

Food & Farming

Update on Basic Payment Scheme delinked payments

Defra has updated its guidance on Basic Payment Scheme (BPS) delinked payments to coincide with the opening of the window for transferring payment history data (reference data) to subsequent occupiers. The transfer window for reference data is open until 10th May 2024. This will be the only opportunity to transfer reference data, other than in circumstances of inherited land. For a summary of Defra's guidance delinked BPS payments and reference data transfers read our [briefing note](#).

Thousands of SFI applications made

One in eight eligible farmers have now applied to the Sustainable Farming Incentive (SFI). That means more than 10,000 farmers across England have applied, on top of the 32,000 Countryside Stewardship agreements which are already in place. The active agreements mean that as of January, 174,000 hectares of arable land are being managed without insecticides, 71,000 hectares of low-input grassland are focused on improving sustainability and almost 15,000km of hedgerows are under management. The annual management payment for existing and new SFI agreements has recently been doubled with a new maximum of £2,000.

Red Tractor review

A review has found no breach of procedure in Red Tractor governance. Even so, the NFU-commissioned independent review by Campbell Tickell made several recommendations to improve the governance of Red Tractor. Those recommendations include:

- Publish a governance handbook to address clarity issues
- Introduce a formal process of appraisal for board and committee members
- Develop and adopt a board member code of conduct
- Address stakeholder engagement and relations as a priority
- Review and revise the Red Tractor risk map.

The NFU called for an independent review last October over concerns about the new bolt-on environmental module, the Greener Farms Commitment (GFC). The review found Red Tractor followed the agreed governance pathway in creating the GFC module.

Wales: Government seeks talks with farming unions

The Welsh government will meet with the presidents of the Farmers' Union of Wales and NFU Cymru. This follows 2,000 farmers expressing their concern and worry at a series of events about the Sustainable Farming Scheme (SFS) proposals. An impact assessment commissioned by the Welsh government predicted a near 11% fall in livestock numbers as well as an 11% cut in labour requirements on Welsh farms, equivalent to 5,500 jobs. Protest events at Welshpool and Carmarthen markets saw a combined total of nearly 4,000 people attend to discuss the proposed funding changes.

Policy

Politics at the NFU Conference

Delivering the keynote address at the NFU Conference in Birmingham, the Prime Minister unveiled a raft of support measures for the agriculture sector. Announced measures included funds for cost-saving energy measures, such as rooftop solar, as well as boosting support for processing, packing and retailing on farms. Mr Sunak announced the doubling of management payments for the Sustainable Farming Incentive (SFI) and several measures to make diversification easier by amending permitted development rights. While Mr Sunak announced a multi-million-pound uplift in grant funding to around £220 million, this simply puts the government on track to meet its promised spend of £2.4 billion per annum for this Parliament.

Mr Sunak's political rivals also made their own appeals for farming hearts and minds ahead of a likely election this year. Shadow farming minister, Daniel Zeichner, promised Labour would reduce imports that undercut British farmers and forge a closer trading relationship with the EU. Mr Zeichner also went on the offensive, telling a

hustings that the Conservative government had “forced over 6,000 agricultural businesses to close down since 2017”. He promised Labour would make the environmental land management schemes work properly and take action on flooding.

Liberal Democrat rural affairs spokesman Tim Farron promised a £1 billion boost to the agriculture and horticulture budget, taking it from £2.4 billion to £3.4 billion per year. Mr Farron also promised the end of visa salary thresholds to help plug workforce gaps in the food sector.

Whilst the Environment Secretary is a conference regular, it was the first time the Prime Minister has addressed the NFU conference since Gordon Brown in 2008 - a likely reaction to current polling and the fact that food issues connect with voters in rural areas and beyond. A survey of over 4,000 people for the NFU by public opinion consultancy Deltapoll found Labour currently lead the rural ballot with 36% of the vote followed by the Conservative Party at 32% and the Liberal Democrats at 14%.

Protection of premises

The Terrorism (Protection of Premises) Bill is a draft Bill known more generally as Martyn’s Law, named after one of the 22 victims of the 2017 Manchester Arena terrorist attack. The draft Bill sets out an intention for all publicly accessible venues in the UK with capacity for more than 100 people to be required to take proportionate additional measures to protect visitors from possible danger, with more stringent requirements for 800-plus capacity venues.

A Home Office [consultation](#) is underway on the requirements for smaller ‘standard tier’ venues, which are those between 100-799 capacity and wholly or mainly used for one or more specified purposes. The listed purposes include retail, hospitality, sports grounds, leisure facilities, hotels, holiday parks and visitor attractions. There are an estimated 278,880 premises within the standard tier and many of these will be owned or managed by rural businesses.

The consultation sets out a simplified approach compared to the original draft Bill. Persons responsible for standard-tier premises will need to notify the regulator that they are responsible for premises within the scope of the Bill and demonstrate they have procedural measures in place that could be expected to reduce the risk of physical harm to individuals at the premises in the event of an attack. What procedural measures are appropriate will depend on the premises and the activities undertaken there.

An analogy is drawn with measures undertaken for health and safety, with a focus on preparing and notifying procedures and additional actions such as staff training and resourcing only needed where appropriate. Where premises are hired out, procedures may need to be included in the contract for hire and relevant information displayed in the venue. The consultation is asking whether this approach is reasonable to protect public safety whilst not placing an undue burden on businesses owning and using premises.

Scotland: new government appointments

First Minister Humza Yousaf has reshuffled his cabinet following the resignations of Elena Whithamin and Michael Matheson. Economy, Net Zero and Energy have been combined in a new portfolio to be overseen by Màiri McAllan as Cabinet Secretary for Wellbeing Economy, Net Zero, and Energy. Mairi McAllan became MSP for Clydesdale in May 2021. Weeks later she was named environment minister and became Net Zero secretary in March 2023. While running for election, Ms McAllan said she would champion a green recovery and has recently voiced opposition to new oil and gas licences being issued.

Environment & Natural Capital

Scotland: Slurry and water storage grant

Farmers in Scotland can apply for grant funding for slurry storage or irrigation lagoons. The government has indicated this will be the final year support for slurry storage will be available, so farmers are being encouraged to apply before the 19 April deadline. Under new rules, farms where slurry from cattle is produced are required to have 22 weeks of slurry storage capacity available by 1st January 2026. Slurry stores constructed before September 1991 also have until 2026 to comply with a basic set of construction standards but those constructed after this date must comply by 2024. A total of £4 million of funding is available.

The Agri-Environment Climate Scheme has also opened for 2024/25 applications. It offers an expanded range of options to support biodiversity and climate-friendly land management. Examples include:

- Helping farms convert to organic practices

- Creation of habitats for specific species
- Creation and restoration of hedgerows
- Control of invasive non-native species.

If you would like to discuss these grant schemes please contact [Hamish Logan](#).

Scotland: Meet in the middle on grouse licensing

More than 170 amendments to Scotland's Wildlife Management and Muirburn Bill have been tabled. The Rural Affairs and Islands committee has been voting on them and accepted an amendment which extends the duration of grouse shoot licences from the original proposal of one year to five years. The British Association for Shooting and Conservation (BASC) was campaigning for 10-year licences to improve job security and give shoots confidence to invest and plan. Disproportionate licence suspension powers have also been removed, which could have led to licences being suspended or revoked based purely on an allegation with no evidence of wrongdoing.

40 natural flood management projects funded

40 projects across England will receive a total of £25 million for using nature-based solutions to increase national flood resilience. The Natural Flood Management programme will support soil and land management in the headwaters of Illey Brook to slow surface water runoff, whilst ponds and leaky barriers will slow and store floodwater in the upper reaches of the River Darwen catchment.

Property & Development

Michael Gove on nutrient neutrality and no-fault evictions

Michael Gove has said he would like to bring forward another Bill to reform nutrient neutrality rules if the Conservative Party wins another parliamentary term. Appearing before the House of Lords Built Environment Committee, the Housing Secretary was questioned about the impact of nutrient neutrality rules on housebuilding. The government lost a House of Lords vote on amendments to the Levelling Up and Regeneration Bill which would have reformed nutrient neutrality rules. The government was expected to reintroduce the reforms through alternative primary legislation however he told peers the plan was dropped due to a lack of space in the legislative schedule.

When being interviewed by the BBC, Mr Gove also committed to outlawing no-fault evictions before the next election. He said, "We will have outlawed it and we will have put the money into the courts to ensure they can enforce that". The government has previously said a ban cannot be enacted until the court system is improved. It is unclear whether he means it would be fully implemented by the election too as that was intended to take at least 18 further months. For more information about the Renters (Reform) Bill see our [Spotlight on the Future of Rural Homes](#), the Bill has not progressed in parliament since 6th December.

Changes to permitted development rights

Permitted development rights (PDR) have an important role to play in housing delivery and adaptation, including to meet decarbonisation challenges. The government in England has now launched another consultation on relaxations to existing PDR rules to benefit householders and developers. For householders, the new rules would allow larger and less constrained extensions on existing properties, for example increasing the maximum depth for single-story rear extensions on detached properties to five metres and all other properties to four metres, and removing the 50% curtilage limitation. Wrap-around extensions also would be allowed, to join side and rear extensions, and more flexibility in exterior finishes is being considered. The government is also proposing to relax current limitations on extensions to roof space and eave heights. In most cases, these relaxations will not apply on Article 2(3) land such as national parks, but the government is consulting on whether properties in these areas should benefit from more permissive rules on outbuildings more than 20 metres from the dwelling and the ability to create bike and bin stores in front gardens.

For developers, the prior approval process for the upward extension of buildings is being reviewed to determine whether it is fit for purpose. Demolition and rebuild projects may be restricted for older buildings (before 1930 is the suggested cut-off) but enabled for newer buildings and larger rebuild footprints. Finally, various changes are proposed to make it easier to install electric vehicle charging points and ancillary equipment, and air source heat pumps. The [consultation](#) is open until 9 April 2024. The outcomes of a separate consultation which ran in 2023 and focused on agricultural buildings and barn conversions (class Q rights) are still awaited.

Business & Economy

Planning permission for short-term lets

Full planning permission could be needed in England for a house to be used more than 90 nights a year as a short-term let. The proposed legislation is designed to curb growth in short-term lets like those on Airbnb, due to concerns that local people are being shut out of their local housing markets in tourist hotspots. The proposed planning changes would see a new planning 'use class' created for short-term lets that are not used as a sole or main home. Existing short-term lets would be automatically reclassified into the new use class, so a planning application would not be required for them.

Alongside this, a permitted development right will also be created which will allow a property to be changed to a short-term let without a full planning application. In areas where short-term lets are an issue the local authority can remove the permitted development right and require the full planning application. The government has said the changes will be introduced this summer and are in addition to the introduction of a mandatory national register that will give local authorities more information about the short-term lets in their area.

£1.4 billion fertiliser bill

British farmers have paid an additional £1.45 billion in fertiliser costs since the Russian invasion of Ukraine. The invasion triggered soaring gas prices, essential for fertiliser production, resulting in unprecedented high costs in summer 2022. Ammonium nitrate, the primary fertiliser used by British farmers, reached £870 per tonne in September 2022, compared to an average of £217 per tonne in 2020.

Analysis by the Energy and Climate Intelligence Unit found that farmers spent approximately £1.42 billion on fertiliser in 2022 and £964 million in 2023, compared to £470 million in 2020. Although fertiliser prices have decreased from their peak, they remain 50% above pre-crisis levels. With high gas prices projected for the next decade, continued elevated costs are anticipated.

Evidence of poor financial prospects for hill farms was buried

According to the Guardian, government officials did not publish analysis of the financial prospects for upland farmers in 2022 because it was almost entirely bad news. Many upland farmers are only financially viable due to BPS payments and access to the Environmental Land Management (ELM) schemes can be harder for tenants or commoners. The initial offering through the SFI was more heavily geared towards lowland arable farms too. To remedy this situation, ministers asked Defra officials in 2022 to draw up a "pathways to success scheme" for upland farmers in England.

The analysis was initially intended to be part of this optimistic financial outlook. However, according to minutes of a meeting between officials which have been obtained by the Guardian through Freedom of Information Act requests, attendees admitted upland farmers were falling into a financial crisis and might go out of business. The analysis has still not been made public and throughout the development of ELM, bodies such as the NFU repeatedly asked Defra to conduct and publish impact assessments. Defra has rejected the claims information was buried and says its offering for upland and moorland farms has since been improved.

Other Rural News

Geo-engineering: controlling the weather

The government's Advanced Research and Invention Agency (Aria) has been given £800 million to invest in "high-risk, high-reward" research and development projects. The agency is partly inspired by Darpa, the US defence agency responsible for inventions including armed drones, driverless cars and voice recognition. The UK version will focus on weather and geo-engineering, with one potential idea being to seed clouds so they rain over the Atlantic and not over the UK, therefore avoiding flooding events. Similarly, the agency might look into creating fog in a specific area to shield it from the impacts of a heatwave. Aria may also fund work on genetically edited plants, safe AI for critical infrastructure and new ways of interacting with the brain.

And finally... Barn owl bounces back

In the 1930s there were about 12,000 breeding pairs of barn owls in the UK. By 1987, this was estimated to have dropped to 4,000 pairs due to intensive agriculture. Today, that number has shot back up to an estimated 14,000 pairs. No small part of that momentous bounce back is due to Colin Shawyer, a 74-year-old who has erected around 4,500 nest boxes since his teenage years to help barn owls recover. His work started as a study in his spare time with his wife alongside his day job as a biochemist. In 1987 the couple published a book with their findings, called *The Barn Owl in the British Isles, Its Past, Present and Future*, with a foreword by Sir David Attenborough. Its success led to a career change and Mr Shawyer founded the Barn Owl Conservation Network in

1988, making it his mission to save the species. Fast-forward to 2024 and it would seem like it is mission accomplished.

If you have queries regarding any of the articles, please contact us.

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