



Environmental Land Management – Policy Discussion

Response by National Parks England

July 2020

Summary

1. National Parks England (NPE) exists to provide a collective voice for the nine English National Park Authorities and the Broads Authority – all of whom are Local Planning Authorities. NPE is governed by the Chairs of the ten Authorities. Our response to the [Environmental Land Management Policy discussion](#) represents the collective view of officers who are working within the policies established by the National Park Authorities (NPAs) and the Broads Authority and follows internal consultation with all ten English National Parks represented on the Agriculture and Rural Development Working Group.
2. The National Parks and Broads Authorities cover 9.7 % of the area of the country and all have a great deal of experience in environmental land management. Most authorities have a long history of engaging directly with agri-environment schemes, supporting farmers and land managers to access these schemes, and delivering their own local environmental land management schemes. Currently, all English National Parks are participating in Defra's Environmental Land Management (ELM) Tests and Trials project.
3. Appendix 1 sets out our draft response to the questions posed in the policy discussion document. In summary, we are supportive of the proposals as outlined, but we wish to stress the following key points in no particular order as this discussion moves forward:
 - a. ELM should focus on the delivery of a full integrated range of public good outcomes at a landscape scale including cultural heritage, public access, and engagement.
 - b. Nature Recovery should be at the heart of ELM, enabling a natural approach to Climate Change adaptation and mitigation to create resilient landscapes. Nature Recovery Networks should ensure connectivity both within and beyond their boundaries, and National Landscapes¹ should form the backbone or the 'green heart' for these Networks.
 - c. ELM local priorities should be set at a national landscape level through their statutory management plan processes. These processes provide for stakeholder engagement and enable a multi-benefit approach. National Parks as planning authorities are particularly well placed to provide a holistic approach to enhance and manage those special qualities and can act as environmental brokers between private and public entities².

¹ National Landscapes are defined as National Parks and Areas of Outstanding Natural Beauty.

² We recognise that Local Nature Recovery Strategies will play a role in local priority setting and engagement, but these should correspond to the boundaries of National Parks or wider as recommended by the independent Landscapes Review. Local priority setting should not be restricted to LNRSs as this process will not deal with

- d. ELM needs to be attractive and incentivise participation by providing sufficient funding to deliver ambitious land use change and scheme delivery. Investment in local, trusted advice, support and facilitation should be seen as a way to deliver better environmental outcomes and support land managers in the transition to environmental management.
 - e. Given the significance and importance of national landscapes to the public they should be key priority areas for ELM investment. National landscapes can play an important role in fostering public support for use of public funds by explaining to visitors the role that land managers play in shaping and managing the landscape they have come to enjoy.
 - f. There is a need for a clear and effective regulatory baseline that protects natural and cultural assets. We are concerned that this regulatory foundation does not appear to be in place: it needs as a basic minimum to carry forward existing cross-compliance requirements (but embedded in legislation) and implement the polluter pays principle.
 - g. ELM will be an important tool to deliver the Government's environmental objectives (e.g. 25-year Environment Plan) but it is also an important economic driver in rural areas. As such it needs to link with other future socio-economic funding such as the Countryside Productivity Scheme and Shared Prosperity Fund.
 - h. A clear road map for the transition period from Basic Payment Scheme and Countryside Stewardship to ELM is crucial to ensure resilient rural economies and local communities and that natural and cultural assets, and rural skills are not lost. Such a 'road map' with clear 'signposting' is an important tool to help land managers make informed choices during the transition period.
4. If you require any more information, further practical examples or have any questions regarding this response please contact us.

Appendix 1 - Draft consultation question responses for the English National Park Authorities & National Parks England.

1. Do you want your responses to be confidential? If yes, please give your reason.

No.

2. What is your name?

National Parks England

3. What is your email address?

enquiries@nationalparksengland.org.uk

4. Where are you located? North East/North West/Yorkshire and The Humber/East Midlands/West Midlands/East of England/London/South East/South West/Remote

All. National Parks England provides a collective voice for the nine English National Park Authorities and the Broads Authority, located across England.

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5. Who are you?

5.1. National Parks England (NPE) exists to provide a collective voice for the nine English National Park Authorities and the Broads Authority – all of whom are Local Planning Authorities. NPE is governed by the Chairs of the ten Authorities. Our response to the Environmental Land Management Policy discussion represents the collective view of officers who are working within the policies established by the National Park Authorities (NPAs) and the Broads Authority and follows internal consultation with all ten English National Parks represented on the Agriculture and Rural Development Working Group.

5.2. NPE and the National Association for Areas of Outstanding Natural Beauty (NAAONBs) have worked closely together when considering the ELM Policy Discussion Document. Whilst both organisations have prepared separate responses to the consultation, they do share similar concerns and ambitions.

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

6.1. Overall, the design principles as described are strongly supported.

6.2. However, we would like to raise the following issues:

6.2.1. Principle a –

6.2.1.1. The focus on achieving environmental outcomes could be clarified to state that this is at a landscape scale.

6.2.1.2. There is a risk that the term 'environmental outcomes' could be interpreted as meaning purely the natural environment. We recommend that instead of using the

terms 'environmental outcomes' or 'public goods', the phrase 'a full range of public goods' be used. We are concerned that cultural heritage and public access can be overlooked when considering 'environmental outcomes'.

6.2.1.3. Further, we suggest that the 6th 'public good' listed on page 7 is refined to say 'landscape, natural beauty, cultural heritage and access'. The landscape and its natural beauty, cultural heritage, public access, and engagement should not be overlooked if we are to achieve the ambitions of the 25 Year Environment Plan and in particular, the Landscapes Review. The Covid-19 pandemic, ensuing lockdown and 'reopening' of the countryside resulted in a surge of visitors, many of whom were new, to National Parks. This has further demonstrated the need for support for managed access in the countryside and the importance of visitors and visitor management to the rural economy.

6.2.1.4. This principle also refers to ELM helping farmers and land managers optimise public good delivery as part of a thriving food or other land-based businesses. It is hoped that farm businesses become self-sustaining, but to do so many will need access to wider business support. It is understood that wider business support is being developed outside of ELM, but it is important to note that business support and ELM will need to be linked to ensure that one scheme complements the other.

6.2.2. **Principle b** – it is important that the mechanisms are in place to also be able to effectively identify local priorities for a full range of integrated public goods delivery. This is highlighted under point f of the lessons learnt section.

6.2.3. **Principle c** - it is unclear whether the underpinning systems and processes referred to include how ELM will work with the revised regulations for farming and land management. There is a need for a clear and effective regulatory baseline that protects natural and cultural assets. Further, the term "maximum value for money" could be interpreted as minimum delivery costs, so we would suggest, "optimise value for money for the taxpayer" be used instead.

6.2.4. **Principle f** – we have concerns about the use of the term "minimal" when stating "minimal complexity and administrative burden". We would suggest using the term "proportionate" rather than minimal.

6.2.4.1. Additionally, each tier is likely to need a different level of complexity and administrative attention. For example, projects under tier 1 such as nutrient management plans could be relatively simple whereas projects under tier 3, such as woodland creation, would require more detailed and nuanced planning for such a permanent land use change.

6.2.5. **Principle g** –Technology should not just benefit some and not others if there are differences in infrastructure provision across the country, so we would recommend adding 'for all' to the end of the sentence for principle g.

6.2.6. **Principle h** – It would be helpful to include a direct reference to the regulations and the intention to ratchet up the regulations in the future. It would also be important to link the regulations to how ELM will evolve in future.

- Reference to compliance requirements and the approach to enforcement within ELM needing to be proportionate should also be made. We understand that this would be consistent with the developing proposals for future regulation and enforcement. Under lessons learnt, design principle h on page 14 states 'under previous schemes, the compliance requirements placed on land managers were overly complex and demanding.' It is important that in future the penalties or consequences are not diluted with the process.

- 6.2.7. **Principle I** – Add ‘proven’ after ‘existing’ so that it is clear that this is referring to those parts of the existing system that work well.
- 6.3. **Missing principles:** Whilst we generally agree with and support the design principles, we believe there is a need for additional principles and have outlined them as follows:
- 6.3.1. **Effective advisory services:** Although on page 8 of the consultation document one of the lessons learnt is the need for land managers to have access to effective advisory services, there is no reference to support, advice or facilitation and we believe this should be covered in the principles. Whilst work is still on-going to develop the most effective future advice model, the need for such support, advice, and facilitation as an investment in the scheme is universally acknowledged by all. There is a real risk that the importance of trusted advice is not currently recognised. If ELM is to deliver to its potential then we are looking at a ‘quiet revolution’ in the way in which we manage land in England in order to reduce nature loss, help address climate change and deliver other important public benefits. We need to be investing in the advice to support and train land managers to develop the skills and competencies to deliver these outcomes.
- 6.3.2. **Balancing improvement with rewards:** The need to balance delivering improvement with rewarding existing good practice was also highlighted as one of the lessons learnt as described on page 8 of the consultation document. We recommend that this also be covered in the principles.
- 6.3.3. **Socio-economic outcomes:** Given that the supporting statement under the strategic objectives of ELM on page 8 says ““ELM will provide an **opportunity** for farmers to derive an additional income stream through the delivery of environmental benefits” and that ELM is regarded as one of the mechanisms the government “proposes to mitigate the vulnerability of the sector in a targeted way”. The opportunity to increase productivity and/or diversify farm enterprises through a revised Countryside Productivity Scheme or Shared Prosperity Fund should be complementary to ELM, seeking to support and strengthen the delivery of a full range of public good outcomes. Thus, we would recommend that an additional principle about socio-economic outcomes be added. This is not to suggest that ELMS should be a support payment for farmers; it needs to remain a public payment for delivery of public goods but in so doing will provide socio-economic outcomes.
- 6.3.4. **Public support:** We would also recommend that there is a principle dedicated to seeking public support for ELM and the benefits it will bring to public goods. If the wider public are aware of, understand and support the role of ELM, National Park Authorities and the Broads Authority, and farmers and land managers in caring for National Park special qualities then they are more likely to support long term payment of public funds for public good delivery. A quote from of the National Park Authority’s ELM Test and Trials is “farmers were once seen as heroes and now they are seen as villains”. Farmers see the need to reverse this trend, become heroes once again and ELMs is a mechanism which could support this.

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

- 7.1. The strategic objectives as written on page 8 are broadly supported.
- 7.1.1. Strategic objective 1 refers to “positive environmental benefits”. We suggest it could refer to being a key mechanism in delivering the 25 YEP goals. Further, the statement “Prioritising between environmental outcomes where necessary” should say “Prioritising between public good outcomes where necessary to ensure an integrated and balanced approach to public good delivery”.

- 7.1.2. Strategic objective 2 could be more inclusive if tackling some of the environmental challenges associated with agriculture but it should also refer to land management including peri-urban areas.
- 7.2. The scheme as currently proposed has the potential to deliver the stated objectives but this will depend on the final detail of the scheme, the level of financial resources for delivery and agreements, the provision of the right level of advice and guidance and how the scheme is actually administered. Safeguards are needed to ensure long-term benefits are protected and capitalised to justify short- and medium-term public investment.
- 7.3. Delivery of the objectives will also closely rely on the interrelationship between ELM and future regulation and enforcement. Proposals for the transition to a new proportionate and effective regulatory baseline, which addresses current loopholes and increases the protection of natural and cultural assets, will need clear articulation and to work in tandem with ELM. We are concerned that work on the regulatory framework does not appear to be advanced and the recent announcement about the future of 'greening' weakens baseline protection for environmental assets. ELM should pay for management and enhancement not protection of environmental assets.
- 7.4. Arrangements during the transition period will also hugely influence the delivery of the objectives as farmers and land managers make business decisions now and in the next four years that may impact the environment. There is a risk that farmers and land managers may delay entering a Countryside Stewardship scheme or extending an existing one in the belief that this may disadvantage them for ELM. Others may decide that now is the time to increase production and reduction in BPS payments will make cross-compliance a weaker tool for environmental regulation. A clear road map to help farmers and land managers navigate their way through the transition period is essential. The risk of irreversible damage to the environment during transition and beyond should not be underestimated and needs to be considered in more detail.

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

8.1. What is the best way to encourage participation in ELM?

- 8.1.1. There is a great opportunity to use the **learnings from the ELM Tests and Trials** in English National Parks to encourage participation in the scheme. Key learnings from National Park Authorities and the Broads Authority experience with Tests and Trials so far show that the best way to encourage participation in ELM is a scheme which:
- is open and available to all
 - is simple and flexible, both to apply for and deliver, such that it can respond to changing circumstances and feedback from monitoring what is and is not working
 - is built on trust (particularly with those who are delivering the scheme on the ground)
 - has a long enough lead in time and support to engage, inspire, give confidence to applicants. This could be done through, for example, workshops, webinars, working examples, 1:1 support, etc.
 - provides long term government commitment so that land managers are prepared to totally restructure their businesses where necessary to ensure public good delivery
 - empowers farmers and land managers throughout the whole process through, for example, provision of a pre-application document and glossary of terms (such as what is meant by public goods and how to deliver them)

- can support those with limited internet connectivity, equipment, and experience
- provides the potential for recognition via a certificate/award for each tier for farmers and land managers to use and demonstrate the level of public goods achieved when marketing food and other products locally, regionally, nationally, and occasionally internationally. Such recognition could:
 - take the learnings from schemes such as the New Forest Mark and the Peak District Environmental Quality Mark
 - provide a National Park brand for ELM
 - use the National Park logo to symbolise the farmer and land manager contribution to the management of our National Park landscapes; building a link between the farmers who manage the land and the millions who enjoy the landscape.
 - develop the National Park food economy – supporting local food chains and enhancing ‘sense of place’ for both producers and consumers, including visitors to the National Parks.
 - has a strong regulatory baseline and enforcement
 - provides agreements which are fully transparent for the public to understand, including a register of how money is spent

8.1.2. **Land Management Plans**

- support the production of a Land Management Plan. For example, a voucher or grant similar to that in the current Countryside Stewardship (CS) Higher Tier or the Farm Environment Plan for Environmental Stewardship Higher Level
- provides training opportunities and support for land managers to develop their knowledge and skills

8.1.3. **Collaboration**

- promotes group working and shared knowledge opportunities akin to current Facilitation Fund groups
- incentivises collaboration by providing uplift payments and/or additional points in any scoring system for those that share the delivery of outcomes and achieve landscape scale benefits
- allows for engagement with peer groups. For example, Exmoor’s Hill Farming Network and Dartmoor’s Hill Farm Project have helped to ensure landscape scale priorities are co-designed to incorporate local expertise and maximise the sense of ownership, which has in turn provided the opportunity for the further development of cluster and facilitation groups.

8.1.4. **Advice & Guidance**

- is supported by consistent local quality trusted advisers or facilitators as required from start to finish
- ideally supports the provision of advisers who are locally based, know their patch and provide impartial and consistent advice
- provides access to essential specialist advisers (such as for Site of Special Scientific Interest or archaeology) if required
- has clear written guidance, with easily accessible language for all applicants

8.1.5. **Spatial Prioritisation & Local Governance**

- Local priorities should be identified and agreed stakeholders through the statutory National Park Management Plan process (note – similar process for AONBs). Management Plans consider the full array of public benefits that ELM is being designed to deliver. They are, importantly, co-produced as partnership documents for the place rather than the Authority thus they provide opportunity for farmer and land management engagement and involvement of other stakeholders such as environmental NGOs.
- Local *design*, at the National Park level, would help to give flexibility and adaptability to deliver for local circumstances
- Local priority setting and design ensures that options and *outcomes* are locally applicable, locally fit for purpose and achievable. It also ensures that the local knowledge of farmers/land managers, and other stakeholders, is fully utilised leading to ownership, understanding and improved delivery.

8.1.6. **Payments**

- Provides payments which properly reward farmers and land managers for the public goods they deliver
- Is designed so that those who have been delivering public goods consistently are rewarded (i.e. ELM should pay for management as well as enhancement/creation; it should not inadvertently penalise those who already manage their land for environmental and wider public goods).
- Provides both revenue and capital payments. We think the latter is particularly important in terms of tier 3 and for some landscape features (see below)
- Capital grants should be considered for all 3 tiers. For example, simple capital grants should be provided for traditional hedge and wall restoration as a key incentive for farmers and land managers in tier 1, particularly at the start of their environmental management journey. Such capital works grants are also a positive tool in a farm adviser's toolkit to stimulate interest, build confidence and encourage other environmental management.
- Makes payments on time as agreed. There is frustration about late payments - a quote from one of the ELM Tests: "one claim for 2 years of hard graft, only for the payment to take 14 months to arrive"
- Provides support if there are cash flow issues for major capital works. For example, this could be by way of interest free loans, immediate reimbursement on part completion of capital works, or making revenue payments 3 months in arrears and 9 months in advance to help the cash flow for the capital works involved, such as the North York Moors National Park Authority Farm Scheme.

8.1.7. **Innovative Delivery Mechanisms**

- It is still early days in terms of the National Park Authority led Test and Trials focused on innovative delivery mechanisms and we note that the Payment by Results project being run in the Yorkshire Dales in partnership with Natural England has already submitted evidence to the ELM team. Nevertheless, it is possible to identify the following learning points:
- Need for better monitoring and data so that agreement holders can identify and demonstrate whether they are achieving the desired outputs and outcomes. Farmers/land managers should be involved in this data collection as it helps build ownership and understanding. This could be through undertaking surveys/monitoring, commissioning from third parties or regular feedback/evaluation processes. Under current agri-environment schemes, there is little monitoring and feedback.

- Flexible agreement length. Some of the ELM Tests are showing that whilst there is a clear desire for the length of agreement to reflect the level of investment and degree of permanent land use change there is a difference in need for the length of agreements. One way to overcome this issue is to provide longer agreements with appropriate break clauses. This would provide greater flexibility especially in light of Covid-19 or other situations when there is a lack of available contractors, or adverse weather conditions.
- Performance related payments as opposed to pure 'payment by results' might be a better way to incentivise delivery and encourage greater innovation in the delivery of environmental outcomes. Performance related payment combines base payment for management plus incentives for improved delivery.
- Need for an 'independent environmental broker' at a local level that can through engagement and co-production ensure that public and private funding is combined to deliver agreed priorities.

8.2. What are the key barriers to participation, and how do we tackle them?

Key barriers to participation identified by National Park Authorities from almost 40 years of experience of agri-environment schemes are outlined below, together with offered solutions (*italics*).

- 8.2.1. **Mixed messages** from Government and other players for the long term ask of farmers and land managers will act as a barrier to participation in the new scheme. For example, conflicting priorities from Natural England, Historic England, Forestry Commission, and the Environment Agency or between a farm adviser providing ELM conservation advice and an agricultural consultant advising on grassland productivity.

The majority of farmers and land managers want to 'do the right thing' for a much improved natural and cultural environment, but they need to have confidence in the long-term direction of initiatives. The impacts of the Covid-19 crisis may heighten focus on food sustainability and security by farmers and their representative organisations. It will be important for the Government to provide consistent, clear messages around sustainable food and fibre (such as thatching reed and wool) production within the ELM environment as the current, medium and long term ask from farmers and land managers under this scheme.

- 8.2.2. **Jargon** - over use of jargon, particularly related to such terms as natural capital, ecosystem services and public goods can be off-putting for many farmers and land managers. Whilst the concepts are understood the sense of organisations speaking a different language does not encourage trust and engagement.

Consistent language by all players in ELM will help address this potential issue (for example, the use of the term 'public goods' is unclear or too vague).

- 8.2.3. **Ineligibility** – a scheme which is not available to certain types of landowners and managers can feel exclusive and could prevent the landscape scale delivery which we are all looking for. It is not yet clear whether all types of land managers (conservation organisations, equine, horticultural, and smaller holdings) will be eligible.

We believe it is important that all who can deliver the desired outcomes are eligible. An inclusive scheme will allow the greatest flexibility in delivering positive outcomes.

- 8.2.4. **Complex and inflexible scheme** - a scheme that is complex, difficult to apply for and which has many evidence requirements will act as a barrier to engagement as described in the lessons learnt section of the consultation.

The principles set out for the new scheme seek to address the above issues but the whole package on offer will inform each individual business decision.

- 8.2.5. **Fear of penalties** - penalties should be proportionate to the type of non-compliance, and farmers should be provided with opportunities prior to being penalised to explain the rationale for the decisions they have made.

Future monitoring and enforcement as currently proposed needs to be proportionate and foster understanding and ambitions to exceed targets and the desired outcomes.

- 8.2.6. **Unattractive payment rates** – if payment rates are too low and do not incentivise farmers and land managers to enter ELM there will not be sufficient uptake to deliver the scheme objectives.

Payment rates need to properly reward and incentivise farmers and land managers for the actions and outcomes they are being asked to deliver. It will be essential that the rewards outweigh the administrative burdens of participation. Commoners, smallholdings & feature rich holdings that are prevalent in our National Parks are particularly at risk of not being in a scheme if “the hassle just isn’t worth the money”, so there may need to be additional measures to attract these smaller but potentially high deliverers in to the scheme.

- 8.2.7. **Reputation** of the current Countryside Stewardship Scheme - recent issues (late payments, severe penalties, complexity of the scheme, application process, low payment levels, lack of flexibility, on occasions incorrect advice from helplines and a lack of acknowledgement of the benefits delivered) have affected the reputation of ELMs current predecessor, the Countryside Stewardship Scheme.

There needs to be recognition of these issues and how Defra and the Rural Payments Association (RPA) have and are working with stakeholders to overcome them and to make sure that they are not repeated in the new scheme. Re-building farmer and land manager confidence and trust in environmental schemes and their administrators needs to continue.

- 8.2.8. **White space** indicating areas of land not under an environmental agreement has been increasing. Some farmers and land managers have not gone ahead with a Countryside Stewardship application once their Environmental Stewardship agreement ended resulting in a loss of continuity, engagement and focus on environmental delivery. Some National Parks are seeing increasing numbers of compliance matters, such as wall removals, tree felling, scrub removal, arising in these areas.

The new scheme needs to be attractive enough to engage farmer/land manager interest, applications, and outcome delivery. There will need to be investment in the provision of support/advice to reanimate interest in applying – as well as support for the application process although this will depend on the complexity and ease of applying for each of the tiers. Currently, there is a danger that some farmers and land managers are being left with little option but to revert to the post-war food production mode of increasing stock numbers to the detriment of the natural and cultural environments as this is what they are most familiar with. There are early indications that this approach is in danger of being affirmed by the implications of Covid-19 such that the need for greater food self-sufficiency and security may come at the expense of enhancing the natural and cultural environment for land not under an agri-environment scheme.

- 8.2.9. **Top-down decision-making processes** have made many farmers feel powerless with a perception and, at times, a reality that they are not listened to. A national approach of one-size-fits-all that has been used for Environmental and Countryside Stewardship has, in particular, failed in our upland areas.

The ELM co-design approach is being well received by farmers and land managers. Defra, the RPA, and other involved organisations need to continue to visit, speak to, listen, and take on board what farmers, land managers and other stakeholders are saying. At the same time, all parties need to share the reasons for their approaches so that there is better understanding

between all concerned. A scheme, which is flexible and can adapt to local circumstance is a positive approach, which we hope, will be undertaken through ELM. Farmers and land managers could also be involved in local decision-making, such as the local priorities for ELM, which would help them feel empowered. A regular quote from the ELM Tests is "local is best".

- 8.2.10. **Inflexibility of a national scheme to local and changing circumstances** such as weather and seasonal differences from year to year and emergencies such as flooding.

Current proposals to make the scheme more flexibility at a local level under a national framework have the potential to remove this barrier.

- 8.2.11. **IT skills and internet access to online information** for upland farmers in particular.

Improved internet connectivity and speed will need further improvement. The recent Covid- 19 crisis has led to many National Park Authority and Broads Authority farm advisers remotely helping farmers and land managers make electronic claims and applications. Farm advisers have also been encouraging and supporting them to access and engage in their first virtual meeting.

- 8.2.12. **Data** - is usually not easy to update, access or share. If priority species data is not on the "Magic" Countryside Stewardship (CS) targeting layer then land cannot be entered into certain CS options; and adding detailed local data onto that system is not always easy nor can it be done in time to facilitate the CS application. Recent attempts to analyse the positive outcomes for the historic environment under CS have been difficult to process because of the different ways data is captured, and the difficulties of sharing it between for example RPA, Natural England, and Historic England. The sharing of data in a timely manner between the various Government departments (such as Defra and MHCLG) could also be improved. There is also a need for more data to be easily accessible to farmers and land managers especially if larger connected landscape scale delivery is to be fostered.

Data needs to be easier to update and share between key organisations, farmers, and land managers. It should also be available at an appropriate level of detail to the wider public so that they can better understand where public and, increasingly in the future, private funds are being used to deliver a full range of public goods.

- 8.2.13. **Collaboration and sharing information** between farmers and land managers remains a concern for many. Whilst there are signs of increased sharing and understanding of the landscape scale approach through facilitated groups/clusters, anxiety around sharing details about individual holdings remains. In particular, there are concerns about how best to address neighbouring farmers and land managers who do not comply with regulation or scheme requirements. Quotes from ELM Tests and Trials include "suitable incentives [are needed] to make it worthwhile", "some people are difficult to work with and will never collaborate. Don't penalise the contributors who do it voluntarily"

Exactly what farmers and land managers are being asked to collaborate on will affect their enthusiasm to do so and the attitude to this may vary from area to area. There is a wish for a co-ordinated approach through a local contact to enable information sharing and understanding of how the holding sits within the landscape of action. There is also scope for wider sharing of the public goods delivered both within the farming/land management and wider community.

- 8.2.14. **Inconsistency of ELM staff and contacts** is seen as a barrier to developing and maintaining trusting relationships. In recent years, staff change has been high, resulting in a loss of continuity of engagement and delivery.

Ensuring consistency of trusted experienced advisers/facilitators involved in supporting the delivery of the scheme will foster engagement, sharing knowledge, expertise, and findings to continuously improve delivery.

- 8.2.15. **Some new entrants to land ownership and management** have no experience of previous agri-environment schemes, such as equine landowners.

No knowledge of previous schemes will have both positive and negative consequences. National Park experience has shown that often these landowners are proud of being accepted into a scheme and working with the wider farming and land management community. So, for example, an advantage could be that these new entrants would have no preconceptions and thus often hungry for guidance and eager to achieve the needs of the scheme.

- 8.2.16. **Tenant and landlord relationship** - many farm tenants are reluctant to engage with the delivery of public goods, such as woodlands, because the assets and benefits often remain under the ownership and control of the landlord. Many farmer tenants believe that those who do the work and deliver the benefits should receive the payment. The impact of such legal considerations and the relationship between the tenant and landlord are fundamental to coming to a successful agreement. Currently, if a tenant has a short tenancy period, then they are often ineligible for being approved under an agri-environment scheme'.

Clarity regarding ELM eligibility in terms of the length of tenancy a tenant will need to be eligible and any requirement for the landlord to approve an application would be helpful.

- 8.2.17. **Additional complexity when shooting rights are involved.** Often shooting rights are held and exercised by someone different to the landowner or farming tenant. For example, in upland moorlands the shooting rights owner often has the control of vegetation management whilst the agri-environment scheme agreement is with the farmer or landowner. This is one of the reasons for the slow rate of progress achieving favourable condition of upland SSSIs and the lack of delivery of Higher-Level Stewardship outcomes.

The opportunity to have joint agreements between those who own shooting rights and the landlord/tenant should be explored.

- 8.2.18. **Administrative complexities.** Due to administrative complexities, the current approach to commons makes it difficult deliver agri-environment schemes. For example, the requirement to have only one agreement for a common, even when there are multiple landowners, and that this single agreement needs to be with a commoners association, adds a layer of administrative burden that complicates the process to participate in an agri-environment scheme. Another administrative complexity is how payments are authorised. For large-scale projects farmers, land managers, and commons associations have had to finance reports and large-scale project works before receiving grants. This has put farmers off doing large-scale landscape improvements.

Any opportunity to reduce this complexity would be welcomed. Where it may be complex on some commons to enable legal arrangements between landowners and commoners, there may be a need for flexibility in the rules to ensure scheme participation. A simple loan or bridging payment could be made available similar to the approach RPA have taken for late agri-environment scheme payments this year.

- 8.2.19. **Understanding of results and local context** – potential applicants need a clearer description of what is being asked for from Defra in order to deliver on the full range of public good delivery.

A clear picture for each area, whether that is at a National Park, National Character Area, sub landscape or catchment level is needed with timescales and an understanding of what the outcomes will look like.

- 8.2.20. **Future regulation and enforcement** needs to be clarified so that farmers and land managers can consider their ELM application and business plan within that context. The Basic Payment Scheme and current regulatory cross compliance has allowed some of the larger agricultural businesses to focus on food production, but this has come at the expense of the environment

in National Parks. Regulatory loopholes exist, which can result in perverse consequences prior to scheme launch and entry. For example, a farmer could decide to increase the agricultural productivity of some fairly species rich grassland by increasing the stocking rate, applying slurry and removing stone from walls to increase field size, then at a later date apply for ELM. Such a field could have been a priority as part of the local nature recovery network and would have lost some of its historic integrity.

To prevent the further degradation of environmental features, current loopholes need to be closed and the level of regulation needs to be ratcheted up. ELM Test and Trials have revealed that farmers, land managers and stakeholders need early clarity about future enforcement and regulation, and in particular, any future enhanced requirements.

In particular, a date for the baseline record of natural and cultural features is needed so that there are no perverse consequences prior to scheme launch and entry.

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

9.1 In broad terms, yes it looks as though the focus is at the right level for each tier. However, we have the following comments:

9.2 Tier 1

9.2.1 We support the approach that tier 1 should be easy to engage with and designed to incentivise environmentally sustainable farming and forestry. In addition, we appreciate that the requirements need to sit above the regulatory baseline and provide for that baseline to be ratcheted up. Albeit, the implications of this for farmers and land managers needs to be shared with them as soon as possible.

9.2.2 **National standards:** We have some concerns about the proposal for national “standards” for farm or land types. For example, upland farms in Dartmoor and Northumberland National Parks are very different and the Broads Authority also has its own particular requirements. So, we suggest a ‘standard plus’ menu approach for both the standards and menu of options structure.

9.2.3 **Eligibility:** It is interesting to note that tier 1 has been proposed for all farmers and foresters but not for land managers. It would be helpful to know more detail around this wording and the reason for such an approach. As it currently stands, if land is let on a short-term basis then the farmer is likely to be ineligible due to the length of the agreement. Does this mean that the landowner will not be eligible either? Have the likely implications of how much land may then become ineligible for tier 1 been modelled? If only farmers are eligible for Tier 1 then there may need to be a definition of an eligible farmer. If so and the approach taken was similar to that for the Basic Payment Scheme’s “active farmer” then this could become complicated and divisive.

- We recommend that all land managers are eligible for tier 1. Small holdings, areas which have been ineligible in the past or which are small to medium and intensive but in strategic locations all need to be eligible if tier 1 is to deliver at scale.
- Tier 1 should be available for common land.
- If tier 1 is available for farmers only, then will active farmer type tests be required? If so, this is going to make this approach more complicated. For landowners and managers who may be ineligible, will fulfilling the requirements of tier 1 be conditional on entry to tiers 2 and 3 for landowners and managers (similar to the approach for certain land owning organisations in Environmental Stewardship Entry Level and Higher Level Schemes).

9.2.4 **Uplands and commons:** In addition to the range of actions outlined, we would like some additions to ensure that tier 1 actions are not lowland focused but provide for uplands and commons. We would like to see provision for:

- The planting of trees and shrubs. For example, individual, small groups, shelter belts, for wood and shrubby pasture will help mitigate the loss of trees in the landscape (Ash Dieback) and support carbon storage;
- Herbal leys as they can be productive, work for pollinators depending on the management, improve soil health and store carbon; additional supplements for establishing herbal leys with no ploughing but via minimum or no tillage cultivations to reduce the loss of stored carbon; and for not cutting the whole field or leaving field margins uncut for the benefit of pollinator/invertebrates could be considered for tier 1 or tier 2 depending on the final ELM design;
- A carbon management plan but not carbon foot printing alone as carbon foot printing can favour intensive food production at the expense of the environment;
- Better soil management measures which include improving soil health and infiltration rates by relieving soil compaction, improving soil pH, maintaining but not increasing drainage in permanent grassland situations to prevent loss of wet flush areas which can be important for ground nesting birds and invertebrates;
- Provision and implementation of management plans for existing woodland as these would relate to some of the actions identified for tier 1, such as pest management, and could also cover maintenance of rides, open glades, edges, drainage, and tracks; and
- Maintenance of historic features including traditional farm buildings, bracken/scrub control on archaeological features, undesignated ridge and furrow in grassland, lead rakes and traditional boundaries (dry stone walls, hedges, hedge, and field banks). Without this, the readability of the archaeological landscape in our National Parks will be further eroded. This could be by way of a standard or requirement but please see the comment about capital works in the paragraph below which highlights the value of simple capital works grants.
- Enhanced public access and engagement should also be part of tier 1.

9.2.5 **Reward for action:** We support the proposal to reward participants for the actions they do rather than outcomes to keep this tier simple and clear. However, it would be helpful if participants could understand how their actions at a farm or holding scale contribute to the outcomes at a wider landscape scale.

9.2.6 **Audit trail requirements:** We would be interested to understand what the audit trail requirements for these actions would be particularly as this could be a crucial issue for tier 1 as there is less likely to be on-going support.

9.2.7 **Catchment Sensitive Farming:** The relationship of tier 1 and the actions, which have been successful under CSF, such as nutrient management and simple standard cost capital work grants need to be clarified.

9.2.8 **Scope of payment:** We support the proposal to review the scope of what ELM tier 1 pays for in light of the regulatory baseline and how this may be ratcheted up. If this tier is seen as a way of supporting business change during the transition period, then it could evolve to further incentivize required changes. Clarity about the continuing availability of tier 1 payments and future regulations would be important to ensure that farmers have fully taken the direction of travel on board. As referred to in question 8 above the date for the baseline record of natural

and cultural features would need to be provided in advance so that there are no perverse consequences prior to scheme launch/entry.

9.2.9 Regulatory compliance: Compliance with the relevant regulatory requirements should definitely be an entry requirement for tier 1. No harm should be done to any natural or cultural heritage. Thus, current cross compliance needs to be enhanced and then form part of the new regulatory baseline. For example, dry stone walls have limited protection through current cross compliance and from large-scale removal for agricultural intensification under the Environmental Impact Assessment (Agriculture) Regulations. If enhanced cross compliance requirements are not translated through to revised regulation, then there is likely to be further loss of these historic features. There have been recent examples of historic landscape walls being removed in the Peak District National Park, resulting in a loss of cultural heritage. The recent Government announcement that Basic Payment Scheme “greening requirements” are to be removed from 2021 will reduce the administrative burden on farmers and land managers. Whilst there is a clear expectation that this will help farmers and land managers prepare for greater public good delivery via ELM, there is a risk that this change will lead to the loss of the habitats provided such as ecological focus areas. There is an urgent need for clarity as to whether such areas are now eligible for Countryside Stewardship options for 2021 and onwards start dates, and if so, whether these areas may be added retrospectively to applications already submitted this year and whether equivalent habitats such as species rich margins will form part of the ELM National Pilot.

9.2.10 Historic wall retention: If current cross compliance requirements become regulation, then the majority of historic walls should be retained. Experience in some National Parks is that some walls recognised as of historic importance are still being removed legally on land subject to cross compliance as well as on land where no support payments are claimed. So, we recommend that the retention of walls should become a legal requirement with the provision for the Local Authority/National Park Authority archaeologist to approve any part removal on a case by case basis. Tier 1 could address support for maintenance of traditional boundaries with capital works grants for restoration.

9.2.11 Capital work grants: Currently there seems to be no provision for capital work grants for traditional boundary restoration. If no incentive is provided for maintenance and restoration there is likely to be a return to increasing dereliction of these historic features or fencing being erected alongside. This is particularly important for our National Park landscapes and their special qualities. The current Hedgerows and Boundaries Grant Scheme works well with a maximum amount per holding every two years. CSF type water quality capital works grants to reduce agriculturally related pollution has been successful and could be offered on a simple standard cost basis under tier 1 or through the future productivity grants.

9.3. Tier 2

9.3.1. National Parks England supports the proposed objective of tier 2 to pay for the management of land to deliver a wide range of environmental benefits and ensure that the outcomes delivered are targeted to the local environment. ‘The right thing in the right place – for the right reason’ approach is fully supported along with the recognised need for a balanced integrated approach to public good delivery.

9.3.2. The range of habitats for creation, restoration, and management are supported.

9.3.3. **Land use change at landscape scale:** The objective of delivering land use change at a landscape scale stated for tier 3 should also be emphasised as the ultimate objective for tier 2, especially as tier 2 is likely to have the greatest uptake/reach especially if collaboration is incentivised. Tier 2 and 3 remain distinguished by delivery mechanisms but are, de facto, complementary.

- 9.3.4. **Specialist knowledge and support:** We agree that specialist knowledge and support needs to be invested in tier 2. Such support needs to be provided by local trusted advisers or through trusted local advisers/facilitators. This will help ensure that the specialist practical knowledge and experience of land by farmers and land managers is also recognised. This need has been highlighted through all the Tests and Trials involving National Park Authorities.
- 9.3.5. **Public access and engagement support:** Support for enhanced public access and engagement should also be available. For example, opportunities for key links for rights of way, open access networks and access to water should be supported with annual payments for permissive access. We also recommend that support for engagement and education is supported in tier 2 as this will help those who access the countryside to be aware of, understand and support the public goods that are being delivered.
- 9.3.6. **Trees and woodlands:** Small-scale tree and shrub planting, and hedge planting should be moved into Tier 1 and be available to all farmers and land managers.
- 9.3.7. **Natural regeneration:** Support for woodland creation needs to incentivise natural regeneration and provide for wood pasture management and creation.
- 9.3.8. **Maintenance of landscape character features:** There is no mention of restoration and maintenance of landscape character features such as walls and hedges. Ideally, this should be in tier 1 so that there is large-scale uptake but, if not, then provision should at least be made in tier 2.
- 9.3.9. **Grasslands:** Species rich grassland categories should also include those grasslands rich in fungi as these sites, once identified, are often of regional, national, and even international importance.
- 9.3.10. **Scrubby mosaic grassland:** Support for the creation of scrubby mosaic grassland, a mix of woodland, trees, and scrub, should also be incentivised under tier 2. There is a link here to a similar suggestion in tier 1 above, but this is seen more of a permanent landscape change such creating more edge over the top of SSSI grassland dales.
- 9.3.11. **Heritage assets:** We suggest that the reference to heritage assets at point g on page 22 is made into a separate point and strengthened as currently this seems to be low on the priority list because it appears as only part of a point on geodiversity.
- 9.3.12. **Genetic conservation:** We suggest that genetic conservation of particular breeds and species should also be available in tier 2 and 3.
- 9.3.13. **Effective delivery:** We support the approach for more effective delivery by encouraging farmers, land managers, foresters, and commoners to collaborate. This could be further encouraged by offering bonus payments to those taking an active part in collaborative groups to keep them focussed on delivering the outcomes.
- 9.3.14. **Compliance and standards:** Compliance with the relevant regulatory requirements should definitely be an entry requirement for tier 2. Tier 2 participants should be asked to meet tier 1 standards (if tier 1 is based on standards) and should be rewarded for delivering these standards.
- 9.3.15. **Local spatial prioritisation:** We strongly agree with importance of local spatial prioritisation approach to target outcomes for tier 2, and the need for it to be co-created and at an appropriate local level. Whether this is at the National Park Management Plan, National Character Areas, catchment, or other level will be further informed by the ELM tests and trials

9.3.16. **Eligibility:** Tier 2 should be available for common land

9.3.17. **Capital works grants:** Capital works grants have often been a key incentive for farmers and land managers to participate in agri-environment schemes. Currently there is no mention of capital works grants for tier 2 and if they are unavailable, tier 2 would be less attractive to farmers/land managers, and thus less effective. Whilst a standard cost approach could be used for some capital works others, particularly those relating to habitat restoration, are likely to need a more bespoke approach to deliver the best outcomes for a specific location. The alternative would be to reflect the cost of capital works in the annual land management payment but the cost of any such works, if indeed required, would be extremely variable from one area of the country to another. Such an approach is also likely to disadvantage the smaller and tenanted holdings particularly in terms of the farmers and land managers concerned accessing the required finance up front.

9.3.18. **Access capital works:** Capital works grants are also required for improving existing access. For example, capital grants for access furniture would help facilitate access for all and surface improvement where footfall is causing erosion or damage to important habitats or archaeological features.

9.3.19. **Traditional Buildings Restoration Pilot:** Five upland National Parks are delivering the Countryside Stewardship Traditional Buildings Restoration Pilot. Learnings from the pilot so far are being collated by the partners involved (Natural England, Historic England, National Park Authorities, and National Parks England) and fed to Defra. Such capital works grants in ELMs are vital if the finite resource of unadulterated traditional farm buildings are to be retained and enhanced. In addition, it is suggested that there should be provision for simple “no interest” loans to assist with cash flow issues.

9.3.20. **Long term protection:** Mechanisms need to be in place to ensure habitats created or restored through agreement are protected beyond the life of agreement. These mechanisms, however, must not act as a deterrent to scheme participation.

9.4. Tier 3

9.4.1. The objective of delivering land use change at a landscape scale, delivering a diverse range of environmental outcomes across landscapes whilst contributing to specific government commitments notably nature recovery and net zero emissions is supported.

9.4.2. We support the three examples provided – forest/woodland creation, restoration, and improvement, peatland restoration, and the creation/restoration of coastal habitats such as wetlands and salt marsh. However, we would like to raise two caveats that:

- any forest and woodland creation, restoration, or improvement is undertaken in line with the NPE agreed definition of ‘Right Tree in the Right Place’ within National Parks; and
- all peatland restoration is not referred to as land use change. Unlike restoring lowland peatlands under arable crops or planting trees, restoring upland blanket bog does not, currently, change its use. Whether intentional or not the current wording hints at wider implications for sporting interests and hill farming which could in turn dissuade potential applicants from applying.

9.4.3. **Eligible projects:** We suggest that the following projects should also be included under tier 3 as long as they are at a sufficiently large landscape scale:

- All landscape scale wetlands (not just coastal) including collaborative catchment management for flood mitigation.

- Landscape scale grassland habitat network restoration, for cases where, for example, a valley or dale of farmers might agree to put together a collaborative landscape change proposal for grassland.
- Field boundaries, woodland, wetland habitats that include public engagement and cultural heritage benefits.
- A collection of holding level agreements should be eligible so that if the farmers and land managers concerned desired the security of a longer agreement, such as for tier 3, this should be available. An example would be the stepping stone approach of say species rich meadows and pasture across the wider landscape delivery of a nature recovery network.
- Genetic conservation of particular breeds and species should also be available in tier 3.
- Tier 3 should be available for common land

9.4.4. **Heritage features:** Opportunities for the conservation and enhancement of heritage features at a landscape scale is important, such as Hadrian's Wall World Heritage Site, and public engagement and access should also be explored and form part of any agreement. This could be via capital works options at rates that encourage engagement in enhancing or restoring historic features that have little or no agricultural value. Also, this will be an important consideration where historic landscape features provide protected species habitat, such as dew ponds.

9.4.5. **Regulatory compliance:** Compliance with the relevant regulatory requirements should definitely be an entry requirement for tier 3.

9.4.6. **Capital works grants:** We support the proposal for capital works grants to be available and suggest that simple no interest loans may be required in certain circumstances.

9.4.7. **Locally advice for land use projects:** Decisions about where land use projects should take place needs to be set within a national framework but with local input so that there is full engagement from the communities involved.

9.4.8. **Linking with other targets and initiatives:** We suggest that the ambition for delivery under this tier could be linked to the 25 Year Environment Plan and Climate Change Committee Report targets.

9.4.9. **Availability of scheme:** There are concerns about how limited the availability of tier 3 will be, given the experience we have had with the short length of term and limited area selected for the Nature Improvement Areas Initiative. If it is similarly limited, many nationally important nature recovery initiatives may fall by the wayside.

9.4.10. **Overall for all three Tiers:** some activities should be eligible across each tier, particularly when considering an output around resilient landscapes. This includes, for example the need to prevent or manage disease outbreaks such as phytophthora ramorum, or minimising wildfire risks by having wildfire risk assessments and control measures such as fire breaks. These examples would need to be addressed whether the land concerned was in tier 1, 2 or 3.

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?

- 10.1. **Long term National Park Authority and Broads Authority experience working with farmers and land managers** through, for example, Land Manager Forums, Farm Advice Services, on specific projects (Sustainable Catchment Asset Management Plans Catchment Sensitive Farming, Waders, Hay meadows, Pastures, Ponds, Invasive Species, Birds of Prey, Moorland Restoration, Small Woodland Creation, Slowing the Flow, Heritage Asset Adoption), Farm clusters, Countryside Stewardship Farmer Facilitation Groups and through the ELM Tests and Trials process so far demonstrate that:
- Both 1:many and 1:1 support will be needed for farmers and land managers across all 3 tiers to ensure co-creation and delivery which works effectively across the whole landscape, for example for nature recovery networks and improved water quality.
 - Collective common land management across all three tiers is particularly significant in most National Parks.
 - Agreements on common land need to be designed to foster collaboration and not easily derailed by the few. It will be important to develop governance, payment mechanism and framework for commons.
 - Any groups, whether they are 'Cluster', 'Countryside Stewardship Farmer Facilitation', 'Estate Tenants Group', 'Buyer groups' etc. should be farmer/land manager-led and participation should be optional
 - Farmers and land managers should be involved in selecting group objectives with specialist support where necessary
 - Guidance should be provided about where scheme ownership and outcome liability lie when group working, particularly when steered by facilitator and drawing upon a variety of advisors
 - A trusted and skilled facilitator is important to organise and drive the group forward (with the lead farmer(s)/land manager(s) steering group). Such facilitation also needs to bring together land managers and other stakeholders, including local community representatives, together to agree a shared set of objectives for people to buy into.
 - Training and specialist support and advice will be required. This needs to be well resourced, long term and consistent.
 - Groups are beneficial for sharing knowledge and experience, collaborative working, and the delivery of public goods at a landscape scale.
 - Access to and ability to share data for natural and cultural assets. Royalty free map-based data and presentation will be invaluable for participants to understand their remit in helping to deliver the group's wider objectives.
 - Groups should be financially supported in recognition of the landscape-scale benefits and added value provided. This should include:
 - continued support for group facilitators
 - financial recompense for the time and effort incurred by farmer / land manager steering group members
 - an uplift in environmental payments for group members delivering scheme objectives across a landscape setting
 - Groups provide a good opportunity to 'blend' private finance with Government funding at a landscape scale

10.2. An example of delivering multiple outcomes across multiple landholdings is the Ullswater Catchment Management Community Interest Company (CIC), which was set up after the storms of 2015 ravaged the county of Cumbria, and in particular, the village of Glenridding. In an effort to help improve flood resilience and prove it possible to restore nature in a way that complements sustainable farming, the CIC was created. The work of the CIC is proposed and delivered by the community who are proud of the fact that as far as possible all money is spent on local businesses and contractors to help the local economy. The work varies from planting new hedgerows and trees to soil and grass health, and river restoration work. A large part of the work is dependent upon donations and is supported through a Countryside Stewardship Facilitation Fund.

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?

11.1. We believe that there is a strong argument for using National Parks (and Areas of Outstanding Natural Beauty) as a spatial unit for identifying local priorities. The Nation has designated these areas for their outstanding natural beauty and their value to the Nation. ELM will be the key tool to manage and enhance these landscapes for future generations to enjoy, to deliver national and local priorities, and contribute to the socio-economic well-being of the communities that live in our National Parks and the farm/land management businesses that deliver public benefits.

11.2. Under Section 66(1) of the Environment Act 1995 each NPA and the Broads Authority is required to prepare and publish a National Park Management Plan (sometimes called Partnership Plans) for its Park and review it every five years. These plans set a vision for the management of the National Park, key actions to deliver the vision and a framework for monitoring and evaluation. They are shared documents developed in partnership with key stakeholders and local communities including the farming and land management community. Tests and Trials led by the English National Parks are consistently highlighting that farmers and land managers feel strongly that priorities should be determined with farmer/land manager input at regional/local (National Park) level.

11.3. National Park Management Plans (and those for AONBs) provide an appropriate geographic scale for the identification of local priorities and, importantly, a partnership process that enables wide engagement in the development of these priorities, leading to collective ownership and better understanding of the vision and priorities for delivering the vision.

11.4. This approach has been endorsed by the independent Landscapes Review chaired by Julian Glover which called for a central place for national landscapes in the new ELM and, specifically, for Management Plans to set the framework for all ELM payments within these landscapes.

11.5. The advantages of using National Park Management Plans as a basis for local priority setting include:

- **Recognised boundary and administrative structure** to support the development of these plans.
- **Partnership based** approach leading to joint ownership and better understanding.
- **Opportunities to ensure integration** with the actions of other stakeholders and in terms of combining environmental, economic, and social priority objectives.
- **Clear link to 25 Year Environment Plan objectives** and other national priorities such as net-zero GHG target.

- **Monitoring and evaluation framework** that can be developed to feed into 25 Year Environment Plan reporting
- **Provides flexibility** to use National Park Management Plans as a framework for more detailed local plans setting spatial priorities for individual nature recovery areas, farm clusters focused on particular environmental objectives etc.
- **Link with local advice and facilitation** to ensure better environmental delivery
- **Integrate with other spatial planning units.** For example, National Park Management Plans already use national character areas as building blocks for their vision and actions.
- **Joining things up within and beyond their boundaries** to ensure that National Parks form the backbone of Nature Recovery Networks, including moorland, catchments, and coasts, as recommended by the Landscapes Review. The setting of National Parks is an important element of their landscape character and the adjoining landscape provides this setting and acts as a buffer.

11.6. The existing ELM Test and Trials being led, in partnership, by the NPAs and the Broads Authority include elements that will test the role of National Park Management Plans as a vehicle for setting local priorities. For example:

- In the Lake District, the Cumbria Pioneer ELM Test is involving land management stakeholders in the development of area plans for ELM that will capture the public goods baseline for and local spatial area and prioritise future delivery of those public goods.
- The Dartmoor Test and Trial is looking specifically at the process of setting local priorities through the National Park Management Plan review to build on the existing Moorland Vision, which already sets local priorities. Dartmoor is also doing work on local priorities at the level of an individual common.
- In the Peak District the ELM Test is looking at whether national character areas have a role for the local prioritisation of public goods and in designing and delivering land management plans particularly within the context of a National Park.
- In Exmoor, the ELM Test compares the partnership plan against national priorities to aid development of a spatial framework for ELM. This has also been tested with stakeholders.

11.7. We recognise that there may be a need to develop further, more detailed plans, at a more specific spatial scale, such as for specific commons, nature recovery areas, or ecological corridors.

11.8. We believe that there are some key principles that should underpin local governance for the delivery of ELM, including:

- **Commitment to engagement and partnership working.** It is important, if not essential, that all relevant stakeholders have the opportunity to engage in the process of identifying local priorities. The process of engagement is important as it helps build ownership and understanding. It can also ensure that local knowledge and expertise is utilised in not just developing priorities but also designing the management required to deliver the priorities. Priorities are often best approached by seeking agreement on a common vision and then considering priority actions to achieve this.
 - **Evidence-based.** Local priorities should be based, wherever possible, on clear evidence to support these priorities. This is an area that may need further work as our experience of developing local natural capital accounts demonstrates that the

data sets or evidence to support this approach is not always available at a local level.

- **Clarity on the lead organisation, who takes the final decisions on local priorities and how they do this.** A large multi-actor partnership is a good way to ensure that all main interests feel some ownership of the future agenda, but it is not the best vehicle for effective and efficient decision-making and action. There needs to be clarity about who takes final decisions on local priorities and how they should do this. There is also merit in having a lead body with clear responsibility to facilitate this process and this lead could be different for different areas.
- **Monitoring and Evaluation.** A monitoring and evaluation framework should be key part of the local priority setting process thus allowing for review and evidence-based reporting and decision-making.
- **Accountability.** The lead body for the process and, by assumption, the organisation or structure that takes the final decisions needs to be accountable in terms of: being able to explain how it has reached the decisions; transparent in the process it has used; and fair in its treatment of partners (giving all a chance to contribute). This accountability is both to local stakeholders and to national bodies (i.e. demonstrating how national priorities are being taken forward and their integration with local priorities or areas of potential conflict).
- **Communication.** The process of identifying and agreeing priorities needs to be clearly and proactively communicated to local stakeholders so that they are aware of the opportunities to engage. The final priorities also need to be clearly communicated and be easily accessible, especially for farmers/land managers so they can then use these as the framework for their individual land management plans and ELM applications.
- **Resources.** This process will need to be resourced and linked to local advice and facilitation. Advice and facilitation have often been seen as 'costs'; they should be seen as an 'investment' to delivery of better environmental outcomes.

11.9. The National Park Management Plan process (and that for AONBs) meets many of these principles and thus provides a governance framework that can be developed and improved for the purposes of identifying and agreeing local priorities and combining these with national priorities.

11.10. As noted above, the current governance framework includes a statutory requirement for the preparation and review of the plans, a partnership-based approach to their development and a five-year review cycle. Areas that need improvement include local data, process for agreeing priorities, resourcing, and reporting frameworks.

11.11. We believe that there are some clear 'steps' in identifying local priorities and then agreeing these.

- **Evidence review** – identifying what is important at a local level against national priorities, the ELM outcome framework, and other local frameworks. This needs to be done as a partnership exercise and, wherever possible, be based on actual evidence/data.
- **Engaging stakeholders** in a discussion about what they see as priorities; how these differ spatially; opportunities to deliver multiple benefits from a parcel or area of land, identifying potential and actual conflicts between different priorities. Engagement, done correctly can help build understanding, trust and partnership working to deliver priorities but, as noted, this needs resources.

- **Consensus through dialogue** – experience suggests that flexibility, open engagement, and transparency will help achieve consensus on many issues. But as noted above, there will need to be a lead body and a clear framework for taking final decisions.
- 11.12. With National Park Management Plans, it is often a defined Partnership Board and/or the National Park Authority that takes the final decisions. We are cognisant of the need for:
- Improved data – some of the existing ELM tests and trials will help identify the data gaps. There will then be a need to fill these gaps either through the National Pilot process or via specific commissioned research
 - Facilitation – the process of engagement and facilitation that we have outlined needs to be resourced. The importance of a trusted organisation and individual(s) who command respect from stakeholders should not be under-estimated.
- 11.13. National Park Management Plans provide a governance structure that can link with other land use plans and to the objectives of private sector partners and potentially to private sector sources of finance.
- 11.14. In addition, we would emphasise:
- The need for an integrated approach that starts from the perspective of trying to achieve the maximum level of public benefits from any particular area of land.
 - Empowering farmers and land managers so that they can actively engage in the priority setting process through local groups (e.g. farm clusters or the Hill Farm Projects and Networks that exist in some National Parks).
- 11.15. The process and principles outlined above provides a framework for balancing and reconciling local and national priorities. National Park Management Plans already do this to a certain extent – taking Government guidance and policy (such as the Circular on National Parks, the 25 Year Environment Plan, 8 Point Plan for National Parks) and integrating these with delivery of local priorities.
- 11.16. We believe that there is considerable scope to combine national and local priorities. For example, national priorities such as improved soil quality not only help deliver a range of environmental / natural capital objectives but can also improve farm business / profitability and contribute towards the delivery of local priorities (such as water management). e.g. catchment-based issues).
- 11.17. There is an opportunity through the ELM Test and Trial process and National Pilot to examine a tiered approach to prioritisation: local (e.g. Farm Cluster, catchment level), regional (e.g. county or protected landscape level) and national (applicable to all), and
- 11.18. Priorities should be flexible, enabling them to evolve over time as farm businesses also evolve in their delivery or farming system.
- 11.19. A key issue for **protected sites/designations such as SSSIs** (Sites of Special Scientific Interest) is how we monitor their condition. The current process of assessing condition is not always fit for purpose and can mean we are trying to achieve an ecological status that is not practical.
- 11.20. There is a clear case for local priorities to be identified for certain designations against a national priority of having a suite of protected sites that are resilient against environmental change and able to provide core parts of a wider nature recovery network.
- 11.21. **Priorities** should ideally be in both a spatial and written form clearly showing the priorities and the relative importance and reason for the priorities. An example would be the Moorland Vision

for Dartmoor. The Moorland Vision was co-produced by statutory agencies and the farming/land management community. It identifies (on a map) spatial priority for biodiversity and archaeology with short descriptions of the outcomes sought. It is currently being reviewed as part of the wider National Park Management Plan review with the aim of combining other priorities within a spatial plan.

- 11.22. Where local and national data sets are available then maps are essential to the process, ideally electronically as those on Magic currently. The work that was undertaken for the targeting of New Environmental Land Management Scheme that became Countryside Stewardship produced this work and provided the information required. There needs to be a clear and effective means by which local data can be incorporated into national datasets to enhance their value.
- 11.23. There needs to be a clear and effective communication of priorities to landowners, managers and farmers as the key 'contractors' under the ELM model.
- 11.24. A **review process** is important if it is designed to provide feedback and thus improve delivery as well as report on delivery. National Park Management Plans are reviewed on a five-year cycle, often accompanied or preceded by a 'State of the Park Report'.

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?

12.1. Tier 1

12.1.1. NPE supports the proposal for payments to be based on the traditional approach of income forgone and costs incurred. This is relatively simple and understood as it has been in use for many years. However, many of the current actions proposed for tier 1 are likely to incur more costs than to lose income and this is likely to influence payments and therefore uptake.

12.1.2. In particular, we welcome the proposed flexibility to adjust prices if there is not sufficient take up. This is something that NPAs and the Broads Authority have achieved in their state aid approved Environmental Land Management schemes, where a range of payment rates are identified and then set at an appropriate local level, or specific options that are only available in specific areas or circumstances. For example, in North York Moors National Park a matrix is used to determine intervention rates dependant on the level of environmental benefit considered against the level of benefit to the farmer. This type of evaluation allows for local circumstance to be addressed.

- In contrast, the limestone plateau in the White Peak National Character Area of the Peak District National Park is an example of where similar Countryside Stewardship options are simply not taken up as they do not cover the income forgone and additional cost in this particularly agriculturally productive area.
- There may be an issue if the level of payment does not provide sufficient incentive for the required uptake e.g. one farmer enters tier 1 at the then current payment level, and then if there is insufficient take up of that option, the payment level is increased. It is not clear, whether in this case the first farmer would be left disadvantaged or if their payment would be increased.
- NPE supports the proposal to review the scope of what ELM tier 1 pays after consideration of how the regulatory baseline could be ratcheted up. If tier 1 is seen as a way of supporting business change during the transition period, it could evolve to further incentivize required changes, whilst the payment methodology also evolves or changes.

12.1.3. Simple standard cost capital work grants will provide part of the incentive for engagement please see the response to question nine above.

12.2. Tier 2

- 12.2.1. NPE supports the payment by results approach where this approach has been tested and is proven to work. Most farmers and land managers like the approach of a range of outcome delivery and payment options. However, some still prefer payments for the delivery of a set of requirements or actions. So, a range of delivery mechanisms are likely to be required at least initially.
- 12.2.2. The Natural England – Yorkshire Dales National Park and National Trust trials have shown and proven that having a tiered payment system incentivises the farmer to do more for the management of the habitat. Feedback from the two attitudinal surveys in the Payments by Results trial indicates that the ambition to reach a higher payment tier has been shown by nearly all the farmers. This has stimulated additional management actions over and above their day-to-day habitat management activities.
- 12.2.3. We recognise that results-based payments have as yet only been offered for a limited number of years and options. So, initially there may be a need for some payments to be based on the actions delivered. However, we are supportive of the move towards results-based payments where this proves more effective.
- 12.2.4. Payments should be capable of review where they do not take account of the local circumstance or the actual costs of managing these sites. An example of this is the Broads Authority's fen and reed bed habitats where current payment levels do not cover the actual costs of management.
- 12.2.5. Capital work grants should be provided as part of the incentive for engagement please, as discussed under question 9 above. If these grants are unavailable, then tier 2 would be less attractive and therefore less effective. Capital works are often part of the incentive for farmers and land managers to participate in agri-environment schemes. They are essential additions, which help farmers, not only deliver the land management actions required but also improve upon other public goods such as landscape, water, and air quality. Some consideration is needed with regards to allowing for no interest 'loans' to farmers wanting to undertake large projects with the goal of protecting cash flow and enabling project delivery.

12.3. Tier 3

- 12.3.1. We support the proposed payment methodology of this to be on an individual basis through a negotiated agreement.
- 12.3.2. We believe that standard payment rates could be developed after a range of individually negotiated payment rates have been used and evaluated. This approach may be better suited to developing the market for private finance.
- 12.3.3. We believe that capital grants will help support initial land conversion where there is a high upfront cost followed by on-going maintenance payments are supported. For projects in tier 2 and 3, consideration is needed for no interest 'loans' to farmers and land managers to enable prime development and delivery of large projects in order to protect cash flow and enable landscape change.
- 12.3.4. We support exploring the significant potential to blend public and private finances through tier 3 projects.

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

13.1. Tier 1

13.1.1. An example from the South Downs is Water Companies (Southern Water and Portsmouth Water) establishing grants schemes for farmers and land managers to reduce nitrate pollution into the aquifer. The options available (e.g. cover crops, arable reversion, under sowing etc.) are either additional to current agri-environment schemes or adding extra benefits to existing options (e.g. extending dates, increasing areas etc.). These schemes are being delivered through Farm Clusters.

13.1.2. In the Broads, Water Sensitive Farming (WSF) is a collaborative initiative between Norfolk Rivers Trust and the Broadland and Cam and Ely Ouse catchment partnerships. Key partners include The Rivers Trust, WWF, Coca-Cola Great Britain, Coca-Cola European Partners, and Topsoil. The project encourages sustainable farming practices that promote soil health and consequently improve water quality and the efficient use of water. It is targeted using a source-pathway-receptor approach based on a combination of local knowledge, modelling, and mapping techniques.

13.2. Tier 2

13.2.1. This tier is so critical to the long-term continuity of public good delivery and in particular, nature recovery networks, that the government's commitment to the public money for public goods approach needs to be demonstrated. If the more innovative approaches for the blending of public and private finance outlined for tier 3 are proven, then this could be extended to tier 2 in the future.

13.2.2. Third sector funding including in kind support also provides opportunities for tier 2 type actions. For example, this has been done with tree planting with Woodland Trust advice, community volunteers and provision of trees. Other sources of funding such as National Heritage Lottery and Esmée Fairburn are also applicable.

13.2.3. Funding via the proposed planning net gain is likely to come on stream in the next few years. National Park Authorities as planning authorities and through their role in the development of Nature Recovery Strategies and Nature Recovery Networks will be well placed to guide where and for what such funds are used.

13.3. Tier 3

13.3.1. National Park Authorities have a key role as 'environmental brokers' – linking buyers (public and private sector) of environmental goods with potential providers (landowners, managers and farmers).

13.3.2. Investment Readiness Projects - Triodos Bank was involved in sourcing parties interested in being involved in the project. Moors for the Future Partnership is currently delivering one of five Investment Readiness Projects with Esmée Fairbairn, Defra, and the Environment Agency funding. The aim of the project is to develop natural capital-based approaches to conservation work through private investment. Part of this will be making sure that any private investment dovetails effectively with public finance for public good delivery.

13.3.3. Net Zero With Nature - the National Parks Partnership has facilitated a number of 'big idea' collaborative thinking sessions, one outcome of which was an agreement across NPAs that the 'biggest idea' for working together is climate change and nature recovery. Further thinking on this led to the idea of 'Net Zero With Nature' with the UK National Parks leading delivery of natural climate solutions at scale, through partnership working. A 'Net Zero With Nature' prospectus is being completed and will show how significant funding of our natural climate solution projects will help funders to meet their own environmental and CSR objectives. The aim is to use 'Net Zero With Nature' as a platform to drive a step-change in the level of funding that NPAs (and their partners) receive for this work between now and 2030 and beyond. This is to complement, not instead of, public funding for ELMs.

13.3.4. For additional information on planning net gain funding please see comments in 13.2.3. above.

13.3.5. Interestingly, the ELM Tests and Trials, such as in Dartmoor National Park, have revealed concerns from farmers and land managers about blending public and private finance which might lead to the ability of private investors to either increase outcomes required over time and/or the amount of influence they could have over privately owned land and how it is managed.

13.3.6. Third sector funding could also be a factor for tier 3 as suggested for tier 2 above.

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?

14.1. **Advice and support are always needed but with a variable menu.** National Park Authority experience shows that advice is always needed to ensure that the special qualities of these protected landscapes are understood and taken into account, and that scheme priorities are reflected widely and joined up across the landscape. Advice for all 3 tiers should be seen as an investment in ELM and in National Parks but will be required at differing intensities and times dependant on where the potential applicant/ agreement holder is in their environmental journey. National Park Environmental Land Management schemes have shown that the right advice at the right time will help harness farmer and land management expertise so that the environment and cultural heritage, as well as providing public access and engagement, is as much a part of their farm businesses as high quality food production.

14.2. **Trusted credible local advisers/facilitators** will be needed to build on and further develop existing relationships and networks. There is considerable evidence that providing high quality advice and developing a long-term relationship delivers better outcomes.

14.3. **Consistent advice through one main contact** will be important to ensure that mixed messages are not given to farmers and land managers. The main contact is unlikely to be an expert in all fields, so the advice model needs to include sign posting to other specialists who are knowledgeable and have experience of National Parks and are aware of the other opportunities and constraints.

14.4. **The stages where advice is needed are:**

14.4.1. **Early animation** - to engage and enthuse farmers and land managers will be crucial especially with the advent of a new scheme which is very different to previous schemes. Early findings from National Parks led ELM Tests and Trials show farmers and land managers really appreciate the opportunity to influence the design of ELM, yet many do not yet fully understand what public goods are but are thirsty for more information and engagement.

14.4.2. **Pre-application** – advice via a combination of guidance including 1:many and 1:1 advice will be needed to share the details of the 3 tiers, and for farmers and land managers to conclude which is the most appropriate tier for the holding.

14.4.3. **Application** -

- Tier 1 – advice is needed but on a basic, generic level such as a 1:many basis. Top up advice may be sufficient through 1:many events. However, some applicants will need more 1:1 support than others for the application and throughout the life of the scheme if we are to maximise delivery and ensure continued engagement.
- Tier 2 – more detailed advice is needed for these complex land management requirements. Whilst initially 1:many advice will help develop the collaborative landscape scale approach, 1:1 advice specific to the details of the holding will be important. Specialist

advice will be required at times, for example on invertebrate, raptor, hydrological, archaeological issues and on access. Such support will be required throughout the life of the scheme.

- Tier 3 – more detailed advice, similar to tier 2 is needed, but may also need to be supplemented with further specific project advice and facilitation over the longer term as this tier is going to deliver permanent long-term land use change. Specialist legal and finance advice may be also be required for any more innovative approaches.

- 14.4.4. **Agreement delivery and monitoring** - on-going support is needed to maximise outcome delivery, and encourage, build confidence and knowledge of farmers and land managers. This will thereby empower farmers and land managers themselves to continue with public good delivery into the future. In order to give on-going advice, which maximises outcome delivery, survey and monitoring must be integrated into this support model.
- 14.4.5. **Additional considerations:** A streamlined, holistic approach to advice delivery in National Parks is needed to ensure quality advice, which is relevant to the special qualities, special significance of and ambitions for National Parks. A balanced, integrated approach is needed to ensure maximum public good delivery, which works both at the individual holding, and landscape level.
- 14.5. The **2019 Landscapes Review** proposes dedicated National Park farm advisers that land managers can trust. It also states that where these are in place now, farmers often work well with them. National Park Authorities and the Broads Authority support this recommendation.
- 14.6. Private advisers are sometimes driven by the financial needs of the client rather than for the environmental outcomes. Therefore, it is important that advisers have the knowledge and the skills to get the most out of the scheme for the environment. National Park Authority advisers are skilled and experienced in early animation and taking an integrated and balanced approach for both the natural and cultural environment. Private sector advisers range from agronomists (often linked to sales of agro-chemicals) and forestry agents, to land agents providing business management and development. This private advice market is often fractured, driven by one interest/specialism, and of variable quality due to competing commercial and policy interests.
- 14.7. Training may be needed for advisers to ensure a full understanding of the new scheme and a form of simple accreditation or sign off for this would be required. In addition, experience in National Parks has shown that often private agents and/or advisers do not fully understand the nuances of that particular landscape so further training and accreditation may be required for those active in National Parks. National Park Authorities are well placed to help deliver this.
- 14.8. It is essential that ELM advice is linked to the wider farm business. The environment should not be seen as an 'add-on' but an integrated part of the farm business. Advice needs to be seen as a learning process to build ownership, understanding, knowledge and professional competency
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?

- 15.1. We support the approach for scheme compliance, monitoring and enforcement to be less burdensome, inflexible, and focused on punitive actions. The focus needs to be on building positive relationships which encourages improvement rather than anxiety; and which develops a sense of pride and ownership in the public goods delivered.
- 15.2. The model of business-to-business performance improvement is recognised in the wider business world and could be encouraged through ELM. The Peak District National Park Authority's Environmental Quality Mark scheme provides a valuable example of business-to-business networking which encourages businesses to collaborate and thereby ratcheting up their environmental performance.
- 15.3. National Park Authorities and other organisations have also delivered Citizen Science and other local community engagement projects, which could play their part in general, early, and even specialist monitoring. Such an approach could support land managers before more formal specialist longer term inspections.
- 15.4. Feedback on monitoring from National Park led ELM Tests and Trials includes the following observations:
 - The **Land Management Plan** (LMP) could be used for monitoring (as well as application and delivery)
 - Monitoring could include photographic evidence and satellite monitoring and would refer to the baseline map and options/outcomes set out in the LMP. Over the years, this has become more acceptable and is seen less as a "Big Brother" or an intimidating approach to monitoring. Two NPAs are working with Universities to explore the use of satellite and aerial imagery for baseline data and long-term monitoring of change.
 - Important to monitor **outcomes** and refer these to baselines in advice visits and check improvements so progress can be made and recognised
 - Land managers should be expected to achieve outcomes in return for scheme payments
 - Land managers must achieve outcomes in order to move up through the tiers.
 - Ecological assessments are needed at the beginning of agreement in order to set realistic targets
 - Habitat characteristics, not species, should be monitored. Species should be monitored at a broader scale to assess the effectiveness of the scheme as a whole – not at a field/holding level. However, there will be some species which are very localised and may require more specific monitoring such as fungi and invertebrates
 - Baseline records of archaeological/heritage interest are needed
 - There may be a need to monitor the condition of cultural as well as natural features if payments are being received
 - Land managers may need to provide some evidence to support monitoring, such as for fen/reed bed cutting maps or annual breeding wader survey
 - There are some concerns around self-assessment because it may be too complex and time consuming for land managers, too subjective, there is a risk of self-inflation, it may be difficult to verify the results and some outcomes may take years to achieve

- Some ecological/heritage monitoring by specialists or suitably qualified advisors and facilitators is likely to always be needed and will need to be funded through the scheme throughout the life of the agreement beyond
- ELM needs to be flexible so that monitoring can inform management and therefore monitoring needs to be integrated and mandatory
- There needs to be a separate inspection or audit process that is clearly distinct from advice provision
- There is a need for regular (formal) review of management and outcomes with a trusted adviser
- The scheme advisers should not be trying to catch you out, but rather there to support you for the best outcome
- Training is requested so that land managers can self-assess as good practice, but official monitoring and verification should be done by the scheme advisers
- The majority of agreement holders should not be expected to self-monitor their agreements straight away. Support for training and confidence building should be provided.
- It is important that agreement holders understand what they are being asked to achieve and what success looks like.

15.5. In particular, the following was learned about farmer self-assessments under the Defra Payment by Results trial in Wensleydale and Norfolk/Suffolk: -

- Self-assessment has worked well with the farmers
- Farmers have picked up survey skills rapidly and, although there is still some degree of error, this is narrowing
- Simple self-assessment forms that rely on evidence gathering to support the condition of a feature is key; however, there will be a need to rely on proxy measures in some situations in order to still understand how the feature that is being assessed is being managed.
- There is a wealth of understanding and evidence both in this country and in other European countries on how self-assessment positively engages the farmer in delivering the outcomes a scheme is asking of them
- Putting trust in farmers and land managers to monitor their progress is a very empowering approach, which has produced positive results that goes beyond the features being assessed
- More incentive is generated to undertake this work by tying self-assessments to the payment,
- There is concern, however, that whole farm self-assessment may take a lot of time and for some farmers, they may feel overwhelmed by this approach
- If self-assessment is to be part of the scheme, then adequate advisor support will be required before the farmers are fully confident with the approach. However, self-assessments could be structured so that they are undertaken at different times of the year, rather than all at once.
- Timing is dependant on the feature being assessed and when habitats and species are at their best and most visible.

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?

- 16.1. The Landscapes Review puts National Parks at the heart of nature recovery networks. This plus the experience of National Park Authorities and the Broads Authority in developing innovative approaches, such as the first outcome or results based pilot scheme, Dartmoor Farming Futures, and the engagement with Defra's ELM tests and Trials means that National Parks are well placed to help deliver part of the national pilot. National Park Authority advisers and specialists have the local knowledge and experience for protected landscape-based integrators at the landscape and farm scales.
- 16.2. We suggest that there should be geographic representation of National Parks and AONB's from across the country in the national pilot.
- 16.3. Many farmers and land managers have already been warmed up through the ELM Tests and Trials process and have an appetite to take the next step and engage in the national pilot.
- 16.4. There are concerns as to whether current resourcing within Natural England and the Forestry Commission is sufficient to deliver the pilot. NPAs and the Broads Authority, as local advisers, could however help with delivery in National Parks.
- 16.5. Suggested elements for the national pilot include:
- Payments
 - Monitoring
 - Compliance
 - Regulation and enforcement
 - Advice
 - New types of holdings e.g. small equine
 - Tier 3 procurement model
 - Land management plans
 - Uplands
 - Common land
 - Protected landscapes
 - Delivering across the full range of public goods – how to integrate and balance delivery

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

17.1. The Landscapes Review

- 17.1.1. Julian Glover in his Landscapes Review said, "Our national landscapes could not be better placed to put into effect Nature Recovery Networks". The Panel specifically recommended that "National Landscapes should form the backbone of Nature Recovery Networks – joining things up within and beyond their boundaries" (Proposal 4). NPAs and AONB's agree with this ambition and believe that it is imperative that all National Parks and AONBs have the ability to develop their own Nature Recovery Strategies and Networks.
- 17.1.2. There is concern that if these strategies and networks are developed on a county boundary basis this will make the achievement of nature recovery in protected landscapes (24% of the country) harder (not easier) to accomplish. We have decades of experience of working at a landscape scale and across administrative boundaries. This depth of knowledge and contacts is not replicated at a county level. Reliance on county boundaries risks fragmenting action on nature recovery within our areas, leading to duplication and inefficiency. So, we would like to encourage Defra to ensure that the NPAs and AONB Partnerships and Conservation Boards have the tools, powers, and resources to deliver for nature in their areas and beyond. A key short-term signal of intent would be to adopt protected landscape boundaries as the basis for Local Nature Recovery Strategies. This would help reduce confusion and galvanise action across our networks

17.2. Whole or part holding agreements

- 17.2.1. Whole farm or holding agreements are recommended so that an integrated and balanced approach to public good delivery can be considered, for the public goods already being delivered and for those that could be delivered or increased especially in the context of adjoining and neighbouring holdings.
- 17.2.2. When part holding agreements are available this has sometimes resulted in displacement of activity from one area of land to another with consequential damage or loss of natural and/or cultural interest in an unmanaged way. Overall whole holding agreements are seen as a more effective model as demonstrated by the National Trust's Payment for Outcome Defra ELM Test.

17.3. Agreement length

- 17.3.1. Agreement length needs to reflect the level of investment (both from the public purse and from the agreement holder) and permanent land use change. The 2019 'Overcoming Barriers to Countryside Stewardship in the North York Moors' report highlighted levels of demotivation caused by changes in Natural England priorities for each term of an agreement giving the impression that previous efforts were no longer valued. There has to be long-term investment and commitment if we are to see ELM achieving significant environmental benefits rather than maintaining the status quo.
- 17.3.2. In terms of ELM agreement lengths we suggest that tier 1 should be a minimum of 5 years, possibly with a rollover option for a further 5 years depending how many of the actions are ones that we would want for the longer term. This would reduce the administration costs of agreement turnover, providing there is sufficient flexibility for adjustment over the agreement period to changing circumstances.
- 17.3.3. We suggest that tier 2 should be for 10-year period with a 5-year break clause but, as above in 17.3.2., with rollover options.
- 17.3.4. As tier 3 relates to permanent land use change this should be for a 20 to 30-year period or in perpetuity through positive conservation covenants.

17.4. Securing public investment in the longer term

- 17.4.1. There will be a need to secure public funding, which has been provided for the delivery of public goods and, in particular, the maintenance, restoration and creation of priority habitats through tiers 2 and 3. Ideally, this will be through permanent land use change by a variety of emerging mechanisms. This should be such that ELMs tiers 2 and 3 agreements and payments with the scheme are extended for longer terms and remain attractive enough to incentivise farmers and land managers to continue to participate. Going forward, enhanced regulation and enforcement should be the backstop to preventing the loss of public investment. In this way, public good delivery, including nature's recovery, should be secured.
- 17.4.2. Similar issues will need to be considered for private finance as well.

17.5. Eligibility

- 17.5.1. All farmers and land managers, regardless of the size of their holding, should be eligible for ELM as it is the delivery of the public good outcomes and, in particular, the collective outcome across the landscape that is end goal.
- 17.5.2. In our National Parks a high proportion of the holdings are small but together they make a substantial contribution to the special qualities of these protected landscapes. Indeed, most of the land in English National Parks is used for farming – as of 2017, there are approximately 7,150 commercial holdings, covering 63% of the total area of National Parks. The farmed area ranges from around 50% in many National Parks to 82% in the Peak District. National Parks

are attractive places to live and invest in land so there are increasing numbers of holdings, which are not primarily agricultural such as those used for horses, or for a mini Estate and we recommend that these types of holdings should also be eligible for ELM.

17.5.3. Those farmers and land managers that have historically engaged with agri-environment schemes and who are now in the position to 'maintain' their land as they are already providing the public goods that the scheme seeks to provide should be top of the eligibility list. Such individuals should be rewarded, and thus we would welcome praise or positive stories recognising their good work. Albeit, support and advice should continue to be available to these farmers and land managers so that they can explore even greater public good delivery.

17.5.4. It should be clear from early on that conservation organisations and bodies such as land owning National Park Authorities, RSPB, Wildlife Trusts and the National Trust should be eligible for all tiers of ELM as they often own land of existing conservation interest that will form a key part of nature recovery and wider public good delivery.

17.6. **Transition**

17.6.1. Helping farmers and land managers embrace the move from the current support schemes to ELM and greater public good delivery is critical.

17.6.2. Agri-environment scheme uptake has declined as Environmental Stewardship agreements end and do not translate to mid or higher tier Countryside Stewardship. This provides the opportunity for a big demand for the ELM National Pilot in 2021 and for ELM itself in 2024 as Basic Payment Scheme payments taper down.

17.6.3. However, clear and consistent messaging from Government, the industry, and other stakeholders will be needed to ensure that this is not too little too late.

17.6.4. There is concern about how many of the farm and land management businesses in National Parks will cope with this period especially if not all who wish are able to enter ELM in year 1 and those who are in existing schemes but with BPS vastly reduced. There is financial time pressure, which might cause real socio-economic and environmental damage particularly for many of the upland farmers, small holdings, and commoners. We would like to work with Defra to avoid/minimise these risks.

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