

Defra consultation on the implementation of CAP Reform in England
Report by Senior Waterways and Recreation Officer

Summary: This report provides members with a summary of the recently published Defra consultation on the reform of the Common Agricultural Policy (CAP) proposals insofar as they relate to, or have the potential to influence, access to the countryside. The report also summarises National Parks England's (NPE) response to the consultation and the Broads Local Access Forum's additional responses particularly regarding the ability of access to contribute towards the rural economy by supporting and providing opportunities for potential customers to access businesses and fostering the health and wellbeing of local communities, businesses and people.

Recommendation: That members note the contents of the report.

1 Background

- 1.1 The European Union (EU) is proposing to implement a new CAP package in 2015 and Defra is now consulting on how it should implement the reformed CAP in England. Many elements of the CAP package are covered by existing regulations and Government has no option other than to implement them according to European regulations. However, there is a degree of latitude regarding the way in which Government implements some elements of the CAP nationally. These particularly relate to the division between the two pillars of the CAP. Pillar 1 of the CAP deals with direct payments to farmers and Pillar 2 is specifically intended to promote rural development.
- 1.2 The consultation that was published by Defra in late October is specifically seeking views about how much of the funds provided by the EU should be focused on direct payments to farmers rather than being directed towards rural development through Pillar 2 payments. The Government believes that rewarding farmers for the environmental goods they provide is a much better use of taxpayers' money than providing direct subsidy payments. Government can transfer a maximum of 15% of the available funds from Pillar 1 to Pillar 2 payments. If the maximum amount was transferred from Pillar 1 to Pillar 2 this would equate to an additional £1.889bn being directed towards rural development rather than being focused on direct payments to farmers.
- 1.3 Government regards Pillar 2 as the best mechanism to fund environmental outcomes from farmland and considers that the Rural Development Programme has the potential to help farming and other land based businesses to become more productive while allowing for investment in areas

like tourism. A proportion of EU rural development programme funding received by Government (a minimum of 5%) must be delivered through the LEADER community led local development approach which focuses on funding projects across a range of measures including support for micro enterprises, tourism, culture and heritage, rural services and village infrastructure.

- 1.4 The consultation also puts forward proposals for the New Environmental Land Management Scheme (NELMS) which will combine a number of existing schemes under one new scheme.
- 1.5 This report highlights the specific questions that Government is seeking views on that are related to countryside access, summarises the National Parks England draft response to those questions and informs members of the Broads Local Access Forum's (BLAF) response. Members will recall that, at its meeting on the 11 of September, the BLAF agreed that a response to the consultation should be sent by the Chairman on behalf of the LAF as the consultation window fell between meetings of the forum.

2 Consultation questions relating to countryside access

- 2.1 **Question: Are there any elements within any Good Agricultural Environmental Condition (GAEC) that you think should or could be changed, implemented better, or excluded? If so why?** This question relates to government's desire to reduce the number of cross compliance requirements that will be included in the new scheme and is particularly relevant to access with regard to the way in which landowners and farmers management of existing public access on their land. NPE's response is set out below:

"We support in principle the proposal to reduce the number of cross compliance requirements.

For the Statutory Management Requirements (SMRs) this is from 16 down to 13. For the Good Agricultural & Environmental Conditions (GAEC) the reduction is from 16 down to 7. We support such a reduction where the requirements are already set out in legislation elsewhere as these do not represent a good use of public money. However, it is important that the existing legislation works and is being properly applied before cross compliance requirements are removed. We would hope that National Parks and other organisations with an interest in conservation and land management be consulted prior to changes in the requirements to properly test this and ensure no loss in environmental protection and public access. Examples where such specialist knowledge is important are the need to consult NPAs over the historic importance of dry stone walls before removal; and to retain access to CROW land in the revised guidance.

We would strongly recommend that all features identified in baseline data sets recording environmental and access information (including heritage assets) are retained and form part of the cross compliance so that locally and

regionally important assets are included – not just nationally. Such heritage assets are included in the Selected Heritage Inventory for Natural England (SHINE).

We would be pleased to take part in the proposed further consultation on GAEC requirements early next year.”

- 2.2 The BLAF has previously indicated that any removal of cross compliance with regard to access would be of concern. While supporting the NPE response The BLAF response therefore emphasised the importance of cross compliance with regard to access and the ability of the access network to contribute to local economies.

- 2.3 **Question: What lessons can be learned from the current Rural Development Programme? How can we build on its successes?** This question specifically relates to the ability of the RDP to deliver outcomes for local communities. NPE’s response highlighted the role of the Broads and national Parks generally in this regard:

“The National Parks across the UK have had considerable experience in working with farmers, through established relationships, on the provision of public benefits from public funds. Indeed, the Environmentally Sensitive Area scheme was born in the Norfolk Broads, whilst National Park Authorities have been behind many innovative projects (available on request) to further economic, social and environmental outcomes. The first purpose of National Parks expressly relates to conservation; the second relates to opportunities for understanding and enjoyment, whilst the duty on NPAs and their culture means they fully recognise the need to work alongside the farming community to deliver long term benefits. From this experience, we believe a number of lessons can usefully be learnt. These include:

- *the need for greater integration between the themes of the new RDR (joined-up delivery) (see above);*
- *there is untapped potential to use National Park Authorities more (either through facilitation and/or actual delivery of schemes) given their proven track record in this area and in establishing long term partnerships;*
- *the value of small grants that are easy to administer and quick to process;*
- *the National Parks as models for linking conservation to wider rural development priorities e.g. through an appreciation of the inter-relationship between farming, landscapes, biodiversity, access, and community needs and benefits; provision of ecosystem services including health and well-being; the value of continuously improving the rights of way network so that it continues to support tourism and recreational needs as they continue to evolve;*
- *strengthening the connections between the environment and the local economy*
- *annual and capital works payments for access can target network improvements and lead to more permanent access where land owners/managers have initial concerns;*
- *the need to ensure skills training is part of the new environmental land management scheme (NELMs); and*

- *the need for improved promotion of access opportunities through the relationship with Local Access Forums (LAFs), Local Nature Reserves, and potentially Local Enterprise Partnerships (LEPs).*

Continuity of these programmes is crucial together with building on established relationships between farmers, rural businesses and local experienced advisers.”

2.4 The BLAF response supported NPE’s comments and emphasised the fact that access can contribute significantly to tourism and the viability of local businesses and communities. It also emphasised the importance of the role of access payments to encourage landowners to provide access which may become permanent. Members will recall that the withdrawing of access payments under the previous scheme was of significant concern to the BLAF.

2.5 **Question: Are the areas we outline for support under the new Rural development Programme set out above the right ones? How can we best target investment under the new RDP to help gain maximum value for UK taxpayers?** The issues identified were:

- Growth – Delivering rural economic growth
- Environment – restoring, preserving and enhancing our natural environment
- Productivity – increasing the competitiveness and efficiency of our farming, forestry and land based sectors.
- Innovation – promoting knowledge transfer, cooperation and sharing of best practice
- Advice and skills – promoting growth, productivity and improving environmental performance

2.6 NPE’s response emphasised the ability of National Parks to work with local partners to deliver outcomes for the RDP:

“We would like to see greater integration across the six priorities of the Rural Development regulation and believe that National Park Authorities are well placed to work with local partners as delivery agents for such an approach – perhaps by delivering a single pot approach to rural development. Sharing information, processes and IT systems across the Defra family would help to avoid duplication, deliver consistent messages and maximize value for money.

It is important that the next set of agri-environment schemes are focused on delivering multiple environmental benefits; with options that allow for delivery of landscape, biodiversity, carbon and water management, peatland restoration, historic environment, access, and education objectives; whilst also facilitating the production of high quality food through sustainable farming systems.

We would also like to see a move towards outcome based agreements with less focus on what some have described as management by prescription.

Local decision making, simpler application processes and agreements together with greater buy in and ownership from farmers, communities and businesses will help to target investment and gain maximum value for money.”

- 2.7 While supporting the general aims identified the BLAF response emphasised the importance of including options in the new scheme that allow for the development of access, historic environment, biodiversity and landscape objectives.

3. Question: What are your views on the structure of the proposed NELMS, in particular the landscape approach? This question relates to the way Government proposes to set out the NELMS by focusing at a “landscape” scale in accordance with the 2011 Natural Environment White Paper.

- 3.1 NP’s response to this question with regard to access was: *“We see NELMs as a key delivery vehicle for biodiversity and water policy objectives and that it should also take a multi objective whole ecosystem services approach (as advocated in the Government’s Natural Environment White Paper) - landscape, biodiversity, carbon and water management, peatland restoration, historic environment, access and recreation, health and well-being, education objectives and within the context of sustainable practical farming and food production. All of which will provide better value for money if delivered at a landscape scale.”*

- 3.2 The BLAF response supported this comment and welcomed the fact that the document identified that NELMS would contribute to the delivery of better, bigger and more connected habitats and closer engagement by people with the natural environment. The response also highlighted that connection between people and the natural environment effectively means provision of suitable access to the environment.

4 Question: Should we offer a capital only grant as part of the NELMS? This question asks if respondents consider that landowners should qualify for any grants for capital works under the NELMS.

- 4.1 The NPE response in relation to access is set out below:

“Yes a single capital only grant scheme for capital works such as the restoration of traditional boundaries (walls, hedges, banks) would encourage farmers and land managers to retain and use these traditional features rather than replace them with fences.

It could also provide for improvements to access infrastructure e.g. replacing stiles with self-closing gates, up grading key routes for wheel chair access, interpretation and information. Any grant aided new fences or restored traditional boundaries should also include support for improved access points. Educational access should continue to be supported so that a better

understanding of the role farming, the environment and the ecosystem services and public goods provided can be fostered.”

There is potential to use National Park Authorities, given their proven track record in this area, to deliver a simple capital grant scheme which has regard to farming, landscapes, biodiversity, access, and community needs and benefits. An alternative approach would be to require approval from NPA’s prior to any work commencing.

- 4.2 The BLAF response supported these comments and emphasised the importance of the provision of grants for improving access standards and upgrading existing routes specifically for disabled people, cyclists and horse riding given that this could benefit local communities and businesses.

5 Questions: How can we strengthen LEADER’s contribution to delivering jobs and growth in rural areas? How can we make the LEADER approach more effective and deliver better value for money?

- 5.1 NPE commented as follows: *“The LEADER approach, based on a local assessment of need, works well and delivers integration and multiple outcomes for the local environment and economy. The LEADER approach could be made more effective and deliver better value for money by closer alignment with LEP growth strategies and a greater focus on initiatives in specific sectors – small and medium sized enterprises, strengthening the links between environment and economy, young people, broadband, farm diversification, tourism, recreation, forestry, local foods and food chains.”*
- 5.2 The BLAF response echoed the NPE statement and emphasised that the new scheme presented an opportunity to link agri-environment with the marketing of local businesses and food production, new products and services for tourism such as the provision and the promotion of access routes which link accommodation, local food and recreational opportunities.

6 Conclusions

- 6.1 The consultation CAP reform is to be welcomed as it gives Local Access Forums, National Park authorities and the public authorities generally an opportunity to reinforce the importance of access to the countryside to the development and health of local communities and businesses. The consultation document accepts that the natural environment is an important cultural and economic asset and that the public benefits supplied by landscape and the historic environment in rural areas provide a major contribution towards the rural business economy through tourism and recreation.
- 6.2 Both the NPE response to the consultation and the BLAF submission emphasise the importance of access, landscape and cultural heritage to the NELMS and the new RDP because of its ability to contribute to Governments desired outcomes for the new scheme. The BLAF response also used the most recent STEAM figures to demonstrate the importance of tourism to the

Broads. It is hoped that when the new scheme is implemented sufficient support will be given to the improvement and promotion of public access and understanding of the countryside given that it is inextricably linked to the economic health and wellbeing of local communities and businesses.

Background papers:	Nil
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Broads Plan Objectives:	TR1, TR2, TR3
Appendices:	Nil