

Foundation for Common Land's Response to Efra's Call for Evidence on ELM Progress; August 2022

The Foundation for Common Land is a registered charity whose purpose is to enhance the natural and cultural heritage benefits from common land and sustainable pastoral commoning for the benefit of the public. More information can be found at www.foundationforcommonland.org.uk

Despite only being 3% of England Common Land comprises 21% of all SSSI area, contains 12% of all Scheduled Ancient Monuments and comprises 40% of all Open Access land.

Thank you for the opportunity to respond to your questions.

1. What progress has the Environmental Land Management Schemes (ELMS) programme made since January 2022?

With regard to upland Common Land we have seen the Sustainable Farming Incentive standard for Moorland confirmed and nominally the scheme was launched on the 30th of June 2022. We were pleased that the payment rate was increased compared with the initially proposed rate in November 2021.

Unfortunately there is though no SFI option for lowland commons as there is as yet no SFI unimproved / low input grassland SFI standard. Furthermore commoners also need to consider how to manage their inbye / enclosed land as the common is only one part of an integrated whole. If commoners are already in ES or CS then there are no SFI standards that they can stack on their land parcels already in management. SFI is it appears CS mid tier in another name rather than providing additional public benefits so in effect they are precluded from stacking by the dual funding rules.

2. What have farmers' experiences been in applying to the Sustainable Farming Incentive (SFI) since its launch on 30 June 2022? How effectively has the scheme used the feedback from the SFI pilot? What are the timescales for launching additional standards under the SFI?

As at the date of submitting this evidence it is not yet possible for Commons to complete an application for the SFI Moorland because the functionality is not yet in place on the Rural Payments system to allow RPA to distinguish between Moorland that is common land with more than one beneficiary and Moorland that isn't. This is necessary because there is a £6.15 per ha supplement for Common Land and it would be inappropriate for single

beneficiaries to be paid a supplement for a collective scheme as they would not have incurred the costs.

This means that moorland farmers, commoners and owners of common land are disadvantaged as they cannot yet apply, start delivering SFI standards and access released BPS funds. We are though now working closely with the RPA to assist them resolve these issues through our new ELM Test & Trial SFI Moorland Roadtesting project so we hope this issues will soon be overcome.

3. Is the Government on track to get 70% of farmers, covering at least 70% of farmland, to take up Sustainable Farming Incentive agreements? How have recent changes in global food prices impacted on the attractiveness of the financial incentive in the schemes?

There is a possibility that SFI Introductory Moorland Standard will achieve a 70% uptake on upland commons if we can develop a slick approach to collecting and collating the data as required. It is though only a three year scheme so the benefits of the scheme need to materially outweigh the transaction costs of achieving a collective agreement and the costs of delivery. Defra have not produced the necessary digital tools to enable collection of data in the field stating constraints of funding commercial companies. This seems odd given there are government mobile apps for other departments e.g. the NHS.

Fortunately for the sake of successful roll out a 'work around' has been negotiated whereby Defra are currently supporting The Foundation for Common Land to [Road Test SFI Moorland](#) on three upland commons via an ELM Test & Trial project. As part of the Road Testing we are developing and trialling digital tools to make the collection and integration of the data and photographs straightforward for commoners and owners of common land to undertake the surveying themselves. The Foundation for Common Land is the conduit for Defra funds paying out £16.45/ha funds to these three Commoners Association over the next year in exchange for them delivering the SFI with the support of a facilitator.

Clearly there will not be a 70% uptake of SFI on lowland commons as there is no SFI scheme for them to apply for.

4. Is ELMS on track to start piloting the Local Nature Recovery and Landscape Recovery schemes in 2022?

We have heard this piloting is an ambition of Defra but have not yet seen the details of LNR actions that apply to upland or lowland commons so at the moment it seems unlikely that this will be achieved in 2022. This is concerning as commoners and the owners of commons cannot plan ahead to adapt their businesses and land management to enhance their delivery of public goods and increase the viability of their businesses. There is a risk that they take

action to mitigate against the loss of BPS which would be detrimental to addressing the biodiversity or climate crises and also affect other public good provision such as access and cultural heritage.

With regard Landscape Recovery we are running a Test & Trial on the practicability of Landscape Recovery on lowland commons. Our case study areas are the Malverns and the New Forest. The lack of clear information on what is expected under Landscape Recovery schemes is making it difficult to explain to participants in the Test & Trial whether Landscape Recovery is appropriate for their situation.

5. How effectively is the Government communicating and engaging with farmers and other landowner groups about the progress of ELMS?

There is a huge paucity of information and total lack of clarity from the Government about the specifics of what the future holds. This makes it particularly difficult for hill farmers and commoners to adapt and they are disproportionately dependent on BPS compared to other sectors in farming as shown by Defra economic analysis.

6. Should the Government change the focus on the ELMS scheme and/or the timescales for implementation given the current pressures on farmers and facing UK food security?

The Foundation for Common land supports the principle of phasing out BPS and replacing it with public payments for public goods In the Foundation for Common Land's view Defra would be advised to;

- a) accelerate the roll out of ELM,
- b) broaden the range public goods paid for under ELM to include cultural heritage, landscape and access
- c) review the payment rates for ELM to recognise that BPS currently underwrites the agro-pastoral systems that underpins commoning (and farming more generally) on our most distinctive and valued landscapes in England.
- d) Provide one to one independent facilitation and advice for Associations, commoners and the owners of common land recognising that the delivery of public goods is in the hands of tens of thousands of individual farming businesses.

Our advice would be to reduce the numbers of people involved in the design and pin down the new ELM schemes at pace. In 18 months BPS will have halved in value so action is required now with clarity provided on future payment rates and impacts on farm businesses by February 2023 as there was when headage segued into SPS.

One approach would be to invite a group of up to 20 knowledgeable people from the farming, land management and environment sectors with RPA, Defra

and Natural England to a youth hostel or equivalent for a fortnight. Their task would be to finalise a 'good enough' ELM scheme that works at the farm holding level to empower and incentivise the delivery of change we need to see. They would make use of the many existing useful reports work such as the National Food Strategy and economic modelling to inform their deliberations. Recently a 24 hr session was held on ELM governance for common land facilitated by Defra with 12 attendees with hugely differing interests and it was immensely productive and successful. Such an approach could be scaled up to the whole ELM / Agricultural Transition programme.

If the matter is not treated with more urgency then the moment will have passed and vulnerable farming communities as in areas of common land will in many cases pass beyond the point of no return with regard their finances with unpredictable consequences for the national interest. This is still time to remedy the situation if there is sufficient political will and competent implementation. As the Covid vaccine purchasing and roll out demonstrated we are capable of delivering knotty tasks in good time.

The Foundation for Common Land worries deeply about the future of commons and commoning. Will we be the generation to lose the last 3% of England's collectively managed land which once covered half our land? Land so rich in the public benefits it provides this nation.

21st August 2022