

Commons Report Stage of the Agriculture Bill Briefing for MPs

March 2019

Greener UK is asking MPs to put their names to, support, and vote for the following amendments:

Secure long-term funding for the sector	(amendments 8, 12, NC26)
Set duties not just powers	(amendment 36, NC27)
Establish strong regulatory standards	(amendments 28, 61)
Productivity payments provide value for money	(amendment 60)
Trade policy will not undermine standards	(NC1, NC4)
Set objectives to drive policy long term	(NC25)

Executive summary

The Agriculture Bill is an unprecedented opportunity to revitalise the countryside in a way that meets the needs of people, farming, food and the environment, for generations to come. Greener UK believes in a food and farming system that encourages nature and landscapes to thrive, supports livelihoods and local communities, ensures animal welfare standards, and has public health and wellbeing at its heart. If the UK is to develop both a long-term plan for nature's recovery and a long-term plan for food and farming, it must ensure both approaches are joined up and united around an ambition to protect and enhance the ecosystems that underpin sustainable farming - our soils, freshwater and natural habitats.

For years, many farmers have struggled within a food and farming system that delivers little profit and few incentives to do the right thing for the environment. The EU's Common Agricultural Policy (CAP) is widely regarded as inefficient and ineffective by farmers and land managers, conservationists and economists alike.

The Agriculture Bill should not be seen as the totality of government food, farming and rural policy. Other strategies are needed, particularly to address issues such as healthier eating, food poverty, food security, and the rural economy, including via the Food and Farming Sector Deal, consideration of public procurement, research and development in the sector, and rural development more widely. Similarly, it is vital that the final withdrawal agreement and future trade deals do not harm UK farmers' ability to export to European Union countries, or undermine our own standards.

Greener UK priorities

Greener UK welcomes the overarching direction of the bill and the government's focus on 'public money for public goods'. The public goods approach is an opportunity to deliver environmental, animal welfare and access objectives at the same time as providing farmers and land managers with a secure, long-term income stream. However, there are some areas that require improvement and we are therefore supporting the following amendments.

Secure long-term funding for the sector (amendments 8, 12, NC26)

The bill should place a duty on ministers to set multi-annual budgets that reflect the scale of financial need associated with its aims.

The need for assurances around the future funding of farming and land management policies is Greener UK's top priority for the bill. The agricultural industry requires long term planning to provide farmers with certainty over both the longevity and amount of funding available to be able to invest for the future with confidence. Multi-annual contracts may provide a degree of certainty for individual farmers and land managers (though as it stands these are not guaranteed by the bill), but certainty is also needed for the sector as a whole.

At present, the bill is silent on this central issue and much more assurance is needed from the government on the amount of funding that will be available to farmers and land managers in the future. **NC26** aims to ensure that future budgets are set in line with an independent assessment of the funding needed, ensuring that the money available to farmers and land managers matches the scale of the Government's environmental ambition set out in the 25 year environment plan, and its commitment to enhance animal welfare standards. A recent [report](#) found that at least £2.3 billion a year is required to ensure the UK meets its current environmental land management commitments alone, not including other environmental targets.

Currently, around £3 billion is paid to farmers and land managers each year and, although the government has guaranteed the same quantum of funding up to 2021, this is a one-off commitment and more assurance is needed on future funding.

The funding should also provide for good quality, consistent advice and guidance, which is accessible to all farmers and land managers, particularly those who currently lack the funding, time or expertise to develop business and land management plans.

In addition, Greener UK supports **amendment 12**, tabled by the EFRA select committee, which requires government to set a multi-annual financial framework for the duration of the agricultural transition period (2021-2028), with regulations made before the transition begins. **Amendment 8** would have a complimentary effect, ensuring that any money moved between budgets is retained within the

farming and land management system. The Secretary of State, in front of the Lords Rural Economy Select Committee on 22 January 2019, said *"I do think there are powerful arguments for a multi-annual financial framework for farming."*

If these amendments are not passed, ministers must make it clear how they intend to provide the long-term security that the industry and environment needs. In other sectors, such as transport, international aid and social housing, funding has been set and guaranteed beyond the lifetime of the current parliament. Likewise, the Office for Budget Responsibility (OBR) agreed a five year funding allocation from the Treasury, starting in 2016-17. If the government is asking farmers to invest in a new scheme, it must follow this precedent and provide the certainty and security of long-term funding. If this certainty is to come from future processes such as the comprehensive spending review, Ministers must make this clear now.

Set duties not just powers (NC27, amendment 36)

The bill should include duties for ministers to act, not just powers to do so:

Whilst Greener UK recognises that the bill provides a framework for a 'public money for public goods' approach, this framework is highly discretionary as the bill has an over-reliance on policy, and places too much power in the hands of the executive. Such an approach also fails to reflect the urgent need for action. This has already been criticised by the House of Lords Delegated Powers and Regulatory Reform committee, which was 'dismayed' by the approach taken by the bill.

NC27 and amendment 36 aim to address this imbalance by introducing duties on the face of the bill that will allow authorities to be held to account if they fail to achieve the purposes set out by the bill. NC27, in particular, requires the government to develop an environmental land management scheme (ELMS) for England, an action that the bill, as it currently stands, does not require them to do.

Establish strong regulatory standards (amendments 28, 61)

The bill should provide a requirement, and the powers necessary, to secure strong regulatory protections for farming, the environment and access to the countryside.

There is currently no provision in the bill for the necessary powers to secure a strong regulatory framework for farming and land management. Without properly enforced regulatory standards, any public investment will inevitably be undermined, regardless of the receipt of financial assistance.

Greener UK, therefore, supports **amendments 28 and 61** which will go some way to securing standards for future payments, by ensuring that recipients of public money under the agriculture bill have to abide by relevant regulatory standards. In particular, any land managers who are not meeting regulatory standards should not be receiving public payments. This will be crucial to secure a level playing field for farmers, and value for money for the taxpayer.

Ensure payments for productivity provide value for money (amendment 60)

The bill should ensure that all payments empowered by the bill work towards the same overall objectives, do not undermine each other, and therefore provide value for money.

Greener UK welcomes the government's commitment that future policies will be "underpinned by payment of public money for the provision of public goods". However, there should be safeguards in the bill that ensure any payments, including those for productivity, contribute to the delivery of these policies. At the very least, the bill should ensure that payments do not directly undermine each other.

Amendment 60 requires that any money being paid to farmers and land managers for starting or improving productivity activities, is being paid for sustainable productivity activities that align with the overall objectives of the bill.

Ensure that international trade policy will not undermine domestic standards (NC1,NC4)

Ministers need to provide legislative assurances on how animal welfare, environmental and quality standards will be maintained in any future trade policy.

Importing poor quality food produced to lower environmental and animal welfare standards after leaving the EU poses a fundamental risk to UK agriculture. Without safeguards against low quality, unsustainable food, future international trade policy could undercut British farmers and undermine domestic environmental progress in the UK.

Greener UK therefore **supports NC4**, tabled by the EFRA select committee, **and NC1**, both of which would provide legislative safeguards against the imports of agricultural goods that do not meet UK standards for animal welfare, environmental protection and food safety.

Ministers have repeatedly made a commitment to maintain standards in future trade deals, and legislating through the agriculture bill to deliver on this will provide consumers and the public with assurance that their safety and environment will not be jeopardised.

Set objectives to drive policy long term (NC25)

The bill should require ministers to develop and report on measurable objectives relevant to those purposes set out in Clause 1(1).

To meet its overarching aims, the bill should require ministers to develop objectives for existing commitments as well as the new ambitious targets needed for nature's recovery and a healthy environment.

NC25 requires that within two years of this part of the bill entering into law, the government must bring forward objectives to meet the broad purposes in Clause 1(1), the protection and welfare of livestock as sentient beings, and the recovery of nature.

An upcoming opportunity to meet this amendment will be the new environment bill. This bill should comprise an overarching duty on all public bodies to secure the maintenance, recovery and restoration of the environment so that it is healthy, resilient and sustainable for the benefit of people and wildlife. The bill should have a full set of thematic and time-bound objectives which the secretary of state must achieve to comply with the overarching duty.

In this vein, Greener UK supports **NC8** to set a net zero target for agriculture and **NC11** which promotes pesticides reduction targets and integrated pest management.

This approach – whereby objectives are specified by law – is essential if we are to create long-term stability and certainty for farmers, and promote enduring action for the natural environment and animal welfare.

Greener UK concerns

All too often, the wider food system in the UK fails to live up to its enormous potential to deliver for the public good. At its worst, it jeopardises the natural environment, endangers the future security of our food and welfare of livestock, and widens the inequalities in health and access to quality green space. It also places UK farmers in a situation where they are finding it harder and harder to succeed. This is why Greener UK welcomes the Government's commitment to payments for public goods. However, several amendments have been tabled that we believe would undermine this approach and jeopardise the bill's potential to secure long-term improvements in the food and farming system.

Purposes for public payments (amendments 4, 6, 7, 29)

Retaining a clear focus on public goods for financial assistance is crucial if the agriculture bill is to mark a clear break from the EU CAP.

Public goods such as climate change adaptation, soil health and more sustainable water management are all integral to the future of food production. Restoring natural processes will take decades, and needs the focused approach to support currently envisaged in the agriculture bill.

The following amendments would dilute that focus, decouple the bill from the current government's positive vision for future policy, and effectively create a less generous, less certain, less secure version of the CAP.

Amendment 4 would enable a regressive return to payments directly in return for food production, an approach associated with market distortion, potential environmental harm and poor use of taxpayer's money.

Amendments 6 and 7 would enable a continuation of the status quo, derailing one of the primary opportunities associated with the UK's departure from the EU: a clear break with the CAP.

Amendment 29 points to a legitimate concern about the future of rural communities and landscapes of the uplands. Upland farms are often smaller or family businesses that may lack the resources to develop land management plans on which future payments will be based. Smaller farm businesses are likely to be those least able to cope with changes to payment structures.

However, farms in these areas will be well placed to benefit from public goods payments given the opportunities that exist in the uplands for environmental enhancement, cultural heritage, climate change mitigation and public access. Just 13 per cent of England is categorised as upland yet it contains 86% of its open access land, one third of its ancient monuments, and one fifth of England's forest areas – all of which are listed in section 1(1). In order to protect and enhance upland landscapes, Ministers must guarantee that future ELMS take into account opportunities for nature's recovery and environmental enhancement in distinct areas. In addition, Greener UK is calling for guarantees that future funding provides for good quality, consistent advice which is accessible to all farmers and land managers, particularly those who need most support through the transition.

However, Greener UK believes the agriculture bill and the new ELMS rightly focuses on farming and land management, and other policies should be used to better meet the wider needs of disadvantaged rural communities. The upcoming Shared Prosperity Fund (SPF) would be one such policy. Instead of supporting amendment 29, Greener UK is asking Ministers to guarantee that the SPF will be widely consulted on with rural stakeholders and clearly "rural-proofed".

Narrowing of recipients (amendments 50, 55)

Farmers and farm businesses stand to be the primary beneficiaries of public goods payments.

However, **Amendments 50 and 55** would severely limit the potential of the Bill in achieving its central aims, by limiting the scope of the bill to not support wider land management. By limiting payments to agricultural businesses and agricultural land only, the amendment would:

- Make it impossible to support non-commercial woodland owners, such as community woodlands, to plant more trees. This would have major implications for the ambitions of the great northern forest and the associated public good such a project would provide.
- Prevent local communities as a whole from engaging with any future scheme, such as using habitat creation or natural solutions to protect themselves from flooding.

- Limit the restoration of non-agricultural habitats, such as blanket bogs, which will play a vital role in the future for climate change mitigation, and limit the potential of the bill to reduce water bills by improving raw water quality.

Greener UK believes some restrictions on recipients is necessary, such as for public bodies or to avoid local councils using payments for local park upkeep. But **amendments 50 and 55** tighten the definition far too much and could lead to many perverse outcomes, including those identified above.

Definition of agriculture (NC2)

More than any other industry, agriculture depends upon the natural world for its present and its future prosperity.

New clause 2 would introduce an unacceptably narrow definition of agriculture, at a time when the future of farming depends upon a more holistic approach that enables farmers to produce food without jeopardising the natural resources that future food production depends upon.

This new clause also gives rise to potential perverse consequences. For example, by stipulating that “agriculture shall be undertaken” in accordance with the principle of increasing production, it reduces the focus on producing for the market which most would recognise as central to a modern industry. Similarly, requiring agriculture to be undertaken in a way that achieves “security of food supply” potentially places this requirement on individual farmers, which is neither fair nor reasonable.

We therefore view this amendment as unnecessary, and potentially unhelpful.

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Greener UK is a coalition of 13 major environmental organisations united in the belief that leaving the EU is a pivotal moment to restore and enhance the UK's environment.

Greener UK is working in partnership with Wildlife and Countryside Link.

Together, Greener UK and Wildlife and Countryside Link members have the support of over eight million people.



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