

Environment, Food and Rural Affairs Committee,
House of Commons,
London,
SW1AA 0AA

EFRAcomm@parliament.gov.uk

8 October 2018

Dear Madam/Sir,

Re: Inquiry into the Agriculture Bill

Thank you for the opportunity to provide a response to this inquiry. Our evidence is primarily concerned with highlighting the importance of the Bill to the historic environment and cultural heritage. We would like to communicate our pleasure at the strong and clear inclusion of cultural heritage in the Bill but also identify potential areas where the success of the Bill will depend on the design and content of the statutory instruments that will underpin it. We include in this response our suggestions regarding particular policy mechanisms which will be important in this undertaking, and which will improve delivery and mitigate challenges arising during the development and implementation of an ELMS which makes the most out of the new approach to agricultural subsidy which is outlined in this Bill.

About us:

The Chartered Institute for Archaeologists (ClfA) is the leading professional body representing archaeologists working in the UK and overseas. ClfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

ClfA has over 3,500 members and more than 80 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

The Council for British Archaeology (CBA) is an educational charity and national amenity society with a leading role in championing the public interest in archaeology. CBA works throughout the UK to involve people in archaeology and to promote the appreciation and care

of the historic environment for the benefit of present and future generations. CBA has a membership of 500 heritage organisations who, together with thousands of individual members, represent national and local bodies encompassing state, local government, professional, academic, museum and voluntary sectors.

General comments:

We welcome the general principle of the phasing out of the Basic Payment and also welcome the 7 year transition period which will enable land managers to adapt to new market conditions post-Brexit, and prepare for the new provision of alternate income streams in the form of ‘public money for public goods’. Of course, the success of this important shift in policy will clearly be dependent upon adequate resourcing.

The Bill includes a clear and strong provision for providing funding to cultural heritage as one of seven identified public goods and does so putting it on an equal footing with other defined public goods. This is important, both because cultural heritage¹ is in as precarious a position as other parts of the environment and requires similar protection from market failures as other environmental issues. The reality is that cultural heritage is an important part of an integrated environment where natural and cultural elements of the landscape exist in symbiosis, each influencing the quality, value, and benefits of our rural environment - both now and for future generations.

To put the current situation in context, nearly half of all rural Scheduled Monuments are deemed to be ‘at risk’; over 90% of archaeological sites are not afforded statutory protection, including such assets as ancient ‘ridge and furrow’ field systems, and may be subject to damage from agricultural practices; and we have lost half our traditional farm buildings, with thousands more in states of disrepair.

Given this, the current Countryside Stewardship scheme’s effective downgrading of historic environment options and limited funding available (equivalent to 0.25% of overall CAP funding) has meant that the benefits from investing in the historic environment have not been fully realised.

This underplays the critical value of the historic environment to the appearance, quality, and richness of the rural environment. It also fails to take account of how conserving and

¹ The term historic environment is used extensively in planning policy and in protection regimes for cultural heritage assets, but the phrase cultural heritage is more common in environmental policy. Cultural heritage encompasses the historic environment – eg heritage sites, physical assets, landscape features – as well as broader elements of material and intangible culture and identity – eg agricultural practices, relationships to nature, landscape, customs, traditions and the arts.

enhancing heritage can add value in other areas, such as for habitat creation, or as a driver of rural tourism, employment and inward investment. Despite these current failings, historic environment options are popular with landowners and have been able to demonstrate measurable benefits under existing and previous schemes.

Given the positive inclusion of cultural heritage in the Bill it is now important that Government successfully delivers an Environmental Land Management Scheme (ELMS) to underpin the legislation in a way that protects agricultural markets and food security through a transition, but which ultimately does not weaken commitment to public goods. This policy will use this investment to help make farming more sustainable into the future.

Comments on the scope, provisions, and powers of the Bill:

We recognise that the Bill is an enabling bill and that much of the operationalising detail will be included within statutory instruments. We would, however, like to see assurances on various issues which will be key in determining whether the Bill provides an appropriate base for agricultural policy for the next generation. Broadly, these issues relate to: Assurances as to the relationship of future subsidy to cross-compliance measures; the potential benefits of enabling or delegating aspects of the delivery of the provisions to other organisations; and concerns about the use of natural capital accounting methodologies (including cultural capital) to account for the full range of public goods intended under clause 1 of the Bill.

As provisioned in Clause 17 (c) of the Agriculture Act 1986, government has a duty to ‘balance interests in exercise of agricultural functions’ which include economic and social interests of rural areas, promoting a stable and efficient agriculture industry, the conservation and enhancement of the beauty, amenity, and archaeological interest of the countryside, and promoting public enjoyment of the countryside.

We think the Bill creates a better platform to ensure this balance is achieved, giving full recognition to the importance of the environment to everyone. We support the delinking of subsidy from land used exclusively for farming, as this ensures that environmental needs and opportunities are recognised as applying equally to land used for various purposes. We would, however, like to seek assurances as to the relationship of subsidy to cross-compliance measures under this new system, with such measures applying to all land use categories.

While cross-compliance measures apply, under the CAP, to subsidies made under the Basic Payment Scheme, there remains a potential need for similar measures to underpin funding envisioned under the new scheme. These measures will be needed to ensure that positive environmental benefits sought under any one of the public goods enshrined in the Bill, do not cause environmental harm in another.

We also consider that the powers outlined in clause 2.4 of the Bill and described in explanatory note 63 are a positive inclusion and would welcome discussions with government about how extensively they seek to identify opportunities to utilise this provision.

For example, National Park Authorities are currently piloting a Historic Farm Building Restoration grant, in association with Historic England, under Countryside Stewardship. This model has the potential to be expanded nationally, utilising the specific historic environment expertise of Historic England and local authorities. We generally support enabling bodies with expertise in particular areas to use it in service of the aims of the Bill.

A final issue of particular interest to us is how the Government develops the processes to measure and account for public benefits, in particular, the continued lack of consistency in the inclusion of cultural heritage – which is so clear in the Bill – within the Natural Capital Accounting (NCA) method.

Research has shown that although NCA can be used to appreciate and measure many historic environment benefits, there remain some areas which are not covered. Furthermore, there is an institutional tendency to fail to appreciate or adequately include cultural heritage benefits by administrative agencies such as the Natural Capital Committee and Natural England, as these organisations have a natural environment focus.

We are actively contributing to research and proposals being taken forward by Historic England to explore ELMS pilots which will produce evidence to explore this issue, and would like to commend to the committee the need to explore carefully the idea of cultural capital as a separate but overlapping element contributing to ecosystems services. Ultimately, we believe that there is no such thing as a natural landscape in the United Kingdom – virtually every aspect of our land has been shaped by human activity and decision-making. This statement is not intended to diminish our recognition of the importance of nature, wildlife, and environmental conditions, but rather to highlight that many of our most valued landscapes are in fact the product of human interaction – whether through millennia of farming, hundreds of years of conservation, or through the very action of human habitation, use and management of land – in all its myriad forms.

We therefore call on government to ensure that; (a) cultural heritage which can be recognised within the natural capital accounting approach is properly enabled as part of that method for delivering public goods; and (b) an overarching framework for understanding the vital origin, history, and nature of our landscapes and the essential interconnection of what we humans do as farmers, as builders, and as shapers of the landscape, is also built into the process of accounting through the Bill's statutory instruments. We will be looking for opportunities to discuss with government how this ambition can be achieved in the near future.

If you have any further questions or comments, please do not hesitate to contact me.

Yours sincerely,



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