

## Response ID ANON-XEE5-9TTY-H

Submitted to Delivering our Vision for Scottish Agriculture. Proposals for a new Agriculture Bill  
Submitted on 2022-12-01 12:11:23

### 1. Future Payment Framework

1 Do you agree with the proposal set out above, in relation to the Agriculture Bill including a mechanism to enable payments to be made under a 4 tiered approach?

Yes

Please give reasons:

We would welcome a strong and explicit commitment to the continuation and improvement of cross-compliance and greening and hope that opportunities to build upon existing GAECs are seized upon as details of the scheme develop. Of particular concern to ClfA is GAEC 7, which, along with the EU CAP priority objective to preserve landscapes, should provide a stable basis for the consideration of historic landscape features such as historic field boundaries, ditches, drove ways and sites and monuments with archaeological interest within the agri-environment process. We are, however, disappointed that the vision does not set a more ambitious framework for funding environmental public goods and improving standards and environmental outcomes.

2 Do you agree that Tier 1 should be a 'Base Level Direct Payment' to support farmers and crofters engaged in food production and land management?

Yes

Please give reasons:

We broadly accept that a Tier 1 basic payment provision can be made agreeable if there are strong conditional elements. There must be strong cross-compliance regulation at least at the same level as past schemes, and covering the same range of issues, as in previous CAP schemes. We would prefer an even more active basic tier approach which was based on the principle that baseline standards will progress upwards over time, ensuring constant improvement of standards. We look forward to an opportunity to explore what value a Whole Farm Plan (WFP) will be expected to include, and strongly recommend that the WFP should include baseline information about heritage and landscape features of farms so that the WFP fulfils a role of improving recognition of stewardship responsibilities for farmers and land managers.

3 Do you agree that Tier 2 should be an 'Enhanced Level Direct Payment' to deliver outcomes relating to efficiencies, reducing greenhouse gas emissions and nature restoration and enhancement?

Yes

Please give reasons:

We would support a tier that delivered enhanced level direct payment that was linked to higher standards and enhanced levels of public goods. For example, if all farms subject to Tier 1 need to produce a Whole Farm Plan with information about historic features/heritage assets, an enhanced response could include requirements for photographic evidence of condition of assets (such as hedgerows and historic landscape features) to be provided. This information would be valuable to better understand the stewardship needs of land, by both improving data on the condition of monuments, and providing a way to identify where options for elective payments exist. We also believe that there should be greater emphasis on reducing percentages of funding in Tier 1 and greater emphasis on Tier 2 and above over time.

4 Do you agree that Tier 3 should be an Elective Payment to focus on targeted measures for nature restoration, innovation support and supply chain support?

Yes

Please give reasons:

We strongly support funding for the delivery of targeted measures. However, at present the vision wholly overlooks the contribution of landscape and the historic environment, within this Tier. We urge Government to consider explicitly including elective outcomes that seek to improve the condition of landscape features such as traditional field boundaries, historic features, and archaeological sites and monuments. Elective payments to, for example, stabilise the condition of archaeological features, restore historic dry stone walls, or remove scheduled monuments from active cultivation would be a natural progression from cross-compliance measures (GAEC 7) and would contribute directly to the EU CAP specified objective to "preserve landscapes". An approach to elective payments which was inclusive of landscape elements would also see cross-cutting benefits – for example, habitat creation resulting from preservation/restoration of historic stone walls or farm buildings.

A more ambitious approach could also include capital funding for managing historic buildings and monuments, or increasing access to heritage sites. These types of capital project would contribute to the scheme's aim to encourage farm economic sustainability through diversification, and wider rural development, for example, where farm buildings could be converted into holiday lets, or additional tourism attracted. The lack of consideration for these types of activity in past Scottish agri-environment schemes has long been a failing which this vision has an opportunity to address.

5 Do you agree that Tier 4 should be complementary support as the proposal outlines above?

Don't know

If so what sort of Complementary Support do you think would be best to deliver the Vision? Please give reasons:

6 Do you agree that a 'Whole Farm Plan' should be used as eligibility criteria for the 'Base Level Direct Payment' in addition to Cross Compliance Regulations and Greening measures?

Yes

Please give reasons:

Yes, and we look forward to the opportunity to discuss with government officials what we would expect to be in a Whole Farm Plan in relation to landscape character assessment and historic environment asset inventory. This information should be included to ensure that farmers and land managers are aware of the heritage assets on their land and are aware of the cross-compliance responsibilities (GAEC 7) that apply to these assets.

7 Do you agree that the new Agriculture Bill should include a mechanism to help ensure a Just Transition?

Don't know

Please give reasons:

8 Do you agree that the new Agriculture Bill should include mechanisms to enable the payment framework to be adaptable and flexible over time depending on emerging best practice, improvements in technology and scientific evidence on climate impacts?

Don't know

Please give reasons:

9 Do you agree that the new Agriculture Bill should include mechanisms to enable payments to support the agricultural industry when there are exceptional or unforeseen conditions or a major crises affecting agricultural production or distribution?

Don't know

Please give reasons:

## 2. Delivery of Key Outcomes: Climate Change Adaptation and Mitigation

1 Do you agree with the proposal set out above, in relation to the new Agriculture Bill including measures to allow future payments to support climate change mitigation objectives?

Don't know

Do you have any views on specific powers and/or mechanisms that could support such alignment? Please give reasons:

2 Do you agree with the proposal set out above, in relation to the new Agriculture Bill including measures to allow future payments to support climate change adaptation objectives?

Don't know

Do you have any views on specific powers and/or mechanisms that could support such alignment? please give reasons:

3 Do you agree with the proposal set out above, in relation to the new Agriculture Bill including a mechanism to enable payments to be made that are conditional on outcomes that support climate mitigation and adaptation measures, along with targeted elective payments?

Don't know

Please give reasons:

4 Do you agree with the proposal set out above, in relation to the new Agriculture Bill including measures that support integrated land management, such as peatland and woodland outcomes on farms and crofts, in recognition of the environmental, economic and social benefits that it can bring?

Yes

Please give reasons:

We strongly agree with the principles of integrated land management and support the recognition of the environmental, economic, and social benefits that it brings. We wish to highlight, however, that an integrated understanding of cultural elements of the landscape is not specified in the paper, and we fear has not been considered as a beneficial element of an integrated approach to land management. If the historic environment or cultural elements of the landscape are absent, we would consider this to be a serious oversight and would indicate a failure to meet expectations under the EU CAP priority for landscape. As a counter point, the recently introduced Agriculture (Wales) Bill includes the objective to "conserve and enhance the countryside and

cultural resources [which includes cultural heritage and the historic environment] and promote public access to and engagement with them". The Bill then explicitly includes "conserving and enhancing landscapes and the historic environment" in the list of purposes for which funding can be provided through agri-environment schemes.

We know that farming is an active cultural practice which has shaped Scotland's landscapes over millennia. Today's farmers work alongside evidence of past human habitation in the landscape. Farmers and land managers are important stewards of these landscapes and will be responsible for maintaining and protecting various historic assets on their land. These responsibilities may include legal obligations for designated heritage assets. Additionally, stone walls, historic hedgerows, and other boundary features such as ditches or raised earthworks and undesignated sites of archaeological interest may have cultural significance and will contribute to the historic character of the landscape, and are protected under GAEC 7. Many of these features or sites, including designated heritage assets, are vulnerable to deterioration in condition – either as a direct result of agricultural processes, such as ploughing or disturbance by livestock, or as a result of other environmental processes, like erosion, scrub growth, or tree self-seeding.

Agri-environment schemes provide a crucial opportunity to ensure that farmers and land managers are aware of cultural heritage and historic assets/features on their land. A scheme designed to take account of the need to manage these assets can help to ensure that heritage value is preserved, through ensuring appropriate information is gathered, standards observed and management actions undertaken.

We believe that the new Agriculture Bill should include a mechanism to enable payments that are conditional on outcomes that deliver heritage protection, maintenance and enhancement, along with targeted elective payments.

## 2.1 Nature Protection and Restoration

1 Do you believe the new Agriculture Bill should include a mechanism to protect and restore biodiversity, support clean and healthy air, water and soils, contribute to reducing flood risk locally and downstream and create thriving, resilient nature?

Yes

Please give reasons:

A healthy natural environment is conducive to a well-protected historic environment.

It is vital that the new Agriculture Bill includes mechanisms to protect and restore biodiversity, support clean and healthy air, water and soils, contribute to reducing flood risk. As well as being vital for their own sake, measures to manage these things can affect historic assets, which can be affected by flooding, erosion, changes in ground water level or pH, particularly in sensitive environments such as blanket peat bog, both in the short term and over longer periods of landscape or climatic change.

We also support a thorough integrated approach to seeking cross-cutting benefits from any agri-environment scheme interventions on historic assets. For example, maintaining historic features such as stone walls or historic agricultural buildings can provide valuable habitat for species.

2 Do you believe the new Agriculture Bill should include a mechanism to enable payments that are conditional on outcomes that support nature maintenance and restoration, along with targeted elective payments?

Yes

Please give reasons:

As stated above, we believe that elected payments are a crucial way to induce positive environmental outcomes on agricultural land and promote understanding and encourage positive behaviour change in land managers. We also strongly support making options which conserve and enhance landscapes and the historic environment within the scheme eligible for elective payments.

3 Do you believe the new Agriculture Bill should include a mechanism to enable landscape/catchment scale payments to support nature maintenance and restoration?

Yes

Please give reasons:

## 2.3 Wider Rural Development

1 Do you agree that the proposals outlined above should be included in the new Agriculture Bill?

Yes

Please give reasons:

We would strongly support a 'whole land approach' which empowers rural communities and supporting economic activity related to land management. Farmers and land managers are critical players in the delivery of any vision for rural sustainability, and we welcome the approach to take advantage of the infrastructure of agri-environment schemes to provide support for these wider, non-agricultural benefits.

For example, tourism is likely to be a vital area of diversification of the rural economy for many areas of Scotland. We would warmly welcome an Agriculture Bill which enabled financial support to be provided to land managers for such tasks as improving public access to, and interpretation of sites of interest, such as heritage assets, or providing capital grants for the re-use of redundant historic agricultural buildings as viable economic assets, such

as holiday lets.

2 Are there other areas relating to non-agricultural land management such as forestry that you would like considered for support under the Agriculture Bill to help deliver integrated land management and the products produced from it?

Yes

Please give reasons:

Yes, as stated above, tourism and supporting infrastructure (such as heritage interpretation), and sustainable rural jobs (such as craft skills, stone wall building, etc) should be considered. There were a wide range of projects funded under LEADER which sought outcomes such as these through projects focused on cultural heritage, and this would be a good starting point for setting the Bill's scope for rural development payments.

3 What other powers may be required to enable rural development in Scotland's rural and island communities?

Don't know

Please give reasons:

4 What potential social, economic or other impacts, either positive or negative, would such powers have on Scotland's rural and island communities?

Please give reasons:

#### 4. Administration, Control, and Transparency of Payment Framework Data

1 Do you agree that Scottish Ministers should have the power to create a system that provides for an integrated database, to collect information in relation to applications, declarations and commitments made by beneficiaries of rural support?

Don't know

Please give reasons:

2 Do you agree that Scottish Ministers should have the power to create a system that collects and shares information for the purposes of carrying out management, control, audit and monitoring and evaluation obligations and for statistical purposes, subject to General Data Protection Regulation (GDPR) requirements?

Don't know

Please give reasons:

3 Do you agree that Scottish Ministers should have the power to share information where there is a public interest in doing so, and subject to complying with the General Data Protection Regulation GDPR?

Don't know

Please give reasons:

4 Do you agree that Scottish Ministers should have the power to create a system that provides a mechanism that aligns with the principles of the Scottish Public Finance Manual?

Don't know

Please give reasons:

5 Do you agree that Scottish Ministers should have the power to create a system that provides the data required to undertake administrative checks on applications / claims made by beneficiaries for rural support?

Don't know

Please give reasons:

6 Do you agree that Scottish Ministers should have the power to create a system whereby on-the-spot-checks should be undertaken to further verify applications / claims made by beneficiaries for rural support?

Don't know

Please give reasons:

7 Do you agree that Scottish Ministers should have the power to create a system that would provide for cross compliance, conditionality that covers core standards in relation to sustainable environment, climate, Good Agricultural and Environmental Condition (GAEC), land, public and

animal health, plant health and animal welfare, Soil health, carbon capture and maintenance?

Not Answered

Please give reasons:

GAEC's are essential safeguards for basic standards which we believe are critical to the general awareness that farmers and land managers have for aspects of sustainable environmental management such as the responsibility to conserve the historic environment and other landscape features. It would be a disaster if a similarly broad set of baseline standards were not implemented in any new scheme as a requirement to unlock basic payment.

8 Do you agree that Scottish Ministers should have the power to create a system that provides a mechanism to support the delivery of practices aligned to receipt of elective payments, for targeted outcomes?

Yes

Please give reasons:

Yes, such a system of public money for public goods will require a mechanism to monitor outcomes and ensure conditions of elective payments are fulfilled.

9 Do you believe that Scottish Ministers should have the power to monitor and evaluate outcomes to ensure they meet the agreed purpose and help better inform future policy?

Yes

Please give reasons:

Yes, such a system of public money for public goods will require a mechanism to evaluate outcomes and feedback information which will be used to target subsequent scheme and be used to measure environmental improvement over time. We would welcome an opportunity to discuss light touch ways that information relevant to the historic environment could be easily built into evaluation and monitoring processes.

10 Do you believe that Scottish Ministers should have the power to seek independent assurance that outcomes are delivered appropriately?

Yes

Please give reasons:

Yes, for example, it may be necessary to involve local authority historic environment advisors or Historic Environment Scotland in the assessment of condition of heritage assets or historic landscape features.

11 Do you agree that Scottish Ministers should have the power to enable the publication of details pertaining to recipients who receive payments including under the future payment model (outlined above) and set a level above which payment details will be published?

Don't know

Please give reasons:

12 Do you agree that technical fixes should be made to the Agriculture and Retained EU Law and Data (Scotland) Act 2020 to ensure Scottish Ministers have all requisite powers to allow CAP legacy schemes and retained EU law to continue to operate and be monitored and regulated and also to ensure Scottish Ministers have flexibility to better respond to current, post exit, circumstances?

Don't know

Please give reasons:

## 5.1 Agreement to Diversification

1 Do you agree that Scottish Ministers should have a power to be able to determine what is an acceptable diversification?

Don't know

Please give reasons:

It may be important to recognise the 'opportunity cost' of certain diversification options. However, we would argue that a broad view – and certainly one which includes the ability to diversify farms to take advantage of, of stimulate tourism should be included in the scope of Minister's determination of acceptability.

2 Do you think that if this power is given to Scottish Ministers that the Tenant Farming Commissioner should have the ability to issue guidance to assist tenant farmers and landlords understand this.

Don't know

Please give reasons:

## About you

1 What is your name?

Name:

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2 What is your email address?

Email:

rob.lennox@archaeologists.net

3 Are you responding as an individual or an organisation?

Organisation

4 What is your organisation?

Organisation:

Chartered Institute for Archaeologists

5 What is your occupation?

Third sector (including charities)

6 The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

7 We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

8 I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

## Evaluation

1 Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Very satisfied

Please enter comments here.:

It is extremely helpful to have the questionnaire downloadable as the rif sample.

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.: