



Land Use in England Committee

Corrected oral evidence: Land use in England

Monday 7 March 2022

3.30 pm

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Members present: Lord Cameron of Dillington (The Chair); Baroness Bakewell of Hardington Mandeville; Lord Borwick; Lord Curry of Kirkharle; Lord Goddard of Stockport; Lord Grantchester; Lord Layard; The Earl of Leicester; Baroness Mallalieu; Baroness Redfern; Baroness Young of Old Scone.

Evidence Session No. 2

Hybrid Proceeding

Questions 15 - 27

Witness

I: Susan Twining, Chief Land Use Policy Adviser for the Country Land and Business Association (CLA).

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Examination of witness

Susan Twining.

Q15 **The Chair:** I welcome Susan Twining, who is the CLA land-use policy adviser—I cannot think of a better title for someone to advise this land-use committee. I also welcome the general public, because this is a public evidence session of the Select Committee on land use, and land-use strategy, in England. Susan, you have a list in front of you of interests that have been declared by members of the committee. The meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be taken and published on the committee's website, to which you will have the opportunity to make corrections if necessary.

I will ask the first question. What do you think will be the main impacts of the Government's 25-year environment plan, the commitment to achieve net zero by 2050, and the 30 by 30 targets for land use in England, including housing targets, forestry targets and biodiversity targets generally? Do you foresee any unintended consequences?

Susan Twining: It is worth saying first that the CLA supports the goals of all those strategies—net zero, the 25-year environment plan, and 30% designated land by 2030. We are also keen that farmers and land managers are noted for the unique role they have to play in delivery, provided that we have the right enablers.

In terms of impacts, there are already increasingly complex demands on land. We see very complicated issues in housing, food production, commercial development, national infrastructure projects and local infrastructure, as well as renewable energy production, nature and climate. There are a huge number of demands, and many farmers and landowners are feeling a lot of pressure to manage land differently without any clear objectives or visions for what they should do next. That is leading to quite a lot of pushback and some defensive positions that are not necessarily helpful.

All these demands build tensions between the different priorities. We already see that, particularly between food production and the environment, although in some respects there does not need to be a tension there, because we are really looking at what we can do with multifunctional land-use change, so that it is not delivering for just one aspect. Even between food and the environment, there are ways of achieving that. However, there are also tensions between large woodlands and local communities and between housing and the environment, for example where nutrient neutrality requirements and biodiversity net gains requirements are actually causing more problems with planning permission and delaying housing developments.

There is also an issue with designation. The designation of land does not work on its own. We have seen plenty of examples of where designating a national park or an AONB does not lead to environmental delivery without the right policies associated with it.

The Chair: You touched on the problems between food and all these other targets. Are you worried about national food security in the long run?

Susan Twining: As you know, food security is not just about land use and the amount of land used for food production; it is a much bigger issue than that. With Covid, we had a soft introduction to the fragility of the food system, and what we are seeing with Ukraine is likely to have significant and long-lasting effects around the globe.

So we are not just looking at UK food security; we need to be looking at it through the lens of global food security, which is looking increasingly difficult. That is highlighted by the recent political problems, but increasing population and climate change are also driving changes in what can be produced where.

There is a red flag up about food security. It has been a concern in the background. Just looking at the UK, we tend to think of the UK as a trading nation—the recent Defra report on food security made a case for ensuring that we have trading capabilities—but, as part of the global community, making sure that we are producing what we can is an important part of that, and maybe the Government need to revisit some of their thinking on our contribution to global food security in the future.

The Chair: Thank you. Baroness Mallalieu, would you like to come in, from the deepest Chilterns?

Q16 **Baroness Mallalieu:** Yes, I am very sorry to be distant. I would like to ask some questions about agriculture and farming. What feedback are you getting from farmers, particularly tenant farmers, and landowners about the ELM schemes? What do you think will be the main challenges? What are the opportunities if it all works out?

Susan Twining: The CLA has been a long-term supporter of the principle behind the schemes, and most of our members are keen on the principle of moving to more payment for public benefit rather than the basic payment scheme that was there before. However, although we are supportive of the principle, we have been seeing problems with the early communications of the schemes and the complex rollout of the transition.

On coming out of the EU, there were many expectations that things were going to get simpler and that it would not be as complicated, but there are 19 schemes coming in and/or going out, all over different timescales. That has made it feel very complicated. The information is coming out in dribs and drabs. Arguably that makes it more digestible, but it still makes it very difficult to get a complete picture of what will be right for your own business in the long term.

The information provision is on the GOV.UK website, but trying to find what you are looking for can feel like a very circular process, and you can end up going down rabbit holes. It is not easy. We are even getting feedback from advisers and the advisory sector that they are struggling to find the information they need in order to properly advise their clients.

When we get to the point where advisers are struggling, there is an issue. Having said that, more information is coming through, and certainly more is becoming available to make short-term decisions.

On the second part of the question about landlord-tenant relationships, we are acutely aware of this and are keen to see the schemes working for both tenants and landlords. We are not just talking about the environmental schemes; we are also talking about some of the productivity schemes, which could also help tenants. From the tenant perspective, it is important to ensure that they have access to the range of funding through ELMS and the productivity schemes. From the landlord perspective, particularly when we are talking about land use change, especially in the long term, it is important that any schemes that tenants are interested in are in collaboration with the landowner so that they are designed carefully with long-term commitments in mind.

Many of our members are already talking to tenants—tenants are also talking to their landlords—about what they might want to be able to do, doing it at scale and joining a collaborative scheme. I think the building blocks are there. The concerns from the tenanted sector are important to acknowledge, but we should look at the ways in which we can actively work together to deliver these schemes.

The other point is that landowners are often in a position to deliver some of the government ambitions on delivering for the environment at scale. It is important that this can be achieved and that everything is in place to allow them to make those decisions about their land. They can also help to drive collaboration between groups of landowners and working with their tenants. There are very positive examples of how this will work, and we would like to see more emphasis put on that collaboration rather than on the potential conflicts.

My third point is about what our members need. Communication from Defra is an area that could improve. The communication direct to farmers but also through the advice providers is key. Right now, there are some very specific areas causing blockages in people's thinking, so more information is important in those areas.

Baroness Mallalieu: I just wonder whether you could help us on this. We were told last week that the Government did not want to introduce the scheme with a big bang, and you mentioned dribs and drabs, which is how it seems to be coming out. What details are your members telling you they need to have in order to make decisions about the schemes that they do not already have?

Susan Twining: Specifically, when it comes to some of the productivity schemes, they could have a much longer notice period and plan for the themes that there will be around the funding, such as the farming investment fund. Particularly for the farming transformation fund, where you are looking at quite big projects, having a longer notice period to prepare, plan and decide whether it is right would be very valuable. Similarly, on the calls coming through for the farming equipment and

technology fund, having a clear view of when they will be would allow businesses to plan the right time for them. They would not have to react and to apply in fear that it might not be available later.

The other area is better information about the payment rates for the sustainable farming incentive, the scheme that is coming out most immediately. There is a lot of uncertainty about how that scheme will work for individual businesses, and information about about what is coming in the future would help. At the moment, we know that there will be a soil standard in 2022, and there is a plan for all the others, but we need to get information out very quickly about the future standards that are coming through.

There is also a real need for a better understanding of the relationship between the current agri-environment schemes, such as Countryside Stewardship, and how that will sit alongside SFI—the sustainable farming incentive—and other ELM schemes.

Q17 Lord Curry of Kirkharle: What is the CLA's view on short-term FBTs and how they might work within the new public goods that are in the ELM scheme, when public goods take significant time to deliver?

Susan Twining: That is an area where there needs to be collaboration between the landowner or landlord. Many FBTs are renewed. They might be short term, but they will be renewed. Where somebody is interested in delivering some of the longer-term environmental requirements—so not so much the sustainable farming incentive, but some of the local nature recovery-type delivery, or even trees—there needs to be a discussion between the landowner and the tenant so that they can work out what happens if the FBT finishes. It is not just the landowner; it is a collaboration between the landowner and the tenant, and we encourage that sort of collaboration to go ahead.

Q18 The Earl of Leicester: This is just a quick question. Following on from farm business tenancies, share farming is not very evident in Britain, although it is in other parts of the Anglosphere. Do you see any opportunities for share farming to increase in Britain?

Susan Twining: The CLA has been a long-term supporter of share farming. We were one of the first organisations to put out a template contract for it. To be fair, we do not know how much share farming there is. It is not caught in Defra statistics, so it is quite difficult to know how much share farming and contract farming there is. Where that sits within the new environmental land management schemes is quite an interesting area, and we expect there to be more interest in joint ventures of all different types in the future. It is equally important to ensure that the ELM schemes and productivity schemes are accessible to them as it is for those in the tenancy sector.

Q19 Baroness Redfern: You mentioned future planning and helping farmers to make decisions, that Defra needed to be better at communication, and the need for building blocks. To help farmers and to increase food production, as well as the environmental issues, do you think there

should be closer collaboration with, say, local authorities, LEAs, or even water authorities, particularly on the environmental side? Do you think there is a better opportunity for farmers to make those decisions for the medium and long term with better collaboration?

Susan Twining: Yes, I think that farmers and landowners need better information on which to base some of their decisions, particularly on the environmental issues. On the availability of advice and knowledge, particularly in the farm ecological or biodiversity side of things, there is actually quite good provision of advice for those. But there are other areas where we see difficulties, particularly water quality, where perhaps more information and more support to farmers about what they could do locally would help. The CSFO—the catchment-sensitive farming officers—and the advice programme are also available. There is a lot of information available, but it is difficult to decide what is right for you or which information you need to know. It is very easy to get to information overload.

As I said earlier, there is a conflict between information coming out from Defra in dribs and drabs and being able to see the whole picture. It is a difficult balance to get right. But certainly when it comes to the agricultural transition, there is an issue with information flow and ensuring that there is a long enough vision on what will be available in the future.

With regard to the local programmes, some very valuable information can come from the water companies and other organisations with an interest in delivering environmental goods. There was information the other day about a water company that wanted to find landowners to plant trees for it, for example. These are all locally targeted. In some ways, it is good to see these things happening, but they add to the confusion about the best route for you as a business when there are all these different opportunities available.

Q20 **Lord Grantchester:** I will come in on a slightly different angle. Has the CLA been monitoring, or been aware of, any commercial initiatives also devising schemes, such as the effect of Red Tractor or any assurance schemes like it and how any rewards from any commercial initiatives would be translated back to farmers? Is the CLA aware of any initiatives being undertaken?

Susan Twining: That is probably not a core area for us, but we are certainly very keen that any accreditation available through Red Tractor, LEAF Marque or other schemes should be part of the thinking on sustainable farming. We have talked for a long time about earned recognition, where having these accreditations would allow you to demonstrate that you were farming at a certain standard which then automatically allowed you to enter certain schemes or to have less likelihood of inspections coming through.

Q21 **Baroness Young of Old Scone:** The national food strategy talked about a rural land-use framework, although I gather that Henry Dimbleby has

moved away from the three-compartment model and is not quite as keen on it now that he has thought about it. It was allegedly going to divide the land into intensive and efficient farming areas, agroecological farming, and land that would be totally for nature.

Where does the CLA stand on this? Are you attracted by this model or have you seen the light, as Henry has? How would that work? I was very taken by the example of water companies coming in and wanting to buy trees, but a landowner or tenant not being sure whether that is the best option for that bit of land because there is less transparency about other offers that are on the table. How would you see a process being developed for deciding which bit of land would be used for what thing, whether it was going to be the Dimbleby model or some other model?

Susan Twining: We were supportive of the three-compartment model. We liked it, because it basically allowed the whole spectrum of farming activity to take place and it did not feel as if it was excluding anything. We were very clear that it should not be about zoning land or prescriptive management, and that goes for any land-use framework. One of our main concerns is that it would say what the land could or should be used for and, with the best will in the world, that would not allow the landowner to choose what they wished to do. That is one of our main concerns. As you know, the reality of farming is that it is very diverse: farm land, farm types, farm size, tenure and the ambition of the farmers themselves mean that there is no single blueprint for how you should farm any particular farm or land parcel.

So we like the three-compartment model, but with very fuzzy lines between each category. That would allow choice and flexibility and would open up innovation. Again, we are very concerned that any land-use framework would shut down innovative ideas, even when it comes to opportunities: if you have an opportunity for this land but it does not actually fit with what you want to do as a landowner, that could stifle innovation that could be good for the environment or food production.

The other key point is that we would want it to be about choice. The opportunities could be about targeting funding for government schemes or the private sector, for example, but the choice would need to be with the farmer. It needs to make economic sense. That is the point. We cannot have prescriptive requirements that do not make economic sense.

Baroness Young of Old Scone: What sort of scale do you see the compartments operating at—local authority-level decision-making, closer to the farmer, or even sub-elements of landholdings?

Susan Twining: We do not have a fixed position on this, but we would see it as being at a very local level. We think that it is the farmer or the landowner who has the view of what would be right for that land. There is a top-down and a bottom-up approach. The top-down approach uses lots of data from satellites and other sources that could say what might be best. There are some fantastic maps from the Forestry Commission that take into account the slope, the location and the height of the land—the

topography—to say what would be suitable for trees. So land suitability mapping is one thing that comes from national data, but that can work at the local scale really only when it has been ground-truthed by the farmers and landowners to really understand what is happening in that local area. So we see it as being a bit of both. It needs both in order to work effectively.

Q22 The Earl of Leicester: I have a very short question: what are the challenges and opportunities of measures to support nature and biodiversity?

Susan Twining: We are seeing mainly challenges at the moment. Clearly there are opportunities in the private sector markets, biodiversity net gain, carbon markets and the new government schemes coming through, but at this point many feel that there are mainly challenges. There are some businesses, the pioneers, that are making progress, but there is a long tail of farmers and landowners who are not yet willing to take the risks in these emerging private sector markets and do not necessarily see that even the government schemes will deliver what they need in order to change what they are doing.

So there are some challenges. The private sector environmental markets, for example, have been described as the Wild West, and there are likely to be quite a few tripwires for those who are unwary. We would certainly be looking for more government involvement to help with the measurement and standards—for example, expanding the thinking that went with the UK Woodland Carbon Code that at least would give it some basis for measurement in the standard. We need to have rules relating to the stacking and bundling of benefits, and blended finance, between private and public. The rules on that are crucial, particularly for delivering for the environment at scale.

There are lots of data and evidence needs. There is concern about the policy and regulatory changes that might be coming through. There is concern about the supply chain requirements, particularly for carbon offsetting and whether you need to do insets before you offset. There are also the contractual risks when you are looking at payments over the long term in an emerging market and the stability of some of the businesses involved. So there are a lot of concerns there. The Government has a role in helping to stabilise that market and ensuring that there is sustainable long-term funding in the private market that will really support changes to land use and delivery for the environment.

Q23 Lord Goddard of Stockport: What is your assessment of the Government's housing targets and the levelling-up agenda? What challenges and opportunities do they present for rural and farming areas, especially in line with what I have heard you say about the environmental plan and all the other plans? Where do you think that sits, and where is the priority?

Susan Twining: It is fair to say that the CLA feels that the levelling-up White Paper was a missed opportunity and the rural economy was

effectively missing from the whole agenda. We see that there needs to be a far greater understanding of the rural economy; in both local government and central government we feel that it is almost invisible, despite the assurances that we get. There is a legitimate fear that the spatial planning land-use framework could be zoning by the back door, and we have concerns about that.

Rural areas have very specific needs and opportunities, and we feel that needs relating to jobs, housing and access to services are largely ignored by national policy and local governments. By far the biggest issue is planning, and the planning system; it stagnates growth and delays and blocks what could be good economic growth and housing for local people.

We recently published our *Sustainable Villages* report, copies of which are available. Its findings were quite sobering, addressing the need for the organic growth of smaller settlements. At the moment, they are often missed out because they are classified as unsustainable by the measures that are currently being used. We would like to see more development and housing in these smaller settlements, which will be about local housing needs rather than local housing needs aggregated and built in bigger towns. It needs to be where it is needed.

We would also like to see permitted development rights available for new affordable housing. From the work that we have done, we know that many landowners are providing housing at lower than market rents in an affordable way. We could encourage more of that by addressing some of the planning issues.

Lord Goddard of Stockport: Would it be fair to say—perhaps this is improper—that you are on a collision course with the Government regarding the levelling-up agenda?

Susan Twining: We would absolutely like to see some change. The rural economy has the potential to deliver a lot more for the economy, but transport, housing and jobs need to be addressed in order to make that happen. We cannot do that on our own; government buy-in is needed.

Q24 **Baroness Redfern:** Could you elaborate a little more on your comment on “zoning by the back door”? I note that the first round of the levelling-up agenda is £4.8 billion, which is quite a large amount of money. Can you tell me why you say that it is zoning by the back door? If you want to build housing in smaller settlements, it will be more in green areas than on brownfield sites.

Susan Twining: Potentially; they vary. But on zoning by the back door, if the land use framework sets out that a piece of land is for trees and environmental delivery, for example, that could exclude it from being used for housing. The concern is that, despite all good intentions, the framework would end up being inflexible and prescriptive, rather than enabling. It needs to have that element of flexibility to respond to local needs.

The bigger problem is the way in which these small settlements and the housing totals are assessed. It is much easier for local authorities to look at larger developments rather than these small ones. Small developments in lots of small villages would add up to a lot of housing, where it is needed, to support the rural economy.

Baroness Redfern: I thought that local authorities would like smaller settlements helping the smaller villages.

Susan Twining: It seems eminently sensible, but that is not what happens, because a lot of the smaller villages are assessed as being unsustainable, so they are not looking at putting in additional housing.

Baroness Redfern: There needs to be good collaboration with local authorities to get that moving, then.

Susan Twining: That is right.

The Earl of Leicester: I will add to that. Those little villages are unsustainable, because government or planning policy has mitigated against them in the first place, saying, "This is a small village. Therefore, the bus services, the post office et cetera have dropped away". Therefore, the village is described as unsustainable and there is no more development. Actually, it should be the other way round: villages should be made more sustainable by being given a little more economic activity, particularly with the infrastructure now. Bus routes are arguably less important than the internet and things like that.

Susan Twining: I agree completely.

Q25 **Lord Curry of Kirkharle:** Should an organisation or organisations be responsible for the allocation of land use, bearing in mind the competing agendas? If so, which would be best placed to handle that, and how should they go about it? This is a huge question, but I would be interested in your views.

Susan Twining: We do not see the need for a new organisation to deliver it; we think that the existing organisations need to work better together. In particular, there needs to be some national leadership from central government to ensure that there is a consistent approach and consistent data across the country. But local delivery would then ensure that the local needs and specialisms are reflected in those plans.

We tend to prefer to build on what is already there, rather than building something new, particularly for the local nature recovery strategies. There is a real opportunity to start there and use them as a springboard for building in more consideration on top of nature needs, so that over time they could be developed into something more comprehensive, including climate, water, air quality and other areas. We see that as something that is already in place, by law, under the Environment Act, and I suggest building on those over time to make them work for us.

It is fair to say that CLA members are quite cautious about local authorities, with concerns mainly about their skills and capacity to really understand rural issues. We are not against them—we understand the need for full coverage of the land area and accountability—but we would want to make sure that there are active ways to engage with landowners in the delivery of the local nature recovery strategies in particular, as well as housing. One of the failures has been that engagement with landowners in the past. With the local nature recovery strategies, for example, we have recommended a land managers advisory group that would feed into the development of the local nature recovery strategies—

The Chair: Hang on. We have to wait for the Division Bells to finish. Members will be reaching for their iPhones to vote.

Susan Twining: I was saying that the full engagement of farmers, landowners and land managers is absolutely essential for local nature recovery strategies, but it would also work on the planning side by bringing more people to an understanding of what is needed in that local discussion.

Lord Curry of Kirkharle: I want to probe with you a bit more what gives you confidence that the existing organisations can work together to deliver this.

Susan Twining: It would be fair to say that we do not have a lot of confidence in the current system, particularly the planning system itself; there are a lot of problems when it comes to rural areas. We feel that it would be more valuable to get them working better together than setting up a new organisation, but there needs to be different leadership from central government in order to make that happen. We feel strongly that that local aspect is really important; we ought not to lose the local involvement.

The Chair: Last week we heard about the impossibility of even county councils co-operating on this sort of strategic land-use framework. Do you think that would work? How do you feel about that?

Susan Twining: For us, the key is that we do not really mind how it is designed, provided that there is proper engagement with the landowners and land managers in the area. That is the essential bit that has been missing from many of the other environmental plans. Going back through CLA history, there are many examples of where local engagement has failed because there has been insufficient consultation with the landowners and land managers.

Q26 **Baroness Young of Old Scone:** Can we go back to local nature recovery strategies and all that? Defra seems to be putting a lot of faith in them as a primary vehicle for getting integration of a whole range of its policy issues. Are you saying that you can see that vehicle working for planning-type land-use issues as well? As a landowner, what would you want to see in your local nature recovery strategy that would give you help in choosing the options that you are keen that they maintain?

Susan Twining: What do you mean by “planning-type land-use issues”?

Baroness Young of Old Scone: Development, infrastructure and built-development-type issues.

Susan Twining: The local nature recovery strategies focus primarily on the environment, so we would not see those as being combined with planning. We would like to see close working between the planning system and the local nature recovery strategies. We do not see a combined group bringing everything together. We would prefer to see the local nature recovery strategies as something separate that would be developed over time to go beyond nature and include more of the environmental issues that are required.

Q27 **Lord Layard:** I wonder if we can go back to the planning issue. What is the CLA’s attitude to more housebuilding in the green belt? What is its attitude to steps towards increasing access and amenities for the public in the green belt?

Susan Twining: I shall give my headline views, but this may be something that we need to come back to. The green belt is a designation that I do not think has really worked for anyone. It has stagnated the development of both farms and businesses. So we are not particularly in favour of the green belt and would like to see a different approach, but I will need to ask my colleague to send in a note about this.

The Chair: Perhaps you can write to us about that. Thank you very much for coming and giving evidence to us today.