



Agriculture – CAP Reforms

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- The Common Agricultural Policy (CAP) was reformed in 2003, with minor changes in the “Health Check” in 2008. Individual schemes based on high guaranteed prices for farmers were largely abandoned in favour of paying farmers a Single Farm Payment (SFP) based upon the area of the farm. Modulation allowed SFP to be reduced so as to fund the Rural Development Plan. The 2003 reform was based upon an agreement to maintain EU spending on agricultural support until 2013.
 - The European Commission published preliminary ideas on the CAP after 2013 in November 2010 and more detailed plans in October 2011.
 - The EFRA Select Committee in April 2011 criticised both the Commission’s 2010 proposals and Defra’s handling of the negotiations.
 - The EFRA Committee report on Greening the Common Agricultural Policy, June 2012, criticised the Commission proposals.
 - Useful websites include the European Commission, [The CAP after 2013](#) and Defra’s [Common Agricultural Policy Reform](#).

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1 New European Commission Proposals, October 2011

The “Health Check” reform of the CAP in 2008 was based upon an agreement that EU spending on the CAP would not be reduced before 2013. That is also the year at which new entrant countries become full members of the CAP. In November 2010, the European Commission published the first proposals that will eventually result in a framework for the CAP after 2013 - [The Commission Communication on the CAP towards 2020](#). There were no figures and the ideas were expressed in very general terms.

On 12 October 2011 the European Commission published a further set of proposals for CAP reform after 2013 - [REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy](#)

The European Commission’s [CAP Reform – an explanation of the main elements](#), 12 October 2011 contains an overview:

Direct Payments

The Basic Payment Scheme: In order to move away from the different systems of the Single Payments Scheme in the EU-15 (which allows for historical references, or a payment per hectare, or a "hybrid" combination of the two) and the Single Area Payments Scheme (SAPS) in most of the EU-12, a new “Basic Payment Scheme” will apply after 2013. (See http://ec.europa.eu/agriculture/markets/sfp/pdf/ms_en.pdf for current models in each Member State.) This will be subject to “cross compliance” (respecting certain environmental, animal welfare & other rules), as at present, although there are various simplifications to current requirement (see below). The aim is to reduce significantly the discrepancies between the levels of payments obtained after full implementation of the current legislation, between farmers, between regions (i.e. internally) and between Member States (i.e. externally). All Member States will be obliged to move towards a uniform payment per hectare at national or regional level by the start of 2019. In line with the Commission proposals within the Multi-Annual Financial Framework, the national envelopes for direct payments will be adjusted so

that those that receive less than 90% of the EU average payment per hectare will receive more. The gap between the amounts currently foreseen and 90% of the EU-27 average is reduced by one third. For example, if a Member State currently receives an average amount per hectare which is 75% of the EU average, ie 15% below 90%, then it will gradually increase to 80%. The Commission is committed to discussing a longer-term objective of achieving "complete convergence" through the equal distribution of direct support across the European Union in the next Financial Perspectives after 2020.

Greening: In addition to the Basic Payment, each holding will receive a payment per hectare for respecting certain agricultural practices beneficial for the climate and the environment. Member States will use 30% of the national envelope in order to pay for this. This is compulsory, but will not be subject to capping.

The 3 measures foreseen are:

- maintaining permanent pasture; and
- crop diversification (a farmer must cultivate at least 3 crops on his arable land none accounting for more than 70% of the land, and the third at least 5% of the arable area); and
- maintaining an "ecological focus area" of at least 7% of farmland (excluding permanent grassland) – i.e. field margins, hedges, trees, fallow land, landscape features, biotopes, buffer strips, afforested area.

NB: Organic producers have no additional requirements as they are shown to provide a clear ecological benefit.

Areas with natural constraints: Member States (or regions) may grant an additional payment for areas with natural constraints (as defined under Rural Development rules) – of up to 5% of the national envelope. This is optional and does not affect the LFA options available under Rural Development. NB In response to criticisms by the Court of Auditors, the definition of "Less Favoured Areas" has been adjusted to reflect objective criteria.

There is an increase in an optional scheme for young farmers and there is a new scheme for small farmers – which means extremely small in UK terms. Member States would have the option of having limited amounts of coupled payments – linked to a specific product. Some further suggestions are perhaps more relevant to the UK:

Transferring funds between Pillars: Member States will have the possibility of transferring up to 10% of their national envelope for Direct Payments (1st Pillar) to their Rural Development envelope; and the Member States that get less than 90% of the EU average for direct payments now may transfer up to 5% of their Rural Development funds to their 1st Pillar national envelope.

Cross compliance: The award of all payments from the Direct Payment national envelope will continue to be linked to the respect of a number of baseline requirements relating to environment, animal welfare and plant & animal health standards. However, as an exercise in simplification, the number of Statutory Management Requirements (SMRs) has been reduced from 18 to 13 and rules on Good Agricultural & Environmental Condition (GAEC) reduced from 15 to 8 – for example, excluding elements that are not relevant to the farmer. It is also proposed that the Water Framework Directive & the Sustainable Use of Pesticides Directive will be incorporated

into cross-compliance rules once they have been shown to have been properly applied in all Member States and obligations to farmers clearly identified.

Capping is of great importance to the UK, which strongly opposes it:

"Capping": The amount of support that any individual farm can receive from the Basic Payment Scheme will be limited to €300 000 per year, and the payment will be reduced by 70% for the part from €250 000-300 000; by 40% for the part from €200 000-250 000, and by 20% for the part from €150 000-200 000. However, in order to take employment into account, the holding can deduct the costs of salaries in the previous year (including taxes & social security contributions) before these reductions are applied. NB: The funds "saved" under this mechanism stay in the Member State concerned and are transferred to the Rural Development envelope, for use as innovation & investment by farmers, and European Innovation Partnership operational groups.

There are also proposals to change the definition of "active farmer" and the rules on eligible hectares.

The proposals contain a number of market management mechanisms. There will also be changes to Rural Development, which currently includes the agri-environmental schemes:

The basic idea from the current, successful Rural Development concept of multi-annual schemes designed and co-funded by Member States (or regions) remains the same. However, instead of 3 axes linked to economic, environmental and social issues with minimum spending requirements for each axis, the new programming period will have the 6 priorities listed below. Member States are still required to maintain 25% of their Rural Development envelope on issues related to land management and the fight against climate change.

- Fostering knowledge transfer and innovation;
- Enhancing competitiveness;
- Promoting food chain organisation & risk management;
- Restoring, preserving & enhancing ecosystems;
- Promoting resource efficiency & transition to low carbon economy;
- Promoting social inclusion, poverty reduction and economic development in rural areas;

There are also some further new elements

Monitoring & Evaluation of the CAP: The Commission will present a report before the end of 2017 – and every 4 years thereafter – on the impact of the CAP on the 3 main priorities – viable food production, sustainable management of natural resources, and balanced territorial development.

Simplification of controls: Control requirements lowered in regions where previous checks shown good results, i.e. the rules are being properly respected. However, checks will need to be increased in regions where there are problems.

There will be separate proposals before the end of the year relating to the Aid for the Needy scheme (for the period after 2013), and to provide for full transparency of direct payments and other CAP subsidies, taking into account the Court ruling of October

2010 which stated that the existing rules did not respect data privacy rules for natural persons.¹

2 UK Government Position

On 13 October 2011 the UK Government responded to the new proposals:

The European Commission's proposals to reform the Common Agricultural Policy (CAP) need to go further in order to deal with the twin challenges of international food security and protecting our wildlife and biodiversity, Environment Secretary Caroline Spelman said yesterday.

The UK wants farm subsidies to steadily reduce in order to improve value for the taxpayer and help farming become more competitive to meet future demand for food as the global population increases. But the Commission's proposal yesterday is based on a CAP budget frozen for 2014 to 2020, at £47 billion a year.

Environment Secretary Caroline Spelman said:

"We're pleased that the European Commission has at least listened to the message from the UK that the CAP has to do more to help the environment, and that its budget cannot keep increasing in the midst of an economic crisis. But while some of the Commission's rhetoric is right, overall we're disappointed and the proposals as they stand could actually take us backwards. So the UK will be working hard with the Commission, European Parliament, and other Member States to achieve the best deal for farmers, taxpayers and the environment."

The UK also wants farmers' valuable protection of the countryside to be better rewarded through targeted payments. But the Commission said it instead wants to pay only for basic measures, which would achieve far less and could impose pointless bureaucracy.

Negotiations will begin next week at the EU Agriculture and Fisheries Council. The UK will now be working to help the European Commission realise the ambition of a simpler CAP that provides real benefits for the environment and improves the competitiveness of the farming industry.²

In November 2011, UK ministers again criticised the European Commission proposals:

Defra Ministers have told the Europe Union's Agriculture Commissioner that his draft proposals to reform the CAP fall short of meeting the key challenges he correctly identified some months ago – to make farming more productive and protect the environment.

Ahead of negotiations in Brussels today on the proposed reform of the Common Agricultural Policy – which, at £47bn, made up nearly half the total EU budget last year – Environment Secretary Caroline Spelman led a delegation of Ministers from across the UK to meet the European Agriculture Commissioner Dacian Ciolos.

Mrs Spelman said:

"The Commission was right to identify the challenge of food security and climate change but has failed to respond adequately to the huge opportunities presented by rising prices.

¹ European Commission, [CAP Reform – an explanation of the main elements](#), 12 October 2011

² Defra Press Release, *EU CAP reform proposals should go further*, 13 October 2011

"It's very important for the Commission to hear about the impact of its proposals in Scotland, Wales and Northern Ireland and I wanted them to be able to put their views to Mr Ciolos. During the negotiations it's important that the UK speaks with one voice, so that we can use the full weight of the UK's position effectively in order to get [the] best deal for all of the UK's farmers and taxpayers – and for the environment."

The UK wants significant reform of the CAP so that, over the long term, farm production is not reliant on direct subsidies. The UK also wants farmers to be better rewarded for the valuable benefits they provide, for wildlife, people and the landscape, that are not rewarded by the market.

Defra Ministers are participating actively in negotiations following the publication of reform proposals by the European Commission. At the EU Agriculture and Fisheries Council in Brussels today, Defra Ministers will be meeting counterparts from other Member States to build alliances on areas of shared interest.

Mrs Spelman added:

"We remain convinced that the best way to help the environment is through the current system of specific environmental payments to farmers, in return for the public goods they provide, such as encouraging wildlife on their farms.

"The proposals for the 'greening' of direct support payments, which aren't currently linked to environmental protection, need far more work before they can be effective – and before we could accept them. At best they would simply reward farmers for what they already do and at worst prevent them from becoming more sustainable.

"Simply taking seven per cent of land out of production at a time of increasing demand for food is not sensible, and the proposals on crop rotation are far too bureaucratic and inflexible for a continent as diverse as Europe."³

In January 2011, Caroline Spelman had given her vision for the CAP:

"The CAP continues to distort trade by maintaining high EU prices. This gives rise to high import tariffs and the use of export subsidies to clear market surpluses – all of which undercuts production in developing countries. This is morally wrong. To continue as we are threatens to snuff out the transition we need towards a market that can sustain EU agriculture in the future. Moreover, the fairer allocation demanded by new member states – with which I have sympathy – threatens to entrench subsidy dependence further. This must not happen. We need to make the new CAP fundamentally different. It must be about the new challenges of achieving global food security and tackling and adapting to a changing climate. (...)

"Now is the time to make very significant progress towards reducing our reliance on direct payments. Rising global demand for food and rising food prices make it possible to reduce subsidies and plan for their abolition.

"Furthermore we should encourage innovation in the industry, and provide help with environmental measures and combating climate change. Our taxpayers have every right to expect other public goods for the subsidies they pay. Pillar 2 of the CAP does exactly that – which is why we want to see it taking a greater share of finite resources."⁴

³ Defra Press Release, *CAP plans don't get to heart of challenges*, 14 November 2011

⁴ Defra Press Release, *New Common Agricultural Policy must be fundamentally different: Spelman*, 5 January 2011

In January 2012 James Paice stated the Government's objectives in the negotiations:

Mr Paice: The common agricultural policy (CAP) negotiations are at an early stage. The Commission's proposals were released on 12 October 2011 and are currently being considered by member states in the Agriculture Council, as well as by the European Parliament for the first time, under co-decision.

The UK Government want to see ambitious reform of the CAP. We will continue to argue for a very substantial cut to the CAP budget, focused on Pillar 1. The CAP that remains should provide better value and prepare for a future without income support. It should be used to encourage improved productivity and innovation to increase the competitiveness of the agriculture sector and a higher proportion of CAP funds should be used for the cost-effective delivery of public goods. We will also argue for a less complex CAP, with reduced burdens for administrators and beneficiaries.⁵

On 12 December 2011 the Government published a [Defra discussion paper on the impact in England of EU Commission regulatory proposals for Common Agricultural Policy reform, post 2013](#).

3 Report by EFRA Select Committee, 2011

The EFRA Committee report of 15 April 2011, [The Common Agricultural Policy after 2013](#) (HC 671 2010-12), criticised all of the [2010] European Commission proposals; argued that direct payments had a place within the CAP; the Committee was sceptical about Defra's negotiating tactics, with its emphasis on reduction of direct payments. Their witnesses rejected the European Commission's proposals to 'green' Pillar 1 through compulsory additional agri-environmental measures as they risk creating additional complexity of implementation while not delivering tangible benefits.

[The Government response](#) was published on 4 July 2011 (HC 1356).

4 Other comment on the European Commission proposals

4.1 National Farmers Union

The NFU has criticised the "greening" proposals:

Common sense must be injected into the European Commission plans to green the single farm payment, the NFU has told the EU's leading policy-makers.

Deputy President Meurig Raymond (...) said the policy must recognise greening efforts already underway on British farms and warned against measures which would hamper production and harm farm competitiveness.

He said: (...) "The Commission's impact assessment indicated greening will result in a 4.8 per cent cut in farm incomes and could push food prices higher through supply-side pressures. This is unacceptable, but the problems don't stop there.

"We fear greening could also undermine the Commission's environmental goals by discouraging farmers from entering into environmental schemes in Pillar 2. Currently 68 per cent of English farmland is managed in optional agri-environment schemes.

"We are encouraging MEPs to recognise the efforts that many farmers are already making in delivering environmental benefits through the CAP. If Pillar 1 greening

⁵ HC Deb 25 January 2012 cc250-1W

measures cannot be deleted from the text, we've told MEPs they must be common at a European level, maintain our productive capacity and minimise cost and bureaucracy."⁶

4.2 Wildlife and Countryside Link

A group of environmental bodies raised the same point:

An influential group of over 25 wildlife and environmental organisations have joined together to persuade the UK Government to take a firm negotiating position with the EU over strengthening environmental provisions in the Common Agricultural Policy (CAP). Campaigners fear that unless the UK takes a strong line on making CAP payments, currently worth over £3 billion per year, do more towards maintaining and improving the natural environment and animal welfare, the current round of reforms will be little more than a 'green-wash' for the established status quo.

Abi Bunker, RSPB senior agriculture policy officer and Chair of Wildlife and Countryside Link's Agriculture Working Group, said: "The Commission's proposals are now out and we're deeply concerned that agri-environment schemes, which reward farmers to do fantastic things for the environment and wildlife on their land, will receive less money in the future. This flies in the face of claims that the next CAP will be greener. It is now time for the UK Government, and UK Members of the European Parliament to step up to the mark and make sure such schemes are properly resourced so our farmers get all the support they need to do their bit for nature."⁷

4.3 Friends of the Earth

Friends of the Earth had different criticisms:

2. Problems with the EU's proposals include:

- Continued support for factory farming and subsidised food exports - this will have a hugely detrimental impact on the environment and on developing countries' food security;
- Lack of support for planet-friendly farming - the Commission had promised to ensure that subsidies are paid only to farmers who protect natural resources and help tackle climate change, but such measures have been watered down;
- The Commission has proposed capping very large payments to big farms but the UK Government has opposed this (In Britain large farmers and landowners receive hundreds of thousands of farm payments without the need to demonstrate any public benefit);
- Ineffective measures to tackle volatile commodity prices - high feed prices are putting farmers out of business and could lead to the loss of thousands of European farms;
- Failure to mitigate climate-changing emissions from farming - 12 per cent of Europe's greenhouse gas emissions come from agriculture and factory farming is the main contributor to this;
- Lack of measures to reduce Europe's reliance on imported protein for animal feed - which is causing widespread deforestation in South America.

⁶ NFU News Release, 'Crucial time' for CAP common sense, 16 February 2012

⁷ CPRE Press Release, [Green groups challenge UK to stand firm on greener farming in Europe](#), 8 November 2011

3. Friends of the Earth is calling on the EU to ensure that reform of the Common Agricultural Policy:

- Makes the subsidy system fairer by capping subsidies going to big farms and only rewarding planet-friendly farming;
- Gives farmers environmental payments only if they rotate crops with proteins - this will reduce the need for feed imports and cut costs for farmers, as well as protect natural habitats and prevent nitrogen pollution; farmers must also protect grasslands and grow more grass fed livestock;
- Phases out export subsidies and indirect forms of export support by 2013, to stop Europe dumping food on developing country markets at very low prices thereby undermining domestic food security;
- Includes strong measures to address food price volatility.⁸

4.4 The Country Land and Business Association

The CLA argues that environmentalists and farmers have interests in common:

The CLA believes that:

- Britain should be at the centre of the European Union debate on the future of the Common Agricultural Policy,
- But the Government's stance against EU agricultural support and border protection means we are politically isolated,
- We need a realistic EU budget to ensure the population has access to the quantity and quality of food it needs, and
- Without CAP support, environmentally-friendly farming will not withstand pressures on production.

The more sustainable, environmentally friendly agriculture that the Government describes in its paper, Food 2030, cannot become a reality without an appropriate CAP budget.

Eliminating EU agricultural subsidies and border protection would destroy thousands of farm businesses, stimulating widespread abandonment of livestock grazing. This would lead to the scrubbing over and closing in of the open landscape. The policy would also increase imports, some of them of doubtful environmental quality.⁹

5 James Paice on greening, March 2012

In a debate on 8 March 2012 on the EFRA Select Committee report, James Paice described policy on many points, including the Commission's greening proposals:

I shall move on to the greening issue. As other hon. Members have said, that is perhaps the most important subject—it has certainly grabbed the most headlines in the farming press and in debates. As the hon. Member for Ogmore said, to put it mildly, the greening situation requires a lot of improvement. There are three components. First, farmers with permanent pasture must keep it as such and must not be allowed to plough it. There has been grave concern—and, indeed, anecdotal stories—that some

⁸ Friends of the Earth Press Release, *EU CAP reform plans unveiled*, 12 October 2011

⁹ CLA, [Common Agricultural Policy](#)

farmers have started ploughing such land because they do not want to be stuck with that obligation. I urge them not to do that because we can negotiate around it. Indeed, at the NFU annual general meeting three weeks ago, the commissioner said that he did not see a problem with farmers who wanted to reseed such land every 10 years. As long as we can get that commitment in writing, we have largely resolved the issue. So there is no justification for farmers to consider ploughing up permanent pasture.

The second issue that has been debated is the requirement for a three crop rotation. My hon. Friend the Member for Camborne and Redruth (George Eustice) properly identified one of the nonsensical issues with that. A further issue with a three crop rotation is that very large numbers of dairy farmers, particularly those with outdoor stock farms in the hills, will grow a field of turnips, maize or barley to feed their own stock. It is clearly nonsensical for them to have a three crop rotation. We have made that point to the Commission repeatedly.

I hope that we can get somewhere, but we will have to wait and see. I assure hon. Members that we have pressed very hard on that subject.

The third part of the greening proposal is, of course, the 7% ecological focus area. The commissioner has said repeatedly in Council meetings that he is not trying to reintroduce set-aside. However, one has only to listen to the language of this debate to realise that that is how the matter is perceived. The commissioner has said that someone will be able to count their hedges, ditches and I think that I even heard him say tracks—in other words, what someone has not got in production—and take out some land to get to the 7% if they have not got enough out already, as will be the case with most farmers. If farmers are fortunate enough to have perhaps a piece of woodland, they may well already be up to their 7%.

The Government consider that taking land out of agriculture, when, as hon. Members have all said, we need to increase production, is clearly wrong. However, there is a more fundamental problem with ecological focus areas. I have used the phrase that this is about trying to reach down to the lowest common denominator—the thing that most farmers will be able to meet without having to do anything—and that if they really have to, they might have to take a little bit more land out of farming.

The British Government take the view that we need to be far more active. Several hon. Members have rightly referred to our stewardship schemes. Such active management is far more important. There is plenty of science to demonstrate that, in terms of environmental care, biodiversity, water retention or whatever, active management of a small area of ground can deliver far better results overall than simply watching—for want of a better word—the 7%. (...)

I have two further short points to make about greening. First, it is a good example of something where one size does not fit all. Others have used the same phrase; we have used it regularly in Brussels. We have tried to persuade Commissioner Ciolos that he needs to accept that, as my hon. Friend the Member for Tiverton and Honiton (Neil Parish) said, there are a vast range of farm sizes, types, soils, topographies and so on across the EU. The rigid three-legged stool that the commissioner has invented for greening the CAP is too inflexible to meet all those needs. I fear that, as I suggested earlier, he is simply trying to deliver something that most farmers could achieve. (...)

I shall make a final point on greening. I should have mentioned this earlier as it was raised by several hon. Members. I have said publicly in writing in many places that any British—sorry, I meant English farmer in this context, although there will be similarities in the rest of the UK. Any English farmer who is either in a stewardship scheme or who is considering renewing or entering one need not be concerned about any changes

that may come. I have said clearly that if—we hope that this will not happen—the outcome of the negotiations are to someone’s detriment, we will allow them to opt out at that stage with no penalty. I cannot be clearer than that; that is absolutely the case.¹⁰

6 The EFRA Committee

On 1 June 2012, the EFRA Committee published a report, [Greening the Common Agricultural Policy](#), HC 170, 2012-3

The European Commission has proposed a package of 'greening' measures that European farmers will need to satisfy to receive direct payments made under the Common Agricultural Policy (CAP). While the Commission's objective of improving the environmental contribution of the CAP is commendable, the approach adopted by the Commission is unlikely to achieve that goal. In addition there is insufficient detail available about many of the measures to make an accurate assessment of their impact.

Europe has a range of environmental challenges and farming practices. We found that a single set of prescriptive rules applied across all of Europe was unlikely to deliver the desired environmental improvements. A one-size-fits all approach is not appropriate and so we advocate the Commission enabling Member States to tailor environmental measures to the local environmental and agricultural conditions. This position appears to be gaining ground across the European Union. The UK Government should continue to make the case to the Commission, other Member States and the European Parliament.

The Commission should set the high-level objectives for the CAP and provide for flexibility of approach through delegating the details to Member States while ensuring that there are sufficient safeguards to protect the competitive position of UK farmers.

The CAP is complex and burdensome. We urge the UK Government to press for greater simplification in the CAP and to ensure that the policy can be implemented in a way that provides value for money.

Payments made under the CAP should provide incentives for farmers to manage natural resources sustainably. The future CAP must help farmers to produce more while having fewer adverse impacts on our natural environment. The CAP has evolved from simply a method of supporting farmers and food production—the future CAP must help Europe face the challenges of food security, climate change and environmental degradation.

In the UK, the Commission's crop diversification measure would have perverse consequences and will be considerably less environmentally beneficial than crop rotation. Defra should seek to remove this measure from the Regulations. Similarly the requirement to retain permanent pasture is likely to have unintended and perverse consequences. The measure would not only fail to deliver environmental benefit but also act as an incentive to remove environmentally important semi-natural grassland.

The Commission's Ecological Focus Area (EFA) proposal has the potential to be the most environmentally beneficial of the three 'greening' measures. However, the lack of definitions in the proposals makes it difficult to assess what, if any, of those benefits would actually be delivered. In the UK, the EFA measure should be properly integrated with the Natural Environment White Paper's goal of enhancing environmental interconnectivity.

¹⁰ HC Deb 8 March 2012 cc380-3WH

The United Kingdom's agri-environment schemes are among the best in Europe at delivering meaningful environmental benefits. The Commission's 'greening' proposals must not be allowed to diminish that benefit. The reformed CAP should be coherent with the existing agri-environment schemes. Any 'greening' requirement should take account of the environmentally beneficial activities undertaken by a farmer under an agri-environment scheme.

The CAP negotiations are ongoing and there have been reports of encouraging developments. Defra must redouble its efforts to find, engage and secure reliable allies across the European Union and have the resources in place to effectively and persuasively to put the UK's case that the CAP should support both the agricultural sector and provide environmental protection.