HOUSE OF LORDS

Land Use in England Committee

Corrected oral evidence: Land use in England

Monday 7 March 2022

4.15 pm

Watch the meeting

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. 3 Hybrid Proceeding Questions 28 - 38

Witness

I: Dr Andrew Clark, NFU Director of Policy, National Farmers Union (NFU).

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Examination of witness

Dr Andrew Clark.

Q28 **The Chair:** Welcome to Dr Andrew Clark from the NFU. I have to read the spiel to you. This is a public evidence session of the Select Committee on land use and land use strategy in England. In front of you is a list 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 parliamentary website, to which you will have the opportunity to make corrections before it is published.

I will go straight into 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, the 30 by 30 target and all the other targets such as housing targets, forestry targets and biodiversity targets? Do you foresee any unintended consequences of all these targets?

Dr Andrew Clark: Thank you very much for giving the National Farmers' Union the opportunity to come to speak to you today. There is one clear message that I got in preparing for this session: everyone wants a bit of farm land to do their work on, so in a sense the focus of the land use committee that you are chairing is timely and important. If you are a farmer at present, you are probably quite confused by all the demands; there are so many from different people and very often they do not align. I want to question through this session how these various land-use requirements sit with existing land use and food production, and how they marry together and synchronise between each other. There is a lot of room for improvement and a need for them to work.

What we see coming out of the Government at present is a plethora of different requirements, or should I say aspirations? There is not yet any detail as to how they will be achieved; the National Audit Office has already picked this up with the tree-planting targets. We understand that the 30 by 30 target, for example, which talks about the support and recovery of nature, must apply to around 400,000 hectares because that is the percentage. What does that mean? The 25-year environment plan's nature recovery network requires 500,000 hectares. I do not know whether those 500,000 hectares include the 400,000 hectares so that just means 500,000 hectares in total. We just do not know.

Our question is how these various land uses fit together and whether the countryside is still recognised as multifunctional so that you can stack these various land uses together. It is concerning to us that so many of them appear to conflict with food production. Some are permanent and would mean a permanent change to land use, while others are temporary. So it is about the difference between land management and land use. Clearly that has implications for agricultural tenants, who are land managers but not landowners. As I say, that is confusing.

We are not sure what it all means. Are we talking about 900,000 hectares? If we add it all together, our back of the envelope reckons that about 2 million hectares of land in England are up for grabs or being claimed—if they are all separate pieces of land. We have only 8.3 million hectares of agricultural land, and we are doing a good job of retaining self-sufficiency at the level of just over 60% over the last 15 years.

We do not know whether this means incentive or protection, and what the balance is between those things. I worry a little that some of these measures are perhaps a bit simplistic and knee-jerk. There is, for example, the idea that red meat is bad for health and we will stop 20% of red meat production, which will immediately liberate 20% of land to be used for other purposes, without considering that farmers might be able to use that land to produce high-quality red meat exports. I have mentioned a whole lot of issues there, but those are the kinds of considerations that we are looking at.

The Chair: You touched on food there. Do you think these targets conflict with our national food security?

Dr Andrew Clark: They could, and if the 2 million hectares are considered, they clearly would, but not if they were largely complementary to food production. Do not forget that when the 30 by 30 target talks about statutory protected sites—in other words, national parks and areas of outstanding natural beauty—they are already farmed landscapes. They produce food. I know that national parks do not produce as much as AONBs or undesignated land, but then we do not have an American system where areas are set aside that are complete wilderness with no food production at all. We have a countryside where we get multifunctional outcomes: food production and protection. These are cultural landscapes, not just biodiversity landscapes. So it could be made to work if we had joined-up policy.

Q29 **Baroness Bakewell of Hardington Mandeville:** This is an area that you have touched on. What feedback are you getting from farmers, including tenant farmers and landowners, about the ELM schemes? What do you see as the main challenges and opportunities of this new regime?

Dr Andrew Clark: Strangely enough, in 2016 the country voted to leave, but at this stage we are still wondering to a large extent what the detail of these schemes and the successor to the common agricultural policy will be. We know that it is an outline and an aspiration, but the way I phrase it when I am talking to people in Defra is that until we have a commercially viable product, farmers and landowners will only express an interest but not be able to say, "I will join that scheme".

What is interesting about the agricultural transition plan at the moment is where commercially viable options have been available. The Farm Equipment and Technology Fund, the productivity scheme, came out just before Christmas. I think that £17 million was allocated to it and it had £54 million of applications. With that scheme, farmers could actually see what it looked like, what its requirements were and what the rules of the

game were. We do not have that situation yet with the ELM schemes, which I assume are intended to be the principal way in which land use will be influenced and taken forward in future, so we are still wondering what they will look like.

So farmers are perhaps confused; curious but not yet able to engage. They know what they are losing in relation to the basic payment scheme in England, but not what they are gaining in relation to the detail of what the schemes will look like. As I say, we are lacking the commercially viable product that Defra needs to be putting in front of farmers and landowners to suggest how the future could look. They will have to have that soon, because farmers in England are looking at the prospect of having lost, by December 2024, half their direct payments. Farmers cannot run down their income. Livestock and cereal farmers in particular, who depend on a considerable amount of that payment for their farm productivity, cannot afford just to sit and watch that go without getting something else. They are having to do things now to counter that likely impact in the next couple of years.

Q30 **Baroness Bakewell of Hardington Mandeville:** I think you have more or less answered this question, but I will ask it anyway because you might have some more detail. What would be necessary for your members to make informed decisions about these schemes? What is missing? I am not looking for just "information" as an answer.

Dr Andrew Clark: I will say one word: detail. We need to know what the prescriptions are, what the rules of the scheme are and what the payments will be. My members need to be able to look at that and say, "Okay, how does that fit with the other pieces?" As I said at the beginning, "How does this stack with other demands on my business? How do I make sure that I can keep the family farm going?"

Baroness Bakewell of Hardington Mandeville: You have obviously given those messages to the Government. Why do you think they have not responded positively?

Dr Andrew Clark: I do not think that they have not responded; it just takes quite a long time. It has taken a lot longer this time. It has certainly taken longer than when we introduced the entry-level environmental stewardship scheme, which I think a Member here was involved in at the beginning but I will spare his blushes. Lord Curry reported in around 2002 and the scheme launched in 2005, so that took three years. We knew that we would have to replace the CAP back in 2017, so I do wonder what has happened since.

The Chair: You need a full menu before you can choose your meal.

Dr Andrew Clark: There are many people around the table here who are having to make those choices.

Baroness Redfern: So are you saying that Defra needs to give farmers more clarity?

Dr Andrew Clark: Yes.

Baroness Redfern: And am I right in saying that ELMS has a gradual start this year?

Dr Andrew Clark: Yes. The first tranche of serious ELMS starts this summer, with the sustainable farming incentive. I do not yet know the date when it will be launched. We sort of know what the standards are and most of the detail, but not enough for people to actually apply.

Baroness Redfern: So Defra is not giving clarity. Is that what you are saying?

Dr Andrew Clark: Yes, clarity and detail.

Baroness Redfern: So are you requesting that from Defra. What are you doing?

Dr Andrew Clark: Well, we have done quite a lot of work to try to trigger and promote activity. Back in—I am trying to think; Covid has shrunk the timescales a bit—the summer of 2020, we produced a draft sustainable food and farming scheme with all the farming organisations. It said what we thought we needed in order for Defra to come forward with a scheme with sufficient detail for farmers—what it could look like, and the way it could be structured. At that stage, we had nothing. We just had warm words and intent. That triggered the Government to come forward that autumn with a commitment to introduce a sustainable farming incentive, but it was another year before we actually saw what the standards would be, and it will be this summer before we see the detail of the scheme and before farmers can join it.

Q31 **Lord Grantchester:** I asked the CLA this question earlier. I wanted to ask both organisations, but it is probably more pertinent to you. Have you had discussions with, and do you foresee commercial initiatives coming from, supermarkets and others, for example, where they might want to get farming to take up their visions and versions, thereby using that as marketing and potential challenges to the Red Tractor scheme and assurance schemes generally? What would be the ongoing effect of that on food rewards?

Dr Andrew Clark: Yes, we are seeing a number of retailers and food chains being interested in securing their supply chain or their credentials within that supply chain. I am conscious that there is a private environmental market developing, which is still at a very early stage, for biodiversity offsets, carbon offsets and nutrient offsets.

A number of farming groups have already been approached. The National Farmers' Union has been involved in the Poole Harbour catchment to join up Wessex Water and the local farming community to look at ways to reduce nutrients running into Poole Harbour—a commercial approach rather than a publicly funded conventional Defra scheme. Those things are happening already. That is another reason why Defra needs to be

quite quick in bringing full proposals, because farms and landowners are already being asked to commit to those private endeavours as well.

My members' concerns are, first, whether those private approaches are legitimate; secondly, whether they will close off options in the future; and, thirdly, whether they will be regarded as a commitment for ever. So, as I say, this is at an early stage for the private market, but those are the same sorts of questions that you would put to the public market.

Lord Grantchester: Are you thinking of setting up advisory aspects or services for such groups of farmers?

Dr Andrew Clark: The NFU does not tell our members how to farm, but we will try to clarify what good practice looks like. At the end of this month, we are meeting a number of farming groups that have collaborated together to move into that marketplace. We will talk to them about their experiences of convening groups of farmers and of legal agreements between themselves and those private operators. Ultimately, private activity will be for those groups to join together.

Q32 **Baroness Young of Old Scone:** I want to take that aspect further forward. If farmers are being approached from all quarters with these demands and needs for land and people are waving fivers at them, what framework of information would you want there to be available to allow farmers to make legitimate and valid choices?

Dr Andrew Clark: This comes back to what farmers need. They need to understand the nature of the obligation—for example, whether there is a meaningful income; whether, as I say, these obligations are stackable and how they work with other aspects of the farm business; the question of longevity and how long they are committing to; and the nature of the obligation if something happens. For example, if a biodiversity asset is flooded and all the lapwings die, is that on the farmer or is it just a freak of nature?

There is also synchronisation—as I say, stacking these various approaches. If I do something on nutrient management for one customer, could I do something on biodiversity on the same area of land and from the same activity for another customer? Arguably, the two things are different products with different outcomes.

So farms will need that type of insight and understanding. It is a completely different approach from what they have done in the past, but it is conservation—or the environment—as a crop, in all its manifestations. Of course, "environment" covers such a broad range of different activities. How do those all fit together?

Baroness Young of Old Scone: Do you think they would want to see that within some sort of appraisal of what the land they were currently farming was best used for, what was most effective and productive?

Dr Andrew Clark: Yes. Again, in preparing for this session, I was wondering what we need. Some of you will be aware of the MAGIC

system that the Government run as a spatial database, where they bring together a number of these different databases. I am not sure how many people know about it. It is very biased towards biodiversity—sorry, "biased" is not the right word. There is much more information about biodiversity than anything else. They have agricultural land classification, which land managers and farmers will know about, but that is one of about 300 different databases, of which I suspect 280 are on different facets of biodiversity.

We need to have land capability not just from a biodiversity perspective but from carbon, nutrient and agricultural productivity points of view. Those are the things that need to stack together to give landowners and land occupiers a clearer understanding of the opportunities in the environmental market. They could then look at that in comparison to food markets and conventional markets, which are already well understood, and we could then start to see how these things stack together.

That would be a better approach than one that says, "This field here is for biodiversity, this field is for carbon sequestration, and this field is for food production", and that sort of division of the countryside. In reality, the world is in shades of grey, and the land occupier needs to work out how that fits.

Q33 **Lord Curry of Kirkharle:** Your final comment leads very well into the next question. You will know that Henry Dimbleby, in his national food strategy, recommended a three-compartment model of land use; you will know the detail of this. What is your view of that? Do you think that is how it will play out in practice, or not?

Dr Andrew Clark: You can tell from my earlier answer that I do not think you can divide the countryside into three compartments. I suppose it is better than two, but the world is rather more complex than that.

My philosophy to life has been that farming and conservation go hand in glove. [1]In the fens, generally the balance between food production and the environment would be 90:10. In the hills, it could be the reverse.

The point is that the English landscape is one in which food is produced, and on every bit of land there will be environment respect. It could be that in some areas the environmental income is much greater than the food income, but you see that spectrum. So I do not think that it is a three-compartment model. I suspect that it is a 47,500-compartment model—that is the number of NFU members in England in Wales. I have plucked that at random, but you get my point.

Q34 **Lord Curry of Kirkharle:** Indeed. I will ask a follow-up question and relate it back to earlier questions. There are some who think that, with highly productive land, participating in ELMS might just be a complex and rather tedious bureaucratic process. Farms that may have been involved in stewardship schemes may decide to revert and say, "This is not worth

[1] Dr Andrew Clark subsequently clarified that his statement was an exaggeration in the service of making his point

the hassle. We will just maximise our food production". Do you think that that is a risk?

Dr Andrew Clark: Yes, I genuinely think that it is. We are now in a different situation in England, with the reduction in direct payments and, from 2024 onwards, delinking, which removes the tie that means that farmers have to be engaged in that. Farmers, landowners and land managers will have far more freedom in the future to decide what mix of activities they have on their land, although there will be a regulatory framework. So, in that sense, if schemes are bureaucratic and full of hassle, they will take up a lot of time, which is one thing that farmers do not have.

Interestingly, when I was working with schemes day in, day out in the mid-2000s, looking at environmental stewardship, it was not the payment level that attracted farmers and was the biggest driver; it was how much hassle it was, whether it fitted with farming operation and then, thirdly or fourthly, the payment level. So the scheme needs to be straight and simple—we have said this clearly—especially the sustainable farming incentive, where you want 70% to go into that type of activity, as do we. But it needs to be straightforward, simple and engaging, and you need to make sure that tenants can participate in that, not just owner-occupiers.

The other schemes have to go into much greater detail, especially landscape recovery, which will be land use change, which is likely to have more paper forms and hassle.

Q35 **Lord Layard:** This question follows on from where you have got to. Could you say some more about what should be done about nature and biodiversity? You have said quite a lot about what should not be done, but what would your ideal framework be for the promotion of those ends? What would you absolutely not want from what seems to be coming your way?

Dr Andrew Clark: I suppose I am always aware of the things that I do not want to happen. That is part of my job. We do not want a prescriptive strategy that says, "This is what you must do"—

Lord Layard: But what would you like?

Dr Andrew Clark: I would like this and nature to be seen as an opportunity, as something to celebrate and as something that farmers can genuinely feel is a reward for good custodianship and a success. There genuinely needs to be a feeling of pride, a feeling that you can champion the environment and a feeling that there is clarity about what you need to do, because quite often you get the designation but no indication of how to manage the land. There is no partnership, or the partnership is like that between a horse and a person, who says, "This is the way you go. Get on with it". As I say, I think it needs to recognise that, in the English countryside, food production and other commercial activity need to go alongside that conservation importance.

Ultimately, it needs to have some income, so the conservation value has to be seen as another crop or enterprise. I hope that my biodiversity colleagues who are working on this would regard that as something that they could offer to farm businesses as some security in this volatile world. If you are caring for an area of land that is seen as having great public value—it could be an SSSI or an SAC—a guaranteed income should go with that to provide security for that farm business in these times of great volatility. I suggest changing the narrative.

The Chair: How would having a unified spatial framework, at different scales, help to manage the trade-offs and encourage collaborative restoration projects?

Dr Andrew Clark: I am not very close to these local nature recovery strategies, but I worry a little that they are another designation in the countryside and the latest episode of planning and designation. I wonder how effective they are. In our lifetimes working in agricultural and environmental policy, we have seen many things that are just another acronym to map stuff, rather than actually—this is critical—getting on and talking to farmers and landowners about what is special about their land and what needs to be done to help to put it on to a sustainable economic footing

The Chair: You were saying this earlier—I am perhaps contributing to the evidence here—but have you heard of the UKCEH E-planner, where you upload your IACS form on your farm and it tells you exactly what your land could be used for? It will tell you whether it is good for food production, whether it has slopes, whether it has water, about the soil on it, about its connectivity to other plots, about its woodland and closeness to water et cetera. The hope is that that is very useful to farmers in choosing from this menu of options that they are hopefully going to get later this summer, as you say—that it will be good advice. Do you know about this project?

Dr Andrew Clark: I do not personally, but I think it is same sort of idea that I was trying to describe with MAGIC: it shows land capability and what the opportunities are.

You need to have that opportunity mapping at a fairly fine scale—that is the other thing about this. Agricultural land classification is 250 acres—or hectares; I am not sure—which is the size of a farm. It needs to be much more finely grained than that, especially when it comes to biodiversity. We could cause huge problems in areas with farmland soils that are much less than 250 acres—

The Chair: As I understand it, this scheme goes down to about 10 square metres, so you can even divide your fields up.

Q36 **Lord Borwick:** Andrew has talked about the problems of planning and the rigidity of these systems, and the chair just mentioned a wonderful piece of computer work that, for every 10 square metres, will tell you what that system believes is the best solution for you. But will these

solutions not change over a period of time? Is it possible to plan over the timescale that is being talked about? People are talking about 25-year plans for biodiversity and other such stuff, the Government's housing target of 300,000 houses per year, and the 30% in 30 years' time. Those are all very long-term and rigid plans that seem to be at variance with what you are talking about: the requirement to enable the farmer, who knows the land best, to make up his own mind about what is best to do in the current growing season. Is that an impossible problem to solve?

Dr Andrew Clark: I agree with you in the sense that there is a mismatch in planning timescales, but without having some idea of what the long term will be, we are not quite sure what direction we are going in. We might have some deviations down that road because of weather or markets.

What it says to me is that our government departments, our regulators, those who want to influence land use need to be live to the changing situation. When I started at the NFU 30 years ago, we were just starting to think about water quality, which is now obviously very big, and at that stage we had a biodiversity action plan. Climate change was hardly on the agenda at all. I still feel that if you look in Defra publications and ELMS, you will see that net-zero obligations are really quite small in comparison with Defra's objectives. That, for me, is one of our biggest challenges over this timeframe between now and 2050.

As demands, expectations and our knowledge change, we need to update the database. We must update our understanding of what land can be capable of and what is needed from it. We must be clear about what we need to change. Perhaps we cannot have so much land devoted to forestry, because we need more devoted to washlands to take floodwater, for example, so we will need to explain those changes clearly to those who occupy and manage land.

Lord Borwick: As you say, we need to be on top of the subject and ready to change, depending on what other effects happen. So what is the point of trying to lay it down for a long period of time if, as you imply, you will have to change it anyway?

Dr Andrew Clark: I have some sympathy with those who are trying to set targets. With net zero, for example, if you need to have something that is going to be of such great impact that it will require many people to take action consistently over a long period, we need to have targets that will drive society, the economy and policy over the long term. But I am saying that those things themselves need to be kept up to date. I understand the point that you are making and I very much agree with it; we need to require some flexibility. But the big questions and the big solutions need to be out there in the public domain.

Lord Borwick: You are a great optimist that it will come out as a rational set of offers.

Dr Andrew Clark: Yes, I am a born optimist.

Q37 **Baroness Young of Old Scone:** I suspect that I know the answer to this question, so I will put it in a slightly different way. We have the planning system, the stuff that Defra is doing, and private actors coming in with a whole load of needs. Do you think there is a need for an organisation that holds the ring, as it were, or takes on board the leadership role in planning and deciding on the allocation of land?

Dr Andrew Clark: I would like to think that there would be, but I am not quite sure who would fill that role. Every time I have seen people claim the role, they have taken only a very narrow view of what it would be and have tended to ignore the parts that did not apply to them. The Forestry Commission has a very clear idea that it is about woods and forests, and similarly biodiversity interests are about biodiversity. If we are going to look at land use, it needs to be genuinely comprehensive across the spectrum, and I am not sure that I have yet seen a body that has that capability.

The Chair: Where would you place it? On a national, regional or local basis?

Dr Andrew Clark: I am thinking nationally. At the moment, my critique of land-use policy—well, there is no land-use policy. There are just lots of fragmented demands about how to use land with no synchronicity, no tie-up. Even within Defra there is no integration of thinking. I have conversations with Defra colleagues on air, water, nature and food, but they do not join up. Is that bell your mobile phone?

The Chair: No, it means there is a vote.

Baroness Young of Old Scone: In between bells, could we tempt you to comment—you may not want to do so until the next two Division Bells have gone, but I will give you prior warning—on any of the Scottish solutions, such as the Scottish Land Commission? Is that something that we should start thinking about for England?

The Chair: Or a sub-committee of the National Infrastructure Commission? That is an idea that has been put to me.

Dr Andrew Clark: These bells are terrible. They are not made for deaf people, are they?

The Chair: Do not start yet, Andrew, because there is another bell to go. You may as well keep thinking and ticking things over in your mind.

Dr Andrew Clark: These bells do not react well with my hearing aids.

The Chair: Right. That is that over with. You have a question from Lady Young to answer. It has already been asked, I think.

Dr Andrew Clark: About the Scotland issue? I am afraid I am not sighted to that, so I would probably need to ask my colleagues in the National Farmers' Union of Scotland to give their opinions on that. I apologise.

Q38 **The Chair:** Thank you very much, Andrew. One last question: how do you see the proposed technical developments in agriculture, such as lab meat, remote small tractors, mini tractors and so on, affecting land use in our countryside?

Dr Andrew Clark: The theme I take from that is about productivity and investment. We are very clear that, whatever the future looks like, it will have to be more competitive and productive. We think that will be good for the resilience of farms, but also for their sustainability and competitiveness. So, yes, we could see a situation where the application of technology, machinery, smart knowledge, GPS and genetic engineering need to be brought to bear to improve the productivity and sustainability of our farmland.

Certainly, I do not think we are looking at 2 million hectares of land being taken out, but even if we have a million or half a million hectares taken out, we have to find a way to produce more food, because we know that with the combination of climate change it will be more difficult to produce food in the future, even in the UK. With an increase in population—we are expecting 9 million more people in the UK—if we are to keep the same level of self-sufficiency that we currently have, we will have to produce more with less.

The Chair: But if you can produce all your hamburgers, and maybe even your milk, in a laboratory, will that not affect the amount of land we need to produce this food?

Dr Andrew Clark: I would have thought that you would probably need to have a whole lot of other land uses to make sure that you can produce that lab-grown meat. That is if the public would be happy in that situation, which I doubt.

The Chair: But you see that it could make a big difference if it did happen. I am not saying that it is going to.

Dr Andrew Clark: Again, I think it is rather simplistic and knee-jerk to think that the future is going to be vertical farming and lab-grown meat. Sometimes you read that, and that perhaps everybody is going to grow their own food in allotments. I just do not think that is going to happen.

The Earl of Leicester: Just to follow on from that point about lab-grown meat, you mentioned trying to debunk the idea that we have to eat a lot less meat in this country. The NHS says that we have to eat far less meat. But should the message actually be that we should consume far less sugar and processed foods, because that, frankly, is more unhealthy than meat?

Dr Andrew Clark: Yes, absolutely. The route to a healthy lifestyle is healthy eating, which is about the balanced consumption of all foodstuffs, alongside active lifestyles. That is what we need to have. It will not be solved just by stopping people having access to fat, sugar or meat. We have to have a balanced approach.

I would like to see more British fruit and veg being produced. We are trying very hard. We have produced a huge quantity more, and our self-sufficiency in fruit and veg has possibly slightly grown, but that is actually because people are eating so much more. On fruit especially, we have probably gone backwards in the nation's consumption.

So there are great opportunities in healthy eating, but it is about what you should do rather than what you should not do. That is a change of narrative.

The Chair: Thank you very much for giving us evidence.