
Maintaining and enhancing public access to and engagement with the countryside and the historic environment



Achieving and promoting high standards of animal health and welfare



Mitigating flood and drought risks



Maximising resource efficiency



Encouraging agricultural businesses to manage energy effectively (including by adopting energy efficiency and energy saving practices and generating renewable energy on their land)

## Monitoring and Reporting Framework

The Act places a duty on Welsh Ministers to act in the way they consider best contributes to achieving the SLM objectives and it is important the Welsh Ministers can demonstrate to the people of Wales that they are making progress towards achieving the four SLM objectives.

The Act puts in place steps to make sure that Welsh Ministers are doing this and to ensure appropriate engagement with and scrutiny by the Senedd, interest groups, and others, including the wider public. The provisions are also important to assess policy effectiveness and to provide an important and developing evidence base for ongoing policy development (for example through improving knowledge, innovation and identifying trends):

**Multi-Annual Support Plans:** Welsh Ministers must prepare this plan to provide information to the industry on how Welsh Ministers intended use of the power to provide support under section 8 during the reporting period so as to best contribute to achieving the SLM objectives. The plan must cover a period of five years, with the first period beginning on the 1 January 2025.

**SLM Report:** Published every five years, with the first report due to be published in 2026, this report will set out the cumulative progress made towards achieving the SLM objectives and the progress made during a particular reporting period. The report must set out the progress made in relation to the SLM indicators (published under section 4) and explain how that has contributed to the SLM objectives.

The report must also set out whether an SLM target has been achieved during the reporting period. If a target has not been achieved, the report must explain why and set out the steps the Welsh Ministers have taken or intend to take to achieve the target or to set an appropriate new target.

**Annual Report:** published at each financial year-end, with the first report due to be published in no later than 12 months after that period and then in successive financial years. It will include information on financial and non-financial support provided under the Act's power to provide support.

**Impact Report:** published every 5 years with the first report due within 12 months of the reporting period. This report evaluates the support provided by the Act, describing the purposes of that support, and the impact and effectiveness of that support in achieving the purposes for which it was provided and the extent to which it has contributed to achieving the SLM objectives.





## Sustainable Land Management Indicators and Targets

To help us know whether and to what extent we are making progress towards achieving the SLM objectives, Welsh Ministers must publish a statement of indicators to measure progress towards achieving the SLM objectives, and targets in relation to those indicators.

### Indicators

- ➔ At least one indicator must be set for each SLM objective.
- ➔ Further indicators may be set, which may be for one SLM objective or more than one.
- ➔ Maybe expressed as a value or characteristic that can be measured quantitatively or qualitatively against a particular outcome.
- ➔ Indicators may relate to Wales or any part of Wales.

### Targets

- ➔ At least one distinct target relating to at least one distinct indicator must be set for each SLM objective.
- ➔ Further targets may be set, which may relate to one indicator or more than one.
- ➔ Targets may relate to Wales or any part of Wales.
- ➔ Targets may refer to any period that the Welsh Ministers consider appropriate.

## Steps to be taken in preparing or revising indicators and targets

When setting the indicators and targets it will be important for Welsh Ministers to understand the challenges that we will be facing and have a clear picture of where we are heading so that the indicators and targets are ambitious and deliverable. To do this, Welsh Ministers must have regard to:

- ➔ Any national indicators published under section 10 of the Well-being of Future Generations (Wales) Act 2015 that they consider relevant.
- ➔ The most recent State of Natural Resources Report published under section 8 of the Environment (Wales) Act 2016 so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities.
- ➔ The most recent National Natural Resources policy published under section 9 of the Environment (Wales) Act 2016 so far as it relates to agriculture, other activities carried out on land used for agriculture, or ancillary activities.
- ➔ The most recent Impact Report published under section 14 of the Agriculture (Wales) Act.
- ➔ Any other matters they consider appropriate, (including any statistics published by them on agricultural production, or the income of agricultural businesses).

In setting the indicators and targets, Welsh Ministers must consult with the Future Generations Commissioner for Wales and any other persons they consider appropriate.

➔ [www.gov.wales](http://www.gov.wales)

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➔ [Agriculture \(Wales\) Act 2023](#)

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➔ [Agriculture \(Wales\) Act 2023 \(legislation.gov.uk\)](http://legislation.gov.uk)

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