

Game & Wildlife Conservation Trust¹ response to the Defra consultation on the Environmental land management policy discussion document

Questions

1. Do you want your responses to be confidential? No
(If yes, please give your reason).
2. What is your name? Dr Alastair Leake
3. What is your email address? aleake@gwct.org.uk
4. Where are you located? East Midlands and South East.
5. Who are you? Game & Wildlife Conservation Trust (a wildlife management and conservation NGO)
(Internal to Defra/Defra arm's length body (ALB)/Lobby group/Other government department/Parliamentary group/Land manager/Other (please specify))

General comment

Before we commence completion of the questions below we wished to express our broad agreement with the scheme as outlined so far. It is to Defra's credit that they have clearly listened to feedback on previous schemes, both the good and bad, and as a result the proposed outline for ELM as expressed in this policy discussion document (and in other fora) is a good place to start. Consultation with our members re-enforces four themes which we believe are key to the ELM scheme's success and have been often stated by Defra staff during discussions.

1. The scheme should be simple to enter and administer
2. It should be flexible and avoid being prescriptive
3. It should be governed by a light regulatory touch
4. The rewards should reflect the effort expended and the public benefits which result.

It is essential that that these principles are embedded in the final scheme. Beyond this

¹ The Game & Wildlife Conservation Trust is a leading UK charity conducting conservation science to enhance the British countryside for public benefit. For over 80 years we have been researching and developing game and wildlife management techniques. We use our research to provide training and advice on how best to improve the biodiversity of the countryside. We promote our work to conservationists, including farmers and landowners and offer an on-site advisory service on all aspects of game and wildlife management, so that Britain's countryside and its wildlife are enhanced for the public benefit.

there are areas that could be improved and we hope that our answers to the questions below provide some constructive commentary.

6. Do you have any comments on the design principles on page 14? Are they the right ones? Are there any missing?

We are in broad agreement with the design principles listed but feel that there is one key element that is missing – engagement with the farming and landowning community. Feedback on the proposals from our members shows that inspiring them and engaging with them are two key drivers to success and therefore important in achieving the ambition of securing scheme membership in excess of the first iteration of Entry Level Stewardship (ELS), which brought nearly 70% of the land area in England into stewardship. We therefore propose a new principle along the lines of “Ensure that the ELM engages with farmers, foresters and land managers and inspires them to deliver the national and local environmental outcomes sought”.

With this in mind we would also suggest amending d) as follows:

“Ensure that ELM includes actions that most farmers, foresters and other land managers **want to** deliver ...”.

To reflect the accompanying Policy document which states that payment methodologies will be explored as to how best to balance providing a fair payment to land managers with maximizing value for money to taxpayers, we feel that c) should be amended as follows:

“Ensure that the scheme and its underpinning systems and processes work effectively and represent maximum value for money to the taxpayer **whilst inspiring and sufficiently rewarding farmers, foresters and land managers**”.

Finally we are unsure as to what i) refers to. If this means scheme options then it is essential that these are re-used, as many of the arable options contained in Countryside Stewardship have been scientifically researched and validated such that their contribution to the outcomes desired is known. If it means IT systems as indicated by David Kennedy in a recent EFRA inquiry session when he stated “*We have made a formal decision that we will use but improve the current SITI Agri system, which is the CAP delivery system for the first phase of the ELM pilot. While we may want to build a new system, or parts of a new system, as the enduring delivery approach for this scheme, for the very initial phase we will be using the existing system*” we are troubled by this as an enduring complaint of existing participants is the IT system. However, some modification might allay the worst of the failings in particular the need to regularly re-map their holdings, map to fine detail and the universal start date. These are already

seen as barriers to entry and will continue to be so unless removed.

7. Do you think the ELM scheme as currently proposed will deliver each of the objectives on page 8?

As stated in our general comment at the outset we are encouraged by the direction of policy with regard to scheme design and ambition. Our concern in answer to this question has more to do with the fact that we feel the two strategic objectives on p.8 again lack a key element – farmer and land manager engagement. We have already mentioned this as being lacking in the scheme design principles. It is important that the strategic objectives for the ELM scheme recognise that land managers are fundamental to the delivery of the desired environmental outcomes.

We are also concerned that the first strategic objective includes “...*prioritising between environmental outcomes where necessary*”. The carbon agenda must not eclipse the biodiversity agenda. The value of nature-based solutions to climate change is that they embrace several environmental outcomes and this should be a key focus within ELMs agreements. For example, the purpose of a beetle bank is to provide biological pest control services to the farmer and to reduce the need to use insecticides, which are shown to disrupt the in-field ecology. However, a well sited beetle bank can also provide habitat for bumble bees, earthworms, field and harvest mice, nesting sites for farmland birds, provide a barrier to surface run-off and erosion, allow water infiltration while locking up carbon through dead plant material on the bank building up each year.

8. What is the best way to encourage participation in ELM? What are the key barriers to participation, and how do we tackle them?

In order to get a broad view and provide constructive comment we sought the input from our membership on these questions. Not surprisingly the barriers to participation were generally the opposite actions to those encouraging participation.

Common themes for encouraging participation were the need for appropriate financial reward and adequate funding, flexibility (option design, start dates etc.), simplicity (in administration and scheme delivery), farmer/land manager engagement and trust. Overly prescriptive rules, poor scheme administration, delayed payments, reducing excessive regulation and uncompromising inspections with unnecessary focus on minor infringements were key barriers to participation. On the Trust’s 800-acre farm in east Leicestershire (the Allerton project) we have first-hand experience of what an inspection by the Rural Payments Agency (“RPA”) entails and the unnecessary focus on minor

breaches. As we had run the Cross Compliance Advice Service on behalf of Defra in the East Midlands region from 2006 – 2012, on many occasions our knowledge exceeded that of the RPA inspectors themselves, as exemplified following our first inspection where we successfully refuted 6 of the 7 alleged breaches. One particular example is where the measurement of a pond area was challenged; the difference simply being that it was measured at different times of the year when the water was at different heights!

Furthermore, even amongst participants who endured these negatives, their enthusiasm for participating and delivering the best outcomes became diminished. We need a fundamental shift away from the focus on finding failings, to an attitude of rewarding and celebrating success.

Whilst payment methodologies are explored further in Q12 the level of financial reward for ELM needs to engender a view of 'public good production' by the farmer/land manager in the same way as he/she would food production or diversified income streams such as hospitality and renewable energy.

Defra should consider ways to value existing habitats ensuring that those who already provide the features desired are not penalised, perhaps through the payment of a maintenance grant. This is of critical importance and lessons should be learnt from the past. Farmers who have already excelled in habitat creation and maintenance should not be precluded from entering these into ELMs provided they are delivering recognised public goods. We accept that it is not necessary for public money to pay for the creation of habitats or features already *in situ*, but a maintenance payment is entirely justifiable. Without recognition and reward for these environmental assets there is substantial risk of un-intended consequences where habitat is destroyed in order that financial reward is gained by re-creating it. This is nobody's desire or interest.

As mentioned above in answer to Q6 and Q7, participation levels will reflect the level to which the scheme is considered by farmers/land managers to be accessible and inspiring as well as flexible and simple to administer and deliver. The three tier scheme being proposed demonstrates that consideration is being given to the different aspirations of farmers/land managers with a simple scheme at the first tier leading to more complex schemes at tiers 2 and 3 that require higher levels of farmer motivation and effort. For these more complex schemes some element of payment by results could support a less prescriptive approach to scheme delivery. This is important as overly prescriptive scheme rules have been seen as a barrier to entry as they do not fit all farming/land management systems.

Significantly appropriate and trustworthy advice, properly funded support, improved

scheme administration and reduced red tape were additional factors which our Members consistently mentioned. Trust is a difficult intangible to address but, given the historic issues with the Rural Payments Agency (RPA) and delivery of the EU AES schemes, not unexpected. Defra has clearly understood these barriers and we hope that the direction indicated by this policy discussion in terms of oversight and funding will re-establish trust. In regard to trustworthy advice thought needs to be given to using language in supporting material that farmers/land managers understand. It needs to be written to be understandable by them rather than for conservationists.

An additional point we would also like to emphasise is the need to ensure that there are a wide variety of options covering all farm systems. Whilst this point is addressed within the policy discussion document e.g. tier 1 standards for different farm types, historic AES schemes were largely orientated towards arable farming systems and often very prescriptive. Options are needed to incentivise livestock farmers in intensive grassland areas or mixed farming systems in particular where the considerations for establishing field margins for example are different from an arable farm. Again, flexibility is needed. Agro-forestry is a good example of a new option that, sited correctly, could deliver a range of habitat, carbon sequestration, flood alleviation and animal welfare benefits.

9. For each tier we have given a broad indication of what types of activities could be paid for. Are we focusing on the right types of activity in each tier?

We are broadly supportive of the indications given regarding the activities paid for under each tier as they generally reflect our vision for agri-environment delivery post-Brexit. In our “Farming through Brexit” policy document we had proposed a three-tier scheme with a ‘foundation’ scheme akin to tier 1 delivering good agricultural practice, statutory requirements and some simple voluntary options. The higher tiers akin to tiers 2 and 3 of ELM we envisaged supporting biodiversity or other public goods through packaged options or longer term commitments in the form of conservation covenants or long term schemes with break clauses to support ‘transformative’ environmental outcomes such as peatland and chalk downland restoration.

However in each case we proposed that the schemes should be farmer-led, with a bottom-up approach to maximise engagement. We are concerned that the focus on specific government objectives such as net zero in Tier 3 could result in them being too top-down and overly prescriptive in approach. The policy document states “*Land use change projects could be decided strategically at a national level to ensure funding is focused on projects we expect to make the strongest contribution towards our national environmental priorities*”. We believe that the use of clear spatial targeting and an

appropriately designed payment methodology will be sufficient motivators to encourage land managers/farmers to participate in Tier 3 schemes and bring greater heterogeneity within the landscape.

In a recent one-off session with the EFRA committee David Kennedy indicated that Tier 1 (and to a degree Tier 2) was focused on the delivery of sustainable farming through options addressing soil health, grassland management etc. We feel that this motivation should be given more emphasis, perhaps as a package of options, to encourage the commercial farmer to adopt ELMs alongside productivity grants.

We also feel that to reflect the need for flexibility there should be minimum requirements for each activity but that the delivery of it should be based on local understanding and individual farm circumstance. This is where good advice from a well-trained, knowledgeable adviser will be invaluable (see answer to Q14 for more).

One additional scheme element that our experience of being involved in collaborative schemes has revealed (i.e. Tier 2 and possibly Tier 3 schemes) is the need for a training scheme for facilitators (see answer to Q10 below).

Whilst education is a specific activity addressed under Tier 2 we would like to see educational access support separated from environmental payments to ensure that it is accessible to as many farmers as possible. Such an approach is very much suited to the collaborative, farmer clusters concept, local environmental delivery and to the land use change projects. Delivery therefore must be aligned to the broader policy objectives of the Food Strategy and 25YEP as well as the national curriculum and, we propose, evaluated in relation to these objectives.

10. Delivering environmental outcomes across multiple land holdings will in some cases be critical. For example, for establishing wildlife corridors or improving water quality in a catchment. What support do land managers need to work together within ELM, especially in tiers 2 and 3?

To some extent answering this question brings together various points made in answer to other questions in this consultation – the need for scheme flexibility, good advice, appropriate consultation and engagement and an understanding of what is involved so that the financial reward is commensurate with the public goods delivered. However specifically the key to supporting land managers working collaboratively is ensuring they take the lead in a “bottom-up” approach. The Trust has extensive experience of this having designed the Farmer Cluster concept in association with Natural England.

Clusters are designed to be farmer-led so the right choice of lead farmer is important to

success. Invitations are sent to prospective members to an informal meeting, where they can discuss the area they manage – whether that’s centred on a geographical feature such as a river or valley, or simply some friends who farm a contiguous area of land – and what they hope to achieve. This is why we say it is vital that there is clear spatial targeting of national and local environmental priorities so that this information is known. Once the members have agreed on what their priorities are, the final step is to choose a facilitator – a local professional conservationist who can advise on improvements; offer training in monitoring techniques, law and other practicalities; liaise with Natural England; bring in experts for assistance and training; expand the participation and otherwise provide support to the project.

However, we are aware of potential clusters that lack a dynamic coordinator as the lead farmer is motivated but too busy to coordinate the group. The GWCT has experience of running courses for conservationists and farmers/land managers alike and so would be in a good position to work with Defra on developing and running such courses.

In addition Defra needs to give careful consideration to the application method for a groups of farmers working together (Farmer Clusters). If the intention is to deliver large scale biodiversity outcomes or land use change, it is likely to be necessary to submit a single application across the proposed scheme area rather than, say, 40 individual applications (it is not unusual for up to 40 farmers to be in a Farmer Cluster). These landscape scale projects will develop and evolve over time, so need to be flexible as to how measures are apportioned appropriately across the farms as the project progresses. This also has the merit of administrative simplicity with a single scheme application covering a large area of land. Furthermore, experience shows that this approach can add significant value for money and we would be happy to discuss this further with Defra officials. We suggest this is explored in the Pilot Phase (see Q16).

11. While contributing to national environmental targets (such as climate change mitigation) is important, ELM should also help to deliver local environmental priorities, such as in relation to flooding or public access. How should local priorities be determined?

As mentioned above a bottom-up approach to all ELM tier schemes is important to engender farmer/land manager motivation and this will largely reflect local considerations. Although in policy terms national and local priorities may be different, in practical land management terms many of the causes/trigger points are similar and the means to address them similar. As has been said many times, nature and climate change are inter-related topics and given the right emphasis on nature-based solutions

to climate change, it should be possible for local and national objectives to be addressed simultaneously – albeit at different scales. In our survey of members, many of whom come from the landowning/farming community, there was strong support for local engagement with the general public, particularly those with a long period of residency in the area and those with an expressed interest in wildlife and nature – “talk to the locals” was a theme consistently endorsed. We consider then that focusing on local engagement and providing clear spatial targeting and appropriate financial reward for national targets should provide the necessary framework for effective policy delivery.

12. *What is the best method for calculating payments rates for each tier, taking into account the need to balance delivering value for money, providing a fair payment to land managers, and maximising environmental benefit?*

For Tier 1 we are supportive of the proposal to provide a payment for actions that covers income foregone and costs incurred. However we would advocate a top-up ‘reward’ payment that would reflect the quality of the option delivery over time (e.g. habitat maturity) and could be used to support the ‘maintenance’ payment where farmers have already provided the environmental goods being sought. Ensuring a fair reward will be important in encouraging as many farmers as possible to be in Tier 1. This in turn will ensure farming standards are on a level playing field which could be an important consideration in trade negotiations.

Farmers should also be paid for delivering public goods even where there is a statutory requirement such as hedges. The Trust regularly comes across situations where a farmer was paid to remove his hedges under an agricultural production grant scheme and then paid to replant, as part of a habitat re-creation scheme, alongside a neighbouring farmer who maintained his hedges throughout. Both cases need reward. In addition to continue the example of hedges, should these be omitted from scheme reward then the delivery of a wide range of public benefits would be at risk – hedges are usually supported by an accompanying grass or wildflower margin; if hedgerows are cut less often more carbon is stored; they provide landscape quality and visitor attractions; they improve water quality through reducing run-off; they support a diverse range of farmland and songbirds, mammals, butterflies and other wildlife; the list is virtually endless! Why therefore should farmers not be paid for hosting these national assets on private land that deliver so much of what the public wants? We are therefore concerned with the idea that the payment rate might be amended as regulations change. This could lead to unintended consequences such as indicated above.

We support the desire to reward Tier 2 schemes using some element of results-based

payments. These will need to reflect the complexity of these schemes and the multiple benefits derived yet rely on simple assessment techniques with few wide-banded payments e.g Sub-standard, Standard, Super-standard. Whilst this approach is being explored in the PbR test and trials in arable and grassland situations, should the scheme be expanded to include peri-urban land then the opportunity costs of that land is likely to require a higher level of reward.

The schemes within Tier 3 are likely to be key areas where blended finance is sought (see Q13 below). However, at this stage we are concerned that for some public goods the evidence base for natural capital valuations is limited to non-existent e.g. farmland birds. In these cases private money may be harder to attract without some form of initial government support until these markets develop. Defra should be engaging with ourselves, and others who have undertaken farmland bird research, to establish the basic costs and benefits of farmland bird recovery.

13. To what extent might there be opportunities to blend public with private finance for each of the 3 tiers?

We believe that such opportunities should be encouraged as they give greater security to the delivery of the public benefit; in other words there is more than one motivation to ensure scheme success. This means that we believe this should be possible within all tiers with for example soil management in Tier 1 also being of interest to water companies, food producers/processors etc. What is key here however is that there has to be an acceptance that the farmer/land manager can “trade on their environmental good delivery” and get paid by another customer (in addition to government).

In this regard in our own areas of expertise we would highlight two examples:

1. The potential contribution of sporting estates and managers, in particular grouse moors, to local and national policy objective delivery via all 3 tiers. In many cases sporting estates are already examples of a blend of public and private finance where habitat provision is supported by agri-environment scheme payments and the accompanying predator management provided by private investment. In the case of grouse moors, grouse moor managers have been actively blocking up drainage ditches for 15 years or more to aid peatland restoration and have been pivotal in the Yorkshire Peat Partnership, Moors for the Future and Lancashire Peat Partnership projects. It is also worth noting that in cases where wildfire control is required in the uplands, grouse moor employees often provide supporting manpower and equipment to the fire services.

2. Food manufacturing companies and retailers are increasingly focusing on the supply chain of their raw ingredients. There are already good examples where farmers benefit from additional payments or the provision of free technical advice to create and manage habitat, paid for by their customer. Kellogg's has established a Producer Group and engaged independent experts to operate this on their behalf. The objective is to raise business and environmental performance concurrently, with a special focus on farmland biodiversity. We worked with Nestle in creating a bespoke web-platform that their farmer members use to record details of the environmental measures they have carried out on their farms (see answer to Q15 for more on this). Each measure is given a points value and when this exceeds 3,000 it automatically triggers a premium payment per litre of milk supplied. There is no formal inspection process; farmers simply up-load pictures of their activities onto the platform where they can be viewed by their customer. This data can then be used by Nestle to work out how much environmental gain their supply chain delivers. There are also manufacturers seeking supply chain partnerships to trade and offset carbon emissions through the chain. These will increase and will provide additional motivation to land-owners to do more and achieve more.

14. As we talk to land managers and look back on what has worked from previous schemes, it is clear that access to an adviser is highly important to successful environmental schemes. Is advice always needed? When is advice most likely to be needed by a scheme participant?

The GWCT believes that good, knowledgeable advice is fundamental to good scheme design and the more complex and more ambitious the scheme the more advice that is needed. In addition for collaborative schemes there will need to be the ongoing involvement of an adviser/facilitator.

The key to the acceptance of the advice by the scheme participant will be allowing the farmer/land manager to choose their own advisor. As a result, advisors will need to come from a variety of backgrounds – agronomy, conservation, woodland, sporting, agri-business etc. – with often a range of input needed (particularly on the more complex schemes). We believe that having this range is very important in ensuring a variety of choice and expertise.

We envisage varying 'levels' of advice input. For Tier 1 options and required 'standards' advice could be online supported by a telephone help/advice line, as was provided in the early days of Cross Compliance. For Tiers 2 and 3, where schemes that meet local

and national objectives will need expert sign-off, more in-depth advice will be required provided by land agents/agronomists/NGOs etc. This advice would either be paid for by the farmer or form part of their service package. As is the case currently, collaborative scheme advice would most likely be provided by the facilitator/advisor and the cost would be paid for from the facilitation fund.

Advice is also likely to be required with self-assessment in the use of apps or in procuring or undertaking surveys. In addition Dame Glenys Stacey in her Farm Inspection Review final report emphasized that advice is part of good regulation – *“The regulator should be responsible for ensuring on-farm, holistic advice is available to farm and land managers.”*

Finally it will be important to have available a central database of ‘accredited’ advisers with their key skill sets that is easy to search. This could build upon the Farm Advice Service that Defra funds. This database should be comprehensive but also vital in ensuring a ‘common standard’ of advice. As mentioned in answer to Q9, to ensure this we would recommend a ‘standard’ conservation management qualification that all advisers are required to take. This could build upon the BASIS Certificate of Conservation Management which is designed for professional advisers such as agronomists, land agents and conservation advisers working with farmers on a full range of issues such as sustainable agriculture, environmental management, conservation or stewardship agreements thereby preparing them to advise and implement effective farmland conservation management. The syllabus currently covers four modules which include soil and organic matter management, water management, farmland wildlife and conservation and finally the wider farmed environment and farming standard.

15. *We do not want the monitoring of ELM agreements to feel burdensome to land managers, but we will need some information that shows what’s being done in fulfilling the ELM agreement. This would build on any remote sensing, satellite imagery and site visits we deploy. How might self-assessment work? What methods or tools, for example photographs, might be used to enable an agreement holder to be able to demonstrate that they’re doing what they signed up to do?*

We are supportive of the desire to include an element of self-assessment in the monitoring of ELM agreements but also understand that light touch regulatory checks will be required as public money is being invested.

The methods for self-assessment need to be accessible to all with hard copy and IT based approaches operating in tandem. Given the average age of the hill farmer in

particular and the current uneven playing field in terms of access to rural broadband, such applicants should not be discriminated against. Self-assessment might therefore take the form of an annual review by a farm assurance inspector or chosen adviser. The Farm Inspection Review led by Dame Glenys Stacey highlighted the value of earned recognition in minimising regulatory oversight.

Self-assessment for those on-line could simply require a scheme holder to report annually on the provision of habitat or the confirmation of activities undertaken by uploading geo-tagged photos, submitting work diaries or using other land management GIS-based apps or online data capture platforms such as Living Record to record activity or results. The key will be the usability for the farmer of the system adopted; many current platforms are designed for conservationists and require time and expertise to use. A good example already referred to above is the Nestle approach. A bespoke web-based platform was designed to allow each farmer to record their natural capital assets/environmental measures. In most instances this is habitat creation or maintenance for the benefit of biodiversity. Each measure is automatically given a points value and when this exceeds 3,000 it triggers a premium payment of 0.005 pence per litre on the milk supplied. Bonus payments of a similar amount are available for different activities promoted by Nestle such as hedge planting. There is no formal inspection process, farmers simply up-load pictures of their tree or hedge planting schemes onto the platform where they can be viewed by their customer.

We have long felt that land managers/farmers are practised in collecting data to drive their farming businesses and so the collection of environmental data would be a natural extension to this with data collected via ELM important in gaining an idea of species/habitat prevalence across the 'wider landscape' and not just on scientifically monitored sites. The key will be designing monitoring approaches that are simple and practical for the farmer/land manager to adopt.

It makes sense to link methods to the habitats that the farmers will be paid for under ELMs. ELMs options could have a menu of monitoring methods that farmers could choose from such as:

- counting species found in a quadrat or other sample sites; or
- counting species along a transect; or
- pond dipping or kick sampling; or
- species observed during a specific time period.

In addition to individual habitat options the monitoring could be at the farm scale and

involve counting species such as butterflies on a circular route round the farm or mapping bird territories.

There are a number of farm biodiversity monitoring schemes already operating such as the Big Farmland Bird Count (see below), the GWCT's Partridge Count scheme, the Big Butterfly Count and the British Bird Survey. These require different levels of rigour in data collection. The key for ELMs will be ensuring that useful information is collected without the need for a lot of time or expertise.

The Trust is involved in a Test and Trials in this regard called "On Farm Practitioner Monitoring". This is testing the idea of selecting 'indicator' species or habitats that are straightforward to measure, and teaching farmers/land managers/volunteers how to survey them. Working with six farmer clusters those involved were offered a suite of methodologies from which they could choose the one that related to their area of interest. Workshops were held to provide guidance on how to undertake the method chosen and the data collected by the farmer was verified by a follow up visit. Feedback was sought but this has been affected by the Covid pandemic. What is clear however is that single species monitoring works best and provides useful data where an indicator species is chosen such as yellowhammers or grey partridge.

Furthermore our experience shows that farmer's involved in the monitoring of their schemes are more engaged. An example is the Big Farmland Bird Count ("BFBC") which was started by the Trust in 2014 (<https://www.bfbc.org.uk/>) and is sponsored by the NFU and partnered by the CLA, FWAG, Leaf, NFU Scotland and others. The BFBC was launched to highlight the positive work done by farmers and gamekeepers in helping to reverse the decline in farmland bird numbers. The count offers a simple means of recording the effect of any conservation work currently being instigated by farmers and gamekeepers on their land, such as the supplementary feeding of birds through winter or growing crops specifically to provide seed for birds. In 2020 over 1500 farmers took part and recorded more than 120 species across 1.4 million acres.

For Tier 2 and 3 where local and national targets are being addressed for species recovery or water quality or habitat restoration, individual self-assessment could be supplemented by third party monitoring – for example the facilitator/coordinator of the farmer cluster or local wildlife groups.

Consideration could be given to yearly reviews consisting of independent assessors and farmers working together, rather than inspections with verifiable standards and failures. These assessors would be UKAS-registered inspectors, able to perform a complete farm assessment, reducing the need for multiple visits. Yearly action plans would be drawn

up, based on the advice given at these reviews. Increased farmer engagement with such a collaborative, advisory process could increase motivation to achieve conservation goals. These reviews would be commissioned, paid for, and the inspector chosen by the farmer – as with many current certification schemes. The review cost would be reflective of farm size.

In either case, the key will be to monitor the trends – not results at a given point in time – and to support the inspection or review with appropriate advice if necessary.

16. Do you agree with the proposed approach to the National Pilot? What are the key elements of ELM that you think we should test during the Pilot?

In general we are supportive of the idea of using the national pilot to stress test ELM operation from inception to delivery on the ground.

Certainly for arable options we know what habitats are needed so the pilot could be used to assess how the scheme structure provides land managers/farmers with the incentive to dedicate 10% of their land to environmental good delivery. For other farming systems it will be a chance to consider how the options chosen operate within the everyday farm environment and whether the proposed payment level adequately rewards the farmer. For all farming systems it is an important opportunity to test the phasing out of the BPS and its replacement with ELMs.

It will also be a good chance to look at self-assessment options and how they work for both the land manager/farmer and the RPA or whether farm assurance can play a part. In addition it will be a chance to challenge the IT systems and whether they integrate with all the various apps, mapping software, terrier systems and farm management software that are used.

Whilst Natural England has some experience of collaborative working, as this is envisaged at a greater scale the pilot should be used to understand how farmer clusters are created and how motivation is maintained over the timescale required – 5 years, 10 years or 20 plus years if supporting transformative conservation. In addition the single Cluster application approach mentioned in Q10 could be tested in the pilot.

It should also be invaluable in understanding the extent and variety of advice required. As stated above farmers will choose an adviser they respect in their particular field of interest and so the key will be to work with these different specialisations and motivations.

17. Do you have any other comments on the proposals set out in this document?

We have a number of observations to make that we feel need consideration:

- What happens to those farmers who choose not to participate? How are basic cross-compliance type actions to be secured and their performance monitored?
- How will ELM operate alongside the productivity and R&D offer? What incentive is there for a commercial farmer to enter into this agreement? We feel that more emphasis needs to be given to the idea of tier 1 and 2 options supporting sustainable agriculture. This could be vital in encouraging the more market-orientated farmers to join the scheme.
- Designated sites – we have made this point in other fora but it is worth repeating here. If payments are going to reflect outcomes which are monitored then there is a need to update the JNCC Common Standards Monitoring guidance to reflect changes to scientific thinking where they have taken place.
- Other regulations or scheme conditions must not limit the conservation toolkit available if ELM objectives are to be delivered eg predator management for species recovery or restoration burning to support peatland regeneration. In both cases there is extensive scientific evidence that these management approaches aid the delivery of the public goods desired.
- “Value for money for the taxpayer” – this is an oft used expression in the document and accompanying policy paper but what does it mean at this stage given the lack of economic data related to some public goods such as farmland birds and mammals (a point we also made in relation to the Q12)? There is a very real need for natural capital accounting to be developed as otherwise making value for money for the taxpayer a priority may distort the outcomes achievable.
- Whilst we support the adoption of the Polluter Pays Principle we wish to point out that if Defra is to use ELMS to “*drive[s] implementation of the polluter pays principles over time*” (page 33 of discussion document) it is important that the polluter pays principle is equally applied across all sectors of society and the economy; it is unfair to single out farming. For example wastewater treatment plants and septic tanks are responsible for a significant proportion of elevated phosphate levels in rural watercourses. It would be entirely unfair to target farmers by effectively allowing other pollutant sources enhanced permissions compared to farming.

- Will reverse auctions lead to a “race to the bottom” rather than securing the best out-comes?

Game & Wildlife Conservation Trust

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