

Land Business Update

Week commencing 13th September 2021

Farming

Countryside Stewardship facilitation fund will reopen in December

It provides money for groups of land managers in England to work together to improve the environment. This year's fund also includes support for improving air quality through slurry management and reduction of ammonia emissions. S&P comment: this is well worth investigating. This funding has supported 139 groups, with almost 4,000 members, to date. A review of the effects of working together, funded by the Facilitation fund, found that facilitated groups had:

- Improved environmental outcomes through better alignment of option uptake, land manager capability and improved wider environmental management.
- Option richness and diversity were significantly greater in facilitated agreements compared with other AES agreements in the area.
- A positive impact on connectivity of habitats, leading to more resilient landscapes.
- There were also indications that group membership was encouraging uptake of more challenging options.
- A wide range of social capital benefits including improved trust, collaboration, communication and relationships.

There is a [two page summary](#) of the review that is well worth reading. It feels like facilitated groups, working over landscape or catchment scale, is a good model for the future Environmental Land Management system.

Scotland's 2021 National Basic Payment Support Scheme makes payments

The scheme aims to provide financial assistance to farmers and crofters struggling through the CAP BPS transition period and from the Covid pandemic. It offers farmers the opportunity to receive up to 95% of their Basic Payments around three months in advance of when they would usually receive it. Up to £337 million will be available through the scheme, with the maximum loan amount capped at £133,368. Eligible farmers and crofters should have now received an offer letter for a loan. First payments are expected to be made this month. NFU Scotland is urging all farmers to apply for the early loans and the Scottish government expects offers to be made to more than 17,000 businesses.

Agricultural transition in Scotland

The Scottish Government has opened a consultation on the development of agricultural policy, in particular the replacement of the Common Agricultural Policy. The consultation closes on 17th November 2021. The consultation document covers the key themes and the recommendations emerging from the Farmer Led Groups process, which was established in 2020 for all farming sectors. Responding to the consultation is an opportunity for Scottish farmers and land managers to express their views as part of the first steps towards the design of the national agricultural policy. WWF Scotland says plans to replace the existing farm support mechanism in 2023 is too late.

Fruit and veg farmers could increase their profits by up to 20% by reducing waste

A two-year project run by WRAP found that this extra profit can be generated by reducing waste from average to best in class levels. The project collected and analysed data on what gets wasted and why. Some black current growers found that waste rates were higher than expected. Measurement enabled them to generate information on hot spots where waste arises and then translate the data into the impact on profits. The research encouraged growers to think about new markets for out of spec products, producing added-value products, investing in yield forecasting software and planning with buyers.



Energy

Onshore wind turbines expected to double to 10,000 in Scotland by 2030

The plan, which is likely to be part of the SNP's power-sharing deal with the Greens, will produce an additional 12 gigawatts of green energy, thanks to an additional 4,000+ onshore wind turbines that will be erected across rural Scotland by 2030. Moreover, the SNP wants an additional 11 gigawatts of offshore wind installed by 2030.

All new homes will be required to have a charging point for an electric vehicle, says government

Another challenge is how to provide charging points for the estimated 8m households that do not have access to a driveway in which to install their own device. Dundee City Council has been trialling pop-up charging points, as well as other solutions, and now has facilities for over 7% of cars, well above the 2% in the rest of the UK. Research by Transport and Environment, a campaign group, suggests that half of drivers would only need to fully charge their vehicle twice a month, so that a charger is not needed for every car at every home.

Environment

The Environment Bill not likely to be passed before the COP 26 talks

The Daily Telegraph reports that the Bill will be subject to a delay of unknown length, despite promises from ministers that it would be passed by November. It has been subject to repeated delays since it was first proposed in 2018. Environmental groups think that the reason for the delay is ministers being unwilling to accept amendments proposed by the House of Lords on three issues:

- Strengthening the targets framework to include binding five year milestones, and targets for soil health and air quality.
- Reducing ministerial control over (or increasing the independence of) the Office for Environmental Protection.
- Restoring the ability of courts to stop environmental damage occurring as the result of an unlawful decision.

Forestry

Forest Research's online TreeAlert system receives record number of pest and disease enquiries

Over the period April 2020 to March 2021, the Tree Health Diagnostic and Advisory Service (THDAS) received the highest number of pest and disease enquiries through the TreeAlert system (up 10% on the previous year) since its launch in 2014, as people spent more time outdoors during the COVID pandemic. The system is crucial in the early identification and tracking of pests and diseases, with the most commonly reported diseases including:

- [Ash dieback](#) – which is a highly destructive fungal disease which is [predicted to kill 70-90% of native ash](#). It is now present in most parts of the UK.
- [Oak processionary moth \(OPM\)](#) – this made up almost half of the pest enquiries in 2020. Forest Research has produced a [useful guide](#) on what OPM caterpillars look like and the other species that they can be confused with.
- [Chestnut blight](#) – this is another serious fungal disease and has been present, in pockets, in the UK since 2011.

Members of the public and land managers are encouraged to report pest and diseases to [TreeAlert](#). More information on which diseases and pests to look out for can be found on [Observatree](#).

Planning

Proposed reforms to the planning system will be watered down

The U-turn, which is expected to be formally announced in the government's response to the consultation, follows a reported backlash from voters and conservative MPs. Opponents of the reforms have pointed to the number of homes being built in the first quarter of this year being the highest rate for 14 years, so there being less need for reform. The proposals for making housebuilding targets mandatory and introducing a zonal system – of areas for growth and more restraint - are likely to be dropped.



Telecoms

Recent cases decided for telecoms operators as litigation has increased six fold

Two recent cases have been decided on the side of telecoms operators, not site providers. Both concerned ending existing telecoms agreements and replacing them with a new agreement under the Electronic Communications Code. The principle behind the decisions is bringing old agreements into line with new Code arrangements supports the legislative intention of the new Code. Since the new Code was introduced in 2017, more than 300 disputes have been referred to tribunals, compared with fewer than 50 during the 33 years of the old Code. The situation remains highly litigious. Decisions are however evolving particularly in respect to valuation. If you would like to discuss any telecoms matters, please contact [Paul Williams](#) in our specialist telecoms team.