



Foundation for Common Land's Response to Defra's Health and Harmony Consultation

May 2018

Chapter 3: **Agricultural Transition**

What are the factors that should drive the profile for reducing Direct Payments during the 'agricultural transition'?

The Foundation for Common land is in favour of the transition away from direct payments towards paying for the delivery of public benefits. That said we are most conscious that continued delivery of public benefits by commoners from common land is dependent on these individuals running viable and vibrant businesses. If the direct payments of the commoners are to be affected during agricultural transition then this decline in payments needs to be matched by an increasing payment for the delivery public benefits. We are concerned that there will be a void during transition which will negatively affect the delivery of cultural and natural heritage from common land.

The crucial point is the strong link between the agricultural business and the delivery of public benefits is inseparable on common land – both have to be considered together. This is a particular worry as 54% of common land will come out of Higher Level Stewardship (HLS) by 2021. It is essential that Defra provide a workable alternative to HLS. Countryside Stewardship is not satisfactory because not only are the benefits it seeks very narrow but also the administrative complexity makes the schemes distinctly unattractive to many.

How long should the 'agricultural transition' period be?

We are in favour of the transition to a wide range of public benefits as set out in Health and Harmony. However, we are concerned about the transition between where we are now and the 'New World' proposed because there are no specifics and businesses will need to navigate a course with many rapids and a few waterfalls.

The length of the agricultural transition period therefore needs to be long enough to allow for a smooth transition from the current system of Pillar 1 to a new scheme the delivery of the full suite of public benefits laid out in the document. In addition we know that negotiating schemes on common land usually takes between 18 and 24 months and therefore it is unlikely that commons will be ready to enter a scheme until two years after the details have been released. This constraint needs to be incorporated into the planning process.

While inevitably there will be restructuring in the farming sector our concern is that those who are most committed to the delivery of public benefits, and hence dependent on continued flow of government support payments, will be left short of cash until the new schemes are up and running. We would therefore recommend that the government find a way to continue current HLS schemes and offer a pro tem more practical scheme for Commons whose HLS has ended until the new integrated scheme is up and running.

Q How can we improve the delivery of the current Countryside Stewardship scheme and increase uptake by farmers and land managers to help achieve valuable environmental outcomes?

We do not support the use of CS for common land. A monster has been created and all the IT fixes in the world will not change its fundamental shortcomings. It is a scheme:

- 1) whose objectives are too narrow to be appropriate for the multiple public benefit outcomes common land provides
- 2) whose evidence requirements are burdensome e.g. having to prove a commons association is not VAT registered - why not accept self-assessment?
- 3) which cannot respond to the differing roles of different parties e.g. the owner who does the capital works and the Association which manages compliance with the annual options.
- 4) SitiAgri cannot cope with commons and all agreements have to be created off-line

Furthermore the transaction costs of entering commons into schemes mean it is nonsensical to go through that process twice in a few years hence our strong preference for HLS replication.

Chapter 4: **A successful future for farming**

Consultation questions: Farming excellence and profitability

4.1 How can we improve the take-up of knowledge and advice by farmers and land managers? Please rank your top three options by order of preference:

- a) Encouraging benchmarking and farmer-to-farmer learning 1
- b) Working with industry to improve standards and coordination
- c) Better access to skills providers and resources 2
- d) Developing formal incentives to encourage training and career development
- e) Making Continuing Professional Development (CPD) a condition of any future grants or loans 3
- f) Other (please specify)

We do not agree with ranking

We know from work undertaken through Dartmoor Farming Futures on common land that farmers can become enthusiastic and engaged with delivery of public benefits when they consider it is relevant to them and the training is provided in an appropriate manner. We would recommend that DEFRA integrates training for commoners as part of future schemes and this can occur alongside monitoring of outcomes. Such training and improvement of skills needs to encourage ownership of the outcomes as once pride is instilled commoners and the owners of common land are much more likely to deliver what is being sought. Therefore training, monitoring and sharing results should be integrated into the design of schemes from the very beginning. Furthermore training should also be provided in all aspects of the farm business because an integrated approach is required. Focusing on training to deliver public benefits such as ecological identification is required as much as benchmarking performance of lamb and beef enterprises to improve the profitability and optimise production levels to the assets of the business.

4.2 What are the main barriers to new capital investment that can boost

profitability and improve animal and plant health on-farm? Please rank your top three options by order of the biggest issues:

- a) Insufficient access to support and advice
- b) Uncertainty about the future and where to target new investment
- c) Difficulties with securing finance from private lenders
- d) Investments in buildings, innovation or new equipment are prohibitively expensive
- e) Underlying profitability of the business
- f) 'Social' issues (such as lack of succession or security of tenure)
- g) Other (please specify)

4.3 What are the most effective ways to support new entrants and encourage more young people into a career in farming and land management?

4.4 Does existing tenancy law present barriers to new entrants, productivity and investment?

Consultation questions: Research

4.5 What are the priority research topics that industry and government should focus on to drive improvements in productivity and resource efficiency? Please rank your top three options by order of importance:

- a) Plant and animal breeding and genetics
- b) Crop and livestock health and animal welfare
- c) Data driven smart and precision agriculture
- d) Managing resources sustainably, including agro-chemicals
- e) Improving environmental performance, including soil health
- f) Safety and trust in the supply chain
- g) Other (please specify)

We do not agree with ranking

Future research should be targeted towards delivering improved outcomes from our countryside. Key areas that require research are:

- how to reduce the spread of bovine TB while also allowing extensive grazing of cattle on common land.
- Better systems for practical monitoring of ecological change in remote areas that can be undertaken by citizen scientists including farmers
- Use of remote sensing technology including drones to assess changes in vegetation, livestock grazing patterns, damage to sheep planting in remote areas and fencing
- How to improve systems of institutional governance of multi-partite agreements to deliver a range of outcomes both for public and private benefits

4.6 How can industry and government put farmers in the driving seat to ensure that agricultural R&D delivers what they need? Please rank your top three options by order of importance:

- a) Encouraging a stronger focus on near-market applied agricultural R&D
- b) Bringing groups of farms together in research syndicates to deliver practical solutions
- c) Accelerating the 'proof of concept' testing of novel approaches to agricultural constraints
- d) Giving the farming industry a greater say in setting the strategic direction for research funding
- e) Other (please specify)

Many commoners' enterprises are small and so investing in new technology can be prohibited by cost. Also Commoning is a very time consuming method of farming and commoners have little spare time available to research new technology.

4.7 What are the main barriers to adopting new technology and ideas on-farm, and how can we overcome them?

There are several key barriers which include lack of ownership of broader outcomes, a lack of time to explore new technology, and the lack of funds to invest in new systems which often carry a risk that the farmer considers is too high to take. These can be overcome by appropriate support mechanisms that integrate new technology into schemes and provide appropriate incentives for adoption.

Consultation questions: Skills

4.8 What are the priority skills gaps across UK agriculture? Please rank your top three options by order of importance:

a) Business / financial

b) Risk management

c) Leadership

d) Engineering

e) Manufacturing

f) Research

g) Other (please specify) Understanding of wider public benefits

We do not agree with ranking

Commoners' primary driver is their livestock and despite twenty plus years of stewardship schemes many commoners have not fully engaged or taken ownership of the public benefit outcomes that stewardship schemes have paid for. If the future shift in paradigm is going to generate the outcomes it intends then ensuring commoners take ownership of the full suite of public benefits is essential. Creating the correct context for this to be nurtured is critical.

4.9 What can industry do to help make agriculture and land management a great career choice?

When you attend livestock sales at auction marts there are plenty of young people who are keen to produce high-quality livestock in remote rural areas. What is challenging is creating viable multigenerational businesses that can support someone close to retirement, someone at the peak of their career and the new person coming into the business. These three generations need not

be related to each other, though often they are, but in order to allow for effective succession it is important there are real opportunities that's provide at least a living wage and accommodation. Industry need to encourage diverse businesses that reduce risk to having several different income streams.

On common land the management of grazing livestock is at the heart of the business but this not to be the only income source and developing pride and diversifying income streams is important. Farming on common land, which is in most cases marginal land, is likely to provide low financial returns but there are many other benefits these areas provide society. Training young people to maximise these benefits and providing opportunities to convert them into an income is critical. In addition tenancy agreements need to be structured to enable young people to enter the industry without taking on untenable levels of debt. More opportunities for share farming as a means of entering industry should be explored.

In order for young commoners to develop additional income streams planning policy needs to recognise the need for farms to deliver multiple businesses and access to fast broadband is essential.

4.10 How can government support industry to build the resilience of the agricultural sector to meet labour demand?

Chapter 5: Public money for public goods

Consultation questions

5.1 Which of the environmental outcomes listed below do you consider to be the most important public goods that government should support? Please rank your top three options by order of importance:

- a) Improved soil health
- b) Improved water quality 3
- c) Better air quality
- d) Increased biodiversity 2
- e) Climate change mitigation
- f) Enhanced beauty, heritage and engagement with the natural environment 1

We do not agree with ranking (all of the above are interconnected)

The Foundation for Common Land is a charity that seeks to protect and enhance the benefits to the public of traditional pastoral grazing systems on common land and the environmental and cultural heritage associated with these systems. If public benefits are to be maximised then it is critical that we more effectively engage Society, both those who visit Commons and those who do not have the opportunity, with the beauty, health and environmental benefits that common land delivers.

The statistics for public benefits from Commons demonstrate that although only 3% of England is common land, 21% of our SSSIs by area are common land, 39% of our open access land is common land and 12% of our scheduled ancient monuments are on common land. From this we can see that common land is seven times more likely to have high nature value than other types of land and hence we have put biodiversity as a priority. We also know that the majority of our drinking water comes from the upland moors and fells and that one 3rd of that land is common land. The provision of high-quality drinking water to our towns and cities is there for materially affected by the condition of common land and management that improves water quality ought to be rewarded.

5.2 Of the other options listed below, which do you consider to be the most important public goods that government should support? Please rank your top three options by order of importance:

- a) World-class animal welfare
- b) High animal health standards
- c) Protection of crops, tree, plant and bee health
- d) Improved productivity and competitiveness 3
- e) Preserving rural resilience and traditional farming and landscapes in the uplands 1
- f) Public access to the countryside 2

The iconic landscapes and public benefits of common land are disproportionately high compared to other types of land due to the system of commoning and the lack of enclosure of commons. We know that when land is enclosed it is often intensified. This is why it is essential that it is appropriate support is provided to encourage farmers to maintain the traditional pastoral systems on Commons to secure future public benefits including our best known and most loved landscapes e.g. the Lake District, Dartmoor, the Yorkshire Dales and the New Forest. Commoning depends on multiple businesses operating collaboratively to manage one area of land. This has additional costs compared to operating private land but the public benefits of collaboration are high and should be encouraged, not just on commons but also on neighbouring farms so to deliver landscape scale benefits.

Almost without exception common land has a public right of access though the quality could be enhanced with the appropriate support. Access could also be managed in a way that engages visitors to understand more about where they are walking. Commons are not an island and are often reached through public footpaths across farmland so it is essential to consider landscape as a whole.

There are 3900 commoners who claim Direct Payments and they manage common land as part of their businesses. These businesses are often marginal in terms of profitability and a unique opportunity now presents itself to embed the delivery of public benefits as a core enterprise. Alongside this these businesses should be encouraged to examine carefully the profitability of their livestock enterprises and look at how they can minimise costs and optimise financial returns from livestock alongside public benefits. We cannot separate farming from public benefits as the farming underpins management of the land, maintenance of habitats and access to the countryside.

5.3 Are there any other public goods which you think the government should support?

- Maintenance of historical monuments & buildings

- Educational access to the visiting public and to those who traditionally have not accessed our countryside as frequently e.g. from deprived wards and BEM communities

Chapter 6: Enhancing the Environment

Consultation questions

6.1 From the list below, please select which outcomes would be best achieved by incentivising action across a number of farms or other land parcels in a future environmental land management system:

- a) Recreation
- b) Water quality
- c) Flood mitigation
- d) Habitat restoration
- e) Species recovery
- f) Soil quality
- g) Cultural heritage
- h) Carbon sequestration and greenhouse gas reduction
- i) Air quality
- j) Woodlands and forestry
- k) Other (please specify)

The Foundation for Common Land's view is that Government support should incentivise the delivery of co-located multiple benefits and allow a place based approach. Enhancing the environment must be seen as supporting the sustainable production of livestock alongside sustaining the cultural heritage of commoning communities. It is essential that all these are delivered at scale. We therefore recommend that there is one 'Land Management Scheme' rather than separate measures for environment and production.

We are concerned from early soundings that the proposed post Brexit environmental land management scheme may focus on the traditional 'environmental' outputs of biodiversity water and carbon. Such a scheme would not deliver the suite of public benefits society enjoys from common land and payments based only on these may well not be sufficient to

support viable commoning businesses (whether in the uplands or lowlands). For instance the value of cultural heritage of commoning is internationally recognised through the inscription of the Lake District World Heritage Site but there since the demise of UELS there no government support to reward this public benefit. This needs to change.

6.2 What role should outcome based payments have in a new environmental land management system?

The Foundation for Common Land is a strong advocate of outcomes based payments. Common land is complex and delivers multiple outcomes. The outcomes based approach as detailed in the National Outcomes Framework (Defra/NE) encourages those with private property rights and stakeholders with other interests to collaborate in a place based approach to optimise outcomes. We would recommend that all commons agreements are based on shared outcomes and that management is planned and delivered to meet these outcomes. The Dartmoor Farming Futures project provides an exemplar of how outcomes-based approach can be implemented.

6.3 How can an approach to a new environmental land management system be developed that balances national and local priorities for environmental outcomes?

Priorities ought to be developed and decided upon in a participatory fashion between the key parties involved in the management of each common and the key beneficiaries of the outcomes – or their representatives. Collaboratively these stakeholders should be enabled to develop a vision for their Common based on all available data, both that held nationally and locally, whether written or oral in its source. From this a management plan can be developed. The National Character Areas developed by Natural England are a most useful starting point as is MAGIC and local data from surveys, commoners and local communities.

6.4 How can farmers and land managers work together or with third parties to deliver environmental outcomes?

Collaboration is that the hearts of commoning and the management of common land. For over 800 years there is documented evidence of commoners' systems of governance. Many of these secured the environmental benefits of common land as well as good neighbourhood. We would commend Defra to study a range of governance systems that could help inform collaborative working whether between farmers and the owners of common land as well as other third parties. We can provide examples of such

agreements if required which can help inform the development of frameworks for Farmer clusters and other landscape scale delivery mechanisms. The New Forest HLS is a one example of this with a partnership between the National Park Authority, Forestry Commission, Verderers, Commoners and others.

The Foundation for Common Land has adopted a series of principles under three headings to ensure the effective collaborative delivery of outcomes for the natural and cultural heritage. While designed for commons they would apply equally to other remote rural communities.

A Commons provide multiple benefits for society

- Policy embraces and supports the collective delivery of multiple outcomes on common land
- A place based approach is adopted to allow the distinctive characteristics of different commons to thrive across the country

B Commoning delivers these public benefits

- Rights of common are valued as Cultural Heritage. Enshrined in the Charter of the Forest in 1217 they continue to underpin the viability of thousands of farm businesses
- Safeguarding commoning becomes a policy objective; recognising grazing livestock is at the heart of delivering the array of public benefits found on commons
- Future support is targeted to those farmers, common land owners and others actively participating in land management

C Commoners should be properly rewarded for providing these benefits

- Financial rewards reflect the value that society derives from commons
- Schemes on commons are collaboratively designed between all parties
- Future schemes provide for the additional costs of establishing and running commons agreements

Chapter 8: Supporting Rural Communities and Remote Farming

Consultation questions

8.1 How should farming, land management and rural communities continue to be supported to deliver environmental, social and cultural benefits in the uplands?

While common land does not exist in isolation to the home farms of the commoners we are using this section to remind Defra of the unique characteristics of common land that need to be factored into any future scheme. Given 21% of our SSSI area is common land leaving the environment in a better state than now is unlikely to be achieved without especial attention to common land and designing a scheme that is “commons proofed”. The following section applies equally to lowland and upland commons.

Unique Characteristics of Commons

- Multiplicity of Co-existing Benefits
- Multiple Parties with differing interests
- Governance Arrangements complex as are the Power Balances
- Who receives the Money?
- Link to Home Farms – Commons are not an Island

Furthermore we know from our research project ‘Better Outcomes on Upland Commons’ that the following are the attributes of successful delivery of multiple outcomes. Future schemes will need to enable these attributes if they are to successfully achieve the desired public benefit outcomes.

- . Strong and adaptive leadership and co-ordination
- . Good and regular communication
- . Effective and well established networks
- . Respectful attitudes
- . Clarity on rights and outcomes
- . Trade-offs negotiated fairly
- . Fair and transparent administration
- . Payments that reflect respective contributions and benefits
- . Value local knowledge and provide local discretion over prescriptions
- . Time: continuity of service, time for negotiations and duration of interventions

Finally we wish to stress that the funding available from government support to common land and commoners’ businesses needs to at least equal that paid under the combined Pillar 1 and Pillar 2 schemes. We welcome that it will only be able to be accessed upon demonstration of the active delivery of public benefits but the size of the cake is critical. We would welcome a single “one stop shop” integrated scheme rather than an environmental land management

scheme with separate building blocks for upland farm businesses. We do though know from the Farm Business Survey data that if the cake is reduced to the size of current Pillar 2 schemes the farms which manage common land will be unviable and the public benefits flowing from common land will be degraded and the communities the commoners live in will be diminished. We are not saying every single business must, or will, continue but that overall commons are not commons unless there are multiple farms commoning collectively and a key indicator of success will be maintaining at least the same number of active commoners.

8.2 There are a number of challenges facing rural communities and businesses. Please rank your top three options by order of importance:

- a) Broadband coverage
- b) Mobile phone coverage
- c) Access to finance
- d) Affordable housing
- e) Availability of suitable business accommodation
- f) Access to skilled labour
- g) Transport connectivity
- h) Other, please specify Business Viability

Many rural businesses are micro businesses whether on or off farm and most are self employed. It is critical that we enhance business skills and risk management of these businesses both for their traditional livestock enterprises and other interests. With regard farm businesses that are also using common land many who can have already diversified. For those without obvious options such as B&B / cafes etc they would benefit from help to explore options both on farm and off farm. There is limited income generating opportunities to benefit from the common as their rights are for grazing and the owner has the rights of the land e.g. for renewables etc.

8.3 With reference to the way you have ranked your answer to the previous question, what should government do to address the challenges faced by

rural communities and businesses post-EU Exit?

Government would do well to adopt the recommendation of the CRC report *High Ground, High Potential* for a new Uplands Strategy. It is all about a paradigm shift that sees the uplands as an area providing many advantages to society rather than an area of disadvantage. While this is focused on the uplands we have concluded that many lowland grazed commons and commoning communities, such as the New Forest, share the same characteristics as upland communities.

The CRC said the new strategy should be integrated, territorial, well informed, participatory, incentivising, investment focused. They also concluded; “We also recognise that the commons management approach could provide a model for land management that emphasises collaborative and communal working.” The Foundation for Common Land supports this view.