Response ID ANON-6JAU-FMG5-5

Submitted to **Environmental Land Management: policy discussion**
Submitted on **2020-07-30 11:05:50**

Introduction

1 Do you want your responses to be confidential?

No

if you answered yes to this question please give your reason :

2 What is your name?

Name:
City of London Corporation

3 What is your email address?

Email:
sally.gadsdon@cityoflondon.gov.uk

4 Where are you located?

Please select:
London

5 Who are you?

Please select:
Land manager

Please specify:

consultation questions

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

Please leave your comments below:
On point (d) - The group of eligible applicants needs to be broadened so that owners and managers of peri-urban areas (Metropolitan Green Belt, Sites of Importance for Nature Conservation) are fully encompassed, which may include public bodies that manage public open spaces outside of their statutory duties, given the greater need of these places for public health and as a result of greater use resulting from the legacy of COVID-19. It would also serve to link in with public health strategies. Nature and access to a beautiful environment are essential for people's well-being. There are significant opportunities within agri-environment schemes to provide for access-related public health programmes providing a valuable link to the Government's wider public health agenda.

On point (f) - The need to work with/support land owners to help resolve issues in delivering the desired outcomes and therefore to move away from financial penalties as the first response to non-delivery, is required.

There is a need to have the ability to adapt management through the term of agreement in response to changes in the environment, habitats and species. The current rigid structure of a 10 year CSS agreement does not allow this; much can change over this period.

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

Please leave your comments below:
The objectives would be delivered, the question is at what scale will the scheme be taken up. If the scheme is not designed correctly nor the payment rates optimised then the magnitude of change enacted by ELM will be very low because of the low number of applicants.

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

Please leave your comments below:
To encourage high uptake of the scheme the application/scheme burden/barriers need to be reduced/removed:
• Timing
o Currently the application process takes place from early spring to mid-summer – the busier time for farmers and land managers. Change this to starting in early autumn. The time lines for various elements such as seeking planning permission, getting 3 quotes for actual cost items, filling in forms are too condensed to be able to make an application. If the initial application was online then an online form could flag up what land owners needed to plan to do during the rest of the year to complete their application (created as an auto-generated application plan).
o There is only one opportunity to apply each year. This should be increased to at least twice a year, or ideally entry throughout the year, this would encourage uptake because there is less time to wait until the next window. The one application entry per year puts too much pressure on Natural England advisors.

o Releasing the information on the payment rates a long way in advance of the launch of ELM to give land managers plenty of time – ideally 1 year beforehand - to consider and plan.
• Funding
o there is a balance between value for money and the incentivisation of the payment rates to encourage uptake. This needs to be determined.
o Payments that are not inflation-linked. When a 5 or 10 year agreement is entered in to the payment rates pay for less work/compensate land owners less over time. This can make things very difficult for land owners and this experience might put applicants off.
• Flexibility of the scheme
o The current CS scheme is too rigid in the rules and there is no ability to change management over time as the environment, habitats and species change. Often the management for the habitat is tailor to fit the rigid rules of the scheme rather than to suit the habitat, this skews management away from optimal towards meeting grant rules.
o Expansion of subject specific stand-alone grant schemes – Distinct and focussed grants such as the Hedgerow and Boundaries Grants Scheme have proved to be popular and deliver good value for money. DEFRA should consider the development of further easily accessible subject-specific environmental schemes that fulfil a range of public good objectives.
• Complexity of scheme
o As much simplification as possible is required, it is very difficult for applicant when the scheme has so many rules and requirements, the CS Higher Tier grant handbook is 172 pages.
o There shouldn't be a separate application stream for woodland grants to the rest of a grant application as there is no in CS, which involves a separate process and paperwork. There should be one ELM application and the Forestry Commission, Historic England and Natural England all input where relevant.
• Land owner chosen commitments – some applicants would prefer shorter agreements, and some would prefer longer agreements. Applicants could choose from a pre-set of agreement lengths.
• Change in inspection focus – there is a significant worry amongst applicants and agreement holders about the implementation of financial penalties over inadvertent mistakes/errors in delivering complex schemes/administration processes. Most land owners want to achieve what they sign up for. It would be more encouraging if the focus of inspections move towards supporting problem solving on-farm at the point of inspection compared to written reports after inspection where the agreement holder/claimant has no opportunity of asking questions and discussing the situation.
• Burdensome/problematic RPA administration
o One of the main barriers is confidence in the RPA to administer the scheme efficiently (forms going missing, lack of confidence in advice being given, slow payments). In addition, there is a significant worry amongst claimants and applicants of making inadvertent errors in application or claims which are treated disproportionately, and RPA staff are not given discretionary decision making powers to be flexible in dealing with these errors. The scheme would attract more applicants if the RPA stated they would be more flexible on dealing with errors in paperwork.
o Too many different forms – mixture of paper and online submission makes it unnecessarily complicated
o It is extremely difficult to get advice from the RPA helpline, the staff are fantastic and do their very best but they don't know the schemes or the guidance documents mostly and call back times from specialised teams take a long time or aren't returned. The RPA teams need more resource and training. ELM applicants need to be assigned an RPA case officer so they can seek guidance from them during their application process because Natural England can't give advice now, and it is more effective to have an ongoing dialogue with one person rather than starting back at the beginning with the help desk every time an applicant has a question.
o Emails, letters and other documents like remittances need to have more details on them because the standard text is sometimes of no help. Remittance advice letters do not always show enough detail to work out what the remittance is for.
o Submitting evidence and other information – many people's emails can only send up to a certain amount of Mb per email, there needs to be a way of uploading evidence to an RPA website rather than emailing it over or posting. This could also apply to various forms, so they are uploaded to an SBI account rather than emailed in to the general helpdesk to assign appropriately.
o Paper work is not processed on time/in a timely fashion. This can impact on, and put at risk, the delivery of things such as capital works (our own current application is still being processed 7 months after the intended agreement start date). Therefore, the applicant is penalised for the RPA's insufficient capacity to process applications and this increases the risk to the applicant of failing to meet the required deadlines. Why would an applicant want to put themselves in that position?
o The difficulty in amendment rural land parcels – this is extremely time consuming taking many years sometimes to correct the RPA's mapping errors. The RPA needs to be able to accept GIS files from claimants, and also provide an online system for mapping corrections by claimants.
o Remote inspections using aerial photography should only be used where it can be used as unequivocal evidence. It cannot be used where there is canopy cover, e.g. to determine eligibility for the Direct or Pillar 2 payments or their equivalents. These cannot always replace on-farm inspections.

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?

Please leave your comments below:
The split in activities between the tiers appears appropriate generally.

In Tier 1 it is important that grass and herbal leys are included in soil management and that hedges, ditch margins and woodland edges are included in field margins. Tier 1 seems very similar to the content of ELS and mid-tier CS. Recognising the climate and biodiversity crises and the huge part contribution of farming to both, ELM needs to be a step change. Entry of farmers into Tier 1 needs to be based on their signing up to a diversity of measures on farm, such as a mixture of crop diversity, land management practices, on farm habitats, not solely a lot of one/few measure(s). The application requirement needs to be based on a sufficient diversity environmental offer to make a difference.

If Tier 2 includes recreational areas, funding should not only be restricted to infrastructure but much wider measures to support the management of recreational areas, given the legacy that will come from COVID-19. The importance of open space for health and wellbeing is one of the strongest legacies from COVID-19 and should be recognised in the development of the ELM scheme.

There appears to be a large emphasis on restoration and habitat creation, and not as much on ongoing management. There have been changes between successive previous schemes where one funded restoration of a particular habitat and then the scheme did not fund ongoing management, so the restoration work was not maintained. One example is for traditional orchards where there was funding for planting under HLS but funding in CS for managing newly planted orchards. Furthermore, restoration grants need to be available to the land owner across successive scheme agreements as for many habitats restoration cannot

be achieved in a 5-10 year agreement, and if applicants only have the option of choosing a much lower paying management option following having had a restoration option in a previous agreement, it might de-incentivise the applicant from continuing with management, which wouldn't be the best of use of funding to have paid for the restoration. Often there is a lot of follow up work following restoration which is more than just ongoing management.

There needs to be the ability to have multiple tiers in one agreement.

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?

Please leave your comments below:
ELM seems to put a lot of emphasis on working with neighbours which seems like a great idea unless the neighbouring land owners are uncooperative or not interested. This could be a role for Natural England to work with key land owners/managers to encourage their participation. This might be in the form of increased financial incentives (perhaps by paying for consultants to prepare an application) or investing more time to make these joint workings happen. However, currently Natural England do not have sufficient resource to deal with their own workload, let alone engage in new activities , so they would have to be properly resourced.

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?

Please leave your comments below:
County-level priority statements, similar to the National Character Areas used for CSS, that have incorporated details from designated sites, local BAPs and Biodiversity Opportunity Areas, received input from local Natural England, Historic England, Environment Agency and the county council, but which is supplied to the main county natural history and historic groups , and district and parish councils to seek input to ensure important overlooked features are not missed.

Identification of local priorities must be done after an appropriate landscape assessments recognising of historic landscape and valuable ecological elements of the landscape, particularly where habitat creation is proposed. Habitat creation must fit in with the natural historical ecology and landscape characteristics to prevent inappropriate landscape changes, both ecologically and culturally.

Whilst ELM has strong regard for landscape-scale management, the process to identify local environmental priorities is key for ensuring small highly valuable sites are not overlooked. Some of these sites can contribute ecosystem and biodiversity features in far greater levels compared to comparable areas of some landscapes.

There are now several environmental schemes / strategies - ELMS, Biodiversity Net Gain, Nature Recovery Network Plans, Carbon Credits, Sustainable Alternative Natural Greenspaces. Perhaps applicants need to be advised a year before application on what would be the best route for the land owner and the government's targets.

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?

Please leave your comments below:
Start with an ecosystem service analysis. There is now probably sufficient data on the financial contribution of various services such as pollination, margins to prevent pesticides entering water courses etc. to calculate the financial value of those services. Rank the different measures to identify which ones provide the greatest value of their combined services. Then undertake a similar analysis of the biodiversity improvement potential that these measures can provide because the biodiversity crisis needs to be equally tackled. For this the Defra metric v2.0 (used for Net Gain) could be used which would have the benefit of aligning ELM with Net Gain policy, however I believe it would be better to develop metric v2.0 further to have a tool that is able to deal with greater habitat specifics and condition. These two scores would be combined and the results would need to be weighted based on their regional contribution. This would therefore identify which measures are most beneficial. I think the methodology needs to be created by academics, and develop metric v2.0 further.

The income to growers from the replacement of BPS with Tier 1 needs to be bolstered by the public paying more for food. See response to question 13.

Another important balance to strike is the payment rate differences between restoration and ongoing management options. Payment for ongoing management, compared to restoration grants, can be very low. This might de-incentivise applicants to a successive scheme from managing habitats that have been restored because the payment rate is insufficient to carry out follow up work from the restoration phase. Perhaps there should be a middle option which sits between a full restoration payment and a lower ongoing maintenance payment.

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

Please leave your comments below:
Green finance is becoming well established. The need to address consequences of climate change and the biodiversity crisis are well known now. The green finance sector is becoming well established, and there is a growing commitment from business. Tier 1 lends itself to private investment by the food sector and water industry; Tier 2 lends itself to UK businesses including developers; Tier 3 lends itself to investment by large national and global businesses. All three tiers would be suitable for carbon and biodiversity credits to be bought in any amount by private individuals and businesses of any size.

But throughout all of this, the public needs to start paying more for food and less healthy food needs to be taxed more. Nudge behaviour towards healthier eating and British food security will save money on health care, assist the British economy and supplement the funding of public goods. But there needs to be support for families on low income families. There needs to be a stronger supermarket ombudsman which needs to review farming contracts between growers and supermarkets.

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?

Please leave your comments below:
• Advice is not always needed. An (?self) assessment at the beginning of the application process could determine the applicant's need for advice rather than taking each applicant through the same process steps, which can waste time for the agency and applicants who are experienced land managers and agents. If experienced land managers and agents know the sites better than Natural England staff, NE could focus on helping less experience applicants.
• In CSS for SSSIs, where there are different people staffing the SSSI Responsible Officer and CS Advisor roles, both are required to input on many elements, this can be double handling, one or other should be sufficient for each item. A central application portal where applicants, ELM Advisors and SSSI Responsible Officers and other parties such as Environment Agency (Catchment Advisors), Historic England, Planning Officers can view and complete tasks related to the application, this would be much more efficient.
• For experienced land managers the advice needs are on navigating the scheme, understanding application requirements and deadlines rather than land management itself.
• Natural England have kept an internal Q&A on CS Scheme elements. If this was more widely available to applicants this could reduce avoidable contact to the RPA and Natural England.
• Advice needs for experienced land managers would also centre on:
o Tailoring objectives (ELM consultation document page 8 bullet point b) for the habitat
o issues with slotting more complicated habitat types/sites into set options
o The need to reasonably amend an agreement as habitats, species and the environment develop over time.
• If CS advisors are more involved they need time to visit sites properly – there need to be more capacity at Natural England to help applicants with ELM. Natural England keep a list of potential future applicants, it would be more efficient for applicant and advisor if the applicant can be advised/guided on preparation they can do before the application year, because the January to August application window is too short resulting in rushed applications. ELM will be more tailored, so even more time will be required to consider the proposals.
• There needs to be more clarity within Natural England on the guidance about the measures that are funded to avoid time required during application development on seeking guidance. This is especially prevalent for 'in between' habitats that site firmly neither in one habitat nor another. CS advisors should be given greater autonomy to make their best decisions and some rigidity needs to be taken out of the scheme's system.

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?

Please leave your comments below:
There are two elements to this: doing the work; monitoring the results.

Doing the work
How this could be recorded - examples:
• Photographs of work done held for inspection.
• Annual claim for work done.
• Other easy to record metrics such as number of grazing days or new pollards made.

Monitoring the results
This need to be simple, such as scoring sheets which are tailored for each feature at application the stage. For example:
• ponds - % south side of pond shaded; % water area populated by desirable water plants
• bracken - % cover
• habitat structure – fixed photos, but the number of these needs to not disproportionately disadvantaging land managers with large areas of complex habitats
• weed burden/prevalence – approx. size of patch or % cover on interest feature
• veteran tree health score – start and end of agreement
• soil organic matter – start and end of agreement
• spray records
• water meter readings for water storage
• fixed point photography and video recordings

Species surveys are difficult and time consuming. The CSS BEHTA is done by Natural England; Natural England do not have capacity to record the results of ELM. Small amounts of funding could be given to local natural history groups via contracts to deliver this service. These groups tend to undertake this activity anyway at their own costs, so low-level funding could pay for training for members to expanding the pool of people and the experience held to create a wider network of recorders. The species surveys mostly do not need to require expertise, but an easier level of knowledge and is therefore achievable. This funding could be part of an ELM agreement where the land owner pays the natural history group directly.

In practice, land managers with more diverse and complex large scale habitats are disproportionately disadvantaged as recording becomes unwieldy and is a barrier to enter the scheme or the level of commitment taken up in the scheme. There needs to be a way to reduce the burden for larger owners with more complex sites.

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?

Please leave your comments below:
The priority should be number 3, the scheme mechanics, because if a well run scheme is not designed, or it is overly complicated or burdensome, there will be

the low uptake as seen in CSS, and then there'll be limited return on numbers 1 and 2 if the scheme is not taken up in sufficient quantity. The easier the scheme is to apply and to deliver the greater the application of this scheme across the land and a chance at a meaningful change. The key elements of number 1 that need rigorous testing on a large range of land owner types, including larger land owners with varied habitats are:

• realistically how long does it take to apply;
• realistically how long does it take to gather the evidence recording work done and results seen;
• how many applicants can be handled by Natural England (is this the bottleneck?) – it can be impossible for one advisor to process all the application documentation in CSS for a large and complex site in one application year;
• how to automate the scheme more so that more can be done by the applicant autonomously – greater direct input such as online mapping for the equivalent of BEHTA mapping, setting of prescriptions; auto generated lists of the evidence required to be kept;
• rigorous testing of the IT system; including a system that automatically updates when RLR parcels change – not requiring human input – where the ELM scheme maps are interactive with the RLR parcels – changes in RLR parcels affect amount of ELM options in each one which are very time consuming to check and change manually. Self tailoring options.
• Developing the part of the ELM scheme that deals with commons administration. Currently the RPA are not fully set up to deal with CSS and BPS commons applicants, and commons applicants are significantly inconvenienced in dealing with the administration:
o CSS applications and claims cannot be submitted online
o RLR information cannot be seen for common land most of the year
o Much of the guidance for CSS and BPS does not cover how the processes differ for commons, so either an applicant finds out by accident or has to spend a long time waiting for the RPA to confirm what the correct procedure is

Number 2 is the second priority, if the scheme is not prohibitive to apply and enter, I believe all land owners will be interested in funding, even if it is relatively low. But if the payment rates are too low, the mindset is that the rates are not attractive enough to tempt people in to the scheme. I suggest focus groups for number 2 to gauge this financial threshold.

It is critical that there is a sufficient number of pilot to robustly test the scheme and that the full range of applicant groups (nature conservation organisation, national park, farmers, charities, other land owners etc) are sufficiently represented in number.

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

Please leave your comments below:
It is important not to launch ELM prematurely because if the scheme does not run smoothly all the same concerns with CSS, BPS and HLS will be raised and potential applicants may be put off applying. A backlog may also be created which might not be able to be cleared. It is critical that the IT system works and as much can be done via an online system (not via email or post) as possible.

Payment by results or outcome based payments – the payments from ELM should not be purely results-based because there are often factors outside of the control of the land manager. It is the National Audit Office's view that while its supporters argue that, by its nature, Payment by Results offers value for money, these contracts are hard to get right, which generates risk and cost for commissioners. Payment by Results potentially offers benefits such as innovative solutions to intractable problems. If it can deliver these benefits, then the increased risk and cost may be justified, but this requires credible evidence. Without such evidence, commissioners may be using this mechanism in circumstances to which it is ill-suited, to the detriment of value for money (NAO 2015).

Similarly, Natural England's Result-Based Agri-Environment Payment Scheme (RBAPS) started in 2017 have demonstrated that while environmental performance may increase, the lack of efficient systems for administering outcome-based schemes is a major drawback. Consequently, management costs have been found to be high and the evidence base on how to achieve preferred outcomes is at best uneven. Outcomes-based systems can be subject to confounding factors such as weather; disease and pests, which may form part of the outcomes-based risk, can unduly influence the success or failure of a scheme.

Results should be able to be multifactorial, such as improvements in: biodiversity, carbon sequestration and other ecosystem services such as water retention and shade. Different management techniques on different habitats can deliver varying degrees of benefits, therefore there needs to be some standard calculators to base payments on. Standard payment rates for set outcomes need to be carefully thought through because sites differ in their natural diversity/environmental state and have varying legacies of environmental impact. Furthermore, outcomes happen at different timescales at different sites and those timescales sometimes cannot be influenced. Sometimes, outcomes simply do not happen despite textbook land management, for reasons outside of the land manager's control.

There needs to be an ability to buffer the effects on payments due to external factors such as weather, pests, force majeure issues (fires).

Methodologies for assessing outcomes/results will need to be provided to the applicant before applying to scheme to get a sense of what is achievable before committing resources to making an application.

An applicant with both SSSI and Scheduled Monuments on the site can find themselves between advisors from Natural England and Historic England being "held to ransom" by both parties demanding particular items to part of the application or they will refuse to sign off on the application. This makes it especially difficult for land owners as the scheme payment rates do not cover the cost of the works, so they are forced into taking on a greater financial burden for the sake of trying to obtain valuable funding to support land management. It is not possible to meet everyone's wish list.

In addition to matching payments to market rates, for management that is not linked as tightly to markets, payments need to match inflation as under CSS the payments rates are static for 10 years in some cases which makes delivery by the applicant increasingly difficult.

Squirrel and deer control need to be available for more habitats that woodlands, including wood pasture and other relevant habitats.

In the Discussion document, the section 'Determining what we pay for' (pg. 32) has "beauty, heritage and engagement", this is a miscellaneous collection of important public goods which deserves specific definition and single enunciation. Though not a well-recognised term under the European Landscape Convention: Florence Convention (2000) to which the UK is a signatory, natural beauty is a statutory component of legislation protecting the landscape of Natural Parks and Areas of Outstanding Natural Beauty (AONBs) An earlier manifestation of the term is seen in the 'natural aspect' landscape definition used to protect many of the

City Corporation's common-land based landholdings secured for public benefit in the 1870s. The notion of the Convention's 'Landscape Quality Objectives' and DEFRA's previous work on 'National Landscape Areas' (NLAs) would in the City Corporation's view represent a separate and defined public good that would be worth inclusion in the consultation documents primary outcomes list. Similarly, in the same way that NLAs help define aesthetic character that is a source of local character, regional pride and tourism revenue, the interplay between heritage and the landscape is again worthy of definition as public good.

Crops, tree, plant and pollinator health does not seem to be covered by ELM. The protection of key elements of the English countryside is an extremely complex area which requires a concerted approach by Government. The expansion of international trade; the connectedness of the European plant trade and climate change have together substantially increased England's exposure to a range of Invasive Non-Native Species (INNS), zoonoses and pathogens which now pose real dangers for crops; livestock and trees, together with native biodiversity. From pests and diseases affecting most major English hardwood trees to the out-competition of the English white-clawed crayfish by North American and European counterparts, England's biodiversity faces new and growing threats. The protection of England's biome is a fundamental public good which requires a range of measures including greater public awareness; improved research; expanded control measures and accurate monitoring to improve the overall response to species protection. Defra and the grant schemes should be more joined up with other initiatives, including those by the non-governmental sector. For example, the B-Lines initiative of BugLife, although indirectly supported by the agri-environment scheme options could be linked much more directly and the urban initiatives integrated in the funding alongside the more traditional farmland projects.

Tranquillity should be included as a public good. Previous research by the Campaign for the Protection of Rural England (CPRE) and the Countryside Agency have mapped Tranquillity Areas across England to help emphasise the importance that the role of quietness and access to dark skies areas contributes to public health and relaxation. Visitor Surveys at the City Corporation's Charitable Trust for Epping Forest continue to underline that access to tranquillity, especially the presence of the natural world, is a primary reason for seeking access to Open Spaces. Agri-environmental schemes have a key role to play in perpetuating the protection of tranquil rural areas and especially the peri-urban fringe. There is however a wider role for Government to play in perpetuating Tranquillity through Planning controls and transportation initiatives. Tranquillity represents a much under estimated and under played public good which deserves greater emphasis in future agri-environment strategies.

Consultee Feedback on the Online Survey

18 Overall, how satisfied are you with our online consultation tool?

Satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :
Be able to format text - bold, underlined, bullet point formatting.
Also to be able to make the text window bigger for viewing/editing.