

# Consultation

## Response Document



43 Southgate Street, Winchester, Hampshire, SO23 9EH, UK  
Tel: +44 (0)1962 868 626 | [enquiries@cieem.net](mailto:enquiries@cieem.net) | [www.cieem.net](http://www.cieem.net)

**Health and Harmony: the future for food, farming and the  
environment in a Green Brexit  
(Department for Environment, Food and Rural Affairs)**

**8<sup>th</sup> May 2018**

## **Introduction to CIEEM**

The Chartered Institute of Ecology and Environmental Management (CIEEM), as the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland, welcomes the opportunity to comment on this consultation.

CIEEM was established in 1991 and has over 5,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

CIEEM is a member of:

- Environmental Policy Forum
- Greener UK
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network

# Comments from CIEEM

## Introduction

1. CIEEM welcomes “Health and Harmony: the future for food, farming and the environment in a Green Brexit”. We agree that the implementation of the CAP in the UK has resulted in outcomes that have had a negative effect on the environment and believe that England now has a ‘once in a generation’ opportunity to design a new funding system that drives forward sustainable food production, facilitates a mass restoration of ecosystems, improves public health and promotes the public enjoyment of the countryside.
2. We have been encouraged by the Government’s manifesto commitment to leave the environment in a better state than they found it, and by the tone and ambition of the 25-Year Environment Plan. We note that 70% of the land area of the UK is in agricultural use. Therefore, if we are to have any chance of meeting the aspirations of the 25-Year Environment Plan, this land must play a pivotal part in its delivery. The primacy of environmental protection must be a key principle of future agricultural policy.

## Public Money for Public Goods

3. We strongly support the government’s suggested approach of rewarding farmers with public money for the delivery of environmental public goods and services. We believe that Government should, as set out in the paper, “*incentivise methods of farming that create new habitats for wildlife, increase biodiversity, reduce flood risk, better mitigate climate change, and improve air quality.*” We do note, however, that some highly desirable outcomes such as soil health, good air and water quality and animal welfare can and should be delivered through regulation and enforcement rather than incentivisation. We should be moving towards an agri-environment system that rewards farmers for delivering strategic environmental enhancement and avoid a system that rewards farmers for not damaging the environment.
4. We believe that a new agri-environment system should:
  - a) be based on the protection and enhancement of natural capital to maximize ecosystem services;
  - b) operate at a strategic, landscape scale;
  - c) be based on long-term contracts;
  - d) accommodate a range of interrelated outcomes – food production, wildlife conservation, amenity value, health and well-being;
  - e) include cultural as well as natural heritage; and
  - f) be underpinned by effective strategic planning such as provided by existing initiatives (i.e. Wetland Vision, Important Biodiversity Delivery Areas, Nature Improvement Areas, Living Landscapes, Futurescapes, Lawton principles etc.) which should be incorporated into a new ‘National Natural Infrastructure Plan’.

5. Examples of farming systems that CIEEM proposes could secure the highest payments would include:
  - a) high nature value farming over large areas;
  - b) extensification areas – potentially some form of managed ‘rewilding’ in appropriate locations;
  - c) areas with high landscape and environmental diversity;
  - d) areas focusing on the function of habitats such as wetlands, helping society to be more resilient to the impacts of extreme weather events;
  - e) areas providing clean water (but note comment re regulation in paragraph 3 above);
  - f) areas where chemical inputs are significantly reduced;
  - g) diverse cropping regimes that build habitats for farmland birds, bees and other pollinators, and diverse flora;
  - h) broadleaved woodlands at scale, that add biodiversity and aesthetic value and lock up carbon;
  - i) seasonally inundated floodplain grasslands;
  - j) coastal and floodplain grazing marsh and saltmarsh;
  - k) wet woodland, fen, lowland raised bog, reedbed, blanket bog; and
  - l) upland farms which restore peatland to safeguard historic carbon and facilitate sequestration of new carbon.
  
6. Areas that become more attractive to visitors as a result of richer wildlife and ecosystems create a diversification of possible income streams supporting jobs both inside and outside of the farming sector. In the USA, for example, the restoration economy is worth \$9 billion per annum and supports 129,000 rural jobs.

## The Transition Period

7. We welcome the Government’s proposals that *“from 2022 onwards, a new environmental land management system will be the cornerstone of our agricultural policy”*. We would contend that given the current crisis facing biodiversity in the UK, the need to improve environmental performance cannot be ignored for three further years, and that even during the transition period, no farmers or land managers should be financially rewarded for environmentally-damaging practices.
  
8. We are supportive of the proposals to apply reductions to Direct Payments during the transition period to fund pilot environmental land management schemes, and would be in favour of applying a cap on payments to the largest farms.
  
9. We remain concerned that changes in agricultural policy can result in perverse incentives, in the same way that CAP Pillar 1 funding encouraged the removal of valuable habitats that were ineligible for subsidy. We would therefore stress the importance of ensuring that no damaging activities are encouraged during the transition period. For example, if transition payments are not contingent on environmental performance during the transition period, but would be after 2022, this might incentivise farmers to remove features, such as hedgerows or ponds, in order to be paid to reinstate them after 2022. We therefore believe that payments during the transitional period should still be conditional on complying with environmental, animal and plant health, and animal welfare standards.

## Priority Research Topics and Skills Gaps

10. We support the Government's proposal that farmers require new knowledge and skills to develop a successful and resilient farming economy in England. We believe that the Government's ambition to deliver better environmental outcomes via agriculture may be hampered by a lack of environmental knowledge of many land managers and this should be addressed. Whilst some modern agricultural colleges include modules on environmental issues, these are often optional; and the previous generation of farmers received almost no training on how to farm in an environmentally-sensitive manner. Investment in a structured programme of upskilling farmers and land managers delivered through trusted partners (e.g. agricultural colleges and Wildlife Trusts) should be seen as a priority whilst options for incentivised learning for those coming into the industry should be explored.
11. Farmers have insufficient access to appropriately-qualified support and guidance, such as was previously delivered by ADAS or FWAG, and the Government should consider how to make such advice more readily available to farmers again. A fully-funded Advisory Service with the appropriate expertise and professionalism with sufficient capacity to deploy an integrated approach across the country between farming and environmental protection would be an appropriate solution, avoiding the inconsistent and piecemeal advice currently available. A nationally co-ordinated system would ensure consistency, a requirement that advisors are a member of a professional body would ensure professionalism, and advisors having a strong understanding of the local area would facilitate mutual understanding and trust with farmers and land managers. The advice provided would not necessarily be prescriptive, but rather should enable those who work the land to decide the best way to achieve the desired outcomes.
12. CIEEM would propose that the following research topics should be a priority in delivering this policy:
  - Environmental performance, including (but not limited to) soil health.
  - Crop and livestock health, and animal welfare.
  - Managing resources sustainably.

## Implementing our New Agricultural Policy

13. CIEEM supports the consultation suggestion of moving to a system of 'public money for public goods'. The consultation document sets out several "*important public goods*". CIEEM stresses that all of these outcomes are important public goods that should be supported. It is important to note that it is possible to achieve multiple outcomes from the consultation list with individual interventions. For example, the well-known example of water companies paying upland farmers to restore upland habitats has the multiple benefits of restoring biodiversity, sequestering carbon from the atmosphere, providing clean water downstream, reducing flooding risk, and reducing soil erosion. The ambition must always be to achieve as many public benefit outcomes from each intervention as possible.

14. CIEEM is a strong proponent of Biodiversity Net Gain, an approach gaining traction within development and construction projects. There are even more valuable benefits if this approach is extended to the 70% of land in the UK managed for agricultural use. If agri-environment funding was contingent on delivering biodiversity net gain as part of a new 'public money for public goods' approach, we could halt biodiversity loss and restore habitats and species, with all the attendant benefits, at a pace and scale not previously envisaged. Farmers and landowners, working co-operatively at a landscape- or catchment-scale (for example through farm clusters), would be set clear environmental net gain targets for their land based on a transparent calculation approved by all stakeholders and according to a strategic plan such as a biodiversity action plan.
15. CIEEM notes that several consultees have suggested that food production is, in itself, a public good. A public good can be defined as a commodity or service that is provided without profit to all members of a society. The environmental goods and services described within the command paper would fall into this category. Food production, in contrast, is a balance sheet good that is sold on the market and rewarded through market payments. Whilst the production of safe, affordable food is, of course, a valuable role within society, it can be rewarded through the market. It is imperative that the Government does not dilute or offset the effectiveness of this policy by any return to rewarding production at the expense of the environment.
16. The narrative and relationship between farmer, government and taxpayer must change from one of support or subsidy. In a new system the government, and ultimately the taxpayer, is the customer and the farmer is the service provider. Contracts would be commercial transactions securing better and more cost-effective delivery, paying farmers more for better outcomes. Contracts would focus on agri-ecological approaches to farming, working with nature rather than against it, delivering a legally binding duty to restore ecosystems and biodiversity across England. Conservation covenants might be used to secure and protect the long-term value of the investments made, which is currently not the case with short-term Countryside Stewardship agreements.
17. Future payments to farmers and land managers should be made via long-term (e.g. 25 year) contracts to deliver environmental goods and services – based on outcomes rather than process – demonstrating the protection and enhancement of the natural capital assets of the land. This would give the farming community a greater stake in the investments made and future income security. We would recommend that farmers should not receive payments for one public benefit unless they met a basic level of environmental compliance across their operations, such as pollution prevention, and not illegally persecuting wildlife including birds of prey. Removal and clean up of plastic and other waste, especially in upland protected landscapes, should also be enforced through a polluter pays principle. Farms that pollute the countryside in this way should be automatically barred from gaining public funding until their land is cleaned up.
18. Long-term contracts and other potential financial incentives, such as reductions in future inheritance tax, will help to reduce the impacts of market volatility on farm incomes and provide more financial security. We envisage contracts brought forward would comprise of two types:

- a) those that require farmers and landowners to deliver prescribed outcomes via a targeted approach (i.e. biodiversity net gain) for the creation, enhancement and protection of key natural capital assets, and
  - b) for novel interventions and land management approaches that maximise environmental performance, allowing successful methods to be implemented elsewhere, for example, testing rewilding at a range of different scales (from small-scale to landscape-scale) to identify the feasibility of building investment and creating a viable market for products as part of a healthy local economy as well as other ecosystem services benefits.
19. In terms of governance, there could be merit in National Parks and Areas of Outstanding Natural Beauty boards being the fund holder and contract manager in those locations, working in partnership with farmers to deliver large-scale, spatially literate, landscape, biodiversity and natural capital enhancement and management programmes. Natural England could operate as a scrutiny body to oversee standards and quality assure schemes without introducing prescriptive (one size fits all) measures which detract from the outcome-focused approach. There would need to be a regulatory mechanism to maintain high environment performance standards of farming.
20. We note the Government's concern regarding the balance between national and local priorities for environmental outcomes. CIEEM recommends the production of a National Natural Infrastructure Plan, as a daughter document of the 25-Year Environment Plan, to set out the priorities for the natural environment on a spatial basis. This should identify the strategic network of bigger, better, joined-up sites of nature conservation value and the priority areas for matters such as water management, soils restoration, and rewilding.

## Changing Regulatory Culture

21. CIEEM supports better enforcement and regulation of farming activity in order to better deliver the outcomes described. We believe that the following approaches would be most effective:
- Targeting the level of regulation and enforcement to the level of risk or return, that is, spending more time on land where the greatest public benefits could be achieved.
  - Using earned recognition, whereby farmers who have a documented history of farming in harmony with the natural environment are subject to fewer checks and more straightforward administration of payments.
  - Better data sharing and communication between agencies including government departments.
22. CIEEM believes that the Government has a role to play in protecting crop, tree, plant and bee health, and in animal welfare. The Government should set further standards to ensure greater consistency and understanding of information regarding animal welfare and environmental impacts at the point of purchase.

## Devolution

23. Whilst environment is a devolved competence in the UK, CIEEM believes that a common approach to environmental protection and enhancement is needed between the devolved administrations. We propose the following 12 principles as a framework to ensure that the environment is considered as a central organising principle of government policy post-Brexit.

**1. Active participation in international treaties and conventions**

*Restoring global biodiversity and ecosystem functioning is a global imperative. We will strengthen or active participation in international conventions and treaties, seeking opportunities to lead in areas where we have particular expertise. To deliver this, we will gather robust evidence through well-funded scientific research that leads to effective policy and practice.*

**2. Collaboration and knowledge sharing**

*The natural environment does not recognise national boundaries therefore we will collaborate, sharing knowledge and best practice, with each other and with our neighbours regarding all aspects of environmental management, protection and enhancement.*

*We will establish and appropriately resource world-leading data-sharing, monitoring and reporting mechanisms to provide public and stakeholder accountability. We will produce mandatory periodic 'State of the Environment' and 'UK Global Environment Footprint' reports which clearly identify priorities for action.*

**3. Environmental principles enshrined in law**

*There are some fundamental principles that underpin effective protection of the environment and these will be the basis of relevant legislation and enforcement.*

- a. Preventative principle: using legislative and other means to avoid or restrict activities, policies and plans that risk harm to the natural environment.*
- b. Precautionary principle: when there is evidence that an activity may cause harm to the environment, a precautionary approach to decision-making will be taken even if some cause and effect relationships are not fully established scientifically.*
- c. Polluter pays principle: those whose activities risk or result in harm to the natural environment will pay the costs of managing and/or restoring/remediating the damage.*

**4. Deliver biodiversity net gain across all policy areas**

*We will use legislative and policy approaches to reverse the loss of biodiversity and restore habitats and species to healthy, ecological functionality. We will set a strong, common regulatory floor to protect and enhance our natural capital and ecosystem services, including a requirement in legislation for local authorities and statutory agencies to deliver biodiversity net gain in all terrestrial and marine management*

### **5. Sustainable funding mechanisms**

*We will establish a new system of environmental funding mechanisms that demonstrate both direct capital savings and wider societal benefits such as biodiversity net gain, flood management, reduction in greenhouse gas levels, carbon sequestration, and stewardship of natural capital.*

### **6. Deliver a coherent network of more, bigger, better and joined up protected sites**

*We will establish a system of protected international, national and local areas and sites of natural importance that collectively create an ecologically coherent, resilient, and spatially-linked network, including cross-border sites and the marine environment out to 200nm.*

### **7. Maintain healthy species populations**

*We will maintain and develop a system of protections and permitting for protected and priority species of international, national and local concern that delivers the conservation of viable, healthy populations. The common approach will be based on defining and maintaining Favourable Conservation Status (FCS) for each species.*

### **8. Biosecurity**

*We will implement stringent measures to maintain biosecurity, restrict the spread of non-native invasive species and manage the use/spread of genetically modified species.*

### **9. Reconnect people with nature**

*We will invest in mechanisms to facilitate greater access and engagement with the natural environment across all sectors of society, especially young people, minority groups, those most socially deprived, and urban populations.*

### **10. Shared environmental standards**

*High common standards which will facilitate high value, high quality goods and services for the UK market and elsewhere will be applied to all proposed developments, including housing, transport infrastructure and renewable energy provision.*

### **11. Scrutiny and enforcement**

*In order to provide public accountability, the UK governments will establish an independent scrutiny and enforcement body to hold all UK governments and competent authorities to account.*

### **12. Invest in raising standards**

*We will ensure that advice and recommendations regarding activities likely to impact on the environment are made by competent professionals. To deliver this, governments will facilitate investment in developing skills and standards for professional ecologists and environmental managers. We will also ensure that competent authorities charged with making decisions that impact on the*

*environment and the achievement of national and international targets must demonstrate that they are employing or accessing competent professional advice in order to do so effectively.*

## International Trade

24. CIEEM believes that British farming should be synonymous with the highest possible standards of health, wellbeing and environmental protection and that we should seek to trade internationally on this basis, resisting any “race to the bottom” on price with associated devastating effects on the environment and animal welfare.

## Agriculture Bill

25. CIEEM notes that to achieve its policy ambitions, the Government may bring forward an Agriculture Bill to provide legislative powers, including:
- i. to continue making payments to farmers and land managers, with power to amend eligibility criteria for payments;
  - ii. measures to strip out unnecessary bureaucracy and strengthen the delivery landscape;
  - iii. to create new schemes for one or more of the following purposes:
    - promoting and increasing agricultural productivity and resilience;
    - preserving, protecting and enhancing the environment;
    - providing support to rural communities;
    - animal and plant health and animal welfare; and/or
    - public access;
  - iv. to establish a new basic compliance or inspection regime;
  - v. to take emergency measures to provide aid in extreme events;
  - vi. to retain UK-wide frameworks where we need commonality; and
  - vii. to provide for continuity during the ‘agricultural transition’ period for some elements of the current CAP.
26. CIEEM would welcome many elements of such a Bill, but would reiterate its view that in order to deliver its manifesto commitments and the requirements of the 25-Year Environment Plan, the Government would need to ensure that environmental protection underpinned all aspects of the new Bill. There would be no value, for example, in supporting initiatives to “*promote and increase agricultural productivity and resilience*” that resulted in catastrophic declines in pollinating insects.

## Conclusion

27. CIEEM welcomes this consultation and is extremely supportive of the direction of travel of English agricultural policy towards the payment of public money for the delivery of environmental public goods and services. Our vision is one where environmentally-aware farming is the norm rather than the goal we are heading towards. We believe that the details of this new agricultural policy will be very complex to develop and may have

significant risks. We will be pleased to offer our support and advice in the future development of this policy which has the potential to make an enormous difference to the health and resilience of our countryside.