

Vol. 804  
No. 85



Thursday  
9 July 2020

PARLIAMENTARY DEBATES  
(HANSARD)

# HOUSE OF LORDS

## OFFICIAL REPORT

*ORDER OF BUSINESS*

Questions	
Banks: Internet Transfers of Cash.....	1209
Intelligence and Security Committee: Russia Report.....	1212
Covid-19: Churches and Places of Worship .....	1216
Global Human Rights Sanctions Regime.....	1219
Independent Medicines and Medical Devices Safety Review	
<i>Private Notice Question</i> .....	1223
Agriculture Bill	
<i>Committee (2nd Day)</i> .....	1227

Lords wishing to be supplied with these Daily Reports should give notice to this effect to the Printed Paper Office.

No proofs of Daily Reports are provided. Corrections for the bound volume which Lords wish to suggest to the report of their speeches should be clearly indicated in a copy of the Daily Report, which, with the column numbers concerned shown on the front cover, should be sent to the Editor of Debates, House of Lords, within 14 days of the date of the Daily Report.

*This issue of the Official Report is also available on the Internet at  
<https://hansard.parliament.uk/lords/2020-07-09>*

In Hybrid sittings, [V] after a Member's name indicates that they contributed by video call.

The first time a Member speaks to a new piece of parliamentary business, the following abbreviations are used to show their party affiliation:

<b>Abbreviation</b>	<b>Party/Group</b>
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
Lab Co-op	Labour and Co-operative Party
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

No party affiliation is given for Members serving the House in a formal capacity, the Lords spiritual, Members on leave of absence or Members who are otherwise disqualified from sitting in the House.

© Parliamentary Copyright House of Lords 2020,  
*this publication may be reproduced under the terms of the Open Parliament licence,  
which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/).*

# House of Lords

Thursday 9 July 2020

*The House met in a Hybrid Sitting.*

Noon

*Prayers—read by the Lord Bishop of St Albans.*

## Arrangement of Business

*Announcement*

12.06 pm

**The Lord Speaker (Lord Fowler):** My Lords, the Hybrid Sitting of the House will now begin. A limited number of Members are here in the Chamber, respecting social distancing; other Members will participate remotely, but all Members will be treated equally, wherever they are. For Members participating remotely, microphones will unmute shortly before they are to speak—please accept any on-screen prompt to unmute. Microphones will be muted after each speech. I ask noble Lords to be patient if there are any short delays as we switch between physical and remote participants.

Oral Questions will now commence. Please could those asking supplementary questions keep them sensibly short and confined to two points? Obviously, I ask Ministers to do the exact same.

## Banks: Internet Transfers of Cash

*Question*

12.07 pm

*Asked by Lord Mackenzie of Framwellgate*

To ask Her Majesty's Government what assessment they have made of the impact on the cashflow of small and medium-sized companies of banks quarantining internet transfers of cash on the grounds of security.

**Baroness Penn (Con):** My Lords, the UK is recognised as having a world-leading system for combating economic crime, creating a secure and transparent business environment. In response to the disruption caused by Covid-19, the Government have taken unprecedented steps to support business cash flow, including the Coronavirus Business Interruption Loan Scheme and the bounce-back loan scheme. These are helping to support small businesses suffering temporary cash-flow issues by providing the finance they need to get through this challenging period.

**Lord Mackenzie of Framwellgate (Non-Aff) [V]:** My Lords, we all support security checks by banks to prevent fraud and scams. However, there seems to be evidence emerging that some banks are routinely delaying transfers by holding up payments in the name of security. It is apparent that transfers are being frozen by banks without any adequate reason being given. Complaining is then made difficult by inadequate staffing or working from home, with long queueing on the phone. False promises of jam tomorrow are made. In some cases, the delay is blamed on HMRC, which blocks the payment with some kind of flagging mechanism on the account. Even when cleared, removing the flag is

woefully slow—over two or three weeks, in one example, allegedly because HMRC is inundated with work. This is not good enough. The Minister knows that cash flow is the lifeblood of business, and these blockages in companies' financial arteries are haemorrhaging British jobs. I ask the Minister: should there not be a duty on the banks to notify card-holders immediately when transfers are delayed and put on hold like this? Could the Minister advise the House on whether the banks profit by returning possession of these funds, which must amount to significant sums at any one time?

**The Lord Speaker (Lord Fowler):** I repeat my instruction to have short questions. It is totally unfair on other questioners.

**Baroness Penn:** My Lords, there are circumstances where a firm may not be able to process a transaction immediately—in particular, where there are suspicions of criminal activity such as fraud or money laundering. The regulations in this area require checks to be proportionate to the assessment of risk. I reassure the noble Lord that, in such cases, banks should not be profiting from the holding of payments. On the question of disclosure, as this is potentially about fraud or other criminal activity, disclosing the holding of funds for these purposes may prejudice the investigation that is taking place.

**Lord Arbuthnot of Edrom (Con) [V]:** My Lords, what co-ordination is there between the Bank of England, the police and the National Cyber Security Centre in these matters?

**Baroness Penn:** My Lords, the Government have set up a joint task force that works across HMRC, the regulators and law enforcement bodies to tackle fraud and concerns about payments.

**Viscount Waverley (CB) [V]:** My Lords, I declare my interests as set out in the register, and add to the concerns of the noble Lord, Lord Mackenzie. Can the Minister look at a mightily odd situation whereby Barclays Bank, on behalf of the sector, would welcome clarity and the need for urgent regulatory reform in a certain regard? Is the Minister aware of the term “politically exposed persons”—PEP, in the jargon? What is meant by it, and why does it exist such that it affects the ability of that bank being able to open a bank account and, additionally, MoneyGram not effecting a transfer of €300 to Sierra Leone for a well-developed SME fintech start-up that would have brought tax revenues and employment for the UK and driven opportunity globally to UK SMEs but which has, regrettably, driven the platform offshore?

**Baroness Penn:** My Lords, I am aware of “politically exposed persons”. Under the money laundering regulations 2017, firms must assess the risks posed by those customers on a case-by-case basis and tailor their enhanced due diligence measures accordingly. The FCA has published guidance explaining what these obligations look like in practice. Furthermore,

[BARONESS PENN]

the guidance is that UK politically exposed persons should be treated as low risk, unless other factors apply.

**Lord Harris of Haringey (Lab) [V]:** My Lords, I declare my interests as chair of the independent reference group of the National Crime Agency. Suspicious activity reports are an essential tool in combating financial crime, fraud and the funding of terrorism, but is the Minister satisfied that the NCA has sufficient resources to deal with the volume of such reports? Given that banks are assiduous submitters of SARs, with nearly 400,000 last year, is she satisfied that building societies, with only 22,000 submissions, and solicitors, with fewer than 3,000, are pulling their weight?

**Baroness Penn:** My Lords, the National Crime Agency was set up to tackle crimes that take place at a national rather than a local level. I am confident that they have adequate resources to carry out the task at hand.

**Baroness Burt of Solihull (LD) [V]:** Money laundering is a very serious issue, but according to the FSB it comes on top of a worsening late payment problem during the Covid crisis. Can the Minister reassure the House that she will look into this issue, and redouble the Government's efforts to tackle late payments for SMEs, which have stalled during Covid?

**Baroness Penn:** The Government are committed to clamping down on late payments. We made a manifesto commitment that we will deliver on to strengthen the powers of the Small Business Commissioner in this regard. Regarding Covid, there is mixed evidence on late payments. We are seeing evidence of good and bad practice from businesses; the Small Business Commissioner is monitoring this very closely.

**Lord Livermore (Lab) [V]:** My Lords, when a bank freezes a customer's account without asking the National Crime Agency for consent, there currently is no statutory timetable specifying when they must unfreeze those funds. Does the Minister believe that there should be a maximum time for which accounts can be frozen?

**Baroness Penn:** The regulations are not prescriptive in setting out how firms should carry out their due diligence. Instead, they require firms to take a proportionate approach that is commensurate with their assessment of the risk. I think that is the right approach for the Government to take.

**Baroness Kennedy of Cradley (Non-Aff) [V]:** My Lords, research this week has shown that billions of bank account details and passwords, for individuals and small and medium-sized businesses, are for sale on the dark web. What discussions have the Minister and her department had with the banks and the banking authorities to improve security for their customers?

**Baroness Penn:** The Government have an ongoing dialogue on the question of fraud and cybersecurity, and, as I said, we have a joint fraud task force that works across regulators and law enforcement to tackle this very serious problem.

**Lord Purvis of Tweed (LD):** In 2018, push payment scams meant that 84,000 victims lost £354 million in lost funds. The European revised payment services directive is due to come into force in the EU on 31 December 2020 to combat this, but for the UK this has been delayed again, until September next year. Why do the Government think that UK customers should be more vulnerable to online fraud and scams than those within the European Union?

**Baroness Penn:** My Lords, the UK takes all fraud, including APP fraud, extremely seriously. In the UK, we have set up the contingent reimbursement model code for APP scams, which ensures that, where victims are of no blame, they are refunded the payments that they lost out on.

**Baroness Altmann (Con) [V]:** My Lords, I recognise that banks with automated checking systems will have been flagging up the new types of payments that they have never seen before as potentially suspicious, but has the department had conversations with the banks to focus on using new technology which can push the suspected transactions through faster for issues such as CBILS loans?

**Baroness Penn:** My Lords, in respect of CBILS loans and other payments, we are not aware of any delays in the payment systems causing problems for businesses. More broadly, we are looking at the rapid technology developments in this area and we are working with the Financial Policy Committee on a payment landscape review to look at the infrastructure and regulation, to ensure that this is keeping pace with the development of technology. We will be publishing a call for evidence on that matter shortly.

**Baroness Bowles of Berkhamsted (LD) [V]:** Barclays Bank now has adverts urging people to use card payments rather than internet transfers, presumably to avoid fraud, but does it not also mean that they profit from an interchange fee at the expense of retailers? Is there any way that the system is not biased against SMEs?

**Baroness Penn:** I am not aware of the adverts that the noble Baroness refers to. We expect all businesses to treat SMEs fairly and proportionately in their transactions.

**The Lord Speaker:** My Lords, all supplementary questions have been asked. We now come to the second Oral Question.

## Intelligence and Security Committee: Russia Report Question

12.18 pm

Asked by *Lord Campbell of Pittenweem*

To ask Her Majesty's Government what steps they are taking to facilitate the publication of the report of the Intelligence and Security Committee entitled *Russia* and sent to the Prime Minister on 17 October 2019.

**The Minister of State, Cabinet Office (Lord True) (Con):** My Lords, the Government acknowledge the continued interest in the publication of the Intelligence and Security Committee's Russia report. This report is the independent ISC's property and it is not for the Government to publish. We have received nominations from all relevant parties and are in the process of constituting the committee.

**Lord Campbell of Pittenweem (LD) [V]:** My Lords, despite that Panglossian reply, is it not abundantly clear that the Government deliberately and improperly suppressed the publication of the report to avoid embarrassment in last year's general election? Why, six months after that election, have the Government irresponsibly failed to appoint a new intelligence committee which could publish the report? This is a shabby episode, increasingly typical of No. 10 Downing Street.

**Lord True:** My Lords, the noble Lord's statement was certainly not Panglossian, but it was very wide of the mark. An announcement on membership will be made very shortly, and a Motion will be tabled for agreement by both Houses next week. The noble Lord's wild charges against the Prime Minister are wholly unfounded.

**Lord Browne of Ladyton (Lab) [V]:** My Lords, it is widely known that Russia interfered in the Brexit campaign, with targeted influence operations and disinformation campaigns, and it continues to interfere, presently around Covid-19. The continued obstruction of the publication of the Russia report reinforces the reasons for an already catastrophic decline of trust in this Government, enables the continued undermining of democratic debate and damages the credibility of the ISC and the integrity of our democracy. How can this be justified?

**Lord True:** My Lords, again, I reject the charge of delay or conspiracy of any kind, but I do agree most strongly with what the noble Lord, with his great experience, has said. We know that disinformation is a common tactic used by the Kremlin, and we always take proactive action to defend our democracy. The Government are engaging with international partners, industry and civil society to tackle this threat.

**Baroness Jones of Moulsecoomb (GP) [V]:** I would have thought that it would be in the Conservative Party's interest to have the report published, simply because there are so many rumours swirling around about Russian interference in planning projects, for example—and it is true that the Conservative Party has taken £3.5 million from Russian donors over the past 10 years. To quash those rumours, would it not be better to publish the report and then if there is any fault anywhere, the donors could be given their money back?

**Lord True:** My Lords, another series of wild charges, which I reject, has been read into the record. I repeat that an announcement on the membership of the committee will be made shortly and a Motion will be tabled for agreement by both Houses next week. The report is the property of the committee, not the Government.

**Lord Robathan (Con) [V]:** My Lords, from Litvinenko to the Salisbury poisonings, we seen the blatant actions of the Putin regime on British soil as well as those in Ukraine and elsewhere. I am banned from going to Russia for saying something somewhat disobliging about Putin. I understand what my noble friend says about the committee, but it is very important that we publish this report because it will be more disobliging than anything I have said and it will let the British people and, indeed, the British Parliament see the malignant behaviour of the Putin regime in this country and elsewhere. Please can my noble friend facilitate, so far as he is able, the publication of this report?

**Lord True:** My Lords, I will not repeat what I said about the view that we take of the Putin Government's disinformation activities. I note what my noble friend said. I hope I have told the House that a Motion will be tabled for the establishment of the committee next week, and I am sure the committee will take note of what my noble friend and others have said about the importance of publishing the report.

**Lord Wallace of Saltire (LD) [V]:** My Lords, I am sorry that the Minister has used the term "wild charges" to describe the question asked by the noble Baroness, Lady Jones. I have read in a number of serious British newspapers comments on major financial contributions to the Conservative Party in recent years by Russian oligarchs resident in London and their families. If those are wild charges, I am surprised the Conservative Party did not sue. In these circumstances, can the Minister guarantee to this House that the report will be published before we rise for the Summer Recess?

**Lord True:** My Lords, I can only repeat what I have told the House. Motions will be laid for the constitution of the committee next week. It is then the responsibility of the committee to decide how and when it publishes its report. I am sure it will take note of what the noble Lord and others have said. But again, I wholly reject the charge that the Prime Minister in any way is responsible for delaying the report.

**Baroness Helic (Con) [V]:** My Lords, I welcome my noble friend's assurance that the new committee will soon be established and that the Motions will be laid for its constitution. In October 2019, the then chair of the Intelligence and Security Committee stated that there was a long-standing agreement that the Prime Minister will endeavour to respond to ISC reports within 10 days. Does my noble friend agree that that agreement should be reinstated? Given that the Government have had the Russia report since October and approved it in December, will they issue their response at the same time as the report is published?

**Lord True:** My Lords, the Government must see the formal publication of the report before considering action. Under the Justice and Security Act 2013, the ISC has responsibility to exclude material that any Prime Minister considers prejudicial to the continual discharge of the committee's functions. Therefore, the



[LORD TRUE]  
role any Prime Minister undertakes in examining the report must be carefully done and is an important statutory process.

**Lord Craig of Radley (CB) [V]:** Noble Lords will be well aware of the value of this type of informed report. Regardless of any publication date, will its unredacted content be available to those undertaking the 2020 strategic defence and security review?

**Lord True:** My Lords, I cannot comment to the House on the form, nature or exact timing of the publication of the report. I can tell the House that the committee will be constituted shortly.

**Baroness Smith of Basildon (Lab):** My Lords, the Minister has been quite clever with words. Of course the Government are not responsible for publishing the report, but they are responsible for setting up the Intelligence and Security Committee. It is hard to avoid the question of why the Government have dragged their feet on this. However, we welcome the announcement that we will see a Motion in Parliament next week. Can the Minister confirm, first, that the committee will be set up this week and, secondly, that there will be debates in both Houses, before Parliament rises, on the content of the report? The point that the noble Baroness, Lady Helic, made was very important. The Prime Minister has already seen this report and has been told that there is nothing in it that cannot be published. Why can he not publish the Government's response immediately upon publication?

**Lord True:** My Lords, I repeat: let us see when the report is published and take course from there. The noble Baroness knows that not every aspect of moving towards agreeing the Select Committee's composition is in the hands of the Prime Minister. He is statutorily required to consult, for example, the leader of the Opposition. I think we should all come together now, agree and welcome the fact that the committee is being constituted. It took at least five months the past two times the committee was constituted. It is a delicate matter and takes some time.

**Lord Strasburger (LD) [V]:** My Lords, Christopher Steele was the head of MI6's Russia desk and spent his life tracking Russian influence operations. He told senior British intelligence about Russian interference in the EU referendum. That was later confirmed by Parliament's DCMS Committee. What, if anything, did the then Foreign Secretary Boris Johnson do about Steele's alarming warning about the serious attack by a hostile foreign power on the integrity of British democracy?

**Lord True:** My Lords, I am not going to comment on the activities of Mr Steele. What I would say is that the result of the referendum was in the hands of 17.4 million people who I do not think were bamboozled by KGB agents.

**Baroness Meacher (CB) [V]:** My Lords, when working in Moscow as an adviser within a Russian government ministry for three years, I developed a tremendous regard for the Russian people. However, subsequently

I was given clear evidence of Russian interference in our democratic processes by a private investigator and referred that information to the Electoral Commission. I do not actually expect the Government to publish the report, but can the Minister give any assurance to the House that our security services now have procedures in place to prevent future elections in this country being turned upside down by Russia or, indeed, any other country?

**Lord True:** My Lords, I certainly endorse what the noble Baroness said: we have no quarrel whatever with the Russian people, their great culture and their achievements. I have said that we are fully aware of the activities of the current regime. The Government are fully engaged at all times in trying to protect the integrity of democratic processes within this country.

**The Lord Speaker (Lord Fowler):** My Lords, the time allowed for this Question has elapsed.

### **Covid-19: Churches and Places of Worship** *Question*

12.29 pm

*Asked by Lord Black of Brentwood*

To ask Her Majesty's Government what assessment they have made of the impact of the restrictions in place to address the COVID-19 pandemic on the financial sustainability of churches and places of worship.

**Lord Black of Brentwood (Con) [V]:** My Lords, I beg leave to ask the Question standing in my name on the Order Paper and declare an interest as Master of the Guild of St Bride's, on Fleet Street.

**The Minister of State, Home Office and Ministry of Housing, Communities and Local Government (Lord Greenhalgh) (Con):** As of 4 July, places of worship were allowed to reopen with social distancing in place. We are engaging with faith groups to understand the pressures they are facing during Covid-19, and we continue to listen to and understand the ongoing impact of the loss of income. Faith organisations can apply for a range of government-backed financial packages to support charities and businesses at this time.

**Lord Black of Brentwood [V]:** My Lords, churches and places of worship are not simply where we go to pray. They bring the joy of music, support tourism, offer significant community provision and, importantly, are custodians of our heritage. All are essentially self-funding and require a sustainable income, which has simply evaporated as a result of lockdown, leaving many in extreme difficulty. Does my noble friend the Minister agree that ensuring the long-term financial sustainability of our churches should be a strategic priority of the Government? Does he also agree that it is folly to extend the congestion charge in London to Sundays and evenings, placing an intolerable price tag on worship for many who want to attend church services in London on a Sunday, or a concert in the evening, and making a desperate financial situation even worse?

**Lord Greenhalgh:** My noble friend is right that churches and all places of worship play a crucial role in the cultural, as well as spiritual and moral, life of our country. Where possible, we should therefore seek to support as a priority the long-term sustainability of places of worship. As to the decision to extend the C-charge to a Sunday, I am wholly opposed to it. That decision was made by the Mayor of London.

**The Lord Bishop of St Albans:** My Lords, legislation has not kept up with the practice of public giving or developments in technology, especially now, when, as a result of the pandemic, cash carries the risk of infection. Charities, including churches, can currently claim only on cash and contactless gifts—not on online gifts and donations. Will the Government consider allowing online donations to qualify for gift aid, as part of the gift aid small donations scheme?

**Lord Greenhalgh:** We have given guidance to churches on the safe handling of cash, which can continue, and we encourage contactless where possible. We will certainly look to see whether we should extend this to small gift aid donations online. In the meantime, we encourage churches to get people to register, so that the whole amount of their donation can be claimed.

**Lord Glenarthur (Con):** My Lords, I declare an interest as listed in the register, as chairman of the trustees of the Royal College of Organists. Does my noble friend the Minister agree that, at least in our cathedrals and larger parish churches, the financial stability of churches includes the financial stability of their musicians? Organists are at last now able to play their instruments, but recitals cannot be given, thus denying funds for the churches and fees for the organists—and singing in church is not allowed. Can my noble friend tell the House what progress is being made on research into viral transmission through singing? If this is not swiftly resolved, Britain's great choral tradition is in considerable peril.

**Lord Greenhalgh:** My noble friend is right that organ recitals are a key part of our cultural and religious life. The Department for Digital, Culture, Media and Sport is about to publish guidance for the performing arts to return safely to training, rehearsal and performance during Covid-19; I refer my noble friend to that guidance. In addition, Public Health England is looking into and researching how we can minimise transmission through singing and chanting, as this is such an important part of faith practice.

**Baroness Butler-Sloss (CB) [V]:** My Lords, I declare an interest as a member of the Council of Reference of Westminster Abbey. Is the Minister aware of how close to home—that is, to Parliament—the financial worries of churches are? The abbey will have a shortfall of about £12 million this year, and £9 million next year, and has decided to shut down the Sunday services at our church, St Margaret's. However, the dean is now under pressure from the House of Commons to keep those services open, without the money to do so. I wonder whether the Government can support the abbey.

**Lord Greenhalgh:** I note the comments on the financial state of the abbey and St Margaret's. We are looking to see what we can do. As I mentioned in my previous answer, there are a number of schemes available to churches to support them during the pandemic.

**Lord Griffiths of Burry Port (Lab) [V]:** My Lords, apart from cathedrals and larger parish churches, what about the ordinary street-corner churches? These offer community services, and in the case of the one I attend, concerts and cultural events, visits to care homes, accommodation for rough sleepers during the winter months, and art classes, with some 10% of the income it raises given away to charities. Will the Government recognise that if, as the Minister says, there are indeed avenues of help available, they must be well enough known for those in need to take advantage of them?

**Lord Greenhalgh:** My Lords, my department, MHCLG, is making that information available to all faith communities and places of worship. It should be noted that the Prime Minister has asked Danny Kruger to look into how we can support those that provide many of the community services referred to by the noble Lord, and the social action that has been so helpful during the recovery phase of Covid-19.

**Lord Shutt of Greetland (LD):** My Lords, churches and places of worship have suffered during the pandemic because of the lack of giving on the plate or in the collection bag, and from the lack of fundraising events. Since 1922, the state has had an involvement with places of worship through the deed of covenant scheme, replaced in 1990 by gift aid. Would it not be a wonderful thing if the Government were to double gift aid in the tax year 2020-21? Will the Minister speak to the Chancellor accordingly?

**Lord Greenhalgh:** My Lords, that is obviously something that would have to be considered as part of the comprehensive spending review that will take place this autumn. We recognise the importance of gift aid in supporting the financial sustainability of our places of worship.

**Lord Polak (Con):** My Lords, this morning, I attended morning prayers at Marble Arch synagogue. It was good to be back, although the new regulations will take some getting used to. At my synagogue in Borehamwood, Rabbi Alex Chapper explained some of the challenges going forward as synagogues reopen—especially financial ones, as synagogues generally raise funds by voluntary contributions from members, many of whom are facing financial uncertainty. I am grateful to my noble friend the Minister that he has reached out to many communities, including the Jewish community. Is he able to update the House on those discussions?

**Lord Greenhalgh:** I thank my noble friend for his kind words. I have had discussions as recently as last week with representatives of all Jewish communities, including the Orthodox community that he refers to. I am pleased to see that many synagogues are reopening, and that people are taking the appropriate decisions to keep their staff, volunteers and congregations safe, in line with public health advice.

**Lord Kilclooney (CB):** My Lords, cathedrals and churches are part of the great architectural heritage of England. Will the Government consider relaxing VAT on the repair and reinstatement of our churches and cathedrals? Will they ensure that any support goes to all faiths? For example, the Islamic religion is increasing at a rate at which it may become the main religion in England, and the evangelical and reformed churches have already replaced the Roman Catholic Church as the second largest in this country.

**Lord Greenhalgh:** I refer noble Lords to the fact that there is in place a listed places of worship scheme, which supports the refund of VAT on repairs and maintenance. This will be in place until March 2021; whether it will be extended is a matter for the spending review. I note the noble Lord's points.

**Baroness Sherlock (Lab) [V]:** My Lords, I declare an interest as a Church of England priest. Like my noble friend, I have seen churches and places of worship working flat out in the pandemic, supporting the sick and bereaved, feeding the hungry, and caring for the homeless and the lonely. Our communities need them to survive the pandemic. Have the Government considered the request that has been made specifically for an equivalent to the small business grant fund for charities and places of worship? These are often the heart of our communities; we need them to be there on the other side of Covid.

**Lord Greenhalgh:** I looked at the suggestion of a small business grant fund with my colleague and noble friend Lady Barran, and we have already had a bilateral on this to see how we can move forward. It should be noted that the charity support fund provided by the National Lottery fund is open to places of worship that are registered charities, and that is some £200 million.

**Lord Lexden (Con):** Will the guidance to which my noble friend the Minister referred in answer to my noble friend Lord Glenarthur include the safe resumption of choral singing, something for which our choirs, cathedrals, churches and their congregations yearn?

**Lord Greenhalgh:** I thank my noble friend for raising the importance of choral music and choirs to our places of worship. My understanding is that it is included in the guidance, which will be published shortly.

## Global Human Rights Sanctions Regime Question

12.39 pm

Asked by **Lord Harries of Pentregarth**

To ask Her Majesty's Government what plans they have to report annually to Parliament on the operation of the Global Human Rights Sanctions Regime, including the details of those subject to that Regime.

**The Minister of State, Foreign and Commonwealth Office and Department for International Development (Lord Ahmad of Wimbledon) (Con):** My Lords, as required by Sections 30 and 32 of the sanctions Act, we will report annually to Parliament on all sanctions

regulations. This year's Section 32 report, which focuses on sanctions for human rights purposes, will be laid shortly. We will also publish a list of names of those subject to UK-autonomous sanctions. This has been updated with the names of those designated on 6 July under the global human rights sanctions regime.

**Lord Harries of Pentregarth (CB) [V]:** I thank the Minister for his Answer and, like other noble Lords yesterday, I warmly congratulate the Government on this hugely significant step, which is a flare of light in the continuing darkness of human rights abuses. It was good to hear that the Government are to report annually to Parliament. Given the Minister's well-known and serious commitment to this area, and the fact that in the House of Lords, in particular, there is widespread concern about this issue, can he give any kind of indication as to when the earliest opportunity might present itself for us to engage with him on this issue?

**Lord Ahmad of Wimbledon:** My Lords, within the sanctions Act there are provisions stating that after the laying of these final designations, which was on 6 July, there is a period of 28 sitting days during which the debate would take place in Parliament. I think that we will seek, through the usual channels, to have an early debate when we return in September.

**Lord Rooker (Lab) [V]:** If, as envisaged in the guidance, someone is sanctioned who is discovered to be in the United Kingdom, can they be removed more easily than under the current Immigration Rules?

**Lord Ahmad of Wimbledon:** My Lords, when such scenarios arise, each case will have its specific circumstances to be looked on. Various tools are available to us, including the cancellation of a visa if someone is in the UK. But without going into the details of any particular case, it would be looked upon on its merits and circumstances.

**Baroness Northover (LD) [V]:** I welcome the new sanctions proposals, although they need to be extended to cover corruption. Does the Minister agree that the new regime must be overseen and run by an independent body so that is not driven or impeded by political considerations?

**Lord Ahmad of Wimbledon:** My Lords, there are measures in place. If someone has been designated and they feel that needs to be reviewed it would go to a Minister, but the court systems exist to allow for that review. In all of this there is a parliamentary overview and, as I have said, there will be opportunities to debate designations. They will be looked at. On corruption, as I said yesterday, we are looking at other frameworks, including the UN frameworks. We will follow those in bringing new proposals forward in time.

**Baroness Anelay of St Johns (Con) [V]:** Your Lordships' International Relations and Defence Committee is ready, willing and able to engage in regular constructive scrutiny. Will my noble friend the Minister consider writing to us when new statutory instruments are laid, setting out the background to the measures?



**Lord Ahmad of Wimbledon:** My Lords, I have spoken to my noble friend specifically on the scheme. We have received her letter of 2 July and I know that my right honourable friend the Foreign Secretary will respond to her. However, I take note of this, since I subscribe strongly to the scrutiny function of the House of Lords. I will certainly feed that into discussions and the response.

**Lord Hannay of Chiswick (CB) [V]:** My Lords, while I welcome the action the Government have taken on this matter, can I press the Minister a little further on his reply to the noble Baroness who chairs our Select Committee, on which I also sit? Would he be able to come and talk to members of that committee about how best they can assist the House in scrutinising these important decisions, many of which will no doubt come forward, and play a useful role in that way?

**Lord Ahmad of Wimbledon:** I am always very pleased to speak to Members of your Lordships' House. We will seek a time when I might come and brief the committee and engage some of its thinking.

**Lord Collins of Highbury (Lab) [V]:** My Lords, I welcome what the Minister said about scrutiny. He reminded us yesterday about Section 30, and the debates that we had on the sanctions Bill and the consequent Act. What is lacking is a clear idea about how that scrutiny will take place. I certainly welcome the fact that we are possibly going to get the Intelligence and Security Committee looking at that. Can he offer us more transparency by offering a proper debate on these regulations, so that we can not just debate those designations the Government have decided upon, but discuss new designations?

**Lord Ahmad of Wimbledon:** My Lords, may I say first that I am missing the noble Lord from across the Chamber? It is good to see him virtually. Nevertheless, I had thought that the noble Baroness, Lady Smith, would pose the questions from Her Majesty's Opposition. On the point he raises, he will be aware that I mentioned yesterday that I believe there will be a debate in the other place on 16 July. We will be speaking through the usual channels to see how we can constitute an early debate after the return of the House in the autumn.

**Baroness Smith of Newnham (LD) [V]:** My Lords, in his initial response the Minister stressed UK-autonomous sanctions. I note from the Explanatory Memorandum on the regulations that, in the past, the UK's implementation of UN and other sanctions has been through the European Communities Act, now rescinded. To what extent do the Government plan to work with the European Union in putting forward sanctions? Clearly, multilateral co-operation would make sanctions even more effective.

**Lord Ahmad of Wimbledon:** My Lords, on the wider European sanctions, we continue to work with our European partners. Indeed, during the transition period whatever has been agreed with them continues to apply. There is also a rollover of many of the sanctions that have been applied through the European scheme. But as the noble Baroness knows, the European Union does not have a specific human rights sanctions regime. We will work constructively as it seeks to develop that.

As I said yesterday and have said before, sanctions work effectively only when we work with like-minded partners and, after our departure from the European Union, we should reflect that important partnership.

**Lord Mann (Non-Aff) [V]:** Well done, Minister, but how many more people are under active consideration of being sanctioned? Is it a handful, tens or hundreds?

**Lord Ahmad of Wimbledon:** My Lords, I thank the noble Lord for his initial statement and welcome it because it is always nice to be told "Well done", wherever it comes from. On his second point, I am sure he will appreciate that there is a lot of sensitivity around designations, so I do not want to speculate on numbers of future designations at this time.

**Baroness Cox (CB) [V]:** While I strongly support the need to hold individual perpetrators to account, does the Minister agree that a new global human rights regime should supersede existing UK economic sanctions? As the UN's special rapporteur emphasises, it is now undisputed that existing economic sanctions "contribute to a worsening of the humanitarian situation" in places such as Syria. Will the Minister therefore accept advice from UN experts, who emphasise that "it is now a matter of humanitarian and practical urgency to lift ... economic sanctions immediately"?

**Lord Ahmad of Wimbledon:** My Lords, in certain areas and with certain regimes around the world, it is appropriate that we look at sanctions overall. However, the primary purpose of these sanctions is not to punish a population or a country, but to target sanctions specifically on those who abuse global human rights. Those who usurp the rights of others should be held to account.

**Lord Dubs (Lab) [V]:** My Lords, may I press the Minister a bit more about applying sanctions on a wider basis than by one country? Does he agree that if sanctions are agreed across a range of countries, they are many times more effective than simply a unilateral step taken by Britain in the hope that other countries will follow suit? Secondly, whereas we could all suggest the names of people who should be on the list, I am a little surprised that the Salisbury poisoners were not on it, given that we know who they are and exactly what they did.

**Lord Ahmad of Wimbledon:** My Lords, I totally agree with the noble Lord's first point and we will continue to work with key partners. On his second point, I am sure he noted that we included certain people, including those responsible for the human rights abuse and ultimate death of Sergei Magnitsky. That is what has driven this agenda and I pay tribute to him. The noble Lord raised other issues and other countries. They are all very much part and parcel of our consideration. As I said, without speculating, I am sure that we will look at future designations across the piece.

**The Lord Speaker (Lord Fowler):** My Lords, all the supplementary questions have been asked.

12.50 pm

*Sitting suspended.*

## Arrangement of Business

### Announcement

1 pm

**The Deputy Speaker (Lord Duncan of Springbank) (Con):** My Lords, proceedings will now commence. Some Members are here in the Chamber, others are participating virtually, but all Members are treated equally. For Members participating remotely, microphones will unmute shortly before they are to speak—please accept any on-screen prompt to unmute. Microphones will be muted after each speech. If the capacity of the Chamber is exceeded, I will immediately adjourn the House. I ask noble Lords to be patient if there are any short delays as we switch between physical and remote participants. The usual rules and courtesies in debate apply and I ask that questions and answers are brief.

## Independent Medicines and Medical Devices Safety Review

### Private Notice Question

1.01 pm

Asked by **Baroness Ritchie of Downpatrick**

To ask Her Majesty's Government what assessment they have made of the report by the Independent Medicines and Medical Devices Safety Review, *First Do No Harm*, published on 8 July.

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con):** While the NHS is a beacon of brilliant care and safety in the majority of cases, we must do better, as this report demonstrates. I apologise in full on behalf of the healthcare system to all the families affected in this report for the time it has taken to listen and respond to their concerns. I salute their courage and persistence in coming forward to make these concerns known. Much has already changed. We are introducing major advances in legislation, but we will respond further. In the meantime, I pay tribute to patients who bravely shared their experiences to inform this important report.

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, I thank the Minister for his fulsome apology on behalf of the Government to all the victims—all the women and all the families. The first duty of any healthcare system is to do no harm, and the damning report from the noble Baroness, Lady Cumberlege—whom I congratulate—into the use of these medical devices and medicines, including pelvic mesh, reveals shocking failures in this duty of care. What further urgent action will the Minister, along with his colleagues in the department of health, now take to implement the review's nine recommendations, including a task force and an exhortation to the devolved nations to implement and act on those recommendations?

**Lord Bethell:** My Lords, much has already happened, and I point to the appointment of a national patient safety agency, run by Dr Aidan Fowler, whom I know and to whose fine work I bear testimony. Much is due to happen shortly: I emphasise the introduction of a registry amendment to the Medicines and Medical

Devices Bill, which is due to be debated in this House shortly. But there is more to be done. The Government must consider the report's recommendations, on which we will return shortly.

**Baroness Kennedy of The Shaws (Lab) [V]:** Does the Minister agree that this scandal is about something much deeper than damaging medicines and inadequate healthcare products? Just as the law for generations dismissed the experience of women who were abused and raped and gave little credibility to their testimonies, the medical profession too has to examine its own culture, which as this report shows—

**The Earl of Courtown (Con):** My Lords, the noble Baroness, Lady Kennedy, has very bad connectivity at the moment. Can we come back to her later in the Question, if possible?

**The Deputy Speaker (Lord Duncan of Springbank) (Con):** Yes. The next speaker is the noble Baroness, Lady Brinton.

**Baroness Brinton (LD) [V]:** My Lords, the country owes an enormous debt of gratitude to the many campaigners who have fought tirelessly over decades to get their issues raised and to ensure that this never happens again. It is good that the Government have apologised on behalf of many Governments, and it is reassuring to hear that there will be some amendments to the Medicines and Medical Devices Bill, but the people who are affected need redress urgently. Can the Minister give us an indication of when this will happen?

**Lord Bethell:** I share with the noble Baroness, Lady Brinton, my personal respect and admiration for the campaigners, who are described in the report as having lived through the most awful experiences and who, through personal commitment and determination, have brought attention to these huge failures and have pursued their cause with enormous patience. We owe them a huge debt of gratitude. In terms of commitments on the individual recommendations, I have mentioned what we have done so far and what we have on the near horizon. However, it will take some time for the Government to study these recommendations—to understand from my noble friend Lady Cumberlege herself her detailed recommendations—and to come back on the timetable that the noble Baroness requested.

**Baroness Cumberlege (Con) [V]:** I will be brief; I could talk about this report for a very long time but I will not, as I am very conscious of other people who want to ask questions. I start by thanking Members of both Houses who have supported us throughout this review and indeed the report. I particularly thank the patient groups, of course. We met them on Tuesday and they were fulsome in their support for this report, which means a great deal to us. We called our report *First Do No Harm* because that is the principle that should start good-quality care—it is about not only doctors but the whole of the healthcare system—but too often we found that it has not.

First do no harm, but then do some good, because the report also looks to the future. Our report is comprehensive and is built on what patients and patient groups have told us. We listened to them—over 700 women and their

families face to face, and many others through telephone calls and emails—we heard them, and we believed. Their stories were harrowing and heart-wrenching: the relationships that were broken, the careers lost, the financial ruin that resulted. Terrible harm has been done to them. It showed us that the healthcare system, as a system, has been failing. I am very pleased that the fulsome apologies made today by our Minister and the Secretary of State have acknowledged that.

Our first recommendation has already been fulfilled and I am sure that the patient groups will be warmed by that. I ask my noble friend the Minister: will the Government seriously study our nine recommendations? Some are about the current situation, some the future. They are all really important. The patient safety commissioner is a new idea and Jeremy Hunt, who commissioned our report, has described it as a very bright and good idea to have someone who will fill the gaps that we have found in the whole of the healthcare system. Will the Minister please ensure that our recommendations are implemented? Implementation is key. We do not want this report to sit on a shelf and gather dust, though I am sure that the patient groups will not allow that to happen. It is really up to the Government to grip this issue and make a real difference in the lives of so many people, suffering not only now but in the future. Will he ensure that the patients, who are the experts, will be closely involved in the implementation group—the task force? Will he recognise the knowledge and experience of the task force? Can he also ensure that the experience of the review team, which has worked so hard, is included?

**Lord Bethell:** My noble friend Lady Cumberlege has put it incredibly well and I endorse her testimony about the courage and expertise of the patient groups who informed this report. I am only sad that they cannot be here to share this important moment. I pay tribute to the work of my noble friend and her team working on this. Patient safety is uppermost now in the mind of health carers. She is absolutely cutting with the groove. The words of Jeremy Hunt are very well made, and we are utterly committed to looking seriously at these recommendations.

**Baroness Watkins of Tavistock (CB) [V]:** My Lords, I add my apologies to the patients and their families and acknowledge the superb work done by the noble Baroness, Lady Cumberlege, and her team. The report makes very salutary reading. Are we going to make sure that we keep central records relating to any type of implant in future, including mesh used in hernias, so that we can follow up individual cases as appropriate? Will the Government consider returning to the Health Service Safety Investigations Bill, which was delayed and abandoned as a result of the recent general election?

**Lord Bethell:** Health records are absolutely key—that is why we have tabled an amendment on them. That amendment enjoys the support of the Government and of me personally.

**Baroness Thornton (Lab) [V]:** I think we can see that we need a longer discussion on this report. It is quite clear that some of its excellent recommendations will require primary legislation and I hope the Minister

may have identified them already. We on these Benches are keen to co-operate with the Government and across the House to bring forward the necessary amendments to the Medicines and Medical Devices Bill.

**Lord Bethell:** The HSSI Bill is an incredibly important part of our agenda. It is not currently on our schedule, but we hope to bring it back at some date, or incorporate its contents in another vehicle.

**The Deputy Speaker:** I call the noble Lord, Lord Willis of Knaresborough. No? In that case, I call the noble Lord, Lord O'Shaughnessy.

**Lord O'Shaughnessy (Con) [V]:** My Lords, as a former Health Minister I add my apologies to these women on behalf of the Government I served. They were let down over many years and I pay tribute to their courage in coming forward for this review. I also pay tribute to my noble friend Lady Cumberlege and her review team for a superb, landmark piece of work. I want to press my noble friend the Minister on one issue: he mentioned that Aidan Fowler is the national director of patient safety in NHS England. That is quite right and very welcome, but the report recommends that somebody from outside the system—someone whose first loyalty is to patients themselves, not to the NHS—should be the gateway, the representative on behalf of patients. I know my noble friend wants to consider these recommendations carefully, but will he not rule out the idea of a new, patient-focused commissioner simply because there is someone leading on patient safety in NHS England already?

**Lord Bethell:** I thank my noble friend for his comments and for his role in commissioning this important report. His point on the safety commissioner is extremely well made. I am not ruling out anything whatever, but we need time to study the report before we can make any commitments.

**Lord Patel (CB) [V]:** My Lords, I thank the noble Baroness, Lady Cumberlege, and her team for what is a hard-hitting report, and rightly so. Reading it, I felt anger and shame—anger that so many women patients were treated with such disdain and felt that they were not listened to; and ashamed that members of a profession I belong to showed such ignorance, arrogance, duplicity and callousness towards the very people who put trust in them. As a member of that profession, I apologise wholeheartedly to women who suffered and I hope that the profession takes heed of them. Much of the report draws on narratives from women, and I was struck by one who called herself

“an unsuspecting, unwilling participant in a cruel experiment”.

No patient should ever feel that. I hope this report is a wake-up call for the professional organisations too, to take charge and become more patient-focused, rather than professional-focused, and to deliver the care that patients deserve. I am a long-time supporter of the charity Epilepsy Action. It has welcomed the report and hopes that action will be taken soon, particularly for women and mothers in relation to sodium valproate. I support the questions asked of Ministers and I hope we will soon see action.



**Lord Bethell:** My Lords, no one who reads the report can help feeling anger and shame; the noble Lord puts it well. I completely endorse his feelings and the Government will be looking at these recommendations closely and acting on them in the spirit he describes.

**Baroness Bryan of Partick (Lab) [V]:** My Lords, I ask this question on behalf of some of the women campaigners. The report states:

“The removal of transobturator tape is technical and complex surgery and there are very few surgeons in the UK capable of undertaking this”.

While this remains the case, will the Minister consider banning these mesh tapes until women can be sure that any post-operative problems can be fully and safely treated?

**Lord Bethell:** My Lords, one cannot read the descriptions of the consequences of some of the surgery around mesh, and the pain and suffering that some of the women endured, without feeling huge anger and shame and instinctively wishing to ban such a thing. However, mesh offers a solution to some women whose prolapse is profound and who have run out of options. There are women for whom mesh has been a great saving and where there has been a successful procedure. Procedures around mesh have improved dramatically. We are reluctant to apply a blanket ban, but we take the recommendations of the report very seriously and will be looking at this procedure extremely closely.

**The Deputy Speaker:** My Lords, the time allowed for this Question has now elapsed.

1.19 pm

*Sitting suspended.*

## **Agriculture Bill** *Committee (2nd Day)*

1.45 pm

*Relevant document: 13th Report from the Delegated Powers Committee*

**The Deputy Chairman of Committees (Lord Duncan of Springbank) (Con):** My Lords, a limited number of Members are here in the Chamber, respecting social distancing. If the capacity of the Chamber is exceeded, I will immediately adjourn the House. Other Members will participate remotely, but all Members will be treated equally wherever they are. For Members participating remotely, microphones will unmute shortly before they are to speak. Please accept any on-screen prompt to unmute. Microphones will be muted after each speech. I ask noble Lords to be patient if there are any short delays as we switch between physical and remote participants. I should remind the House that the normal courtesies in debate very much still apply in this new hybrid way of working.

A participants' list for today's proceedings has been published and is in my brief, which Members should have received. I also have lists of Members who have put their names to the amendments or expressed an interest in speaking on each group. I will call Members to speak in the order listed. Members' microphones

will be muted by the broadcasters except when I call a Member to speak. Interventions during speeches or before the noble Lord sits down are not permitted, and uncalled speakers will not be heard.

During the debate on each group, I will invite Members, including Members in the Chamber, to email the clerk if they wish to speak after the Minister. I will call Members to speak in order of request and call the Minister to reply each time. The groupings are binding and it will not be possible to degroup an amendment for separate debate. A Member intending to press an amendment already debated to a Division should have given notice in the debate. Leave should be given to withdraw amendments.

In putting the Question, I will collect voices in the Chamber only. If a Member taking part remotely intends to trigger a Division, they should make this clear when they are speaking in the group.

### ***Clause 1: Secretary of State's powers to give financial assistance***

#### *Amendment 12*

*Moved by Lord Curry of Kirkharle*

**12:** Clause 1, page 2, line 11, leave out “and better understanding of the environment” and insert—

“(ba) increasing understanding, knowledge and skills relating to the environment, farming, food production, and the impact of climate change on agriculture;”

Member's explanatory statement

This amendment allows the Secretary of State to provide specific financial assistance for the work of furthering understanding, knowledge and skills. It differentiates the ‘public good’ resulting from educating and engaging people from that which arises from supporting public access and enjoyment.

**Lord Curry of Kirkharle (CB) [V]:** My Lords, my interests are as listed in the register. This group covers quite a wide range of topics; I will focus on Amendment 12. The subject of this amendment was referred to in the debate on Tuesday, particularly by the noble Baroness, Lady Jones of Whitchurch, and in the winding-up speech by the Minister, which I found very encouraging. In fact, this amendment feels as if we are picking up where we left off on Tuesday evening.

We are, quite correctly, spending a lot of time debating the definition of public goods and what activities should be included within the ELM scheme. There can be absolutely no doubt that the education of our children and helping them to understand the importance of the management of the countryside, the value of farming, the value of the environment and the importance of food and their diet, particularly in the light of the obesity crisis, is a public good and, I suggest, one of the most critically important we will discuss in debating the Bill.

I must declare an interest, in that we created a classroom on our farm and hosted lots of school visits, many from socially deprived areas of Newcastle, supported by the Country Trust and Farm and Countryside Education. This has long been a passion of mine.



Some children who visited our farm had never set foot in the countryside. They had never seen an animal, never mind touched one, other than domestic pets. They had no idea how food was produced. The experience is transforming, provided the visit is linked to curriculum-based subjects and is seen as part of an integrated programme. However, this is not just about contributing to academic achievement; it is also about character development and providing an enriching, life-changing experience. More than 19,000 children currently visit farms as classroom visits every year, and many more visit with their parents through events such as Open Farm Sunday.

There is a serious disconnect between the 66 million people who live in Britain and what takes place in the countryside. This is of fundamental concern and of the highest priority, in my view. If we are to change attitudes and bridge this chasm, we need to invest in our children, and the Bill is an opportunity to help.

I will not duplicate what was said on Tuesday evening, because the debate was very detailed, but a “better understanding of the environment”,

as it is worded in the Bill, is too narrow. Understanding the environment is essential, but so is an understanding of farming and food production, diet and health, and climate change. Therefore, “educational access” should be included in the wording. Public access is far broader than just keeping footpaths open and being able to ramble and enjoy our beautiful countryside, as was mentioned on Tuesday. The countryside is also a place for therapy and rehabilitation. Its potential contribution to the nation’s health needs to be given far more prominence and recognised much more by the Department of Health and Social Care. Social prescribing, as mentioned in the debate by the noble Earl, Lord Devon, and others, is important. I declare an interest as president of Social Farms & Gardens. Care farming has a huge role to play in this regard. The omission of educational access as defined in the amendment leaves it as discretionary—an ad hoc and passive attitude to this issue, rather than a commitment.

I urge the Government to ensure that public support for public goods includes stand-alone educational access payments for high-quality farm education, rather than just being tied to the higher-tier settlement within the ELM scheme, as I understand is the current plan. That could exclude large numbers of farms which provide an excellent experience for thousands of schoolchildren. We should be even more ambitious and commit to all schoolchildren having the opportunity of at least one meaningful countryside experience. That will require significantly greater farm capacity for school visits than we have at present, not less, which could be the case if support is limited to the higher tier. Perhaps the Minister could reassure us on this point. I beg to move.

*Amendment 13 (to Amendment 12)*

*Moved by The Earl of Caithness*

**13:** Leave out from “production” to end and insert “, forestry, and the impact of climate change on agriculture and forestry;”

**The Earl of Caithness (Con) [V]:** My Lords, I shall speak to Amendment 13, which is a very simple amendment. The noble Lord, Lord Curry of Kirkharle,

has made a simple and correct speech about his amendment, but his amendment does not include a reference to “forestry”. However, forestry is included in the Bill, in Clause 1(1)(b), which refers to “countryside, farmland or woodland”. I believe that it is just as important for people to be educated in forestry as it is for them to be educated about farming, the environment and climate change, and that is why I propose to add these words.

I totally support what the noble Lord, Lord Curry, has just said. When I was a trustee of the Queen Elizabeth Castle of Mey Trust, we had a small area that was set aside for children’s visits in order to educate them. The noble Lord was absolutely right to mention the huge disconnect between rural communities and the urban people of this country. However, there is also a disconnect in rural communities, because there were people in Caithness who were living very close to farmland but did not know how the farms worked or about the management of sheep and cattle and why it was so important in terms of the effect that had on the environment. I beg to move.

**The Deputy Chairman of Committees:** I call the next speaker, the noble Lord, Lord Judd.

**Lord Judd (Lab) [V]:** With great respect to colleagues, I do not intend to speak on these amendments.

**The Deputy Chairman of Committees:** In that case, I will call the noble Baroness, Lady Jones of Moulsecomb.

**Baroness Jones of Moulsecomb (GP) [V]:** My Lords, I am pleased to support Amendment 12, moved by the noble Lord, Lord Curry of Kirkharle, and of course the amendments in the group tabled by my noble friend Lady Bennett of Manor Castle. I also should probably have signed Amendment 13, moved by my colleague the noble Earl, Lord Caithness, but I am afraid that sometimes these amendments just get away from me.

A direct experience of land, farming and wilderness is hugely important to understanding our place as human beings in the world and the impact that we are having on the environment and on our climate. As we begin to make the transition to a more sustainable, ecologically sound society with net-zero carbon emissions, public education is more important than ever. Education is a public good, and Amendment 12 reflects that fact, opening the door to enterprises that combine land management with education and training. I hope that the Minister will take these amendments away and ensure that environmental education and training is not left out of the Bill.

**The Earl of Shrewsbury (Con) [V]:** My Lords, I support Amendment 12 and I shall speak to Amendment 13, in the names of my noble friends Lord Caithness and Lord Colgrain. I ought to declare my interest as a member of the National Farmers’ Union.

Education is key to producing future generations of efficient farmers and land managers. While there are excellent world-class agricultural education facilities in this country—such as Harper Adams University in Shropshire and the Royal Agricultural College in

[THE EARL OF SHREWSBURY]

Cirencester, to name but two—over the past few years a number of them have closed, such as Wye College, while a number of other establishments have downsized their activities considerably. In my opinion, it is vitally important that we have a world-class agricultural education system for this multifaceted agricultural industry.

I am pleased to have added my name to Amendment 13. I do not believe that “forestry” widens this Bill in the context of agriculture; I believe that forestry is a part and parcel of agriculture and the countryside, and therefore it should be included in the amendment moved by the noble Lord, Lord Curry. I support the amendment.

**Lord Lucas (Con) [V]:** My Lords, I thoroughly support Amendments 12 and 13. It has been very evident to me, since I moved out from a long career in London to live on the south coast, that even here, where we are surrounded by the most magnificent countryside, there are many people who are not connected to it. It is not enough just to provide opportunities; we have to invite people into the countryside by providing them with really good educational opportunities, particularly aimed at schoolchildren but for adults too. To my mind, that is a vital part of the strategy that underlies this Bill, so I am thoroughly in favour of Amendments 12 and 13.

I have tabled Amendments 32 and 33 in this group, which tackle rather different subjects. Over the next 25 years, we will face huge challenges in agriculture. Agricultural yields have been stagnating for a while, as the results of the last agricultural revolution reach their limits. We need to make some serious progress on increasing yield to have better productivity and to put less pressure on the demand for land. We need to make a lot of progress on biocides, so that we can start to reduce the side-effects that they have on wildlife and on the quality of our environment generally.

There are huge opportunities in these areas. The science of genetics is getting to the point where we can start to look at a whole new generation of crop varieties and indeed different crops, which should enable us to tackle both yield and disease resistance. The advances that we are anticipating in robotics will allow us to use much lower doses of biocides. Indeed, one British company is looking at killing weeds in mechanical ways rather than chemical ways.

2 pm

There is a substantial R&D effort on farming systems in this country, which is very important. As the Minister recently mentioned in addressing the House on the question of Xylella, it is clearly important to have fundamental research active in this country. It is all very well spraying crops, but when you have a disease like Xylella that infects all sorts of things, we have to look at things like bacteriophages and introducing weakened varieties of the pest. We will be able to do both those things once we leave the EU and its rather odd restrictive regime. We need that fundamental research to be a part of what we do here.

However, if we are to build an international industry and take a part in what will be an international industry, it is important that we have strong engagement with real farmers. It is not enough to have these things driven

through the R&D system. We want the wisdom, inventiveness, resourcefulness and accumulated experience of British farmers to play a part here. It ought to be that we equip farmers not just to be the customers of international R&D but to take part in and commission and be part of the push for change. I would like to see a good part of the flow, particularly for development beyond research, to come through farmers and for their choices to be what determine who gets the funding. I would like to see the Bill opened up to make that possible.

**Baroness Boycott (CB) [V]:** It is a great pleasure to follow the noble Lord, Lord Curry, and I congratulate him on his school for kids to come to; I am sure they had a splendid time. I thoroughly endorse his amendment about education.

I add my support to Amendments 43 and 54 in the name of the noble Baroness, Lady Bennett of Manor Castle. They are mostly about localisation, which also has a great part in education and the connection between citizens and food. While most of us understand that local food is a good thing, most of us have very little sense of how local food is produced. I am in Somerset; we have lots of supermarkets around and are just as divorced as you can be in a city. It can be very difficult. There are many reasons for this, but a key one is that local authorities have insufficient cash to provide the essential infrastructure to allow local food economies to flourish.

Here I divert briefly to my own experience of once running a smallholding in Somerset. We went into pig breeding and were lucky enough to have a local abattoir that dealt with our animals in a quick, precise and compassionate way. I remember being completely shocked on my first, nerve-racking trip to the abattoir, with two of my favourite pigs rattling around in the back of the trailer. We were early and had to wait, and I was amazed that outside the door to the slaughter room were four pigs happily snoozing in a companionable heap. This was as stress-free as it could be, the food miles were minimal and I was able to sell the meat in complete confidence that the animals had had a good life and a good death.

There has been a long-term decline in the number of abattoirs in this country. According to the All-Party Parliamentary Group for Animal Welfare, there were 30,000 in 1930; that dropped to 249 in 2017, a 99% decrease. Of those, 25 are in danger of being shut. The alternative is huge abattoirs where animal welfare is low on the list and the distances need to be extensive and thus increase the stress and cost. I believe you cannot have a local food economy if you do not have a means of taking your animals to market.

I urgently recommend that the Government look at funding to restore local abattoirs within reach of most people, to ensure that we have a thriving economy. There are interesting examples globally that we could follow, such as the mobile abattoirs now introduced in France, New Zealand and Australia. We have one based in Nottinghamshire that believes its service can aid animal welfare and meat quality. It is something worth looking at.

The second thing I will talk about in support of the amendments from the noble Baroness, Lady Bennett, is county farms. Recent investigations have shown that

the number of county farms in England has halved over the last 40 years. Why does this matter? The county farm is a farm owned by the local authority and let out to young and first-time farmers, often at below the market rate. They are a vital first rung on the ladder for farmers in a sector that on the whole has incredibly high up-front capital costs—unless, of course, you are lucky enough to inherit. Through their provision of land and farm buildings, young people can become farmers. With the average age of farmers in this country at 60 and the price of land quite prohibitive, this is something we should really investigate and try to support.

Specifically, the acreage of county farms across England has plummeted from 420,000 in 1977 to just 215,000 now. For instance, Dorset Council just sold six of its county farms, 14% of its entire estate. When Michael Gove was Secretary of State for the Environment, he talked lavishly about equipping a new generation of farmers, but the facts all point in a different direction. You cannot be a farmer if you have nowhere to farm. If we value our farmers, local food and rural economies, community and county farms must not be allowed to slither into obscurity.

Finally, I will speak briefly about Amendment 47. I am a meat eater, but I want to eat meat that has been reared on pastures or in humane ways. Specifically, I do not want to eat chickens or any animals that have been grown in inhumane environments. The UK has come a long way in protecting and preserving standards of animal welfare, but there is one area in which we are not doing well, and that is local chicken production.

In the county of Herefordshire in particular, there is a rapid growth in the intensive chicken industry, which is generating a wave of vast industrial complexes across the landscape. The visual impact is not the only concern. Many environmental organisations are increasingly concerned by the growth and proliferation of these ILUs, particularly the impacts of ammonia, nitrogen deposition and phosphate on biodiversity and human health. These concerns include, but are not limited to, the pollution of water—streams, rivers and ponds. There has been news in the last few weeks of massive algae blooms in the River Wye, which are killing fish.

These chicken farms—which are owned not by British people but by global internationals—affect our health and environment. The companies, such as Cargill, contract with local farmers to put up the factories yet pay only farming rents and rates. These birds lead miserable lives and have miserable deaths, and this is something we should stop. Without a doubt, this leads to less good local practice and lower animal welfare standards. If we want to move towards a sustainable, holistic farming system in which local people can play their part, we have to work against these giant conglomerates.

**Lord Greaves (LD):** My Lords, it is a pleasure to follow the noble Baroness, Lady Boycott, and to agree with pretty much everything she has just said. I support Amendments 43 and 54 in the name of the noble Baroness, Lady Bennett of Manor Castle.

It is at times such as this that I realise that—although in the difficult circumstances it is highly commendable that we are operating this Committee in any sensible

way at all—nevertheless, the sooner we can back to proper Committees, the better. Normally I would wait for the noble Baroness to move her amendments, then if I wanted to say something about them I would rise after her and comment. Given the hybrid Committee, I understand that the way in which we are now operating, with a speakers' list, is essential, but it is nevertheless restrictive. I hope that when we come back in September, people will try to get back to normal Committees as quickly as possible, even if it means that a few people who are particularly restricted by Covid still have to come over the air, as it were. The basic Committee ought to be here. We also ought to be able to intervene and have a proper conversation. Committees in this House are traditionally and properly about conversations and discussions, not a series of speeches.

**A noble Lord:** Very good!

**Lord Greaves:** I got a bit diverted by that. I thank the noble Lord for his intervention from a sedentary position, which under our present rules is not allowed.

In order to comment on the amendments from the noble Baroness, Lady Bennett, I need to mention what they say. The first seeks include the words:

“supporting the development of strategies to assist in the distribution of agri-food products which are locally produced and sold by microenterprises and community enterprises”

and

“developing a supply chain infrastructure for the purpose of assisting in the supply, processing and sale of”

such things. The second amendment consists of definitions. This is something that the Government really ought to take seriously. We live at a time of big supermarkets that are highly centralised and operate on the basis of just-in-time deliveries. If a shelf becomes empty one evening, it will be filled again by the morning; certainly where I live, a truck will have hauled the goods up the M1 and the M6 overnight.

I understand that system. I understand why it operates and why it helps to produce cheap food. For many people, it is very convenient to be able to go to the supermarket and buy food. That is not going to go away, but we ought to move away from it a bit and get a bit more balance; there was a lot of talk about balance on Tuesday in this Committee. There needs to be a lot more involvement of, for example, people in Lancashire, where I live, growing produce of the right kind for sale in Lancashire to people in Lancashire. I very much support these amendments.

There has been a lot of talk recently about parts of the country being left behind, and the way in which left-behind places, particularly small and medium-sized towns such as former mining communities and industrial areas in the north of England, have even changed their politics as a result, and that something has to be done about it. The role of those towns will be crucial to the recovery of this country following the present coronavirus crisis. The Government's approach to that, which I do not disagree with per se, is to put a lot of money into what they call infrastructure. However, building lots of new fast railway lines and roads going through places—or, and this is a key point, past places—will not do very much at all for the places concerned. Even providing more education and training is not going to do a lot.



[LORD GREAVES]

What is essential for those areas is the rejuvenation of towns, from small towns to medium-sized towns, and even those that pretend to be cities. I am not talking about Manchester, Leeds, Newcastle and Liverpool and the like; the big regional centres are going to do okay anyway, and by and large they are. It is the areas in between: the places on the edge, the places that used to depend upon one or two basic industries that have disappeared, and the places that are increasingly rootless and increasingly lacking a future. I believe that developing local agriculture and local farming, and local markets for that local farming, can contribute to the future of those areas. That is why I think that this idea, among others, is so important.

The other amendment that I support, in the name of the noble Baroness, Lady Jones of Whitchurch, has not yet been moved. It hints at discussions that we will have later in Committee about the potential conflicts between productivity in agriculture and all the environmental and social improvements—the public goods—that we want to see on the other side. There is a conflict and we really need to discuss it, but this is probably not the time.

2.15 pm

**Lord Krebs (CB) [V]:** My Lords, I declare my interest as recorded in the register. I shall speak to Amendment 57 in this group. What I will say follows on very much from the last few words of the previous speaker, the noble Lord, Lord Greaves. In the past 60 years, there has been a trade-off between producing more food from agriculture and protecting the environment. In the UK, we have increased productivity, but at a cost: destroyed habitats, lost species, polluted and over-abstracted water, and an increased carbon footprint. This has been highlighted in many reports, including the one published on Monday by the Food, Poverty, Health and Environment Select Committee, which I have the privilege of chairing.

It is also spelled out in the 2019 *State of Nature* report, which monitors trends in thousands of species in Britain. The report concludes, for instance, that the total number of breeding birds in Britain went down by 44 million between 1967 and 2009. It also concludes that the Government's own assessment is that they will not meet most of the global 2020 targets that they are committed to through the convention on biodiversity. The report further concludes that agriculture is one of the most significant causes of these losses in biodiversity.

The Bill is our opportunity to change the way in which we farm, and Amendment 57 seeks to plug a gap in the Bill. As it stands, Clause 1(2) could be a get-out-of-jail clause. The Government could subsidise productivity gains at the expense of the public goods listed in Clause 1(1). Can the Minister reassure us that public goods will not be sacrificed on the altar of productivity?

As the noble Lord, Lord Lucas, has so clearly articulated, new technologies provide the possibility of enhancing productivity with less damage to the environment. This is particularly important when you consider that agricultural productivity is usually measured as a ratio of output over input, which in itself has some very odd features. It means, for example, that if

farm A produced 9 tonnes of wheat with 1 tonne of agrichemical from a certain piece of land, while farm B produced 90 tonnes of wheat with 10 tonnes of agrichemical from a piece of land the same size, both would have identical productivity—but the two would have very different implications for both food supply and environmental pollution. Farm B produces 10 times as much food as A, but with the potential for 10 times as much impact on the environment.

More importantly for Amendment 57, productivity does not include any reference to protecting the environment. If the Government are serious about rethinking the relationship between agriculture and the environment, is it also time to rethink how we measure agricultural productivity? For instance, should it be measured as kilogrammes of potatoes per skylark, or tonnes of wheat per pyramidal orchid? I look forward to the Minister's reply on the Government's plans for how they will measure productivity in future and how they intend to balance the increasing productivity that is referred to with protecting the environment.

Lastly, I add a footnote on Amendments 12 and 13, on education. We know that in this country there is a plan afoot to plant many trees. The climate change committee's target is to plant 1.5 billion trees as soon as possible if we are to meet our 2050 net-zero target. How many forestry graduates are produced each year in this country, and are there enough to provide the expertise to manage this huge change in tree planting?

**Baroness Bennett of Manor Castle (GP) [V]:** My Lords, it is a great pleasure to follow the noble Lord, Lord Krebs. I very much endorse his committee's report and urge noble Lords who have not read it yet to catch up with it. I also endorse his comments about Amendment 57, which is vital. We have seen so much focus on productivity measured purely as calories or tonnes per acre, which I will come back to in later groups.

I will speak primarily to Amendments 43 and 54, which are interlinked. The noble Lord, Lord Greaves, already introduced them so I will not repeat that, but I thank him, the noble Lord, Lord Judd, and the noble Baroness, Lady Boycott, for supporting them. I also thank the noble Baroness for setting out so clearly the huge importance of county farms in allowing opportunities for new farmers and young farmers to get into the industry. It is crucial that this network is protected and, indeed, significantly enhanced.

I also reflect what the noble Lord, Lord Greaves, said about local food and its importance in all communities, particularly those often labelled as "left behind". Strong local food networks and strong local food-growing systems up and down the country mean that the economic benefits are distributed round the country. What we have in our economy in so many different ways is far too much concentration of economic benefits in London and the south-east. However, I have a word of warning about what the noble Lord said about cheap food. I always want to put scare quotes around "cheap food" in supermarkets. We always have to remember that cheap food is costing us the earth and our health.



I come to Amendments 43 and 54 and pay tribute to work of the Landworkers' Alliance, Sustain and the Campaign to Protect Rural England, which all had input into them. They highlight how local food systems deliver benefits on a scale from the local to the global, but have suffered from decades of underinvestment. Many of the people involved in them—the producers, processors, retailers and caterers—are small and have limited management and financial capabilities for collaboration and sector development, although I note that other elements of the Bill seek to encourage that. It is something we want to see the Government support across the board.

The benefits of local food strategies and infrastructure are that they reduce our reliance on imported food. That means reducing exposure to volatile global markets and to the uncertainties of a world that now looks increasingly uncertain indeed. Local food systems have the capacity to meet up to 80% of the UK's food demands through UK-based production, over 50% of which can be produced within 100 miles of where it is consumed. Think what a different system it would be if the majority of the food on your plate was local, with all the economic benefits circulating in the local economy.

This would also have the global impact of reducing “ghost acres”—the land in other countries which should be available to feed their own populations their own local food, but which is currently used for growing export crops. It would allow producers to gain a higher share of the retail pound through short supply chains, make farming enterprises more profitable and make a valuable contribution to those local economies. It should never be forgotten that farmers now get a lot less than 10% of the benefit of every pound spent on food.

On the broader economic benefits, there is evidence from Nourish Scotland that for every pound invested in local food, £6 to £8 is returned to local society and over 50% is retained in the local economy, while with non-local enterprises, such as supermarkets, only 15% to 30% of the money is returned. Local food means that public health priorities are catered to and local communities have fresher, more nutritious, more affordable food. There is also increased interaction with local vendors and the satisfaction, perhaps, of volunteering at local farms and of community-supported agriculture. It also means that we can have more diverse, sustainable, mixed farms that produce multiple products. That would enable more on-farm recycling, lower inputs, reduction of food waste and other environmental benefits.

A five-year mapping study from 2012, *Mapping Local Food Webs*, estimated that 103,000 jobs across England could already be attributed to the local food economy, with 61,000 flowing from local food sales. Spending in local food outlets supports an average of one job for every £46,000 of annual turnover, while in the three major national chains it is one job per £138,000 to £144,000. We are talking about a system that works for people and for the environment, so I commend Amendments 43 and 54 to your Lordships' House.

I will also refer to Amendment 61 in the name of the noble Lord, Lord Holmes of Richmond, to which I attached my name. It refers to growing under glass. I am not sure that “glass” is quite the right word, but I am sure everyone knows what we are talking about. It talks about using renewable energy and there are real possibilities, such as using waste heat, reducing carbon emissions and using energy and resources well. This is an area in which the UK has very much been left behind compared with countries such as the Netherlands. I express my concern here. I have already tabled a Written Question to the Government about the low-carbon heat consultation, which currently excludes the potential of large-scale heat pumps, which could be fed into this area.

I will also briefly refer to Amendments 12 and 13. My noble friend Lady Jones attached her name to Amendment 12 and has already referred to both of them. It is vital to understand where our food comes from. I refer noble Lords to a fascinating study from the British Nutrition Foundation that found that one-third of primary school pupils thought that cheese came from plants. We have a long way to go to ensure that we have a full understanding of where our food comes from, the importance of food security and how our entire economy is a subset of the natural world.

**Baroness Rock (Con) [V]:** My Lords, I declare my farming interests as set out in the register. I too add my support to Amendment 12 in the name of the noble Lord, Lord Curry of Kirkharle. I will speak to my Amendment 62, which would give the Secretary of State additional powers to enable the support of diversification activities on farms where the purpose of that activity is to support or maintain the agricultural, horticultural or forestry activity undertaken on that holding.

This is an agricultural Bill and, as such, it should be about ensuring the resilience of the agricultural sector and supporting public benefits from the farmed environment. There is a real danger that vital support could be lost to our farmers. Therefore, it is important to ensure that we support those individuals bearing the business risk and carrying out the day-to-day management tasks. The key for making the case for financial assistance for diversification projects under this Bill is to look at farm business income. Many farmers make a loss from core farming activities, so diversification becomes an important tool for sustaining a farmer's income. Some 65% of farmers already have some diversified element on farm. In 2018-19 the total income from diversified activities was £740 million. Diversification is about creating income opportunities for a whole farming family and offers the chance for other family members to use other skills to support and maintain a family unit on farm or by staying in the local area. I think in particular about encouraging young people in rural areas, which can only benefit the local economy.

Given the current reliance on BPS, many farms will need to look for additional sources of income once direct payments are phased out. Enabling the Government to provide financial assistance for diversification activities could help to fill this gap and allow farming businesses to build their resilience and sustainability.

**Lord Holmes of Richmond (Non-Afl) [V]:** My Lords, it is a pleasure to take part in this group of amendments and to follow my noble friend Lady Rock, who I had the good fortune to serve alongside on the House of Lords Artificial Intelligence Committee. My noble friend, as much as anyone, understands how the combination of human-led technology makes a difference in so many areas—agriculture and horticultural chief among them. I also add my support to the amendments concerning education and to the comments of the noble Lord, Lord Krebs, about trees.

As much as anything in nature, trees are such wondrous elements of our planet—oaks that have stood for half a millennium, yew trees that have been in existence and have watched over us for thousands of years. If we conducted some opinion polling today, I wonder whether people might think that “yew trees” is a social media platform where pictures of trees are shared.

2.30 pm

Trees, as much as any element of nature, enable us to see our rightful place in this cosmos: as stewards rather than dominators, caring for and being part of nature, not separate to it. We are absolutely another element, but with clear responsibilities to coexist with all the other wondrous elements of this country and our shared planet.

I rise to speak to Amendment 61 in this group, which is in my name, and I thank the noble Baroness, Lady Bennett of Manor Castle, for her comments and for putting her name to it. I would first like to say something about the backdrop to the Bill, which is probably the most important agriculture Bill in half a century.

One of the starkest elements to consider is that, in the next four decades, we will have to produce more food than has been produced in the preceding 8,000 years. On the basis of that statistic, things clearly cannot carry on as they are without us not only desperately negatively impacting the planet but leaving many sectors—not least those in the global south—suffering poverty and natural resource shortages.

What does Amendment 61 do? In simple terms, it seeks to subsidise sources of sustainable energy to be used for the production of

“cut flowers; fruits; vegetables, and other produce as designated by the Secretary of State”

under glass. As the noble Baroness, Lady Bennett, pointed out, “under glass” is in very heavy inverted commas to illustrate the sector that we are looking at here.

I believe we have a once in a generation opportunity to potentially combine sustainable energy with food production in this manner, an opportunity we have had in the past and squandered. There is no doubt that, over two decades, the Dutch have shown us a clean pair of clogs in their approach to this, using their natural energy resource—natural gas—for under-glass production. It has enabled them to become the second largest exporter of food, not in Europe but in the world. When one considers their landmass, population and natural resources, that is no mean feat.

It is an incredibly impressive achievement and, in noting that, perhaps we bow our heads to salute them. As we bow, we may take the opportunity to stare at

our own shoes and wonder at the opportunity we had decades ago with our natural energy resources. There is certainly no shame involved for our fabulous producers, but for those who were in power at the time. When we had power flowing in from the North Sea, did we put it into subsidised production under glass? Did we create a sovereign wealth fund? Did we put it into any national resource that we can see as a result? To quote a phrase: “no, no, no”.

As I said, there is in no sense shame involved for those fabulous producers in this sector, not least our own noble Lord, Lord Taylor of Holbeach. He may be of Holbeach, but in so many ways he is “Taylor of Roses”, and Chelsea gold medal-winning, legendary roses they are. It is probably worth taking a moment to consider just the name Taylor in this country to show what fabulous agricultural, vinicultural and horticultural opportunities we have: Taylor’s roses; Taylors tea and coffee, which enable me to function in the morning; and Taylor’s Port—a fine way to end the day.

As is rarely the case in life, we have the chance to return to this through our sustainable energy sector, and not just offshore wind, tidal power, geothermal power and photovoltaics. All those elements can be brought to bear, and it could be a win-win: a win for our energy sector and a win for our under-glass production.

We certainly have the talent within the sector to do this. It is worth noting a particular favourite of mine, the great plantswoman Carol Klein—what a legend. She demonstrates that there is no lack of talent in this country to take the industry forward, Spark funding would enable both the energy sector and under-glass production to blast ahead. I believe this amendment would give the opportunity for these businesses to grow at speed. It would enable industry to thrive, areas across East Anglia to level up and carbon dioxide emissions to be brought down, and it would provide clarity in the supply chain and a fabulous opportunity across the whole of East Anglia. I look forward to the Minister’s comments on this suggestion.

**The Earl of Dundee (Con) [V]:** My Lords, Amendment 101 seeks to improve the Bill’s current definition of a producer. It broadens that definition, so that instead it reads

“starting, or improving the productivity of, an agricultural, horticultural or forestry activity”.

This would make clearer which relevant parties stand to benefit from financial assistance.

**The Deputy Chairman of Committees (Lord Russell of Liverpool) (CB):** I now call the noble Lord, Lord McConnell of Glenscorrodale. There is a problem with connecting to the noble Lord. We move on to the noble Lord, Lord Blencathra.

**Lord Blencathra (Con) [V]:** My Lords, I think we have all been slightly caught out there. For all the amendments on which I may speak today, I declare my interest as in the register.

I am sorry to disagree with my noble friend Lord Lucas. While I am in complete agreement about the need to improve agricultural technology, robotics and genetics, I just do not think his amendment is necessary, since

my reading of subsection (2) is that it does just that. It says that the Secretary of State may give financial assistance to

“starting, or improving the productivity of, an agricultural, horticultural or forestry activity”.

To me, that seems to cover what my noble friend has suggested in his amendment.

I agree entirely with him that we need a huge leap forward in technology, especially in the horticultural sector. I have read that one side-effect of President Trump’s curtailment of cheap Mexican and Latin American labour has been a big increase in robotics and technology in the United States to plant and harvest crops. We need to do exactly the same here. Exciting robotic machines are now being developed in the UK. In swotting up for this amendment, I looked at a recent video showing a machine operating in a vegetable-growing area; it had what I would call very fine fingers or tines knocking out the weeds between the plants but leaving the lettuces completely intact. Technology is the solution, not cheap eastern European temporary workers.

I also look forward to changes in the rules when we leave the EU so that we can do gene editing—not genetic modification, just gene editing. It is terribly important that we move to do that as quickly as we can when we leave the EU. We do not need anything in this Bill to give us the powers to do so.

I cannot support Amendments 43 and 54. These small local community farms do a good job, and they may currently qualify for support under ELMS, but they cannot feed the nation. I do not accept that they can supply up to 80% of the food this country needs. Huge changes are coming to mainstream farm production. I want all Defra’s efforts to be concentrated on the big picture of delivering ELMS and not diverted on to something nice but at the moment irrelevant to feeding the nation. It is quite possible that many of these local enterprises may qualify under the ELM schemes when they are fully developed. We should leave it at that.

**Lord Clark of Windermere (Lab) [V]:** My Lords, I support Amendment 12, so ably moved by the noble Lord, Lord Curry of Kirkharle, and Amendment 13, which improves on the original amendment. We confirmed last time that forestry was included in the Bill. Amendment 13 spells this out, making the link between forestry and climate change. We all appreciate that trees have a massive beneficial effect in capturing carbon and climate change. We all want to try to take that forward.

I spoke in the first day of debate on this Bill about trying to open up forest areas for public access. I explained how the Forestry Commission had decided that all its freehold land should give access on foot under the right to roam legislation. Since then, issues have been raised. Could the Minister take these on board and give them some thought, not necessarily today but moving forward? We in the Forestry Commission, as a government department, took the decision to dedicate that land for open access in perpetuity. It has been suggested that, if the land is sold, that right falls. That is not what we thought was the case at the time. What is the case?

This has a bigger implication for how we work and give farmers greater freedom to farm in upland areas, where there is a lot of opportunity for increased tree-planting, which helps the economy of the area and the farm, and helps with climate change. If a piece of land on a hillside, currently subject to the right to roam under the freedom to roam access legislation, is converted to forestry, does that right of access fall? These two examples are quite important, because it might affect how this piece of legislation will help build the future sustainability of upland areas—or not.

2.45 pm

**The Earl of Devon (CB) [V]:** My Lords, I have a few swift comments on Amendments 12, 13, 32 and 43, noting my interests as stated on Tuesday.

The focus on education in Amendment 12 is key. One issue that has been made transparent by this debate, which was raised on Tuesday by the noble Lord, Lord Randall, is the lack of diversity among those involved in farming and food production. I may not be the appropriate person to discuss this, as the noble Lord, Lord Mann, identified on Tuesday; my family has farmed the same plot of Devon soil for over 700 years. We are not a great example of diversity. However, I note that over three days of debate in your Lordships’ House, the Members debating have had a considerably monochrome appearance; it is surprising that our food and farming debate itself lacks diversity.

I draw notice to the work of Wilfred Emmanuel-Jones, known as “the black farmer”, who is very keen to encourage more urban interest in farming, and Michael Morpurgo and his wonderful charity Farms for City Children, which does very much the same. I also echo the support for county farms and the way they bring atypical farmers on to the land, because that is an important task.

On Amendment 32, on agritech, I note my interests as an IP lawyer for a law firm representing a number of exciting agritech start-up businesses. We are seeing all sorts of businesses in the fields of insect protein, urban and vertical farming, and robotics. This is an area in which our country could lead the world. However, I question whether these are public goods. There is a huge amount of investment in these areas and they are increasing our productivity dramatically, but all that has a commercial imperative. While I have read Professor Dieter Helm’s book on public goods, I struggle with the economic concept and the exact definition of what a public good is; as I understand it, IP technology is not necessarily a public good. Could the Minister comment on that and the role of technology in agriculture? Do the Government really think that it is a public good?

I am keen to support the food procurement amendments. We should recognise the work of the Great South West LEP and the launch, just this week, of the South West Food Hub, which is focusing on the provision of local food to local consumers. What is distinctive about the programme is that it is working hand in hand with the Crown Commercial Service, which provides food to all the public bodies—schools, hospitals, prisons and the military. I do not know whether we need to focus on this under ELMS because



[THE EARL OF DEVON]

the Government, through the Crown Commercial Service, already have the power to commission and procure food from local sources. We should encourage the Government to do that more, because local food is traceable and identifiable. If people know where their food is grown, they can be educated about the source and nature of it.

**Lord Marlesford (Con) [V]:** My Lords, I repeat the declaration of interests that I made on Tuesday. Many things have been said on this wide-ranging collection of amendments; I will focus briefly on just a few of them.

I echo what the noble Lord, Lord Greaves, said, about the intrinsically unsatisfactory nature of discussing a Bill in Committee in this form. I know it cannot be avoided, but it falls far short of the great advantages of proper extempore interventions in the Chamber.

I very much support my noble friend Lady Rock on the subject of diversification, which is crucial to the future of the rural economy. I referred to this on Tuesday and I will refer to it later on, under a more suitable amendment.

Today, I will talk only about the question of an extension of education: getting people to understand where food comes from and the need for people to visit the countryside as much as possible when they do not live there. I want to talk about local food from local areas, locally supplied.

I live in East Anglia, which is, in effect, one of the larders of England; a lot of food is produced and consumed there. We have had a great advocate over the years in Lady Caroline Cranbrook, who has continuously promoted the cause of local food and local farm shops. One interesting thing is that Covid has proved to us the life-saving nature of local shops. When other sources of food were difficult, and there were great big queues and shortages in the supermarkets, local shops and pubs stepped in and provided local food. That was hugely important. We should emphasise the need to encourage local shops and local food outlets, which is of course a way in which farmers themselves can add value to their product.

I will also say a word about food fairs. They have the great advantage of bringing the producer and the consumer face to face, which again helps in the education of where food comes from, what it ought to taste like and how it is produced, and it encourages people's desire to have local food from this country.

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, I will make a small contribution, focusing on Amendments 12 and 13. Education, training and skills development in the whole area of farming, agriculture and the environment are vital. When young people are educated about farming, agricultural and food production, and the food system, they can begin to fully appreciate the rural environment, its value and its importance to our overall economy. That form of education, training and skills development is important.

I also agree with the amendment in the name of the noble Earl, Lord Caithness, which seeks to insert "forestry, and the impact of climate change".

As the noble Lord, Lord Clark of Windermere, said, one adds value to the other. I can see that there could be some compromise between the amendment in the name of the noble Lord, Lord Curry of Kirkharle, and that in the name of the noble Earl, Lord Caithness. If we believe in the principle of public money for public goods, we should ensure—I urge the Minister to pay particular attention to this—the provision of funding for education, skills and training in our local environment, agricultural industry, the food system and forestry, closely aligned with the impact of climate change. Our environmental system and our food system are directly linked, and people—particularly the young—need to be educated about that. I do not see how the amendments conflict; one adds to the other, and I would like to think that they could both be accepted by the Minister in some form of compromise.

Can the Minister advise whether any discussions have taken place with the devolved Administrations as part of the ongoing conversations about the Bill and how it will impact on various regions? Perhaps he could specify whether there has been any particular discussion about the environment, education and training. We must make sure that environmental and agricultural education and training are not diminished or missed out in the Bill, or in any part of the UK.

**Lord Campbell-Savours (Lab) [V]:** My Lords, I will speak to Amendments 43 and 61. Although in the form they are tabled, these amendments appear at first glimpse to be making two different propositions, when combined, they produce a very new approach to developing microenterprise. Amendment 43, with its proposal for the local production of agri-foods, and Amendment 61, with its call for subsidised energy costs in selected areas of the agricultural economy, combine to offer a strategy that could greatly aid in the post-Brexit world of import substitution, which we must all want.

The advantage of that approach is that it reinforces an argument that I used to employ in the Commons, years ago, when representing a constituency with high peripheral regional unemployment: you can use energy costs as a tool in regional policy. Cheap energy will always attract footloose, energy intensive enterprise—paper, board and chemicals are good examples of this. If you combine cheap energy availability and labour-intensive micro-agricultural production in the areas outlined in these two amendments, you will create the conditions in which you can influence the movement of investment capital.

I argue that that incentive is as good as any regional development assistance as provided under former assisted area programmes. Indeed, it has an advantage, in that it is not a one-off allocation of grant aid. On the contrary, it can be profiled in such a way as to provide sustainable assistance over the longer term, tapering away as enterprise becomes more established. This form of assistance can be of real value in the development of labour-intensive microenterprise in food and in other areas of the agricultural economy.

I strongly support these two amendments, as they cause us to think out of the box on the use of energy as a regional incentive. I hope that both movers will combine to bring forward a new amendment on Report. Furthermore, I hope that the Government take a new



look at the potential for subsidised energy to be of real assistance in the new economy that must now be built post Brexit.

**Lord Carrington (CB) [V]:** My Lords, I declare my interests as a farmer as set out in the register. I support Amendment 12, set out by the noble Lord, Lord Curry. As it says,

“increasing understanding, knowledge and skills relating to the environment, farming, food production, and the impact of climate change on agriculture”

should be in the powers to give financial assistance.

Among the many purposes of the Bill is the aim of revitalising the industry through facilitating retirements, new technology and, most importantly, encouraging new entrants to the industry. As the current generation of farmers retires, we need to replace its valuable skills, and the amendment recognises that. The Agricultural Productivity Working Group, chaired by Sir Peter Kendall, highlighted that issue and called for action to address the low uptake of agricultural skills and training.

3 pm

Consider, for a moment, the skill set required for a modern mixed farmer, leaving aside those associated with the new ELM schemes. He needs to be a weatherman, to judge timeliness; he needs to be an engineer, to service and repair machinery; he needs to be a computer programmer, to set up milk parlours and tractors; he needs to be a chemist, to identify weeds and treat diseases; he needs to be a midwife, to bring animals into this world; he needs to be a hairdresser, to shear sheep; he needs to be a chiropodist, to attend to their feet; he needs to be a carpenter, for fencing and farm maintenance; he needs to be a topiarist, to maintain hedges; he needs to be an accountant, to manage farm finances; and finally, he needs to be a salesman, to sell stock, grain and other produce. This is to name just a few. That is why this amendment is so important. I support it.

**Lord Cormack (Con):** My Lords, I am delighted to take part in this debate, and I begin by saying how much I agree with the noble Lord, Lord Greaves. The sooner we can get back to proper debating, with interventions—not too many, but pointed and at the right time—the better. At the moment, we are in a one-dimensional Parliament, which is not able to adequately hold the Government to account or fully debate these subjects—a point rather brilliantly illustrated, perhaps not intentionally, by the noble Lord, Lord Carrington, a moment ago, when he talked of all the attributes of the ideal farmer.

I want to address a few remarks to Amendment 12, but I want to look not at the accomplished man or woman who is a farmer, but at our children, and young children in particular. We all pay lip service to education, and there are parts of the country where a number of farms have regular farm visits; there are many in my native county of Lincolnshire, where I live, and many in Staffordshire, which I had the honour of representing for some 40 years in the other place. But we need to co-ordinate more. We need to try to ensure that there is a place on every syllabus, in every school, for some acquaintance with farming—perhaps by visiting, perhaps by welcoming speakers from the NFU and elsewhere

into the schools. But we need to make sure our young people understand their food and where it comes from, as the noble Baroness, Lady Boycott, said earlier in this debate. We want them to value, cherish and—as we said in the debate on Tuesday—share the enjoyment and protection of wonderful countryside. Countryside and farming are indivisible.

The other point I would like to make in this brief intervention is to say how much I agreed with the noble Baroness, Lady Boycott, when she talked of the grotesque, indecent factory production of chickens and the devastation it causes in one of the most beautiful areas of our country—the Wye Valley. There have been photographs in the papers in the last week or two that shame us all. As she said, many of these are industrial units producing—entirely for profit—food I would not give to a dog.

We need to have regard for the standards with which food is produced. We are quite rightly making much of this in the negotiations with our European friends and neighbours. In the talk we are having of doing deals with other countries, our standards are, on the whole, good, but they can be better, and it is very important that we have an intelligent, well-educated electorate, who will not accept the indifferent or the downright bad. I will return to some of these points in the debate later this afternoon, but I hope my noble friend will acknowledge that these are important points.

**Baroness Young of Old Scone (Lab) [V]:** I support Amendment 57 in the name of the noble Baroness, Lady Jones of Whitchurch, so ably laid out by the noble Lord, Lord Krebs. This amendment is vital to ensure that, in making payments for productivity improvements under subsection (2)(a), they do not counteract the purposes—the public goods—listed in subsection (1). There is no point in payments being made for public goods, such as environmental improvement, if public money is given for productivity improvements that could result in environmental down sides. I am not saying payments for productivity improvements should not be made; I am simply saying that we must make sure that these are not, in themselves, environmentally damaging. The amendment would ensure that productivity improvements were environmentally sound.

It is a slippery slope: we more fundamentally do not want to see polarisation, where some farming is effective and productive, and other farming is environmentally sound, where some land is sweated intensively for production, and some set aside for biodiversity in the environment, like zoos.

There was a time in the not-too-distant past when a previous Secretary of State for the Environment—for the avoidance of speculation, let us call her Secretary of State Truss—had a vision for the future of agriculture and the environment which had highly intensive agriculture in the lowlands and biodiversity and the environment shuffled off into the uplands. We have come a long way in sophistication since then. We all want all agricultural land to efficiently deliver food and for the environment. Amendment 57 would be important for this, but if the amendment cannot be agreed to by the Government, can the Minister tell us how he plans to ensure that productivity support does not result in environmental down sides?

**Lord Cameron of Dillington (CB) [V]:** My Lords, as this is the first time I have spoken in Committee, and for the purposes of all the Committee stage, I declare my interests as a retired farmer and landowner, as chair of the UK Centre for Ecology & Hydrology and chair of the steering group of the Government's Global Food Security programme.

This is a strange grouping, and I wish to speak to three completely different aspects of the group. Starting with Amendment 12, I join most of my colleagues in emphasising the importance of helping farmers to welcome schools, families and other citizens to their farms. It is vital that people from all backgrounds, especially inner cities and the BAME communities, are helped to make that all-important personal connection to our wonderful countryside in a way that is more meaningful than sitting and watching it on telly. It is vital that both the joys and hardships of rural life are understood by as many people as possible.

We are a very crowded nation. I believe England is the fifth most densely populated country in the world. Yet we still have some of the most fantastic countryside. I would like to hope that that countryside, and the farmers who created it and now manage it throughout all seasons—hot and cold, wet and dry—will continue to be an inspiration to our children and grandchildren, and that it will always be part of that unique heritage which we pass on with pride to those who come after us.

I turn to Amendment 32 in the name of the noble Lord, Lord Lucas, on the advancement of technology. As you might expect, I am very keen on agriculture and environmental technology and the advancement of robotics. I have an amendment later on genetics, so I will keep my powder dry on that, but robotics has huge potential as well, using small or mini tractors in each and every field. I hope that these tractors will eventually be not be much bigger than, say, a large suitcase with arms on wheels or tracks, even, which would be great for avoiding soil compaction. Let us hope that they will also be cheap enough for African smallholders to own.

They will come out of their small electric charging sheds, probably in the middle of the night, check that it is not raining and that the soil is dry enough to work, then using minimum tillage techniques, plant the crop. In Africa, of course, they will emerge only if the automatic connection to the local weather station says that it is going to rain in the next few days, because the timing of planting crops in Africa, in relation to the coming of the rains, is crucial.

After this small robotic machine has planted the seeds, it will wander around the growing crops looking for signs of pests and diseases and then either warn the farmer, hoe the weed or squirt each leaf with whatever treatment it needs to make it healthy. Note that it will squirt only the individual leaf, not the whole plant, let alone the whole field as is done at present, so the use of pesticides and herbicides will be reduced to an absolute minimum, partly because only the individual leaf is being treated and partly because the treatment will be carried out the moment the problem has appeared, thus, one hopes, preventing it spreading throughout the rest of the crop. Such robotics will revolutionise

the growing of crops in our country and, more importantly, in the developing world. What is more, we in this country are at the forefront of these developments and with the right funding we would be the leader in the field, so I support Amendment 32.

And now for something completely different, I turn to Amendment 43 in the name of the noble Baroness, Lady Bennett, and others. I welcome the tenor of this amendment, although I also recognise the Government's desire to limit the ambitions of ELM schemes to what is already in Clause 1. There is no doubt that ELMS cannot be all things to all men, although we in this House might like to hope so. However, it is always good to have a debate and to get the Minister's response on the Floor of the House, and I hope that in this case other bodies, such as local authorities, local town councils, national park authorities and even public-spirited companies, will pick up on this issue and take it forward in the spirit of the new rural environment we hope to create with the Bill.

When I chaired the Countryside Agency, a long time ago—at the turn of this century—we looked carefully at local food chains and what we could do to help. We realised that “Buy British”, for instance, was a forlorn gambit that had never and would never work with the buying public, but all our research indicated that customers really liked the idea of supporting local growers and local businesses—ie, Farmer Bob and his daughter down the road. Incidentally, under Covid, new supermarket research has shown that the “buy local” trend is now really taking off. So at the Countryside Agency, we sponsored and helped to promote farmers' markets. In many towns local shopkeepers loudly objected to this “undercutting competition” as they called it, but they soon discovered that on market days the town was rammed with punters, which of course made their turnovers boom as well. Every town should have a farmers' market or a local market, but they need kick-starting, usually with some form of public money to begin with, even if it is only rent holidays for stall-holders.

At the Countryside Agency we also had our “Eat the View” campaign, which tried to persuade customers who loved their local countryside that the best way to support it was to eat its products. The phrase “eat the view” came from curmudgeonly farmers of the 1980s who complained about the emphasis on the environment over food, and used to say, “It's all very well but you can't eat the view”, and we said, and I still say today, “You most certainly can.”

Another relevant scheme we had was our market town initiative. We had some good rural supporting projects at the Countryside Agency. If a market town was going to act as a hub for tourism and its surrounding villages, it needed to promote itself with a local theme, usually involving local products from either a local business or a farm. A very good example of this was Bridport in Dorset, which was brought low by the demise of its rope-making industry, but has now reinvented and revived itself as a thriving must-be-at destination, largely based on local food. It has a brilliant local market on Wednesday and Saturday every week of the year, and it hums—or at least it did before Covid-19.

What I am saying is that given a small amount of pump-priming and organisational help, such projects can make a big difference to local farmers and businesses and would be totally in line with the Chancellor's desired economic boost. The difference would be particularly apparent where the farms were small and the land did not lend itself to large agricultural enterprises. We should remember that it is just that sort of land that is probably the most highly prized by the British public, because it tends to be the most beautiful, and it is just those farmers and land managers whom the public would expect their taxes to support.

So, we must have local ELM schemes, locally envisaged and run by locals for locals. Perhaps I can end with a good example from the Blackdown Hills AONB in Somerset. Two or more decades ago, with lottery and local authority funding, the Blackdown Hills Business Association, including many farmers and small businesses, was started. It has training sessions for its members in everything from IT to marketing and takes a large tent at the local show to market its wares. With now more than 100 members paying membership fees, it funds itself, but it needed funding for its first 10 years. It is the encouragement and flexibility of that sort of funding that we are asking for here, so that, for example, farms and businesses who are not lucky enough to be in a really good AONB can also hope to get that kind of support.

3.15 pm

**Baroness McIntosh of Pickering (Con) [V]:** My Lords, I declare my interests as set out in the register and in particular that I sit on the rural affairs group of the Church of England. I apologise if I failed to mention that on Tuesday. I support Amendments 12, 13 and 62. My comments are more in the form of questions.

We have before us the policy statement. What is its status in relation to the Bill? In responding to this group, will my noble friend the Minister bring us up to date?

On Amendments 12 and 13 regarding educating children, from which budget should that come? I am a great supporter not just of farm visits but of visits of schoolchildren to country shows. When I was at school in Harrogate I had the great good fortune to visit the Great Yorkshire Show. We had a day off for the purpose. Will my noble friend use his good offices to liaise with his counterpart in the Department for Education to ensure that such visits continue? I am a member of the Yorkshire Agricultural Society and know that it is very keen to receive those visits. For the first time the show will be online, like a number of rural shows across North Yorkshire. It is a wonderful opportunity to engage children without them having to leave school or their home. However, I think it should more properly come out of the education budget.

My noble friend Lord Holmes referred to crops under glass, on which our noble friend Lord Taylor of Holbeach is obviously a great expert. Will my noble friend the Minister liaise with BEIS to ensure that, if we are to benefit from energy from waste, we educate the public about its benefits, even though it means using incinerators? In Denmark, Germany and Holland this is not a problem for the public, and we should not hold our farmers and horticulturalists back by a lack of understanding in this regard.

I pay tribute to the work of Fera at Sand Hutton and the Rothamsted institute. Will that type of research fall under the new financial assistance proposed in Clause 1 or should it more properly come from R&D budgets elsewhere? That clarification would be most helpful.

I support Amendment 62 in the name of my noble friend Lady Rock. Diversification lies at the heart of our future farm policy. I hope that my noble friend the Minister will take this opportunity to identify those who can advise our farmers, particularly smallholders and tenants, about the best thing to use.

In supporting Amendment 101, which relates to new entrants, I refer to the policy statement, which points out most helpfully on page 39 that regrettably those farmers

“after the reference period are unlikely to be eligible for delinked payments.”

Will my noble friend do what is set out here by making it easier for farmers who wish to retire to do so and who, by delinking, will free land for new entrants? We have to support new entrants as far as possible. This, together with the expected reductions in rent prices we are told about, should help them to get a foothold in the industry. That links to the amendments I will move later relating to tenancy holdings. This could be very useful. We need a bit of flesh on the bones in the policy statement.

**Lord Mann (Non-Aff) [V]:** My Lords, I speak in support of Amendments 12 and 13, and I endorse what was said by the noble Earl, Lord Devon, and other noble Lords, on the importance of robotics in agriculture. I well remember being involved in this in the 1980s. We were the world leaders in new robotic developments, but of course, constrained by the state subsidy rules of the European Union, we lost out to Japan and the United States, where, in particular, the use of contract compliance with state orders for the military gave them the competitive advantage to protect their fledgling industry.

My appeal to the Government as we leave the European Union is this. In this country, state aid is generally seen as protecting old, dying industries, but, at its essence, it is to protect fledgling industries that need link-ups with universities and the ability to experiment to get products that work to market. In robotics and artificial intelligence, not least in the area of agriculture, our potential is huge. If we were to win that battle, we would be more self-reliant and more competitively advantaged internationally. We should grab those opportunities before it is too late, not least because China is doing the same thing; it is leading the market and getting that market advantage.

At the same time, we should not copy the Chinese model for GM food. One thing that most surprises me about the debate on agriculture in this country is how we have allowed a form of quasi-communism to run it. Look at the role of the supermarkets: every strawberry and carrot must be identical in size and taste. This is specified by supermarket contracts, which farmers struggle to meet and make a profit under. The answer is not to move towards GM food—the ultimate communist dream of every product looking the same and tasting the same—but to go in the opposite direction. Something far more radical than farmers' markets is needed, although



[LORD MANN]

they are a good starting point, conceptually. The whole basis of the tax incentive system for local food needs radically overhauling in his country. The incentives should be for real production, as the farmer sees it taken to the local market, to take out the food miles and to challenge directly this communism of the supermarkets in making everything the same. Again, in leaving the European Union, we have the opportunity to give that incentive to those local markets, and we should be doing so in a very big way.

Finally, I have a comment on trees and forestry. Pit timber used to grow alongside the collieries of this country in a very big way. We failed to learn the lessons of that in our forestry planting. Forestry planting has been seen as the preserve of the rural economy, yet on former coalfield sites we have huge swathes of reclaimed land, once brownfield and often still laid to waste. It would be ideal for reforestation as an industry, exactly as was done for those pit timbers 100 and 150 years ago—the remnants of which still exist. That would also give an amenity to local communities over the next 50 years. We should rethink precisely where our forests are being planted.

**Lord Chidgey (LD) [V]:** My Lords, I speak in support of Amendment 43 in the name of the noble Baroness, Lady Bennett of Manor Castle, and other noble Lords, which provides for

“financial powers to develop local food strategies and infrastructure and to support small farms and/or community agricultural businesses with the purpose of improving public access to fresh and nutritious food, improving farm viability, reducing transport associated with agricultural products and securing our domestic food supply.”

I welcome this amendment, as in many ways it goes to the heart of my community’s concerns for preserving, protecting and enhancing our countryside, our farms and our food supply. Earlier in Committee, I described our concerns over the pollution suffered in the catchment areas of the chalk streams in Hampshire, which feed into the rivers Arle, Itchen, Test and others, and which, by extraction, provide a third of the domestic water supply in the area. In his response, the Minister reminded us that farmers were now constrained from allowing nitrates to wash into our watercourses. This is very welcome, though I am reminded that scientists believe that it can take 60 years for water to percolate through chalk aquifer and reach the watercourses. I recall that, in about 1992, through the good offices of the late Lord Ross, I was able to put a Question down in your Lordships’ House on the effects of pesticides on the chalk aquifers and our future water supply. If I remember my engineering geology, it is not unusual for chalk to reach 40% saturation in its natural state.

There are others in the food supply chain besides farmers. In my Alresford locality, close by the river Arle, we have an agriculture processing factory, operated by the Bakkavör Group, which has plants around the UK, in Europe, the USA and China. It imports salad products by road to the plant in Alresford, from as far afield as Spain, in 40-tonne lorries, squeezing through the narrow streets of our ancient towns to get to the processing plant. That is totally at odds with the aims of this amendment and, I would hope, of this Bill. I understand that at the plant they use water from the chalk streams and lakes under licence to wash the

salad free of chemicals and fertilisers, and possibly nitrates, which end up in the watercourses and lakes. Can the Minister confirm that these agroindustrial operations are subject to the same regulations as farmers? Who is responsible for their enforcement and where are enforcement levels monitored?

The noble Lord, Lord Cameron of Dillington, nicely and clearly described the situation in Bridport. In Alresford, like in many ancient market towns, while under pressure from urbanisation to meet housing demands, the opportunities to support small farms and community agricultural businesses to secure our domestic food supply are at risk of being overlooked. I support my noble friend Lord Greaves in his comments on this amendment, and the noble Baroness, Lady Bennett of Manor Castle. I enjoy the benefits of a community market, selling homemade products, and a series of farm shops ranging from simple rustic sheds to sophisticated top-end establishments with extraordinary ranges of goods and produce, all two or three miles from my doorstep.

**Lord Naseby (Con) [V]:** My Lords, I declare an interest. My wife and I own 40 acres of woodland which is registered in a 10-year plan with the Forestry Commission, whose work I pay tribute to.

Before I get on to Amendments 13 and 61, I must say that I share the views of the noble Lord, Lord Greaves, and my noble friends Lord Marlesford and Lord Cormack. It is not productive to a good debate on long and difficult Bills such as this one to sit in front of a screen for six or seven hours, and frankly, nor is it healthy. Purely by luck, I stumbled across the code of conduct for Cambridge University, which says that you should not be in front of a screen for more than one and a half to two hours. I suggest to the House authorities that we have a duty of care to all Members. I hope that they will reflect on that.

3.30 pm

Now to the real meat of these amendments. Amendment 13, following on as it does from Amendment 12, is very important. Back in the earlier days of my life, I happened to be the leader of the London Borough of Islington. I was thrilled to discover in those days that the City of London had a scheme for taking children from inner London boroughs, such as Islington, to the woods that it owned on the fringes of London. I do not know whether that educational programme still exists, but it was really good for children who knew little about the woodland environment. Amendment 12 does not go far enough, which is why I support Amendment 13. Although one or two colleagues have mentioned it this afternoon, people forget that it is not just about the delight of walking through a woodland seeing nature at work in itself but the role of woodlands in climate change in today’s world. They are there to carbon capture and to provide far more variety to our woods than we have seen hereto. I hope very much that this amendment will be accepted.

I turn to Amendment 61. I live in Sandy, Bedfordshire, the centre at one point of English horticulture. Purely because of its location, when the railways came—without being too crude—the shit of London was shipped every night to Bedfordshire. That shit produced wonderful

manure in the early days of the railways and in my judgment Bedfordshire, as a net result, still produces the finest Brussel sprouts in the United Kingdom. There was a huge explosion of glass-houses. However, as my noble friend Lord Holmes of Richmond was saying earlier on, what happened was that the Dutch twigged on to renewable energy along with North Sea oil and gas, but we did nothing to ensure that our similar resources—although not quite of the same nature—were used to help horticulture. There is a huge opportunity to get back into the horticultural league.

I belong to the Sandy horticultural society, which has been going for more than 100 years. Production around here in Sandy is primarily agricultural although, as I said earlier, Brussel sprouts feature extensively. The land here is not really ideal cereal land. We ought to go back to having glass-houses of various sizes and shapes to produce competitive horticulture products. I believe that my noble friend on the Front Bench is sympathetic to the whole idea, but we need the whole of government—this is not party-political but a general, obvious thing—in this so that we can get back to having competitive horticulture in this country. I do not know whether there will be any Divisions, but I will certainly support Amendments 12, 13 and 61.

**The Deputy Speaker (Lord Duncan of Springbank) (Con):** We are going to try to return to the noble Lord, Lord McConnell of Glenscorrodale. His connection, however, may not be good enough to sustain the call.

**Lord McConnell of Glenscorrodale (Lab) [V]:** My Lords, I hope that you can hear me—[*Connection lost.*]

**The Deputy Chairman of Committees:** The connection has not been adequate to connect.

**Lord McConnell of Glenscorrodale [V]:** My Lords—[*Connection lost.*]

**The Deputy Chairman of Committees:** I am sorry, Lord McConnell, I am afraid that your connection is not going to work. If you will forgive us, we will move on to the next speaker.

**Baroness Bakewell of Hardington Mandeville (LD) [V]:** My Lords, this is a suite of amendments relating to financial assistance for additional purposes. Amendment 12 would amend Clause 1(1)(b), which currently reads:

“supporting public access to and enjoyment of the countryside, farmland or woodland and better understanding of the environment”.

This is vague and woolly. It gives no indication of the nature of the public access to be provided; nor does it give any indication or recognition of what the public want or expect from the access they are expected to pay for. Do people go into the countryside just to enjoy it? There are highly beneficial elements to the public through green travel, education, leisure, recreation and sporting opportunities. There are highly beneficial elements to landowners in the public having an improved relationship with food and farming. The noble Lord, Lord Curry of Kirkharle, set out the case for education extremely clearly. Amendment 13, to which the noble Earl, Lord Shrewsbury, spoke, seeks to insert “forestry” and stressed the importance of education to that.

The CAP farm support favoured intensive units and the big estates but considerable damage was done to the environment in the production of milk and wine lakes, along with grain, butter and cheese mountains, until measures were introduced to protect the environment. Areas that had never been cultivated were ploughed up; I well remember the grants to clear hedges and trees, and to drain areas never drained before. Then the mood changed and grants were given to replant those trees and hedges—too late to save vital habitats for wildlife. At the same time, this introduced the devastating tree diseases into the country which the Minister has debated with us on many occasions. I welcome the contribution of the noble Lord, Lord Carrington, on the various skills which a farmer will need to survive in today’s climate.

Amendments 32 and 33 would add financial assistance for agricultural technology, including robotics and genetics, and the research and development of improved farming systems. The noble Lord, Lord Blencathra, spoke on this theme and I was fascinated by the description by the noble Lord, Lord Cameron, of how robotics can assist farming and production. The Nature Friendly Farming Network believes:

“Society should support farmers to create a better system by encouraging them to use the best technology and providing more information to allow them to make targeted improvements to their land management plans.”

The Government need to lead or support research that brings clarity to these issues, such as how to maximize the carbon sequestration of pasture.

Amendments 43 and 54 seek to develop food strategies and infrastructures. Greener UK believes that:

“Small farms are just as well placed as larger farms to provide the public goods that the bill lists in clause 1. Large farms are, however, more likely to have access to business planning resources and expert advice; the bill must therefore include the provision of advice to help smaller farms adapt to the new system.”

I regret that the noble Lord, Lord Blencathra, thinks that larger farms are better than smaller ones. We need more innovation and local food production to help smaller farms. The noble Baronesses, Lady Bennett and Lady Boycott, have supported these two amendments and the noble Baroness, Lady Boycott, spoke passionately about the environment and animal welfare, as did my noble friend Lord Chidgey. I too support them and know that encouraging the public to eat more fresh and nutritious food—while encouraging its production on our local farms—would save the NHS millions of pounds as the population became healthier and less prone to life-threatening diseases, such as diabetes. The noble Baroness, Lady Bennett, reminded us that the production of cheap food is quite literally costing the earth. The noble Lord, Lord Cameron, explained the virtue of farmers’ markets. I agree totally with him and with the noble Lord, Lord Mann, about the uniform way in which supermarkets produce fruit and vegetables, which is not necessary.

There are some conflicts between these amendments. Amendments 43, 54, 61 and 62 look to encourage a wider interpretation of financial assistance for additional purposes. The noble Baroness, Lady Rock, and the noble Lord, Lord Holmes of Richard, pressed the case for this, along with others, whereas in Amendment 57 the noble Baroness, Lady Jones of Whitchurch—when we hear from her—and the noble Lord, Lord Krebs,

[BARONESS BAKEWELL OF HARDINGTON MANDEVILLE] seek to ensure that the productivity improvements which may arise from the additional measures do not undermine the provision of public good.

The noble Lord, Lord Krebs, gave examples of falling numbers of birds and decreasing biodiversity. I fully support this amendment, but we must ensure that there is no conflict in financial support between environmental protection and productivity. It is essential that, in the final Bill and its interpretation, we have the widest possible scope for financial assistance that protects the public good at the same time. The noble Lord, Lord Clark of Windermere, raised the very real worry that the right to roam on Forestry Commission land will be lost when some of it is possibly sold off. There will obviously be questions on the interpretation of public good as we further dissect the Bill. I look forward to hearing the Minister's own interpretation of what public good might look like.

Before I sit down, as they say, I want to say that I am afraid I do not agree with my noble friend Lord Greaves or the noble Lords, Lord Cormack and Lord Naseby, about this current way of working. It suits me perfectly. My office is in Millbank. I do not have to rush down to Marsham Street to have a briefing with the Minister; I can have it in my office with others. I do not have to rush over to Portcullis House to take part in an APPG; I can do it from my house—I have all my notes in front of me and can participate fully. If we are trying to encourage farmers to adopt innovative ways of working and use new technologies, here in the House, we should practise what we preach.

**Lord Grantchester (Lab):** My Lords, I declare my interest as being in receipt of funds as well as my other experiences in the rural economy, as recorded in the register. I thank all noble Lords for their amendments in this group, which probe the financial assistance arrangements and how far and for what purpose this finance could be applied. Whereas it should perhaps be stressed that care must be taken that the effects of financial benefits are not cast so wide as to diminish their impacts, it is nevertheless also important to enable as many as possible to contribute to the worthwhile merits in the new system, in ways that best suit their land and their perspectives. I welcome these amendments, which enable the Minister to clarify the Government's position.

I speak on behalf of these Benches to Amendment 57, tabled by my noble friend Lady Jones of Whitchurch. I thank the noble Lords, Lord Krebs and Lord Greaves, for their remarks and for adding their names in support. This is an important amendment, as it seeks to clarify and emphasise that financial assistance is to be provided for public goods defined as providing environmental benefits in relation to agricultural, horticultural or forestry activities. We support the opportunity given in this Bill to link financial support to environmental outcomes, in contrast to the present system, whereby payments are made merely in relation to the amount of land each participant occupies, albeit that there are cross-compliance requirements to fulfil.

Where it is understood that productivity improvements would be included for assistance under Clause 1(2), these improvements must be consistent and not undermine payments made for public goods under subsection (1).

In this regard, I am grateful to my noble friend Lady Young for her remarks about the conflicts that might arise and how these may be reconciled. Improvements must be mutually enhancing in promoting sustainable agriculture. Of course, the work of the agricultural colleges has been and will continue to be vital here, as will their role in providing an understanding of the countryside.

I pay tribute to the work of the noble Lord, Lord Curry of Kirkharle, in furthering the understanding of rural matters by hosting and encouraging visits to the countryside. I thank him for Amendment 12, the lead amendment in his group. I am also grateful for the other amendments, which make more explicit the various interpretations of furthering the "understanding of the environment" through the various ways financial assistance can be provided.

3.45 pm

I draw particular attention to Amendment 43, proposed by the noble Baroness, Lady Bennett of Manor Castle, and supported by my noble friend Lord Judd and others. This probes the Government's commitment to support local food strategies and small and community agricultural businesses that will widen the application of support into less conventional operations. We would agree that one size does not fit all across the natural environment and business, and that these alternatives can be instrumental in developing new and more sustainable production methods. This could also lead to the opportunities proposed by the noble Baroness, Lady Rock, in her Amendment 62 to encourage diversification on farms.

I also support the intentions behind Amendment 61, in the names of the noble Lord, Lord Holmes, and the noble Baroness, Lady Bennett, which would support the sustainable energy forms such as solar, onshore wind, geothermal ground-source heat and other technological developments that are so necessary to encourage renewable power and green job opportunities. I also thank the noble Earl, Lord Dundee, for his Amendment 101, and for all the amendments underlining the importance of financial assistance for alternative purposes connected to sustainable production.

It has been an interesting debate. I echo the calls to the Minister to confirm that these pursuits are possible within the Bill and that the Secretary of State has powers to encourage them. Before I give away to the Minister, I wonder whether he will answer the inquiry today from my noble friend Lord Clark, who asked a similar question yesterday concerning the status of the right of access to land where forestry may increase and change the character of that land. He is right to draw attention to the suitability of forestry as a way to increase access. Has the Minister's department undertaken any assessment in this respect? I also commend the remarks of the noble Lord, Lord Cameron, and the good work he undertook at the Countryside Agency. I remember implementing rural market towns regeneration and other initiatives under the northwest regional development agency after the devastation of foot and mouth; his experiences are very instructive in continuing these activities.

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con):** My Lords, this has been another very interesting and, indeed, thought-provoking debate.



I thank all noble Lords who have contributed to it. I declare my farming interests as set out in the register.

I have to say that, in opening the debate, the noble Lord, Lord Curry, and my noble friend Lord Caithness demonstrated textbook brevity: they got absolutely to the point of their amendment, and I should remember that brevity myself. Clause 1(1)(b) allows us to pay for educational infrastructure to ensure our farmers have the right facilities to host farm visits and increase wider awareness among the public, and especially school pupils, about the crucial role our farmers play in maintaining our countryside and producing the food we eat.

On the word “forestry”, I agree with my noble friend Lord Caithness; as I said on Tuesday, I see “forestry” and “woodland” as coterminous. I expect that for many farmers who have woodland, part of the educational visit offered is to go from the wheat field to the barley field, to the sugar beet and to the woods—a complete package, showing what happens on so many farms. As outlined on Tuesday, Defra has a significant programme of public engagement, which incorporates the voices of young people in particular. Defra has used this input to make environmental policy more accessible to young people; as I said before, the year of green action is extremely important.

I have noted a number of points which I may not be able to answer, partly because of time but also because of the detail involved. I say to my noble friend Lady McIntosh that I very much agree with the point she made. I will speak to the DfE about the importance, as part of looking after the interests of young people, of making clear that connection with the natural world and the environment.

I am very conscious of the work that goes on in forestry. I say to the noble Lord, Lord Krebs, and my noble friend Lord Caithness that Clause 1(1)(b) allows the Government to provide funding for

“supporting public access to and enjoyment of the countryside, farmland”

and “woodland”. Just as educational visits on farms are covered, so would be visits that take place partly or fully on forestry land. The noble Lord, Lord Mann, spoke of many parts of the country where woodland would be a very important feature—I agree. The National Forest is a prime example of where land that went through industrialisation has been restored and become a great educational resource and source of much broader enjoyment. Government can do only so much, but an important aspect of what happens in the countryside is the way agricultural associations, the NFU and all the farming organisations, the CLA, the agricultural colleges, Kew, the national parks and areas of outstanding natural beauty, the Forestry Commission and all such bodies, private and public, are engaged in public awareness and providing educational resource, as I know from personal experience.

I will get back to the noble Lord, Lord Clark, particularly on commercial transactions of Forestry Commission parcels of land. My understanding, from way back in my memory, is that very little Forestry Commission land is sold and any proceeds of sale go back into further forestry. As to any commercial

arrangements that involve access issues, I do not think that it would be reasonable for me to reply to him or the noble Lord, Lord Grantchester, without a full legal analysis of the arrangements. I hope that will be acceptable to the two noble Lords.

On forestry graduates, I say to the noble Lord, Lord Krebs—I know it is also of particular interest to my noble friend Lord Caithness—that Forestry Commission England supports the industry-led Forestry Skills Forum, which is dedicated to promoting education, skills, learning and development across the forestry sector in England and Wales. Nearly 30 forestry employers, associations and educational providers have pledged to work together to attract the very best of young and new talent into the sector. As for the number of forestry graduates, the detail I have is, I am afraid, for 2016-17, when there were about 150 graduate students in forestry. However, the headline number disguises the fact that forestry employers recruit from other disciplines that offer supplementary training.

I was very pleased that my noble friend Lord Shrewsbury highlighted that an important element of the amendment in the name of the noble Lord, Lord Curry, is the importance of an appropriately skilled workforce. Agricultural and forestry technologies are transforming farming and creating new types of jobs and requirements for new kinds of skills. It is important that the industry is supported in its ability to respond to these changes.

Clause 1 has been purposely broadly drafted to allow the Government to account for existing or emerging skills gaps. Activities “connected to” any of the purposes listed in Clause 1 can already be funded, which already covers protecting the environment, mitigating against climate change, conservation, forestry and measures to improve the productivity of agricultural and forestry activities, among many others.

From my personal experience of this, I remember going with a school from Lambeth with Kate Hoey to an agricultural college. We arrived and the children were asked to run through strips of oats, wheat and barley. I was horrified, but it was a very good idea. They were asked to pick the ears and, when they came back, the question was: “What food comes from those crops?” I have to say, quite a number of children were on to it and knew. We then went into the dairy, where there were shorthorns—we used to have shorthorns in the family; they are a very good breed to manage and look after—and the children held their brushes. They were not sure, as they did not like the smell, but afterwards they really got involved in it all. So, if anyone wants to ask me, “Do you know how inspirational these visits can be to children of all backgrounds, and particularly from inner city areas?”, I am absolutely with it.

The connections we can have from encouraging the countryside and urban areas to work together are profoundly important. That relates not only to the Bill, but to what so many charities and bodies are already doing. The noble Earl, Lord Devon, the noble Lord, Lord Carrington, and my noble friends Lord Marlesford and Lord Cormack all made those points. My noble friend Lord Cormack said that this is an important point. I absolutely get the point that it is not only

[LORD GARDINER OF KIMBLE]  
important, but imperative that the next generation know more than perhaps this generation about the interconnection between farming, the environment, the production of food and everyone's well-being.

I noted down that the noble Lord, Lord Carrington, referred to "multitasking" but, in fact, with all the tasks that the noble Lord mentioned, I then put "magician". There is no doubt in my mind, coming as I do from a farming background, about how versatile farmers have to be. They are versatile in the first place in dealing with every weather condition, but I also have some sympathy with the paperwork that is no doubt put before farmers. That is why the whole emphasis of what we want to do is to concentrate on making this practical by working with farmers to ensure that it works for them and that it is their project, so that they do not think what on earth have this Government done to them.

I acknowledge the instrumental work of the noble Lord, Lord Curry, in the Skills Leadership Group and I express my gratitude to him. Defra officials are engaging with the Skills Leadership Group as leaders in the industry to develop plans for a proposed new professional body, which is intended to be an independent and self-funded organisation, precisely to bring forward skills in all the sectors that I have mentioned. The Government believe that this kind of industry-led initiative can be instrumental in creating clear career development pathways and promoting the sector as a progressive, professional and attractive career choice. If we are looking at the recovery from what this country is going through—a green recovery as well—these are clearly areas where we must encourage the next generation to feel that there are worthwhile careers; it is very important for the national interest.

I turn to some of the other points. I agree that Amendments 32 and 33 raise some essential topics. I am grateful to my noble friend Lord Lucas for raising them, but they were also echoed by the noble Lords, Lord Krebs, Lord Campbell-Savours, Lord Cameron of Dillington and Lord Mann. I echo the points that my noble friend Lady McIntosh and the noble Earl, Lord Devon, raised. This Bill will not be a way in which, suddenly, all the research demands of the natural world and agriculture will be found. I say that rather softly, in so far as we would look for other sources of funding across Whitehall for some of these really significant research projects. But it is important—indeed, essential—that robotics and genetics offer great potential for agriculture. Innovation and technology are key to boosting productivity while, I emphasise, enhancing the environment and feeding a growing world. I leave it to scientists such as the noble Lord, Lord Krebs, and others to ensure that the science is directed in a way that clearly enhances production of food in an environmentally important way. Existing legislation, such as the Science and Technology Act, already enables the Government to support research to enable the development of new technology and practices in food production.

The Government are planning to use these powers to launch an ambitious agricultural innovation research package, which will enable more farmers and agri-food businesses to become involved in agricultural research.

Having been to the laboratory at Harper Adams University, it is extraordinary what is in prospect in terms of an agricultural revolution, so that we can improve the productivity, sustainability and resilience of farming. For example, people are developing remote sensors which use artificial intelligence for the early identification of pests and diseases, so that with integrated pest management we can be much more cautious with the use of those materials.

4 pm

Additionally, Clause 1(2) allows for financial assistance to be given for the purpose of improving the productivity of agricultural, horticultural and forestry activities. This includes the provision of grants to support farmers, foresters and growers to invest in equipment and technology that improves their productivity and enhances the environment. Again, the distinction is that this is about how we can help farmers, foresters and growers use this new technology on farm, and the many ways in which that will make a big difference for the environment.

Turning to Amendments 43 and 54, the Bill provides powers which I believe address the concerns of the noble Baroness, Lady Bennett. For example, Clause 1(2) allows the Secretary of State to give financial assistance for the purpose of

"supporting ancillary activities carried on, or to be carried on, by or for a producer."

"Ancillary activities" are defined in Clause 1(5) as

"selling, marketing, preparing, packaging, processing or distributing products deriving from an agricultural, horticultural or forestry activity."

The Government will make productivity grants available from 2021, as described in the February 2020 policy update. These grants could help farmers invest in equipment or infrastructure, so that they can add value to existing products, create new products or make products available directly to customers. This will open up new business opportunities for farmers, as well as the chance to reduce food miles and make more food available closer to where it is produced.

On the second purpose in the noble Baroness's amendment, concerning supply chain infrastructure, it is the Government's position that supporting food production and ancillary activities, as the Bill already allows and the Government have done through previous RDPE schemes, will help farm businesses develop improved products and find new markets. I have seen for myself many projects where this has enabled very vibrant businesses to perform. I say in response to the noble Lord, Lord Carrington, with his very considerable experience, that one of the many pleasures of going around so many national parks is seeing the local food provenance and that that there is, in effect, great kudos to production within the national park. This is true both in national parks and areas of outstanding natural beauty and, indeed, in areas that do not have that designation but are identified with the production of food.

Again, I emphasise that locally grown food is always desirable, and I and the Government will always support it. From my experience of recent months, however, having been in telephone calls, sometimes twice daily,

with the big retailers, I can assure noble Lords of the responsibility of the retailers in wishing to ensure that there is food for the nation and in the work they are undertaking and the local relationships that many supermarket branches have with their local producers. We should be cautious, when feeding the nation, of thinking that this can be sourced only from farmers' markets, important as these are, or from locally produced food always. It will be very difficult to feed the nation in conurbations if we provide only food markets. We need a balance to have the food security that we shall go on to discuss.

I want to nip in the bud, if that is the right phrase, the concerns of the noble Baronesses, Lady Jones of Whitchurch and Lady Young of Old Scone, and the noble Lord, Lord Krebs, by saying that it is absolutely not the Government's intention to use productivity powers to undermine environmental objectives. It is for this reason that the duty in Clause 1(4), was included in the Bill. In framing any financial assistance scheme, the Secretary of State must have regard to the need to encourage food production by producers in England in an environmentally sustainable way. This places that duty on the Secretary of State. Improving productivity is not the same as increasing production. The Government's policies will improve productivity and support a strong food production sector, but they will also reduce farming's environmental footprint and help with the achievement of net zero.

Turning to Amendment 61, my noble friend Lord Holmes of Richmond raised some very important and interesting points, as did the noble Lord, Lord Campbell-Savours. I am always interested in hearing further points on this. I gently say that my noble friend Lord Taylor of Holbeach is infamous for bulbs. Anyone who goes to Chelsea will see the many years—I think it is more than 25—of consistent gold medals for his narcissi and daffodils. The Bill allows financial assistance to be provided for the purposes of starting or improving the productivity of a horticultural activity. The use of innovative methods of production, including the use of sustainable energy, such as waste energy from other sources, is key to making this happen. Government officials are currently considering the best way to support the horticulture sector and will be working with the industry to design a replacement fruit and vegetable aid scheme which will help them increase production in a sustainable way.

I say at this point that I am very taken with one of the issues in the work of WRAP on reducing food waste: the requirement for perfect food when it is delicious to eat is an area we all need to think about much more. I think there is now better understanding from the consumer and the retailer—after all, retailers will tend to provide what they think the consumer wants. Much better education about waste and its reduction is hugely important.

Turning to Amendment 62, I agree with my noble friends Lady Rock and Lord Marlesford about diversification. Those of us who farm have all been diversifying over these last decades in certain ways. Clause 1(2)(b) allows the Government to support many diversification activities on farms. Separately from that, I shall also explain, because it is in farming, horticultural and forestry interests, the other sources from which

quite a lot of work and resource from other departments will come. The Government intend to introduce the UK shared prosperity fund to replace EU structural funds. I said on Tuesday that its design will take into account the dynamics of rural economies and the particular challenges faced by rural communities. Defra and MHCLG are engaging with rural stakeholders to support development of the evidence base around which the needs of rural communities can be properly catered for. This is another very important way in which the rural economy will be supported.

Amendment 101 was given another exemplary and speedy introduction by my noble friend Lord Dundee. Clause 1(2) already allows for financial assistance to be given for the purposes and activities included in this amendment. In the *Farming for the Future* policy update in February, the Government set out our plans for offering funding to councils, landowners and other organisations to help them invest in creating new opportunities for new-entrant farmers. Such funding could be used for activities including making holdings available for new entrants or to support the provision of business or mentoring guidance.

The noble Lord, Lord Chidgey, referred to the chalk stream rivers. I am very conscious of this, because they are iconic rivers for those who like to walk along them and fish in them. This is the responsibility of the Environment Agency, which I met not so long ago with my noble friend Lord Ribeiro and some fishing interests. It does monitor, and it is important that work continues to ensure that we enhance the quality of water. The noble Lord is right, of course. When I looked into this, I am afraid I found that the consequences of nitrates take many decades to emerge and then to disperse. This is a long-term issue that we will have to tackle.

The noble Baroness, Lady Ritchie of Downpatrick, asked about devolution. I am obviously very pleased that Wales and Northern Ireland asked for a schedule to this legislation, which my noble friend Lady Bloomfield and I are delighted to take forward. It is devolved, but it is always important that Defra and the devolved Ministers meet regularly to discuss issues such as education and work closely to establish common UK frameworks. Collaboration on all policy matters would lead to greater fulfilment.

My noble friend Lady McIntosh asked about the policy statement and budgets. As I have said, the February 2020 policy update set out further detail on our intended reforms. As mentioned on Tuesday, the Government intend to publish in autumn further detail on the early years of the transition, including on future schemes. Farmers may enter into agreements under ELM to be paid for delivering public goods, including engagement with the natural environment. We will determine what ELM will pay for as we further develop the scheme, and are engaging with stakeholders to inform this.

As I have said, I understand that there is often a desire to put flesh on a framework, but the whole construct is for us to work with the very people who are going to make this happen. That is why the tests and trials will be absolutely vital and why I wish to resist placing narrowings and definitions when the broad drafting will enable us to come forward to your Lordships with many of the regulations in a way that is developed with the claimants in mind.



[LORD GARDINER OF KIMBLE]

I hope the noble Baroness, Lady Boycott, will not mind, but she mentioned food, abattoirs and county farms, which will all be the subject of discussion on later groups. I hope she will not think it discourteous, but it would be more helpful to everyone if we were to raise those then. I think her name is on the speaking list for some of those debates. We will pick up the points she raised in the ministerial reply on those groups.

I am aware that there will be some questions that I have not attended to, either because of time or because a note might not have reached me quite in time to make sure I got the fullest explanation or help. These have been very important discussions on education, skills, local food and innovation and more besides. I will rest on what the noble Lord, Lord Carrington, said about the extraordinary range of requirements. We look to the farmer in providing all that he or she does. It is therefore important to work on these schemes and on the education; we started with education on this group. Perhaps everyone in this country ought to receive a copy of the noble Lord's extract on what we expect of the farmer.

With that in mind and with this debate, the reassurances and the further letter I will follow up with for any outstanding points, I very much hope that my noble friend Lord Caithness and in turn the noble Lord, Lord Curry, will feel able to withdraw their amendments.

**Lord Adonis (Lab) [V]:** My Lords, the Minister has just given an excellent and really passionate account of agricultural education, and we are indebted to the noble Lord, Lord Curry, for raising this at the beginning. It has become clear in the debate that there are two distinct issues. The first is agricultural, forestry and related skills, and I thought the Minister gave an excellent response on that. The other, wider issue—particularly important as we set in place a framework for the future of agriculture in what is predominantly an urban and metropolitan society—is awareness of rural and agricultural issues. When I was Schools Minister, there were three distinct ways in which we sought to promote that awareness: the rural studies GCSE, school farms, and city farms. In the letter that the Minister has just said he will write to us, can he give us an account of what the trends are in all three of those respects over recent years? This might inform what further steps we think it could be sensible to take on Report. My impression is that we have moved backwards on all three over recent years—that fewer are taking the rural studies GCSE and that city and school farms have been closing—but it would be good to have some facts. I would be grateful if he could write to us on that.

4.15 pm

**Lord Gardiner of Kimble:** I thank the noble Lord, Lord Adonis. Those are very important points, and I will be happy to provide answers to that further range of questions.

**The Earl of Caithness [V]:** My Lords, I first thank my noble friends Lord Colgrain and Lord Shrewsbury for signing my amendment; that was very kind of them. I also thank all noble Lords who have spoken in

favour. I think half the noble Lords who spoke specifically mentioned and approved of my amendment and nobody spoke against it, so that was good to hear.

I spoke only on my Amendment 13, but that does not mean I do not support a number of the other amendments; I do. I have one specific point on another amendment, that of my noble friend Lord Holmes of Richmond. I ask my noble friend Lord Gardiner whether Defra will be able to support vertical farming, because that could be a great and very environmentally friendly source of vegetable production.

I very much like what my noble friend said in reply to my amendment. I was particularly pleased to hear his comment that he would like to see the educational groups that would go to farms go to the wheat, the barley and the sugar beet, and then into the woods. Does this indicate that Defra is now taking much more of a whole-farm approach? Will we see this in ELMS? One of the great drawbacks of the current system is that farming and forestry have been split. Does he now envisage a whole-farm approach in everything Defra will do? That would be a useful answer to get.

My noble friend did not explain particularly clearly to me why he thought the rather vague wording in the Bill was better than the more specific wording of the amendments from the noble Lord, Lord Curry, and me. I think he said that there might be other issues the Government would like to fund that are not covered by a more specific wording. Do I take it that more specific wording will come in regulations that we will debate in the House? Before I decide what to do, I would be grateful if he could give me an answer to that.

**Lord Gardiner of Kimble:** I am getting conflicting advice as to when there should be further questioning of a Minister, but I am happy to answer as best I can.

The tier 1 ELMS will be to the farmer across their farm. My understanding of most people's farms is that they involve agricultural land and may involve copses, covers and other parts that would be involved in a whole-farm project. Tiers 2 and 3 are on a wider landscape level and may involve a range of either farms or other landowners. We discussed the different tiers before, so I am a little confused as to whether my noble friend thought that a farmer was going to apply for tier 1 for the arable land and work for environmental enhancement and Clause 1 objectives, and then have a separate application for what they might do with their woods and covers. No, this will be a farmer undertaking work on their farm.

My noble friend is right that, as I said—I thought I said this on Tuesday as well—the Government distinctly want to have a broad definition, not to curtail it, because we want to work with the farmers, foresters and growers to ensure that when we devise the scheme we do not find ourselves ring-fenced because noble Lords have decided that they have an important point that they must have in the Bill. That would start to make it more difficult. That is precisely why I have said that our definitions are deliberately broad in order to enable us to work with the farmers, the foresters and the growers to ensure that we get the right schemes for them.

I am not sure whether I was permitted to reply to my noble friend in this way, but I intervene now because it is important that he realises that a lot of what we are going to be discussing is best discussed with regard to the regulations, many of which will be made by the affirmative procedure. Then we will have more flesh on the bone, having had the result of our work with the important people who are going to make all this happen for us.

**The Earl of Caithness [V]:** I am grateful to my noble friend for what he has said, which has clarified the position. I think that I am perfectly entitled to ask such questions in Committee for elucidation of what he has said—as he will appreciate, I cannot ask him a question about what he has said until he has said it—and that is the great value of Committee stage. With that, I am happy not to move my amendment.

**Lord Curry of Kirkharle [V]:** My Lords, I welcome the support that all noble Lords who have participated in this wide grouping have given. I thought that many of their comments were extremely interesting and helpful on the need for local food, sustainability, productivity, ensuring that our environmental objectives are being met and, of course, diversification. I am particularly encouraged by the support for Amendments 12 and 13.

I thank the Minister for his usual excellent, comprehensive, fulsome and detailed response, a lot of which was extremely valuable. I am grateful for the endorsement of the importance of education and of the educational experience of schoolchildren. I absolutely agree with what he said of his experience of that: it is life-changing for schoolchildren, as he described, to experience running through crops and to experience how milk is produced. I stress to him that this support is provided at all levels within the ELM scheme. It is essential that we maximise the benefits available through farms that are willing to host school visits.

In the interests of brevity in my introduction, I resisted the temptation to mention the senior leadership group on skills and the intention to establish a professional body. I thank the Minister and welcome his comments on that and support for it. As he said, it is a critical and essential development. Through him, I thank his department and officials for the invaluable support, advice and guidance that they have given on this issue. On that basis, I beg leave to withdraw the amendment.

*Amendment 12 withdrawn.*

*Amendment 13 not moved.*

**The Deputy Chairman of Committees (Lord Faulkner of Worcester) (Lab):** My Lords, we come to Amendment 14. I remind noble Lords that anyone wishing to speak after the Minister should email the clerk during the debate. Anyone wishing to press this amendment to a Division should make that clear in debate.

#### *Amendment 14*

*Moved by The Earl of Caithness*

**14:** Clause 1, page 2, line 11, at end insert “, and financial assistance to pay compensation for damage and additional costs caused by such access;”

Member’s explanatory statement

This amendment is to highlight the extra costs that farmers and foresters can face and discuss the effectiveness of the Countryside Code.

**The Earl of Caithness [V]:** My Lords, I fear that I might not be quite as brief as I was when I spoke to my last amendment. My concern is that at present the Government give access to farmland without compensation or appreciating the impact on the farm. The coastal footpath is one example of farmers having access rights forced on them and this even goes as far as public access to private beaches free of charge. My amendment simply seeks to rectify that by allowing the Government to pay compensation where there is damage and for public access. I believe that the Bill only makes matters worse and I fear that, if we are not careful, the Government will, sadly, start to alienate the farming community as the consequences of this legislation become more apparent.

On Tuesday we talked about rights and the provision of access. Today I want to discuss the consequences of those rights and the other “R” word—responsibility. It is a word that does not seem to crop up much now in the way that we work and it is often ignored. When we talk about responsibility and the countryside, it is the mess that people leave behind that I want to focus on, although there are other issues that I will mention. We have all seen the dreadful amount of detritus that has been left on recent visits to the countryside and parks: the glass, the laughing gas canisters, the soiled nappies, the plastic bags, the fast food containers and every other sort of rubbish. The 25-year environment plan has a lovely picture of Durdle Door in Dorset. Three tonnes of rubbish were collected in one day off that beach alone. In Morecambe Bay, 25 black plastic bags of rubbish were picked up and 12 tonnes of rubbish was taken off Bournemouth beach.

Litter is a hazard to animals and wildlife as well; it is not just an ugly sight for us human beings. In Port Meadow in Oxfordshire, five horses and 10 cows needed treatment and a cow died from eating plastic. We are talking about people’s livelihoods. Sadly, what is not being left on the land is now being washed out to the ocean. We saw yesterday comments about the number of face masks that are being washed out into the seas as people chuck them away after use to try to combat the virus. It was rather dismaying to read that one face mask alone could kill a whale. It is we human beings who are making all this mess and putting such a hazard in wildlife’s way. The RSPCA receives over 7,000 calls a year over litter-related incidents.

The removal of litter costs a lot of money. In the last month it has cost Hyde Park and Kensington Gardens nearly 20% more than at the equivalent time last year to pick up the amount of litter that has been thrown down.

This is not a recent aberration and it is incorrect to blame it on the excitement of being able to get out after lockdown. A survey last year showed that one in five visitors to the Royal Parks left litter behind after their visit. The LitterAction group tells us that the problem in rural areas is more than it can contend with. Worst of all, the Hygiene Council has proclaimed us the dirtiest developed country in the world. That is a bad record to have.

[THE EARL OF CAITHNESS]

Fly-tipping is a cause of litter, and the Defra figures published last November show that local authorities dealt with over 1 million fly-tipping incidents in the 12 months to the end of March 2019. That was another annual increase, this time of 8%. What should be done about this? I was delighted that my noble friend the Minister said on Tuesday that

“dropping litter should be an anti-social behaviour.”—[*Official Report*, 7/7/20; col. 1104.]

I hope my noble friend who replies will not use the facile comment that there is going to be another anti-litter campaign. We tried that in 1987, when I was Minister for the countryside. The Secretary of State, Nick Ridley, persuaded the Prime Minister to get involved and there was a great photoshoot in St James’s Park. It helped for a bit, but we seem to have an ingrained ability to forget about these things and to continue in our bad, old ways. Will my noble friend the Minister consider on-the-spot fines or an alteration of the law to increase fines—and to not only increase them, but to enforce them?

4.30 pm

Does my noble friend agree that litter begets litter? I am a believer in the broken window theory, which holds that when an environment is run-down, people are more likely to add to the damage because it looks ghastly. Herein lies a problem for farmers that will come as a result of this Bill. We all want more biodiversity and we all want more land set aside for nature, but sadly that land often looks unkempt. If one is a believer of the broken window theory and sees land that does not look as though it has been farmed—unlike a crop of wheat that has been sprayed to the nth degree, without a weed in sight—people are more likely to leave litter there as a result. That is going to cause a huge problem, both to farmers and to wildlife.

Litter is not the only problem. I am sure my noble friend was awake and listening to “Farming Today” when we heard about the Welsh farmer who had to spend three hours sorting out two flocks of sheep that had been allowed to get together because a rambler had left a gate open. That is time and money for the farmer, and it affects his livelihood. Indeed, I have been told by the NFU that some farmers in upland areas have given up having cattle because of the problems caused by public access. This is contrary to everything that we were discussing on Tuesday about getting more pasture-fed beef, improving our uplands and keeping the uplands going. The Bill is going in one direction but, sadly, public access seems to be taking it in another.

We also have the problem of dogs and dog fouling. Some people will put dog mess into a plastic bag, but too often I have seen them just drop the bag and leave it for somebody else to pick up. I was walking in Richmond Park the other day and there was a dog running through some rough grass, totally out of control. The owner was not interested. I stopped the owner and said to him, “Is that your dog?”. Having got the usual amount of verbal abuse for interfering, he said “Yes”, so I said, “Could you please bring it under control?”. He said, “Why? It is having fun. It is running through the long grass.” I said, “Have you read the sign behind you that says that this area is set aside for

skylarks nesting?”. The ground-nesting birds were being pushed up by this dog, with the complete indifference of the owner to the responsibility of owning a pet and protecting wildlife.

Then there is the question of fires. We all saw the problem of the Saddleworth fire. That cost the owner thousands of pounds in having to provide bowsers and slurry tanks of water to help to tackle the fire, and helicopters to help to spray. There was a huge amount of damage to wildlife as well. What is the latest news on the fire severity index? This was an initiative of the last-but-one Secretary of State, Michael Gove. I gather that the report was completed last year, but we do not seem to have heard anything from him. Can the Minister also tell me how many local authorities are using public space protection orders to stop barbecues on farms?

Then there is the question of rescue. A friend of mine in Scotland suddenly saw an ambulance and a police car coming up his drive. He asked them why they were there, and they replied that they needed his help to rescue someone who had broken their leg on the hill. They expected the farmer to drop everything, stop the work that he was doing, and produce tractors and quad bikes to rescue somebody who was walking on the hill—perfectly legitimately. The farmer did all that but never got a word of thanks from anyone. That puts a huge onus on farmers.

Then there is the question of security. The more people tramping over one’s land, the more damage to the biosecurity, but there is also going to be a threat to one’s own security. I have talked to a number of farmers who have been verbally abused when they have approached people trespassing, or for not having dogs under control. It is not a pleasant experience.

The word “balance” was used a lot on Tuesday, but at the moment the scales weigh heavily in favour of the public, with no compensation to help the farmer and the landowner. Unless that problem is addressed, many of the hopes and objectives of this Bill will not be met. I beg to move.

**The Earl of Shrewsbury [V]:** My Lords, I support my noble friend’s amendment. I believe it to be an extremely important one and I congratulate him on the way in which he moved it. It is a very wide-ranging subject. I have no problem at all with public access to land, so long as no damage is caused to property or to livestock. I believe firmly that if such damage is caused—not everyone who benefits from access to the countryside acts in a responsible manner—it is only fair that the owner or tenant of the property in question is compensated for the cost of that damage and its reparation.

To give an example, during the recent very hot spell, and with lockdown and social distancing in force, a field on the River Dove, very close to where I live in an idyllic part of the world called Dovedale—an area of outstanding natural beauty—was invaded by a large group of people, who picnicked there and swam in the river. The litter they left, both in Dovedale and by the river down in Mapleton, was like a carpet of detritus. It was atrocious—bottles, plastic bags, human waste and all sorts. It was cleared up and disposed of by the landowner at his own expense. Under the terms of my



noble friend's amendment, that landowner would have been reimbursed for his trouble. That seems to me to be only fair and right.

The other day, at Questions in your Lordships' House, I asked my noble friend Lord Goldsmith whether it was the case that the landowner or the tenant should not be responsible for paying for the clearing of fly-tipping on their land. The answer that I got was less than satisfactory. My noble friend told me—to paraphrase—that the landowner or the tenant should pay for this because it was part of his responsibility of farming the land. That could not be further from the truth, and I think that is a pretty rough statement to make.

I support my noble friend's amendment and I look forward to listening to what my noble friend the Minister has to say in this regard.

**Baroness McIntosh of Pickering [V]:** My Lords, I congratulate my noble friend on this amendment. I shall be brief, because it covers many of the points that I made on the third group. I also thank the Minister for adding Clause 1(1)(b), but I have questions for him. What form might the compensation take? Is one of the problems perhaps that rural crime is not taken as seriously as it might be?

I believe that such prosecutions come under the Environment Agency rather than the police. Should there be a wider use of cameras in rural areas believed to be prone to this? Where there is shared access between, for example, a county council as well as a different user of the land, should there be some arrangement to negotiate between them about who is responsible for policing this? How does my noble friend intend to police the current provision under Clause 1?

**Lord Cormack (Con):** My Lords, I am glad to take part in this brief debate, and it is nice to have a debate on one specific amendment, dealing with a particular problem or series of problems.

I do not suppose there is a single one of your Lordships who was not totally disturbed and revolted by the photograph of that wonderful, 500 year-old oak tree burnt down last weekend in Herefordshire as a result of irresponsible barbecuing. That is a totemic picture and shows—alongside the graphic descriptions by my noble friend Lord Caithness, who moved this amendment splendidly—what we are up against.

I have a specific suggestion to make to my noble friend the Minister. I was taken by the explanatory statement of the noble Earl, Lord Caithness, on the Marshalled List:

“This amendment is to highlight the extra costs that farmers and foresters can face”—

he has done that graphically and splendidly—

“and discuss the effectiveness of the Countryside Code.”

I understand that the code is in the process of being revised, which is good. However, I do not suppose that very many of those people who created squalor in Dorset or who burnt down that beautiful old oak in Herefordshire have a clue what the Countryside Code is.

My suggestion to the Minister is this: I have spoken in your Lordships' House before on the subject of citizenship, and I believe that every young person leaving full-time education should go through a citizenship

ceremony, having studied the rights and responsibilities of citizenship for a year at least. One of the prime responsibilities of being a good citizen is to help to look after and enhance the environment.

There should be compulsory education on the Countryside Code and looking after the environment, which we have inherited and have a duty to pass on to successive generations. I would very much like to see, as part of the graduation process from school, the issuing of a countryside passport that young people are proud of and can carry with them. If they transgress—of course, it is not a problem of young people only, but one has to start somewhere—there should be exemplary fines and penalties. A cancelled passport should be one of these, because those who have shown that they do not appreciate and care for their environment and for the countryside should not be allowed to trespass and transgress upon it. I do not use “trespass” narrowly.

If we really mean what we say, and if we really want to strengthen the Bill in the way in which the noble Earl, Lord Caithness, has suggested, we must have not only compensation but, at the forefront of our mind, the creation of a culture where compensation will not be needed because people will not despoil and damage their environment. I recommend to my noble friend Lady Bloomfield, and to my noble friend Lord Gardiner, who has been meticulous in his attendance, devising some sort of system along these lines.

4.45 pm

**Lord Marlesford [V]:** My Lords, I have no problem at all in supporting this amendment; I have for a long while campaigned on this issue. In fact, in July 2013 I introduced a Private Member's Bill on littering from vehicles. It did not get anywhere at the time but, as quite often happens with Private Members' Bills, the idea was incorporated into subsequent legislation, and it is now possible to fine the owner of a vehicle from which litter is dropped without identifying the person who dropped it. Previously, anonymity or a dispute as to who dropped the litter meant nothing ever happened.

There is a real problem in this, of both littering and, more seriously, fly-tipping. There is a distinction between the two, because littering is one of those anti-social things where people probably do not feel a great moral obligation not to do it; it is often thoughtlessness and they do not feel it is a moral point. Fly-tipping is another matter. It is a criminal activity, often deliberately undertaken by people who, as it were, make a profession of it. They offer to dispose of goods and household waste for people for a fee, and then they ruthlessly and callously fly-tip it.

In answer to both these problems, I am not sure we need new legislation—if the Bill can in some way strengthen existing legislation, so much the better—but we need proper enforcement. If we take the first example, of littering from a vehicle, practically nobody does anything about it. It ought to be possible for wardens to take the number of a vehicle and issue fines on the spot, perfectly happily, rather like a parking offence. It is not a criminal offence, but it is a stiff enough fine that you simply do not do it again—once you have paid £80 or £100 for dropping a pack from your hamburger outside, you will not do it again.

[LORD MARLESFORD]

Fly-tipping is much more serious, and I think proper prosecution is needed here. This is basically already the responsibility of local authorities, which in general they do not fulfil for various reasons, one of which is—I am afraid to say—that they sometimes know who is behind it all: criminal elements they fear to upset. Sometimes it is for less obvious reasons.

Where I am from, in Suffolk, we had five examples of fly-tipping one particular moment and we were able, with the help of the local authority, to pick up the litter. The people responsible were foolish enough to identify themselves and exactly where they came from, and there was no doubt about it. When the local authorities approached them, they merely said that they had paid someone, who had paid someone, to do it. When we asked if the authorities would prosecute, we were told it was too sensitive.

That is not good enough. There is a very simple answer to fly-tipping: the size of the fine should be a multiple of the cost of taking litter to an authorised litter dump. At the moment it is less; it is cheaper to pay the fine on the rare occasion that one is issued than to pay for a truck or the cost of going to the dump. The remedy is perfectly simple. It is a community problem; it is for the community to enforce it. It should be enforced primarily through local government, but central government, through Bills such as this, can do something to stiffen up the action taken.

I have talked only about litter. I agree that there are other problems from access, but private littering and criminal littering in the form of fly-tipping are the main problems. They are very serious.

**Lord Rooker (Lab) [V]:** My Lords, I agree very much with what was said early on in the debate, but I must say to both noble Earls, Lord Caithness and Lord Shrewsbury, that making the argument requires a positive approach to access. It came across certainly in the first few minutes of the speech of the noble Earl, Lord Caithness, that he would be very happy if there were no access anyway. He then went on to deploy the arguments and consequences of access.

Access is here to stay, whether it is the coastal path or access to the countryside. However, I could not agree more that in a small country it must be managed. Think about this: you go to a countryside car park for a walk. You will probably pay something, but there will also be a sign saying that every month the costs of removing the litter germinated by the car park and its users will be shared by every car parked there, and that by paying to park there you accept that. That might be a salutary warning to those causing the trouble, and to those who see trouble and do nothing about it.

I have been a walker in the Lake District for more than 30 years and I freely admit that I have never seen any seriously bad examples of fly-tipping. On the other hand, I have seen really bad examples elsewhere. I do not accept that it should be the responsibility solely of the landowner. There must be more enforcement, more cameras and more forensic examination of the waste. Given the kind of stuff that is so carelessly piled up in serious fly-tipping, the evidence that people leave can be traced back to where it came from. There is an argument about who actually did it, who was responsible

in the end and where the waste came from, but the police should take some responsibility—they do not take rural crime seriously enough, and this is a rural crime. I very much agree with what was said about the broken windows theory, which is fundamental.

I am in favour of a crackdown. We have automatic number plate recognition cameras all over the city and in different areas. We need a bit more of it in the countryside, with some warnings about responsibility. That being the case, I realise that it is very difficult, though not impossible, to provide a proper enforcement system, but to be honest, there is no enforcement system at the moment. We ought to start to generate one.

**Viscount Trenchard (Con):** My Lords, as I said on Tuesday, additional public access, however beneficial to people whose livelihood does not depend on agriculture, is a distraction from farmers' primary responsibility to manage their land efficiently to produce food for the nation and to assist our balance of trade by producing high-quality food products for export around the world.

I congratulate my noble friends Lord Caithness and Lord Shrewsbury on their eloquent and persuasive introduction to their amendment. They are absolutely correct that the new scheme must properly compensate farmers for the damage and additional costs they will incur as a result of the obligation they will face to provide more public access. Littering has been getting worse in recent years. So has fly-tipping, which has got much worse through lockdown, as my noble friend Lord Caithness observed. I wholeheartedly support the amendment and look forward to the Minister's reply.

As my noble friend Lord Shrewsbury said, the answer from my noble friend Lord Goldsmith, which I heard as well, was unsatisfactory and rather ambiguous. It seems that the noble Lord, Lord Rooker, also considers fly-tipping to be at least partly the responsibility of the landowner, which I was rather surprised to hear him state. Could the Minister clarify the Government's policy on responsibility for fly-tipping and what my noble friend Lord Goldsmith actually intended to say?

**Lord Addington (LD):** My Lords, this is one of those occasions where you have rather more sympathy with what was said than what was written, because the amendment can be taken, and probably would be by many, as an attack on greater access to the countryside. On Tuesday I moved a series of amendments tabled in conjunction with the Ramblers and British Canoeing. I can give noble Lords an absolute assurance that both those bodies would agree with those sentiments.

As someone who lives in the Lambourn valley, close to Swindon and the M4, I know about fly-tipping. Usually a pile of rubbish occurs where there is access to a road and somewhere quiet. It will not be enhanced by a footpath, because people do not carry old fridges up footpaths to dump them—or if they do, I would steer well clear of them. Let us not confuse the issues. The incident the noble Earl, Lord Shrewsbury—who has been here even longer than I have and is a friend—talked about was just trespass. It was not to do with access. The two are not that closely related.

The general points about taking these problems more seriously, with criminal enforcement, are a serious matter. A lot of littering comes either from unplanned,

uncontrolled gatherings where you do not have bins, et cetera, or close to urban centres. It is not just the young; grey hair does not stop you dropping litter. I have seen it myself. For any noble Lords who have travelled on the Tube, it is a bit like face masks; the young are only as bad as their seniors. It is engrained.

I totally approve of the attitude of the noble Earl, Lord Caithness, on the last amendment and of the Minister's response. I am afraid it is rather unanswerable—I cannot ask you about what you have said until you have said it. I appreciate how it was taken down and I hope that flexibility will come in during our discussions on this, because it would make it work better.

This amendment raises issues, but it would be totally against the spirit of the rest of the Bill. Greater access would not cause most of the problems here. On being irresponsible in a Royal Park close to an urban area, I am sorry, but people have access to go there anyway. Extra access will not make it worse. On specialist paths for ramblers and other groups, these groups are more likely to report people—a path that ramblers use regularly will discourage fly-tipping. The general public all have a phone with a camera. Telling people that they have a responsibility to use them may be something the Government can do; they can certainly make it easier to report and get the reports back.

I do not think that we will get more of these problems every time we expand access to the countryside. They are there already in uncontrolled access. Having better control and understanding of the problems—integration, the odd use of cameras, not having better reporting infrastructures—is a better way to go about it.

On the final comment about a farmer resenting having to take time off because someone fell and broke their leg: if somebody falls in the street, would you stop and help them? I know I have done it a couple of times. Was it inconvenient? Yes. But come on—there are limits.

5 pm

**Baroness Bakewell of Hardington Mandeville [V]:** The amendment in the names of the noble Earls, Lord Caithness and Lord Shrewsbury, seeks to allow farmers to have compensation for damage caused by some public access. I have a lot of sympathy with this amendment. There have been many times when, walking footpaths, I have seen saplings damaged, litter strewn around and gates left open. The National Trust, during lambing season on its land, warns walkers to shut the gates and keep their dogs on the leash. Most do this, but occasionally some thoughtless person does not.

We heard in our debate on Tuesday from the noble Earl, Lord Devon, and other noble Lords, who gave some examples of damage done by those who treat the countryside carelessly, and the noble Earl, Lord Caithness, gave more details today about the litter left at Durdle Door and Bournemouth. In April 2019, the National Trust issued a plea for the public to follow the Countryside Code after a fire started by a barbecue tore through Marsden Moor, destroying blanket bog and vital habitats for ground-nesting birds. It is estimated that more than £200,000-worth of investment in restoring wildlife habitat in the area has been lost. Curlew and mountain hare populations are believed to have been hardest hit by the blaze, which covered more than 1,500 hectares.

People can make all the difference in limiting this risk by just following simple measures included in the Countryside Code.

I envy the noble Earl, Lord Shrewsbury, living as he does so close to Dovedale, which I have visited on several occasions. Fly-tipping is a scourge and should be heavily penalised. Often it is down to sheer laziness on the part of the perpetrators. Clearing up after visitors and fly-tippers can cost landowners and farmers many thousands of pounds.

Some of your Lordships have advocated notices warning walkers to keep gates shut and respect the land they are walking on. However, on Tuesday, the noble Viscount, Lord Trenchard, felt that the countryside would be spoiled if it was, as he put it, “littered with signage”. Signage is not as intrusive as fire damage. It is much better to have signs inviting people to be more careful and not damage the countryside than to have it ruined by thoughtlessness.

The noble Lord, Lord Cormack, promotes compulsory education of a countryside code or a passport for young people. It is certainly true that the younger people are when we educate them into respecting the countryside, the better that will be. However, I would not make that compulsory. Those living in blocks of flats are unlikely to have been to the countryside; nor, sadly, are they ever likely to go. A much better way would be to promote and regenerate the Duke of Edinburgh's scheme, which, due to a lack of youth service funding in many areas, no longer takes place. That is an excellent way to encourage young people into the countryside and into respect for it.

If damage, including littering, is done, landowners should be compensated and the perpetrators found, prosecuted and fined to help cover the cost of rectifying the damage they have caused. The legislation is there for this to happen now but it is not enforced, and it should be. ANPR could help with that, as the noble Lord, Lord Rooker, said. I have sympathy with all noble Lords who have spoken in this debate, but I fear that the noble Earl, Lord Caithness, probably did not help his case with some of the examples that he mentioned. Nevertheless, I support this amendment.

**Baroness Wilcox of Newport (Lab) [V]:** This amendment is to examine whether, or indeed how, a better balance can be struck between the interests of landowners and members of the public who wish to access the countryside.

The ability to access so much of Britain's countryside is one of our great national traditions, and it plays an important role in leisure, education and our wider economy. I am indeed fortunate to live in a country within the wider UK where so much natural beauty is literally on my doorstep. From the Vale of Usk to the Brecon Beacons and the magnificence of the post-industrial south Wales valleys, the beauty and elegance of our countryside is a joy and treasure that must be protected and balanced for the preservation of our future generations. Indeed, as noble Lords have noted in the debate, rights and responsibilities must be evenly balanced. As a former leader of a local authority, when residents' complaints came in, I was often quoted as saying that the council does not have a littering department; it is in fact people who litter their rural and urban environments and leave it to councils to clear it up afterwards.



[BARONESS WILCOX OF NEWPORT]

The Countryside Code is a readily available and easily accessible document which aims to ensure that guests are respectful of the local community and to continue the preservation of the condition of the countryside. In addition, we welcome the fact that a revised Covid-19 code was published in an attempt to drive home the key messages at a time when more people may have been visiting the countryside. We hope this simpler messaging will be carried forward, even as the public health situation improves.

However, as with any form of ownership, owning land involves a balance of rights and responsibilities; rights of access are established, and the responsibilities and costs associated with them should therefore not come as a surprise to the landowner. As my noble friend Lord Rooker said, access is here to stay but it has to be managed, and serious fly-tipping must be followed up and traced back to where it came from. Indeed, the police should take a greater role in such enforcement. There may be some merit in exploring what more can be done to minimise extra costs on landowners, but that should not necessarily come at the expense of wider support for agriculture and horticulture.

**Baroness Bloomfield of Hinton Waldrist (Con):** My Lords, I believe that we all share the concerns of my noble friend Lord Caithness about the cost to landowners, local authorities and the National Trust and other bodies of littering and fly-tipping. Indeed, the noble Earl, Lord Devon, spoke powerfully about this issue on Tuesday. He was also very generous in not seeking to prevent others enjoying his land so long as no damage is done—a positive approach also promoted by the noble Lord, Lord Rooker. As we just heard from the noble Baroness, Lady Wilcox, rights come with responsibilities. However, I point out that the provision of access to private land is still voluntary.

As we discussed on Tuesday, public access to the countryside provides a huge range of benefits, including improving physical and mental health and supporting local communities and economies. I understand that, at times, providing such public access can bring about some extra costs and risks to land managers. We will be working closely with stakeholders to understand the full costs of providing access, to make sure that the system works for land managers.

I thank my noble friend for raising this issue. It is important to make sure that the Countryside Code is as effective as possible in promoting responsible behaviour. As my noble friend the Minister said on Tuesday, and my noble friend Lord Cormack also mentioned, Natural England will soon start work on refreshing the Countryside Code to ensure that these messages are communicated effectively.

It is vital that young people are taught about the environment, and a number of noble Lords mentioned the importance of education. For that reason, related topics on the environment and the countryside are included throughout the geography and science GCSE curriculums. As part of that, the national curriculum programme of study recommends that pupils should use the local environment to support their learning in these areas.

A number of noble Lords mentioned enforcement, and a number of bits of legislation that cover littering are already in place. The main piece, which covers littering and refuse, is Part 4 of the Environmental Protection Act 1990. Crucially, Section 87 of that Act states that it is an offence for a person to drop, throw down, leave or deposit litter in a public place, and it carries a maximum fine of £2,500 and can be tried in a magistrates' court. Furthermore, current by-law legislation allows local authorities to restrict and enforce the use of disposable barbecues in public parks and spaces. There are existing powers in legislation which can be used by authorities. I should point out that in our manifesto we committed to increasing the penalties for fly-tipping.

The Bill includes powers to provide financial assistance to promote better understanding of the environment. Better understanding of the environment could include, for example, help for land managers to communicate to visitors the types of messages which are in the Countryside Code. All these actions will help to ensure that the impact of public access is as positive as possible and that any risk of damage is kept to a minimum.

A number of noble Lords mentioned fly-tipping and the hazards it has created in the countryside. I, too, have observed hideous instances of fly-tipping in my small village where farm gateways are regularly used to deposit mattresses and fridges which then get burned out, so I share the concerns raised by my noble friends Lord Trenchard and Lord Shrewsbury and the noble Lord, Lord Rooker, but I do not agree that it is just laziness, as suggested by the noble Baroness, Lady Bakewell. This is criminal behaviour which is addressed through the criminal courts.

It would be good to think that eventually, with education, we can change the culture of whoever it is, from the dog owner in Richmond Park to the people who at the end of lockdown enjoyed the beaches but left so much litter behind. With that emphasis on education and with proper enforcement, littering will become as anti-social as drink-driving has now become.

**The Deputy Chairman of Committees (Lord Bates) (Con):** My Lords, I have received two requests from noble Lords to speak after the Minister.

**Baroness Mallalieu (Lab) [V]:** My Lords, there is a price for increased access. I totally agree with what my noble friend Lord Rooker said. We cannot turn the clock back, and nor would we want to because we recognise how important it is for all of us physically and mentally to be able to get out and enjoy the countryside. However, that price has been paid up until now largely by farmers and landowners. It is considerable and it is clearly going to grow, which is why I hope that the provisions in the Bill will be used in ways which respect, perhaps more than some of the existing access arrangements have done, the people who own the land. I am told that it is only a tiny minority who cause trouble. Perhaps that is so for genuine walkers, but it also gives a legitimate right of access to other people whose purpose for being there is not legitimate. Near houses or through the farm, it is a perfect way to case the joint. You just have to speak to some of my neighbours down here about

the vandalism that they suffered during the badger cull by people using access legitimately for illegitimate purposes.

I heard the noble Earl, Lord Caithness, speak about a litany of problems. Having had a very much-used part of the Chiltern Way going straight through my garden, I can endorse everything he said. I hope we fulfilled our obligations by repairing stiles and putting in kissing-gates and beside them gates that would open for anybody who was disabled and could not use the other two, but over the years we had gates left open, stock straying and dogs chasing and attacking sheep, which is a major problem nationwide. We had poaching. We had theft of fencing and from farm buildings and at one stage, until I learned that I was a philanthropist, I was offering a free take-away service from my farm diesel tank. When I sadly came to sell the smallholding on which I lived, I was told by all the agents that the footpath, which had by then been diverted from the front door through the fields, would still knock a substantial chunk off its value.

Sadly, I do not expect the Government to accept this amendment, but I hope that those who regularly request access give thought to who pays the price, not just in money but in loss of security and peace of mind.

5.15 pm

**Lord Northbrook (Con):** My Lords, I declare my interest as a landowner and an arable farmer. I support my noble friend's amendment in principle. However, I would like to distinguish direct damage caused to farmers' livestock by, for instance, out-of-control dogs and leaving farm gates open. That is definitely connected to agriculture, but I note the remarks of the noble Lord, Lord Addington, that the problem of dumping refuse and fly-tipping can be considered more as an environmental issue. They may be more suited to the forthcoming Environment Bill. Does the Minister have a view on that?

**Baroness Bloomfield of Hinton Waldrist:** I think many noble Lords will have every sympathy with the noble Baroness, Lady Mallalieu, and her experiences on her smallholding. Damage, theft, poaching and the theft of diesel are all criminal acts. If the perpetrator is caught, they can, as the noble Lord, Lord Addington, correctly suggested, be charged with trespass, which can be brought by farmers and owners for damage done while trespassing. The criminal justice system already has these things at its disposal.

My noble friend Lord Northbrook makes an interesting point about the difference between direct damage to livestock by dogs off leads and such things, but I do not believe that fly-tipping has a place in the Environment Bill. It is already covered in legislation. The key to all this, as many noble Lords have said, is better enforcement and perhaps more video cameras installed by landowners so that some of these perpetrators can be caught.

**The Earl of Caithness [V]:** My Lords, I thank all noble Lords who have participated in the discussion of this amendment. I am delighted that I degrouped it from the group that we discussed on Tuesday because it was well worth a discussion in its own right.

Let me first say to the noble Lord, Lord Rooker—I am delighted to see him back with us—that I am not against access. As I said on Tuesday, access to the countryside was essential in getting better after my accident. I was on footpaths in a wheelchair and then on crutches and on sticks, so I am a great believer in public access. What I am trying to balance is the right for us to go to the countryside and get all the benefit from it and what is going to happen to people's livelihoods and property.

We heard from the noble Baroness, Lady Mallalieu, of some of the problems that she faced. The Minister's reply was "Well, they're criminal offences anyway", but they are not being enforced. Rural crime is rising, and there is great concern among those in rural areas that they are being left out. There are not enough police to go around, and the police are too busy to take rural crime seriously. There is a fundamental problem here that the Government need to address. I hope that the Minister will take this a lot more seriously than she appeared to do when she replied.

The noble Lord, Lord Addington, said that there is going to be no fly-tipping on footpaths. Let me draw his attention to the Defra statistics. In the 12 months up to March 2019, fly-tipping on footpaths and bridleways rose from 164,000 cases to 187,000 cases. That is a substantial increase. Footpaths and bridleways cannot be ignored in this problem. If there is a place that people can fly-tip or drop litter, they will do so. As the statistics from the Royal Parks show, one in five people is prepared to do that. Yes, we are talking about a minority, but it is a minority that can cause severe damage and impinge on people's livelihoods.

This comes back to enforcement, and I hope that the Minister will spare time between now and the next stage to meet me to discuss this. I think the Government's intention is right and that their hearts are in the right place, but action is not going with it. I am very frightened, as, indeed, are a great number of farmers, that the provisions of the Bill are not going to help. Yes, they want public access, and I am against farmers who do not give that access and embrace it enthusiastically, but it is only fair that the balance is set out in a better way than it is at the moment.

I thank the Minister for her reply. I hope she will write to me on the questions that she did not answer, such as about what has happened to the fire severity index, and a number of other questions that I posed to her. I beg leave to withdraw the amendment.

*Amendment 14 withdrawn.*

*Amendments 15 to 18 not moved.*

5.21 pm

*Sitting suspended.*

5.40 pm

**The Deputy Chairman of Committees (Lord Bates) (Con):** My Lords, we now come to the group beginning with Amendment 19. I remind noble Lords that anyone wishing to speak after the Minister should email the clerk during the debate. Anyone wishing to press this or any other amendment in the group to a Division should make that clear during the course of the debate.

*Amendment 19**Moved by Lord Greaves*

**19:** Clause 1, page 2, line 13, at end insert “, including where appropriate the reintroduction of native species of animals or plants which have become locally or nationally extinct;”

**Lord Greaves:** My Lords, in moving Amendment 19 I shall speak also to my Amendments 52 and 102. I remind the Committee of the interests I declared at Second Reading. I should have done this when I spoke on Tuesday, but I forgot. They are more relevant to our debates on Tuesday, but never mind.

Amendment 19 in this small group seeks to probe the Government on one issue, that of whether farm-based schemes could include the reintroduction of native plants and animals that have become extinct nationally or, what is more likely, locally. I hope that the Minister can reassure me on this point. I want to concentrate on an issue that is of growing interest to many people, that of rewilding. I shall explain in a minute what is meant by that.

First, I want to make clear what is not meant. A lot of misrepresentation has been made by tabloid media of a few proponents of rewilding who frankly go over the top and, in my view, do not do the cause any good. Rewilding as it is used here does not involve the reintroduction to the English countryside of animals such as bears and wolves. Unfenced reintroductions for some species may be justified—beavers may be a case in point, and who can deny the glory of peregrine falcons and red kites, as well as locally extinct species of butterflies and reptiles—but it is not what rewilding as such is about.

Rewilding is also not about the wholesale transformation of whole regions into some romanticised version of this country before its widespread cultivation by the Celts, Anglo-Saxons, Danes and their descendants. Nor is it about the creation of nature reserves as we know them conventionally, where the ecology of the flora and fauna in a local environment is carefully managed, sometimes in tiny detail. However, a success rewilding scheme could in due course become a very special but different kind of nature stronghold. Nor, finally, is it a means to just abandon large areas of land that are devoid of economic value. Indeed, it can be a means by which landowners increase their income by diversifying in areas where farming alone may no longer be viable. If I can drop into government speak for a moment, it can deliver public goods at scale both efficiently and effectively.

Amendment 52 would add rewilding to the list of activities that can be financed under Clause 1. A two-tier scheme could involve the rewilding of all or much or a largish farm, if that is what the landowner would like. I keep prompting the Minister for examples of tier 3 schemes involving things other than peat restoration and tree planting, but perhaps the rewilding of a broad upland valley could qualify for such funding. Rewilding could mean allowing coastal land or floodplains to revert to wild marshlands. It may be that while the Government are not averse to rewilding schemes as I have described in appropriate places, they would prefer to them to be funded in other ways and through other budgets. If that is the Minister’s response, can he or she set out what those other ways could be?

5.45 pm

I shall come back to the question: what is rewilding? Amendment 102 would add a definition based on that put forward by the Rewilding Britain, which I shall put on the record. It states that,

“‘rewilding’ means the large-scale restoration of ecosystems to the point where nature can take of itself within very light touch habitat management, involving reinstating natural processes and, where appropriate, missing species, allowing them to share the landscape and the habitats within.”

The group also says that rewilding

“encourages a balance between people and the rest of nature where each can thrive. It provides opportunities for communities to diversify and create nature-based economies; for living systems to provide the ecological functions on which we all depend; and for people to re-connect with wild nature.”

Rewilding is not appropriate to only one or two kinds of area that may already be semi-wild. Examples being promoted include a range of areas, from upland sheep grazing and grouse moors to lowland mixed farms. Any kind of rural areas is appropriate. It can be for large estates or for areas on small tenanted farms.

I have put this amendment into a specific group because rewilding is by and large a new concept. It is not something that I expect the Government will suddenly fall over and say, “Yes, we are going to do this”, but I wonder whether the Minister would agree to meet me, representatives of Rewilding Britain and other interested Peers to discuss the whole concept and thus understand it better. Perhaps the noble Baroness who is to reply might respond to that on behalf of the Minister.

Some will say that that rewilding sounds like a modern version of impractical hippy idealism, but the reverse is true. It is growing in popularity from small beginnings and it is here to stay. Holding a brief debate about it today in the House of Lords is a useful thing to do. I beg to move.

**Lord Inglewood (Non-Aff) [V]:** My Lords, I am pleased to follow the noble Lord, Lord Greaves, on these three amendments and to support the arguments that he has advanced. It is encouraging that these are narrower amendments, which means that the debate will be less slightly less prolix. It is clear from the debates in your Lordships’ House on the Agriculture Bill that there is general agreement about the revolution going on in the countryside, which is not only technological, but intellectual, psychological and emotional. Against that background, what is known as rewilding, as defined by the noble Lord, Lord Greaves, is in fact a real part, although obviously only a part, of a new era for the nation’s rural landscape.

Of course, as the noble Lord said, the populist perception of rewilding means releasing sabre-toothed tigers on Hampstead Heath, or perhaps slightly less melodramatically, what is happening on the Knepp estate in Sussex. That kind of rewilding may well have a role in the future countryside, but it will certainly be only a part of that future. Rewilding covers a whole range of things from plants and insects to animals. Since the beginning of time, our environment has been evolving and changing, sometimes quickly and at other times almost imperceptibly. It is absolutely clear that our flora and fauna are always in a state of flux. Look at what has happened to the landscape and the plants and animals in it since the last ice age.



During that period, we humans, as part of creation, have been one of the vectors. In some instances, our involvement has been benign, and in others, particularly in the case of some alien introductions, it clearly has not. But it is as legitimate, subject to proper consideration, to interfere with the ecology of the relatively unaltered parts of our land as with that of the more intensively cultivated parts, when it is called farming or forestry. That is why I believe rewilding, however exactly you define it, should be an element, but only a part, of the future. Natural and rural agricultural policy should encompass it, and hence, it should become part of national policy.

**Lord Lucas [V]:** My Lords, I look forward to the Minister's reply on Amendment 19. Our ability to repair the landscape is obviously crucial to getting our South Downs back in order. Kew is immensely helpful in this regard with its seed bank, which gives us some species we have long lost. We have to play an active part in getting our countryside back and not just wait for it to happen gradually over the next few centuries.

As for wider rewilding, yes, Knepp is wonderful—I have been there—but it requires fences. If you fence an area and you want nature taking care of itself, with very light-touch management, you need large herbivores and top predators. Otherwise, as in Knepp, we have to be the top predator. So, we have to accept our role in rewilding—we are the top predator. We have a role to play in a rewilded landscape. If you try to do it without boundaries, the herbivores leak; I do not think Knepp's neighbours would be much pleased if all the Tamworth pigs started straying across their wheat crops. It is a concept that takes some very careful working out. We ought to learn the lessons of the rebellion in Wales, when the rewilding attempt failed. I encourage the Government to look in this direction, but with a good deal of scepticism.

**The Earl of Devon [V]:** My Lords, I echo the words of the noble Lord, Lord Lucas. First, I would like to address the reintroduction of native species. Down in Devon, we have seen the relatively successful and very interesting reintroduction of beavers—ironically, in the River Otter. That has had some success but also some major challenges, not least for landowners, whose land gets flooded unexpectedly, requiring the proactive management of those beavers and moving them on.

Discussion is increasing around the reintroduction of pine martens as a means of controlling the grey squirrel population, although it is pointed out that grey squirrels live in urban centres where pine martens do not, so it would be very difficult to control grey squirrels that way. In the wilds of Scotland—the Glenfeshie Estate—the reintroduction of large herbivores is being considered. I was at a talk given recently by the brother of the noble Lord, Lord Goldsmith, the Minister, who made reference to the reintroduction of wildcats to Dartmoor. I have resisted the urge to stray into the Dartmoor Hill ponies area, since they are so ably represented by a number of noble Lords. However, I would resist the reintroduction of wildcats to Dartmoor, if only for the dear Dartmoor pony's sake.

Rewilding is a very complicated issue. I congratulate the Knepp Estate on its huge enthusiasm and the interesting research it is doing, but nature does not

take care of itself in this landscape. We have created this landscape, we are responsible for it and we cannot divorce ourselves from that responsibility.

Rewilding is not a new concept. Three hundred years ago, the landscape around me was heavily farmed and ornately gardened. About 270 years ago, it was rewilded with the creation of a deer park, which exists to this day. That is a form of rewilding, creating a primordial, idyllic landscape with deer grazing under trees and eating conkers and acorns. It is, I agree, a fantastic landscape with remarkable biodiversity and it provides a healthy harvest of venison, but it is not profitable. It is heavily subsidised by HLS and ELS, and even then, it is not profitable. The only way we make it break even is with a series of concerts, which were so ably promoted on Tuesday by the noble Lord, Lord Mann.

Rewilding does not necessarily create a profitable and vibrant landscape, and we need to be very cautious in imagining it does. However, there are areas of the country that may benefit from it—I am thinking of marginal areas that are not profitable farmland but that should not be allowed to go completely to wilderness. They could be rewilded, but only if it can be done on a landscape scale, creating landscape-scale environmental corridors and providing remarkable benefits for all in joining up environmental and species habitats.

**Lord Taylor of Holbeach (Con) [V]:** My Lords, Members of the House will probably know of my interest in this Bill through my family business, as listed in the register.

Noble Lords may also know that the noble Lord, Lord Greaves, was a sparring partner when I was a Minister in Defra and, of course, a former comrade in arms when we were in opposition together. His rhetoric always encourages me to speak, but I must challenge some of his assumptions. His view of landscape and local nature, as defined in these amendments, is principally retrospective, and I am not sure I can agree with this approach. The contribution of other noble Lords has raised similar doubts.

I do not disagree with the noble Lord's view, as Amendment 19 proposes, that the reintroduction of native species can be laudable, but he rightly uses the word, "appropriate". That judgment is much harder to make if its purpose is to re-create a sustainable wildlife and ecology in changed landscape scenarios. Undoubtedly, landscape and ecology in relation to place are of the essence, but this is not static, and nor is man's interaction with it.

Perhaps, I can illustrate this. Much has been done to address the need for natural ecology even in the fens, an area of the most intensive cultivation and agricultural and horticultural production. That landscape is my home. It is a consequence of human intervention: almost perfectly flat and an acquired taste. It is none the less an important centre of commercial production; pastoral, it is not. But every aspect of that landscape—the rivers, dykes, banks, fields, roads and droves—are man-made. Some of the best-known reserves of natural habitat are situated in the Vermuyden washlands; our legacy is a consequence of the 17th-century adventurers who created them. Turning the clock back in such a situation is not an alternative.

[LORD TAYLOR OF HOLBEACH]

Some noble Lords familiar with the east coast main line will see, south of Peterborough, a project stretching through the Fens, as far as Wicken Fen near Ely, to re-establish a fenland ecology. This can be achieved only by a recreative process just as complex as the original drainage itself. Meanwhile, the on-farm projects which the Bill encourages are equally studied and managed. These illustrations are not rewilding but deliberated. I support this process and I hope that my noble friend the Minister will be able to say that this is exactly what the Bill recognises in Clause 1(1)(c).

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** The noble Lord, Lord Naseby, is not on the call, so I call the noble Lord, Lord Cormack.

6 pm

**Lord Cormack:** My Lords, it is a particular pleasure to follow my old and noble friend Lord Taylor of Holbeach; a fellow Lincolnshire man who is regarded with great affection in all parts of your Lordships' House, he struck a note of caution.

I am grateful to the noble Lord, Lord Greaves, for giving us an opportunity to debate this subject briefly, but I am not absolutely sure whether we need to amend the Bill. If we look back over the last two or three decades, we can see a number of changes, some of which have been very good and others perhaps less so. I remember when I used to drive through the Chilterns, on my way from Staffordshire to London, and suddenly those wonderful red kites would emerge; it reached the stage where one never had the journey without seeing red kites. They were of course despised scavengers in Elizabethan London, but, in the Chilterns, they are wonderful, soaring, graceful birds. There was a time when the buzzard was on the verge of extinction, but no more; that too is marvellous. But much as I admire the largest of all our birds of prey—the sea eagle, or the white-tailed eagle—I understand that farmers on the Isle of Wight are somewhat apprehensive for their flocks.

I was grateful to the noble Lord, Lord Greaves, for making it clear at the outset that he is not one of these nutters who advocates bringing back the wolf. Although he did not stray on to that territory, I also suspect and infer from what he said that he is not necessarily championing the return of the lynx—about which farmers are again somewhat apprehensive. However, we should bring back, and replace, certain things. There cannot be a Member of your Lordships' House who does not inwardly weep at what has happened to the elm tree and the ash. At the moment, dieback is ravaging a tree that has been admired in this country for centuries. Then again, we have to ask ourselves what exactly is indigenous or native. If we were to go outside and ask people, many would immediately say the rabbit, but the rabbit came here with the Romans and was then cultivated by the monks as a source of food. One has to be very careful and balanced in all this.

While I would greatly welcome the conservation and increase in numbers of wildcats in Scotland, I entirely sympathise with what the noble Earl, Lord Devon, said about wildcats on Dartmoor. Of course, it is difficult to find a true wildcat, as there has been so

much interbreeding with feral cats; again, that is something that we have to bear in mind. Similarly, although they are in many ways attractive and exciting to watch, I am not sure that the reintroduction of the wild boar, through escape, has been exactly what we would have wanted, yet they are now prolific in parts of Gloucestershire. If ever a subject deserved the motto “*festina lente*”—make haste slowly—it is this one. It is right for us to be discussing this, but it is also right to realise that it is not something we should accelerate without very careful consideration.

The noble Earl, Lord Devon, talked about the beaver—wonderful creatures; there was a wildlife film about them on television the other week. They are totally fascinating, but some people who live in the areas where they have been introduced would not exactly rejoice, as the noble Earl indicated in his speech a moment or two ago. Of course, we have seen what has happened when non-indigenous creatures have been introduced. There is the grey squirrel, which has put our native red squirrel in such peril, and, of course, the mink, which is a scourge. I fear that we in Staffordshire played a part in that, because a mink farm was broken into by animal liberationists and the mink spread all over the place. What was the result? Mink and no otter. I think one has to have balanced reflection and discussion.

I conclude by saying that I pay tribute to the noble Lord, Lord Greaves. It is good to raise the subject, but I urge caution upon the Minister. I very much hope that we will bear in mind that conserving and preserving our indigenous wildlife is what we must concentrate on.

**The Deputy Chairman of Committees:** The noble Lord, Lord Rooker, is now not intending to speak, so I call the noble Baroness, Lady Scott of Needham Market.

**Baroness Scott of Needham Market (LD) [V]:** My Lords, I am pleased that my noble friend Lord Greaves tabled these amendments, because it has given us a chance for debate and for the Minister to give us an idea of the Government's thinking on this particular form of land management.

I recognise that, as the noble Earl, Lord Devon, mentioned, rewilding—whatever we called it then—has been around for a long time. The other week I was in Wicken Fen: I am not sure if it was ever unwilded, but it is certainly pretty wild there now. This is not new, but we have to recognise that rewilding is now being discussed more, and there is a lot more thinking about the role that landscape management can play in improving diversity, which we all know is in pretty steep decline. I am very pleased that these amendments, which I regard as probing, have been tabled.

I was struck when, in winding up on Tuesday evening, the Minister talked about balance, and we have heard a lot about that today. Among the things that make a Bill such as this so tricky are the multiple balances we are trying to strike; for example, between public access and safety, and between food production and biodiversity, and so on. Rewilding has a part to play, albeit a modest part, in helping redress some of those balances. It is possible to have a long-term approach to some habitats which will improve biodiversity but

will not have a big impact on food production. They can be accessible and enjoyed by the public in a way that does not bring biosecurity risks and so on, which we discussed the other day.

I know that most noble Lords are concerned about the economic outlook in rural communities. There is a contribution to be made by rewilding, even if it is modest and hyper-local. Today's *Independent*, for example, carried a story about a rewilding project near Loch Ness. It will involve some 500 hectares of land, with the restoration of peatland, native tree restoration and a focus on biodiversity. The estate will employ local rangers, and a small number of eco-cottages are being built by a local firm. In that small area it can make a big difference. Wildlife tourism is actually quite a big generator of income. In Scotland, interest in ospreys is estimated to bring in about £3.5 million a year in revenue. Rewilding can have huge benefits to individuals, who can better connect with nature, whether it is to relax or to learn about the countryside, which we spoke about in earlier amendments.

I recognise the problem of rewilding as a contested concept, with the fundamentalists on one side and the realists on another. There is a really good balance to be struck, which is about some of the concepts of rewilding and conventional environmentally friendly land management approaches.

Very close to me, the Suffolk Wildlife Trust is doing this very well in the Black Bourn Valley on former arable land. It is letting the former fields rewild to a certain extent, but there will be some grazing, which will help with the complexity of the vegetation structure. Turtle-doves, which we know are in steep decline, have really benefited from the development of these scrubby areas. Even here, within what is thought of as rewilding, there will need to be some intervention to keep the valley's pond habitats in good health and to keep the variation there, so that the current biodiversity does not decline.

It comes down to this word: balance. For me, the key thing is not so much having everything absolutely nailed down in the Bill—you never get that—but having the assurances that this sort of approach will not be ruled out.

**The Duke of Montrose (Con) [V]:** My Lords, I thank the noble Lord, Lord Greaves, for introducing this topic. It is obviously one that can do with some discussion. I thank the noble Lord for picking his words carefully and reading out the content of Amendment 102, because that illustrates what he is looking for. Following my noble friend Lord Cormack's argument, I feel it must all be done with great care and attention.

I will add to my declaration: I am a member of NFU Scotland, and I do not know if I dare mention that I fairly regularly have an osprey nest in my property. Most of my experience and evidence of various kinds of rewilding are in Scotland. As the noble Lord, Lord Greaves, mentioned, there has been an extreme element to that movement, which he is obviously trying to rein in. I live on the edge of the highlands, and some people once regarded the whole highlands as due for rewilding. Anyone familiar with Scotland will have heard of the Langholm Moor experiment, in which all management was withdrawn. It was most amazing. From a peak of grouse, it became a peak of

hen harriers. Then there was nothing for the hen harriers to eat, so they crashed. Luckily it is being left to nature at the moment, and we all wait to see what develops.

Another thing that other Peers mentioned is that we have big areas in Scotland dedicated to various forms of rewilding: millionaires are buying up vast acres to carry out rewilding without any assistance from the Secretary of State. Given the nature of this Bill, I wonder whether they will benefit from the money the Government are likely to make available if they have a large number of animals, birds or whatever they reckon to encourage.

One element we need to be aware of is that some people's idea of rewilding is to see the removal of anything that cannot be described as totally native. Where I live, it is quite hard to take in that we are told that we must remove all sycamore and beech trees, because somebody has done some research and seems to reckon they were not around immediately after the last ice age, which other Peers have mentioned. I back the proposal put forward by the noble Earl, Lord Devon, that it will take more than a light touch of management.

6.15 pm

A number of Peers have mentioned beavers. It is worth just putting on the record that in Scotland, we have had quite a bit of experience with them. At first, it was with people privately keeping a few beavers in a fenced area; almost inevitably, some of them escaped so their formal introduction by Scottish Natural Heritage took place in 2009. Scottish Natural Heritage now supervises all releases and controls the management. A recent report by the Scottish Wildlife Trust contained the information that the river catchment of Tayside currently has 450 beavers, and the damage to watercourses in the arable areas has been so bad that it has issued licences to cull 87 beavers. At the same time, about 40 have been rehoused in other places. I hope that my noble friend the Minister will pay attention and watch out for the unintended consequences of a policy of unbridled rewilding.

**Baroness McIntosh of Pickering [V]:** My Lords, I am delighted to follow my noble friend the Duke of Montrose, who speaks with great authority and knowledge on these issues. I thank the noble Lord, Lord Greaves, for introducing this little group of amendments and for the opportunity to discuss native—and, perhaps I might say, non-native—species. I will limit my remarks to Amendment 19. The biggest threats to native species, as I see it, are the uninvented, unwelcome guests of non-native species. For example, I have seen first-hand the damage that Himalayan balsam can cause, particularly along the length of a stream; how difficult it is to eradicate; and the time and expense taken up by land managers in this regard.

When I was on the Select Committee on Environment, Food and Rural Affairs in the other place, we looked at this in a report on Chalara, which causes the ash tree dieback. I hope that when my noble friend the Minister sums up she will confirm that the practice by which, for some bizarre reason, seeds used to be exported from this country to others such as Denmark, Poland and others where the disease existed, and then



[BARONESS MCINTOSH OF PICKERING]

we reimported those trees as saplings from those countries, has been stamped out and will not be repeated. It brought a high level of infection to this country. We now have a number of endemic diseases in the horse chestnut, which I fear may go the same way as elms did. We heard only this week in the Lords of a new threat, particularly to lavender and other plants, from *Xylella fastidiosa*.

I again commend the work of Fera—I know that it has changed its name, forgive me—which does great work in this regard, as well as on ash tree dieback. If the Government were to look favourably on this little group of amendments, I invite my noble friend to consider whether farmers and land managers could be reimbursed for the work that they do in trying to protect our native species from these unwelcome and uninvited non-native species.

**The Deputy Chairman of Committees:** The next speaker is the noble Lord, Lord Marlesford. Lord Marlesford? If the noble Lord does not wish to speak, we will move on to the noble Lord, Lord Randall of Uxbridge.

**Lord Randall of Uxbridge (Con) [V]:** My Lords, this has been a very interesting little debate on this subject, which I am incredibly interested in. I am grateful to the noble Lord, Lord Greaves, for introducing these amendments. The debate has shown that the problem is to some extent with the term “rewilding”. Although he gave the definition, there are a lot of misconceptions about what it might mean because a lot of people have different meanings that they put on it. As we have heard, they go from the reintroduction of apex predators down to just changing an area. There have been some very successful examples of rewilding. However, we would do better to talk about restoring. A lot of that has been going on, and I have a feeling—the Minister will explain—that this is already part of the Bill. This would be something for public goods.

There have been some very successful reintroductions of formerly native species, not necessarily those that have been mentioned, but some of the butterflies, such as the large blue and the chequered skipper, and ciril buntings, which in the south-west were almost extinct. I was rather shocked when, a year or so ago, I mentioned to someone that I had seen ciril buntings in the Chilterns, and they looked at me as if to say, “I’ve actually met someone who saw ciril buntings in the Chilterns”. I did not think it was that long ago, but that is how we end up as we get older. I would love to see them reintroduced. It would not be a huge problem. Perhaps if farmers or land managers in those areas could be given some financial assistance. There also may be other people who could do it.

The noble Baroness, Lady Scott of Needham Market, mentioned Wicken Fen. A large, unprofitable carrot farm, I believe, up near Lakenheath is now the RSPB Lakenheath Fen Nature Reserve, which was established because the RSPB was concerned about the rising sea levels affecting a lot of the species currently along coastal areas, such as bitterns and bearded tits. That has been highly successful. These are the sorts of things that I would like to see included.

I want to see a helping hand, and it does not have to be on a large scale. Some of us do not entirely mow the lawn but let some of it grow wild to encourage insects and other flower species; that could be called rewilding, but that is not large scale.

I am very impressed by the extensive knowledge of nature, which I should have known there would be, in your Lordships’ House. I have been passionate about nature since I was a boy, and I recommend to anyone interested another good book besides the rewilding one regarding Knepp. It is *Rebirding: Rewilding Britain and Its Birds* by Benedict Macdonald, which shows that some of the species that we are talking about were here go back further than just a couple of centuries. It is a very worthwhile read. I await the Minister’s remarks, but this has been a fascinating debate.

**The Deputy Chairman of Committees:** I call the noble Lord, Lord Clark of Windermere. We do not have the noble Lord, Lord Clark, so I call the noble Baroness, Lady Bakewell of Hardington Mandeville.

**Baroness Bakewell of Hardington Mandeville [V]:** My Lords, the amendments from my noble friend Lord Greaves in this group encourage financial assistance for the reintroduction of native species or animals and plants that have become extinct, and I thank him for the opportunity to debate this. He has set out what rewilding is and what it is not.

The noble Lord, Lord Inglewood, mentioned the rewilding at Knepp. This has led to a large number of rare and beautiful butterflies and insects returning to the land. The Rare Breeds Survival Trust provides the information that, between 1900 and 1973, the United Kingdom lost 26 of its native breeds of livestock. I welcome the return of the red kite, the sea-eagle and the golden eagle in Scotland. The breeding programmes for these birds require a delicate balance. I agree with the noble Lord, Lord Cormack, about the beauty of these birds.

Currently, there are about 30,000 herds and flocks of native breeds in the UK. They contribute over £700 million to UK local economies. Native breeds were bred for the British landscape and can thrive on even marginal grassland with a minimum of expensive inputs. It is important to preserve our national identity and heritage and, where possible, to reintroduce native breeds. All this can assist biodiversity, as my noble friend Lady Scott of Needham Market has said. Balance is everything, and butterflies are much more welcome than beavers.

The Crop Protection Association tells us that the crops that our farmers grow must compete with around 30,000 species of weeds and 10,000 species of insect pests and countless diseases. However, statistics show that nine out of 10 adults in England are concerned about the increasing threats to the natural environment, with nearly two-thirds specifically worried about biodiversity loss. Farmland birds have declined by 54% since 1970. So is now the time to be thinking about rewilding schemes?

A huge amount of investment is needed to get rewilding started, and often huge grants are required to keep the funding going. As the noble Lord, Lord Lucas, has indicated, that could be through fencing. In the

last couple of years, there has been an increased interest in rewilding from landowners, including farmers, not only here in the UK but throughout Europe and indeed across the world. However, it is not a short-term fix and it has proven to be economically unviable on a large scale. It is undoubtedly true that rewilding has a place in agriculture and in the make-up of our land as we go forward, but the way in which it will be funded is not straightforward.

The Rare Breeds Survival Trust tells us that the meadows and pastures we value so much came into being because they were grazed by our native livestock. If we want to restore or even create more of them then the Government should be incentivising farmers to keep native livestock, but a softly-softly approach is needed. In addition, native cattle, with their unusual appearance, horns, long coats, colours and so on, add much to the quality of the landscape.

Wholesale rewilding without thought to neighbouring landowners and farmers is not likely to find favour. It is undoubtedly true that the countryside is a much more interesting and attractive place when it has been rewilded, but will that be sufficient for the practice to become more widespread than is currently the case? I look forward to the Minister's comments, as I am in two minds about this group of amendments.

**Baroness Wilcox of Newport [V]:** I thank all noble Lords who have spoken. We have had a very interesting debate on this amendment. While the core focus of the Bill is on agriculture and horticulture in terms of food production and environmental improvement, the cultural and heritage aspects of agriculture also deserve our attention. We therefore welcome the tabling of Amendment 19, which would support the reintroduction of native species that have become locally or nationally extinct. I note the comment by the noble Lord, Lord Greaves, that that does not include bears and wolves but, as the noble Lord, Lord Cormack, said, we already have wild boars in nearby Gloucestershire. I am delighted to inform noble Lords that Wales is one of Europe's best wildlife watching secrets and can rival anywhere in the world. These wonders might be anything: rare sightings of ospreys, a frenzy of red kites, the world's largest Manx shearwater colonies or one of the best places in Britain to see puffins and porpoises.

On Amendments 52 and 102, we are indeed sympathetic to the arguments for providing some form of financial assistance to large-scale rewilding schemes where such schemes would bring tangible benefits in terms of biodiversity. Could the Minister confirm what schemes, if any, are already available? What kind of budgets do such schemes attract? Is it his opinion that such schemes fall within the scope of the Bill, or do powers to initiate or fund exist elsewhere?

6.30 pm

We understand that there have sometimes been tensions between environmentalists and farmers on rewilding, as the latter fear that the restoration of land undermines the economics of agriculture. However, the introduction of the environmental land management scheme may go some way to addressing concerns where rewilding is done on a smaller scale, but Amendment 52 envisages bigger projects.

The noble Baroness, Lady McIntosh, mentioned the problems surrounding the introduction of non-native species. Again, in a local government context, I remember trying to deal with the huge problems constituents encountered in planning issues with the scourge of Japanese knotweed.

In recent years, Her Majesty's Government have talked about improving how they use their own land holdings across the country. Can the Minister say what consideration has been given to devoting a proportion of those holdings to rewilding?

**The Deputy Chairman of Committee:** Is the noble Lord, Lord Clark of Windermere, still on the call? No. In that case, I call the noble Baroness, Lady Bloomfield of Hinton Waldrist.

**Baroness Bloomfield of Hinton Waldrist:** I thank the noble Lord, Lord Greaves, for Amendments 19, 52 and 102 on the subject of rewilding and native species. I am very grateful for his elegant elucidation of what he means by rewilding and what it does and does not include.

I can confirm that the Government are committed to providing opportunities for reintroductions where the environmental and socioeconomic benefits are clear. Perhaps at this stage I should draw noble Lords' attention to Clause 1(1)(4). In the words of my noble friend the Minister, there is a balance to be struck. Clause 1(1)(4) says:

"In framing any financial assistance scheme, the Secretary of State must have regard to the need to encourage the production of food by producers in England and its production by them in an environmentally sustainable way."

We understand how the reintroduction of species can play an integral role in increasing biodiversity and restoring natural processes, as well as in other environmental outcomes such as climate change mitigation and adaptation. The Government have already supported the reintroduction of native species in this country, such as the pine marten, the red kite and—as I am sure my noble friend Lord Randall and the noble Baroness, Lady Bakewell, will be pleased to hear—the large blue butterfly. A number of noble Lords also mentioned other initiatives. We are keen to explore, through ELMS for example, where the reintroduction of species could be effective in delivering diversity and carbon benefits. My noble friend Lord Lucas mentioned the excellent work of Kew, with the provision of its seed bank.

However, my noble friends the Duke of Montrose and Lord Taylor of Holbeach and the noble Earl, Lord Devon, all injected a note of caution into the debate. These initiatives can often need more management than is anticipated. Beavers, mink and wild boar have all created some severe consequences for landscapes. Natural England is analysing the results of the Devon trial on the reintroduction of beavers. There are a number of other experiences of beavers across the UK and in other countries. Alongside the trials, there is a beaver management strategy framework that will help to inform decisions on the future of the Devon animals and the status of the beaver in England, including the Government's approach for future reintroductions, management and licensing.

[BARONESS BLOOMFIELD OF HINTON WALDRIST]

My noble friend Lady McIntosh of Pickering raised issues to do with importing diseased trees. She will be reassured that the importation of invasive species is now prohibited. The Government already pay for the control and management of invasive species through an agri-enhancement scheme. We are considering how to manage invasive species as part of the whole ELM design. Clause 1 would allow this.

The purposes set out in Clause 1(1) are purposely drafted broadly and could cover the reintroduction of species, should it align with our strategic priorities, as set out in the Government's multiannual financial assistance plan. We will publish the first report by the end of this year.

Several other rewilding projects are already under way in England. For example, as my noble friend Lord Lucas, the noble Earl, Lord Devon, and others mentioned, at Knepp, in West Sussex, agri-environment funding has helped create extensive grassland and scrub habitats, resulting in significant benefits for biodiversity. At this stage, I also endorse wholeheartedly the plug from the noble Baroness, Lady Wilcox, for the opportunities for wildlife watching in Wales.

With these reassurances, I ask the noble Lord, Lord Greaves, to withdraw his amendment.

**Baroness Bennett of Manor Castle [V]:** I thank the noble Lord, Lord Greaves, for giving us the chance to have this important discussion and the Minister for her answer. In what is ranked as the 189th most nature-depleted country in the world, this is surely something we have to be talking about.

I am really pleased that so many Members of your Lordships' House expressed excitement about the pine martens. I confess that I saw these from a bicycle, so I got quite close up in France. They are truly wonderful beasts, and I very much hope that someday soon—when we see rewilding of the Peak District near Sheffield, from where I am talking—I will be able to see them closer to home. I will also comment briefly on some of the discussion about the lynx—perhaps to throw a cat among the pigeons, or a lynx among the deer—and say that we may well have to look at that in future when restoring an ecological balance.

I pick up particularly what the Minister just described as severe consequences from some of the rewilding experiences. I have asked the Government a Written Question on beaver strategy, and unfortunately we still do not really have a timetable for that; it would be lovely to see one for them to be reintroduced around the country. Those severe consequences are that when you let nature run free, what is going to happen is not always predictable.

The philosophy of the 20th century has been one of tidiness—putting things in straight lines and everything being under human management. That was perhaps one of the great faults that the common agricultural policy encouraged. Can the Minister reassure the House that the current provisions in the Bill—or possibly a provision such as the one the noble Lord, Lord Greaves, proposed—ensure that we can allow the countryside and land under management to do its own thing, operate according to all the natural systems and re-establish those natural systems?

In more practical terms, we talk a lot about funding for tree planting, but sometimes it is simply necessary to ensure that land is protected and you get tree regeneration. That can be far more productive and effective and produces an appropriate range of species—the right tree in the right place. I am really seeking reassurance that the Bill will ensure that letting nature go will attract financial support when necessary.

**Baroness Bloomfield of Hinton Waldrist:** I can of course reassure the noble Baroness. Indeed, it is the first point of Chapter 1 that

“The Secretary of State may give financial assistance for or in connection with any one or more of the following purposes ... managing land or water in a way that protects or improves the environment”.

The whole thrust of the Bill is to do just that.

I also take this opportunity to say to the noble Lord, Lord Greaves, that my noble friend the Minister is of course happy to meet him at any time.

**Lord Greaves:** That answers the first thing I was going to ask. All I want to say is that I was bowled over by the encyclopaedic knowledge of British birds of the noble Lord, Lord Cormack—the good ones, the bad ones, what they do and where. I could wax lyrical to him about the occasion in the Uig hills in south-west Lewis in bright, shining, sunlit mist, when I was the subject of interest of a wonderful golden eagle that could have known a bit more about social distancing for my state of mind. The great thing about birds is that they cannot be kept in by fences. Having seen the white-tailed eagles on the Isle of Lewis, I for one will be delighted if they penetrate to the north of England. That is nothing to do with the amendment, and what the noble Lord, Lord Cormack, said was nothing to do with rewilding as I am describing it.

I thank everybody who took part in this little discussion with great expertise and knowledge. It was an extremely useful discussion—I am thrilled by it—and on that basis I beg leave to withdraw the amendment.

*Amendment 19 withdrawn.*

*Amendments 20 to 25 not moved.*

**The Deputy Chairman of Committees:** We now come to the group beginning with Amendment 26. I remind noble Lords that anyone wishing to speak after the Minister should email the clerk during the debate. Anyone wishing to press this or any other amendment in this group to a Division should make that clear in debate.

#### *Amendment 26*

*Moved by The Earl of Shrewsbury*

**26:** Clause 1, page 2, line 18, leave out second “or” and insert “and”

Member's explanatory statement

This amendment is intended to ensure there is not a disproportionate focus on either animal health or welfare, and that they are considered as interdependent.

**The Earl of Shrewsbury [V]:** My Lords, the prevention of disease among livestock is critical to ensure a vibrant future for UK farming. The outbreak of disease can cripple farms, cause chaos for farming communities and, ultimately, cost the British economy. For example,



the foot and mouth crisis in 2001 led to over 2,000 cases of the disease, and in each individual case it meant a farm having to cull all its livestock. I know at first hand about that; I was farming right in the centre of it and all my neighbours had their livestock taken out. It was horrible.

Globally, it is estimated that as much as 20% of animal production is lost from disease. Furthermore, preventive measures to tackle the disease in the UK remain too low, particularly in the case of endemic diseases. Just one example is severe foot rot, which is found in 90% of lame sheep, despite a preventive vaccine being available. Sick animals are of course less productive, have reduced welfare, and place a major burden on farmers.

The Bill represents a real opportunity to reduce this burden and build a resilient and sustainable UK farming system. It is welcome that the Bill makes provision for financial assistance to be provided to protect or improve the health or welfare of livestock, which is recognised as a key public good in Clause 1(1)(f). Yet one crucial nuance in the language of that provision must change. It states that financial assistance can be provided for the purposes of

“protecting or improving the health or welfare of livestock”.

The health and welfare of livestock is not an either/or matter; they are of equal importance and, from my perspective, this opinion is well understood and shared by many, but especially by livestock farmers and vets. Therefore, the Bill must read that financial assistance can be provided for the purposes of protecting or improving the health “and” welfare of livestock.

The current wording risks effacing the interwoven nature of animal health and animal welfare. Preventing diseases is conducive to good animal welfare. Indeed, the reality it is impossible for animals in poor health to have good welfare. Moreover, it is not only important that we get this right from a legislative standpoint but, given that this line appears in the opening section of the Bill and that it epitomises the objective of the legislation—to provide farm support for the public good—it is critical to establish the right tone in relation to how the UK approaches animal health and welfare issues. As such, that is why I tabled this amendment, which proposes to replace “or” with the little word “and”. I beg to move.

**Baroness Bennett of Manor Castle [V]:** I thank the noble Earl for his introduction to this section on animal welfare, and I commend to your Lordships’ House Amendments 68, 125, 136 and 225 tabled by my noble friend Lady Jones of Moulsecomb. I also express my support for Amendment 44, in the name of the noble Earl, Lord Dundee, which essentially expresses opposition to factory farming—a form of food waste that may come up in other sections of this debate.

However, my primary interest in this group relates to Amendment 77, and I thank the noble Baroness, Lady Boycott, for supporting it. It is something of an orphaned amendment in that it relates to Amendment 47, which is in group 9. However, I can see why it was put here, because it refers to consulting with

“persons and organisations who represent animal welfare interests ... relevant non-governmental organisations, and ... other persons the Secretary of State considers appropriate”.

6.45 pm

This raises an important point that we have not talked about very much in this debate: the importance of decision-making by the Government, either by regulation or by policy, to ensure continuous consultation and a process of what has sometimes been described as deliberative democracy. We have seen the increasing spread of citizens’ assemblies—for example, on climate change and the climate emergency—and the Government running a number of experiments, which I believe have been very successful.

Therefore, I commend Amendment 77 to your Lordships’ House in its own right, as animal welfare is hugely important to the British public. I agree with the noble Earl that there is no doubt that welfare and health are inextricably linked. These are issues that the British public are gravely concerned about. We need to consult with them directly as the Agriculture Bill is rolled out, put into practice and adapted according to circumstances and events; indeed, that should apply to all elements of the Bill. The Whips will probably be pleased to know that I am going to stop there.

**The Earl of Caithness [V]:** My Lords, I would like to support Amendment 26 in the name of my noble friend Lord Shrewsbury. When I read the Bill, I was surprised to see that

“health or welfare of livestock”

is mentioned in Clause 1(1)(f). Welfare and health have always gone together. When I was a land agent and was much more involved in farming, it was always health and welfare, not health or welfare. My noble friend Lord Shrewsbury was absolutely right to point out that the terminology is important.

There is a doubtless a very good reason why the legal eagles and the department have used these words, but it is going to change how we look at animal welfare. If it is now “health or welfare”, a cultural change will need to take place throughout British farming. This will not take place easily, because that is not how farmers look at their livestock. They look not at one aspect, but at the whole situation.

My noble friend Lord Shrewsbury was also right to raise the question of making us more resilient against disease and health problems. We are susceptible to more diseases as a result of climate change. This is an area on which the Minister, with his biosecurity hat on, is particularly knowledgeable; it would be useful to hear his opinion. What further action is being taken to update our defences, particularly once we leave the EU, against further diseases coming in? I think bluetongue came here from Europe, so defence against disease is going to be important to any livestock farmer and to the health and welfare of our animals. I look forward to hearing what the Minister has to say on this; it is a problem that needs to be addressed.

**Baroness Hodgson of Abinger (Con) [V]:** My Lords, I speak to Amendment 26, in my name and in the names of my noble friends Lord Caithness and Lord Shrewsbury. They have—[Inaudible]—so I will not repeat what they have already said. [Inaudible]—and thus need more health interventions, and I am thinking particularly of indoor poultry and pigs.

[BARONESS HODGSON OF ABINGER]

I hope that we can transpose “or” with “and” to ensure the highest welfare for poultry and livestock.

**The Deputy Chairman of Committees (Lord Faulkner of Worcester) (Lab):** We are having problems connecting to the noble Baroness, I am afraid. We shall move on to the next speaker and come back to the noble Baroness later. I call the noble Lord, Lord Greaves.

**Lord Greaves:** My Lords, I am enthused by Amendments 68 and 77 in the names of the noble Baronesses, Lady Jones of Moulsecoomb and Lady Bennett of Manor Castle, but I think that they explain themselves. They are set out well, they stand for what they stand for and the two noble Baronesses will speak to them. I think you have heard enough from me for the time being, and I will say no more.

**Lord Lucas [V]:** My Lords, I am very grateful for the draft of the Bill, and particularly for the definition of “livestock” on page 3, which

“includes any creature kept for the production of ... drink”.

I had to look that up on Google. I will not repeat most of what Google suggests. The most printable is seagull wine, but I had not realised that we had such industries in the UK.

My amendment would make the definition “in connection with” the farming of land rather than “in the farming of land”. I want to quiz the Government on why they have drawn the boundary in that way. It seems to me to exclude a number of common inhabitants of the farmyards I grew up on, such as dogs, pigeons, cats and, indeed, horses. I do not know how horses, even New Forest ponies, come in under the definition of livestock in the Bill and I cannot find a place for maggots, although maggot farming is still an active business in this country. Other than that, Amendment 68 seems on the prescriptive side, although it reminds me of my cousin, who was shipped out to Australia with a one-way ticket and found himself on Intercourse Island in Western Australia castrating sheep with his teeth.

**The Earl of Dundee [V]:** Amendment 44, which is in my name, seeks financial assistance to encourage the rearing of livestock outside as opposed to factory farming. Outdoor rearing of animals reduces the use of antibiotics. Too many of those in farming have already undermined the efficacy of antibiotics in British medicine. Equally, animal-to-human transmission of diseases is far more likely to occur when animals are farmed indoors—for example, Covid-19, SARS, swine flu, avian flu et cetera. The grazing of animals outdoors also benefits crop rotation, since they keep soils healthy without the overuse of synthetic fertilisers. Animals reared on good quality pasture also produce less CO<sub>2</sub> and methane compared to those reared indoors and fed on animal feed.

**Baroness Jones of Moulsecoomb [V]:** My Lords, I am speaking to my four amendments in this group and I obviously heartily support Amendment 77, which was tabled by my noble friend Lady Bennett. My amendments are focused on improving animal welfare. They would also ensure that minimum standards are

enforced and that no public money is given to the most harmful farming practices. Amendment 66 would prevent financial assistance being given to a number of cruel farming practices such as mutilations, including debeaking, tail docking and tooth pulling without anaesthetic. Castrating sheep with your teeth would also most definitely be included. The amendment would require publicly funded farmers to keep animals in species-appropriate numbers, not exceeding specified stocking densities or certified levels of illness and disease. Public money should not be used to support animal cruelty. That is the purpose of the amendment.

Amendments 125 and 136 would require the Secretary of State to consider animal welfare specifically when planning and reporting financial assistance. These amendments are important in putting animal welfare at the forefront of the Minister’s mind, and in ensuring that the health and happiness of our farm animals does not fall behind other priorities, such as profit.

Finally, while much of the Bill is focused on offering farmers and land managers a financial carrot, my Amendment 225 will bring a big stick for those who refuse to adopt even the most basic standards of environmental protection and animal welfare. I loathe the concept of new criminal offences, although I accept that sometimes they are necessary, and I think this is necessary. While the Government might not choose to adopt such a harsh approach as imposing criminal liability, I want at least to draw attention to the apparent lack of any plan to raise the standards of those who consistently fall behind and refuse to bring themselves up to modern standards of farming and land management. As always, I look forward eagerly to the Minister’s assurances on animal welfare and hope that he or she will specifically address what will be done about those farmers who lag behind.

**Baroness Boycott [V]:** I support the noble Baroness, Lady Bennett, and all the amendments that the noble Baroness, Lady Jones of Moulsecoomb, just addressed. We currently have 65 billion farmed animals on this planet, and 80% of livestock is kept at the moment in various kinds of cage. That is a truly terrible thing for us all to know. They are kept in cruelty, in the main. I always say that if, as a country, we factory farmed Labradors, the whole country would grind to a halt in about two minutes. I used to keep pigs, I played football with them, and they are just as engaging as any dog.

I add my support to Amendment 77, which is about community engagement and involvement, and I want to bring to the Committee’s attention a scheme called Capital Growth, which I started when I worked for the then Mayor of London, who is now Prime Minister. We began it in 2008 with a plan to create 2,012 new community gardens in London. Now, 12 years later, we have 2,500. We have 200 acres of London that were derelict and are now growing gardens with 100,000 volunteers. I have listened today to many speeches, including the noble Lord, Lord Adonis, talking about city farms, which are much more difficult to achieve, and the noble Earl, Lord Caithness, talking very eloquently about rubbish. He mentioned the fact that if an environment is in decay, people do not keep it. What this scheme proved was that you can turn the most derelict area around, you can bring a community

together and you can teach children, which has again been a big subject through the day. You can teach children that, indeed, spaghetti does not grow on trees, which one child said to me, or, as one noble Lord mentioned, that cheese is not a plant.

This was a cheap scheme. We spent very little money on it, it was very viable, and I hope that we can, as we run up to the climate talks in Glasgow, now postponed for a year, take this scheme countrywide. I am thrilled that the Minister for the Environment is interested and I hope, given that it is a very viable scheme and extremely cost-efficient, we can have it in every school. I have watched a school where there were 54 languages and the teacher was explaining mathematics to someone who had no English at all by holding out 12 beans and saying, “Plant these in three rows.” You can do magical things like that and I commend the scheme to the House. I am very pleased to be part of this debate and to support the various amendments, especially those around animal welfare.

**Lord Rooker [V]:** My Lords, I shall speak briefly to three of the amendments. Amendment 26, which I thoroughly support, reminds me of the situation when we went into government in 1997 and the department was MAFF; we are not talking about Defra. Jack, now my noble friend Lord Cunningham, who was the Minister, decided to split responsibility between me, on animal health in the middle of the BSE crisis, and Elliot Morley, on animal welfare. It was not creative tension, because we worked incredibly well together, but the fact is that these were two sides of the same coin—it is as simple as that. To separate them, it seemed self-evident to me, created a technical lacuna, and that should be corrected by accepting Amendment 26.

7 pm

On Amendment 44, I agree that outdoor livestock is idyllic—I will come to another aspect of that—but it will not give us enough food. We will run out of land; there will not be enough land for the animals. If you can do it, outdoor is better than indoor, but we cannot provide the food we need for our people if everything is outdoor.

Towards the end of his speech, the noble Earl, Lord Caithness, said that we caught bluetongue from the EU. I suppose technically he is correct, but I was the Minister responsible at the time in Defra, from 2006 to 2008; we were warned by the weather forecasters—it was an amazing exercise; the weather across the channel and the North Sea is watched incredibly closely—that a plume had left the coast of Belgium and Holland and was heading to the English coast in Suffolk. That plume brought bluetongue. You can argue that it came from continental Europe, but it came through the plume and the weather. I remember going to meet and congratulate the vet who discovered the first animals with bluetongue in Suffolk.

I thoroughly agree with every aspect of Amendment 68, which I consider the main amendment, but I would not want it to be looked at as an excuse to oppose intensive food production. I think, and have seen examples of this in the past, that you can have both. You can have intensive food production, which is called factory farming—people do not like factories; I

spent all my working life before I became an MP in factories, but not ones with animals—but it can be misused, and I would not want that.

I agree on battery cages. The supermarkets, which control a lot of the food sold in this country, have gone out of their way to make sure that eggs are produced in a much healthier, more environmentally friendly and welfare-friendly way than they used to be. Battery cages have gone. Colony cages are going and barn egg production is being introduced. I have sat in on meetings where suppliers have discussed with supermarkets how they will modify their process. It can be done, but it is in a building. It is called “factory farming”; that is the absolute reality.

There was reference earlier to chicken sheds. I do not know the current figure, but the one I always use is that we slaughter 800 million broilers, after, I think, 35 to 38 days, when they weigh a certain amount. We do it in about six factories, as far as I recall, so it is quite intensive production. I have been in the sheds with 20,000 broilers pecking on the floor, all free to move around. There is no odour; it is warm and light. On one occasion in such a shed the farmer said that they checked their welfare about every couple of hours. The way they do it in such a large shed is to make it all go quiet. He used a whistle; there were 20,000 chicks spread around on the floor—quite a lot of noise, as you can imagine—and this sound killed the noise stone dead. There was total silence, except for one chick which was coughing away. He said, “That’s how we spot whether there’s an animal not feeling well. Get the shed quiet and listen for the noises.”

I am not saying that it is like this all the time, but I am certain that the intensive producers are very conscious that they want to produce welfare-friendly food. We may not like the look of it—it is not free range—but the fact is that there are 800 million of them. You can always tell people—I used to say it as well—of chicken sandwiches bought in London that that chicken was raised, slaughtered and cooked in Vietnam or Thailand.

That was the reality and probably still is for a lot of chicken today. The margins are infinitesimal in the poultry industry; if it is tuppence per kilogram, I would be amazed. So, there is an issue here. I live in Shropshire. I have not been in any chicken sheds in Shropshire, although I have walked past some—I have not been in any in Herefordshire either, by the way—but I am in favour of using our land to produce as much of our food as possible, whether in glasshouses, polytunnels or sheds. We have loads of land that we can still use as countryside.

My final point is on antibiotics. I know to my certain knowledge that some of the big supermarkets have run schemes to cut down on their use. It is in their interest to do so and they want to be able to boast that there is a reduction from their suppliers. I have sat in on meetings between supermarkets and suppliers where this has been discussed. One area where there seemed to be a big issue was game. I am a bit out of date; it was about three years ago, and I have lost a year. I am not attacking the game industry, but there was an excessive use of antibiotics in that industry.

I know there have been reductions, but I agree entirely with Amendment 68. I do not think we should pay farmers to produce food following the practices



[LORD ROOKER]

listed in Amendment 68. They have to be eradicated. However, I would not want this to be used to say, “Well, this is the case, therefore we should have everything outdoors, everything free range, nothing inside a building”. If that is the case, we will not be able to provide for our people, inside or outside the EU.

**Baroness McIntosh of Pickering [V]:** My Lords, it is a pleasure to welcome back the noble Lord, Lord Rooker, who is on such fine form. I thank my noble friend Lord Shrewsbury for bringing forward this excellent amendment. I will ask my noble friend the Minister one specific question, which follows on directly from what the noble Lord, Lord Rooker, just said. I am conscious that many livestock producers, predominantly pig producers, have cut down heavily on the use of antibiotics, at some considerable expense. As I understand it, the alternatives are a great deal more expensive. Will the Minister confirm that Clause 1(1)(f) will enable alternatives to be covered by the provisions of financial assistance under that clause? I entirely endorse the thinking behind what my noble friend Lord Shrewsbury said. It is absolutely right to see animal health and welfare as interdependent.

**The Duke of Wellington (Non-Aff) [V]:** My Lords, I had intended to withdraw to speed up proceedings, but now that I have been called I will simply say that I support the principle behind Amendment 44. It is in my opinion desirable, where the terrain and climate admit, to winter animals outside. It is good for their health. Therefore, I totally support what is behind that amendment. I need say no more.

**Baroness Ritchie of Downpatrick [V]:** My Lords, I support Amendment 26 in the name of the noble Earl, Lord Shrewsbury. I live in the countryside, albeit I am not involved in farming, and I have always believed that there is interdependence and a symbiotic relationship between health and welfare when it comes to livestock: both go together. I want to probe the Minister to find out why it should be an either/or subject. The majority of noble Lords who have spoken this evening have said quite clearly that it should be conjunctive—health and welfare.

I take on board what the noble Baronesses, Lady Jones of Moulsecoomb and Lady Bennett of Manor Castle, said about animal welfare. Of course animal welfare is important because we must have good animal husbandry if we seek to have a sound, productive system that provides health and well-being. We therefore need health and welfare in terms of good livestock and that symbiotic relationship, but we also need to ensure there is good-quality food that people can access—food security, not food insecurity. I am happy to support Amendments 26, 125 and 136, as long as noble Lords recognise the importance of health and welfare together. I also welcome back the noble Lord, Lord Rooker, who, I must say, is looking very well indeed. I wish him well.

**Lord Inglewood [V]:** My Lords, I am sure contributors are right to distinguish between animal health and animal welfare. The important thing is to combine the two: you can conceive of an animal being entirely healthy but having extremely unsatisfactory welfare conditions.

Therefore, regardless of how you draft provisions, it is important that each is recognised as an independent concept. Support for livestock farming should be dependent on the satisfactory standards being reached in respect of each. I should declare that I am a livestock farmer and president of the Livestock Auctioneers’ Association.

The core issue we are discussing with these amendments was articulated by the noble Baroness, Lady Boycott, earlier when she said that animals should have a good life and a good death. That must be the starting point.

Like many of your Lordships, I am also delighted to see the return of the noble Lord, Lord Rooker, who combines expertise and robust common sense about these things. Of course, he is right. I personally do not like factory farming, but one has to recognise that, to feed our population, various forms of intensive animal husbandry will take place. I hope we can improve the standards of welfare that the animals experience over time and there must be a level below which the standards should now not be allowed to fall.

Against this background, it seems entirely appropriate that welfare and health should be a component of any support that might be provided for animal farmers. First, it must be right that the conditions in which animals live have to be above a certain minimum. Secondly, it is worth remembering that you have to move animals about. The conditions in which they are moved must also be appropriate. Finally, of course, we must turn our attention to the food on the shelves of our supermarkets and shops. No doubt we shall go back to this at a later stage in the proceedings and the Bill, but I have serious problems with the standards experienced by animals that are dead on the shelves, which would in no way be permitted if they had been reared in this country. That was the point that the noble Lord, Lord Rooker, alluded to.

It is a difficult problem for the reason one of the noble Baronesses gave: we are not creating new criminal law here. Issues of animal welfare depend on the animal, not on the system of agriculture in which it is reared. While I do not believe that animals have rights, I do believe that we have obligations towards them, which we jolly well must honour.

7.15 pm

**Lord Trees (CB) [V]:** My Lords, I am delighted to speak on this amendment. I very much welcome the inclusion in the Bill of the recognition that animal health and welfare is important and worthy of support. I want to speak particularly to Amendment 26. I declare an interest as co-chair of the All-Party Parliamentary Group for Animal Welfare.

I have huge sympathy for the amendment, but I have a reservation about the word change that I hope to be able to explain satisfactorily. There is of course no question that health and welfare are frequently interrelated. Disease and ill health almost always have a welfare consequence. However, there may be situations and indeed desirable welfare objectives where health is not immediately involved, and I think the current wording reflects that. The noble Lord, Lord Inglewood, who spoke just before me, articulated that point pretty well.

I interpret the current wording not as an either/or situation but rather that the protection or improvement of both health and welfare are included as eligible for financial assistance. Another way of looking at this is to conceive of a Venn diagram, with health as one circle and welfare as another. While the two overlap hugely, there may be elements of welfare in particular that do not have an immediate health relevance. For example, enabling animals to be able to better express normal behaviour may not have an immediate health issue. Were “or” to be replaced by “and” in this paragraph, thinking of the Venn diagram, one might argue semantically that only where both health and welfare interact would support be given and, ironically, I think that would be more restrictive than as currently conceived and, indeed, than the noble Earl, Lord Shrewsbury, and his fellow movers would want.

I would welcome an assurance from the Minister that my interpretation of this paragraph is indeed what the Government intend, in which case I am content with the current wording—with apologies to the noble Earls, Lord Shrewsbury and Lord Caithness, and the noble Baroness, Lady Hodgson, who I know are extremely committed to animal welfare, as indeed am I.

**Lord Dobbs (Con) [V]:** My Lords, I apologise for not being able to join the House for the discussions on Tuesday. There was an IT hitch and I was virtually silenced. Like so many of your Lordships, I do so hate virtual. However, it has been a pleasure to follow the debate and to listen to so many expert ideas and views. I was particularly struck by the debate that was just recently led by the noble Lord, Lord Greaves. I was delighted to hear from the noble Lord, Lord Cameron of Dillington, that my old hometown of Bridport is flourishing.

This is a terrifyingly long list of amendments to get through, so I shall try to be brief. I remind noble Lords that the devil lies in the details of many of these amendments, of course but also in their sheer weight. When the list of amendments is almost as long as the Bill itself, I fear there is a real danger of ending up with a piece of legislation so cumbersome that it simply gets bogged down in the mud.

In that spirit, I am happy to speak in favour of Amendment 26 in the name of my noble friend Lord Shrewsbury and others. Replacing “or” with “and” seems such a small change—I am not sure I entirely agree with the noble Lord, Lord Trees, although we have to consider very carefully the points that he has just made—and I thought my noble friend Lord Shrewsbury spoke very clearly and eloquently.

The amendment helps emphasise that health and welfare, if not exactly the same, are certainly two sides of the same coin, which leads to better outcomes for not only livestock but consumers. Without repeating any Second Reading discussions, consumers are the key to so many of the issues raised by so many of the amendments. Consumers want better food and wider choice at affordable prices. They have no interest in a race to the bottom. That is why I suspect most of us would be delighted to see more livestock raised outdoors, as the amendment in the name of my noble friend

Lord Dundee suggests. I appreciated the wise and learned comments of the noble—and newly restored—Lord, Lord Rooker.

However, I feel much less sanguine, I am afraid, about some of the other amendments, such as Amendment 68, in the name of the noble Baroness, Lady Jones of Moulsecoomb, and others. The experience of the cousin of the noble Lord, Lord Lucas, in Australia notwithstanding, these amendments would add all sorts of unnecessary chains and handcuffs to the legislation and perhaps make it worse. Amendment 68 and other amendments like it—Amendment 77, for instance—would change the tone of the Bill and add to its complexity and would help make British farmers less competitive.

There has to be some consistency in all this. If we worry about imports of substandard chickens, for instance, it is counterproductive to make chicken less competitive, placing even more reliance on imported chicken by raising barriers for British chicken farmers. If all we are doing is to permit or enable imports of more chickens from the other side of the world, we are simply shifting the problem elsewhere. We must try to find a balance if we are to provide effective legislation.

So much in Amendments 77 and 125 is very worthy and I have no objection to the principles and values, but we have to concentrate on one prime objective, which is delivering a piece of legislation which is practicable and workable and enables British farming to flourish. In my view, the last three amendments I have mentioned are likely to undermine that objective of balance and practicability so, despite their fine objectives, I hope that they will not be pursued.

**The Deputy Chairman of Committees (Lord Russell of Liverpool) (CB):** I now call the noble Baroness, Lady Hodgson of Abinger, to complete what she was unable to finish earlier.

**Baroness Hodgson of Abinger [V]:** I hope that the technology is working better now. I am not sure how much your Lordships heard before, but I am speaking to Amendment 26 in my name and those of my noble friends Lord Caithness and Lord Shrewsbury.

Many points have been put forward powerfully already and I do not wish to repeat them. However, I do think that health and welfare are intrinsically linked. Sometimes health needs to be protected because there are farming systems that are less welfare-friendly and may cause health issues and thus need more health interventions. I am thinking particularly of indoor intensively farmed poultry and pigs.

I was interested in what the noble Lord, Lord Trees, had to say. I have enormous respect for him and I know that he has vastly more experience than I do. But bad welfare, although it does not always cause immediate health issues, causes animals stress. To be anthropomorphic, in people that would be called mental health issues. That can lead to health issues in the long term. I just make that point.

I hope that we can replace “or” with “and” to ensure the highest welfare for poultry and livestock.

**Baroness Bakewell of Hardington Mandeville [V]:** My Lords, the first of these amendments is Amendment 26, to which the noble Earls, Lord Caithness and Lord Shrewsbury, and the noble Baroness, Lady Hodgson of Abinger, have spoken. They have put their names forward and spoken very eloquently. It seems to me that protecting or improving the health and welfare of livestock should not be an optional extra; we should be protecting and improving both health and welfare. I hope I am not jumping the gun when I say that I expect the Minister to say that there are occasions when it is not possible to do both. I fear I will need an extremely good example to be persuaded. It seems nonsense that the two should not go hand in glove together; one surely cannot be mutually exclusive of the other. I have listened with interest to the noble Lord, Lord Trees, but I remain unconvinced—though I am not an expert.

I fully endorse the noble Earl, Lord Dundee, in his Amendment 44 and his wish to encourage livestock to be reared out of doors; it is undoubtedly more healthy. However, the weather in England can be very inclement in the winter, and I would not wish to see cattle standing knee-deep in liquid mud in a field which in summer months would be lush, green grass. I think there is a balance to be struck to accommodate winter storms. While I support this amendment, I wonder if there is an element of what we, as a population, would like to see. It is very pleasing and restful on the eye to see animals grazing in the open fields and not being reared in large barns. We need to be sure that this is truly about animal welfare and not just aesthetics.

Animal welfare has to be improved and the practices listed by the noble Baroness, Lady Jones of Moulsecoomb, are not necessary and should be stopped. Like her, I believe that the way in which we rear and treat animals shows what kind of a nation we are. I support the list of restrictions under Amendments 68 and Amendments 125 and 225.

While the contribution from the noble Lord, Lord Lucas, was interesting, it could fall into the category of too much information.

Lastly, I turn to Amendment 77, in the names of the noble Baronesses, Lady Bennett of Manor Castle and Lady Boycott; I support this amendment. There has been much written and said about the effect of greenhouse gas emissions by cattle, and the country's reliance on beef as part of its staple diet. There is no doubt that if we all ate less meat and more fruit and vegetables, we would be healthier. It is not that eating red meat is unhealthy; it is more about the quantities we eat.

I support financial assistance being given to farmers who are attempting to transition from livestock to plant-based production, as there is obviously a rise in the number of people turning to vegetarianism or veganism. However, it would be extremely dishonest of me to say that I would follow this route. Like others, I try to follow a balanced diet and eat different proteins each day of the week, but I readily admit that, for me, there is nothing quite like the taste of a roast joint or grilled chops, and I am a great fan of shepherd's pie. Though I do have a vegan cookbook, it seems to me that an awful lot of vegan ingredients are needed in

order to replicate the taste of meat and cheese. I have the greatest respect for the work done by the noble Baronesses, Lady Boycott and Lady Bennett, both in and outside the House, and I wish them success with their amendment. But I fear that they will think I have let the side down by being a true supporter of British farm-reared meat.

**Baroness Jones of Whitchurch (Lab):** My Lords, I am grateful to all noble Lords who have spoken in this group, who have all in their different ways raised important questions about how we can enhance animal welfare standards in the UK. The UK has a good record of animal welfare policies, but there is always more that we can do to improve the policies still further. It is equally important that, when we leave the EU, our existing protections are not undermined or traded away.

It is vital that we do not allow our high standards to be undermined by the imports of products with lower environmental and animal welfare standards. This is an issue that I know a great many noble Lords care deeply about, and it is also a concern shared by the British public. This of course is why the Conservatives made a manifesto commitment not to compromise these standards, and why we have tabled Amendment 271, which would enshrine our high standards in law. I hope that when we reach that debate, at a later stage, noble Lords will support our position.

7.30 pm

In the meantime, we have a number of amendments in this group that enable us to spell out in more detail what good animal welfare practice is and how it should be rewarded. First, I agree with the noble Earl, Lord Shrewsbury, and others that the health and welfare of livestock should go hand in hand, and that the current wording is not a good reflection of what we all aim to achieve. I listened with care to the noble Lord, Lord Trees. I have the greatest respect for him, but I am not sure that I am with him on this point. The proposed amendment would not make it too restrictive and he has, in a sense, overanalysed what the intent of its wording is about. I support the amendment.

I also agree with the noble Earl, Lord Dundee, that we should be incentivising the rearing of livestock outside, in their natural habitat, rather than in indoor factory farms.

I listened to the words of my noble friend Lord Rooker, who is enormously wise and experienced on this issue, but I feel that we have to see this in a wider context: we are going to have to move to a more plant-based diet across this country. In that context, we can move away from intensive animal farming to having less meat in the diet—and that meat which we have being raised to higher welfare standards. That is a big ask and a big issue, but it is the direction in which we need to go, for the sake of our environment and of people's health in this country.

Amendment 68 in the name of the noble Baroness, Lady Jones of Moulsecoomb, raises concerns about the strict confinement of livestock and some of the cruel and unhealthy practices which have traditionally been associated with livestock farming. She also raised the overuse of antibiotics. Although there have been a



number of measures from the Government about cutting down on their overuse, I agree that more could be done to incentivise the non-use of antibiotics, except in emergency cases.

We agree that any payment should incentivise good animal husbandry, which should be above and beyond a legal minimum, rather than just supporting the status quo. This is a theme followed up in our Amendments 296 and 297, which we will deal with later. They place limits on the density with which cows and pigs can be reared and encourage raising them in more natural habitats. We welcome these proposals but, once again, we are debating some issues which will arise again in a later context. I apologise for that.

The amendments of the noble Baroness, Lady Jones of Moulsecoomb, also raise the issue of penalties for animal cruelty on farms. I agree that we need to have a better system for monitoring animal welfare standards, to ensure that finance cannot be claimed where poor standards are identified and that legal action is taken where necessary, even where that legal underpinning already exists. I thought that the noble Lord, Lord Inglewood, was right to say that this is about not just cruelty on farms but the transportation and moving of livestock. That was a point well made, which needs to be borne in mind as well.

As ever, the noble Lord, Lord Lucas, tried to get us to think outside the box with his amendments, which would extend the definition of livestock to include dogs, cats, pigeons and horses. When he spoke, I half expected him to mention hounds for hunting; I am glad that he did not go there, because that would have made it worse. I am not in any way sure about this amendment, which I feel is pushing the boundaries of financial assistance rather wide.

Finally, the amendment tabled by the noble Baroness, Lady Bennett, proposes a consultation on the transition from livestock to plant-based production, and she is absolutely right to raise this issue. We know that a plant-based diet is healthier for people, which was a point also made by the noble Baroness, Lady Bakewell, and it contributes less to our greenhouse gas emissions. It can also help to address food poverty, so it should be a central part of public health policy, and the Bill should play its part in delivering that. I agree with the noble Baroness, Lady Boycott, that community engagement has an important role to play in this. It can bring people closer to the land and help them to understand how plants are grown and nurtured.

We welcome these amendments. They reinforce the fact that we all want to move to a healthier diet but that, where animals are reared for consumption, we agree that strict welfare standards should apply in all cases. We also agree that financial assistance should be focused on driving up those standards to beyond the legislative minimum rather than simply rewarding the status quo. With those comments, I look forward to the Minister's response.

**Baroness Bloomfield of Hinton Waldrist:** I am grateful to all noble Lords who have taken part in this interesting and important debate on animal welfare. I shall say at the outset that I think we all want the same thing: we want the UK to be known for maintaining the highest possible standards in animal welfare. I am grateful to

my noble friend Lord Shrewsbury for moving Amendment 26 and thus giving us the opportunity to have this debate.

The United Kingdom is already a world leader in animal welfare, and the Government are committed to retaining that status by maintaining and indeed strengthening our standards. My noble friend Lady Hodgson and the noble Baroness, Lady Ritchie, were correct about the symbiotic relationship between animal health and welfare, a point also made by my noble friend Lord Dobbs. I assure my noble friend Lord Shrewsbury that the current wording in the Bill is inclusive and provides for funding measures that support both animal health and welfare. The clause allows us to give assistance to make improvements in animal health without there also having to be a welfare benefit, or to welfare without there being a health benefit. An example of animal health without welfare improvement is enrichment through the provision of mechanical brushes for cows, while another might be the proximity of smaller slaughterhouses to reduce the number of miles that cattle have to travel, even if that does not necessarily enhance their health. The noble Lord, Lord Trees, is correct to point out that we intend to provide financial assistance in both areas. His illustration of a Venn diagram of how, when health and welfare interact, they are a smaller part of the whole was quite powerful.

The Government's animal health and welfare pathway recognises the interconnection between animal health and welfare. It is about working in partnership with farmers, vets and their representatives to develop pragmatic actions that improve the health of livestock. Given that freedom from disease is one of the five key animal welfare freedoms, I can reassure my noble friend that in practice we will support both animal health and animal welfare. My noble friend Lord Caithness was correct to mention the need to build up greater animal resilience to disease, and I underline the credentials of my noble friend the Minister in this area.

I turn to Amendment 44 tabled by my noble friend Lord Dundee and Amendment 68 in the name of the noble Baroness, Lady Jones of Moulsecoomb. All animals, whichever system they are kept in, are protected by comprehensive and robust animal health, welfare and environmental legislation. This is further supported by species-specific welfare codes. Stockmanship and the correct application of standards of husbandry, whatever the system of production, are key to ensuring the good welfare of all farmed animals. This reflects the advice of our expert advisory body, the Animal Welfare Committee.

In the Government's *Farming for the Future: Policy and Progress Update*, which was published in February, a comprehensive set of measures is set out to further improve animal welfare in England. The Government's approach is based on working on three interrelated areas. The first area ensures that the baseline regulatory requirements will maintain our current high standards and continue their rise in future. Improvements should be sustainable for the sector and should be informed by the latest science and best practice. The second area of work aims to improve transparency for consumers so that they can make informed purchasing decisions

[BARONESS BLOOMFIELD OF HINTON WALDRIST]  
that reflect their animal welfare preferences. Finally, using the powers in Clause 1, the Government are developing publicly funded schemes to provide animal welfare enhancements beyond the regulatory baseline that are valued by the public but are not sufficiently supported by the market. We are working closely with the Animal Welfare Committee to ensure that any future scheme is based on the best scientific evidence available. Here I am mindful of the comments made by the noble Lord, Lord Rooker. While outdoor rearing might be best for animals, land really is a scarce resource.

I turn to Amendment 95 tabled by my noble friend Lord Lucas. In other legislation such as the Agriculture Act 1947, “livestock” covers domesticated animals and birds that are raised to produce commodities such as meat, milk, eggs, leather, fur or wool. This Bill follows the existing definition of livestock, which is widely understood and relied on by those in and beyond farming.

Considering the case of farm dogs, it is difficult to draw the line between working dogs and dogs which are primarily companion animals. I reassure my noble friend that whatever the purpose of a dog’s presence on a farm, its health and welfare are still covered by the Animal Welfare Act 2006, which makes it an offence to cause unnecessary suffering to any animal and contains a duty of care to animals. That is part of the wider approach the Government have taken to the welfare of animals: for example, the ban on puppy farming, which was brought in through Lucy’s law. I do not have a line on maggot farming.

The Bill is the result of extensive consultation, including responses to the *Health and Harmony* Command Paper and discussions with the farming industry, vets and others. We have focused on farmed animals as the best way to drive up welfare standards, which is why the current definition is about production animals and does not include working animals such as farm dogs.

On Amendments 125 and 136 from the noble Baroness, Lady Jones of Moulsecoomb, the *Farming for the Future* policy update last February set out the Government’s work to develop financial assistance schemes to farmers to provide animal welfare enhancements. That work will inform the multiannual plan on these schemes, which are expected to come into operation during the seven years covered by the plan. The Government intend to set out further information on the early years of the transition in the autumn. The annual financial reports required to be published by the Secretary of State under Clause 5 will include the amount of financial assistance given through animal welfare schemes. Under Clause 6, the Government will publish reports that assess the benefits realised as a result of their animal welfare schemes.

On Amendment 225, again from the noble Baroness, Lady Jones of Moulsecoomb, I understand her concerns, but domestic legislation already protects animal welfare and environmental standards. For example, the Animal Welfare Act 2006 provides offences and penalties for those failing to meet animal welfare standards as required by law. Section 4 provides for offences connected to causing unnecessary suffering of an animal, and Section 9 provides for offences if steps are not taken to provide for an animal’s needs. Likewise, the reduction and prevention of agricultural diffuse pollution regulations

makes it an offence to fail to meet environmental standards in relation to water. Section 11 makes it an offence to fail to comply with the regulations, and provides that the offence is punishable by a fine. These current rules, which I use as examples, ensure that those responsible for causing the harm, whether that be animal welfare or environmental, are those punished, and we have banned many cruel practices, such as battery chicken farms. It was interesting to hear from the noble Lord, Lord Rooker, speaking from his personal experience of looking round a broiler chicken factory farm, about how the farmer identifies his sick birds. I should also say that there has recently been a 53% fall in the use of antibiotics by farmers, which can only be welcomed.

On Amendment 77 from the noble Baroness, Lady Bennett, animal welfare is hugely important to the British public and indeed to all noble Lords who have spoken in this debate. In addition to the points already raised, I draw her attention to the aspects of the Bill which allow the Government to support plant-based production. Clause 1(2) allows the Secretary of State to give financial assistance in England for the purposes of starting or improving the productivity of a horticultural activity or for certain ancillary activities such as selling, marketing and preparing products derived from horticultural activity.

I have answers to the two other questions that did not fit into my speaking notes. My noble friend Lady McIntosh asked whether there would be funding for alternatives to antibiotics. Having already mentioned the welcome 53% reduction in the use of antibiotics, I say that Clause 1(1)(f)—I think it is paragraph (f)—covers alternatives to antibiotics. The noble Baroness, Lady Boycott, mentioned the worthwhile initiative of city farms, and Clause 1(2) could include those initiatives for support.

I hope that I have given sufficient reassurance and that my noble friend Lord Shrewsbury will feel able to withdraw his amendment.

**The Earl of Shrewsbury [V]:** My Lords, I am most grateful to all noble Lords who participated in this interesting discussion, especially my noble friends Lord Caithness and Lady Hodgson, who I am delighted felt it fit to support me. I am also most grateful to the Minister and her officials.

All the way through this discussion, which I found very interesting, I kept having *déjà vu*. Many years ago, when I was much lighter, braver and fitter, and did not have grey hair and a large stomach, I rode in a steeplechase in a wonderful place called Newton Bromswold. All the way around that three-mile course, I knew I was going to win, until I came to the winning post, and was beaten by a short head, having misjudged the thing. My noble friend Lord Denham was the Chief Whip in this House then and I had only just come here. He was in the crowd watching the race, and when I got off the horse, he said to me, “You just rode very well indeed, young Shrewsbury, but you really do need a new set of spectacles.” I will go away, consult, think about this again and read *Hansard*, and on that basis, I beg leave to withdraw the amendment.

*Amendment 26 withdrawn.*

*Amendments 27 and 28 not moved.*

7.45 pm

**The Deputy Chairman of Committees:** We now come to the group beginning with Amendment 29. I remind noble Lords that anyone wishing to speak after the Minister should email the Clerk during the debate. Anyone wishing to press this or any other amendment in this group to a Division should make that clear in debate.

*Amendment 29*

*Moved by Lord Lucas*

**29:** Clause 1, page 2, line 25, at end insert “and of the organisms that live within it.”

Member’s explanatory statement

This amendment clarifies what ‘soil’ includes.

**Lord Lucas [V]:** My Lords, in moving Amendment 29, I shall also speak to Amendment 217. Amendment 29 is relatively simple; I am looking for reassurance from the Minister that when we are setting out to enable ourselves to protect and improve the quality of the soil, we are including the animals, plants and fungi that live within it and, together, make it useful as a substrate for growing plants and as a foundation for the ecology of the land.

Soil is often considered to be just a collection of minerals. In school, you look at how much sand and mud there is in a sample. The things that live in it are generally too small to notice, except for the odd worm. I want to be clear that we are talking here about the health of the soil as an organism—a living thing, not just a collection of bits of rock.

Amendment 217 follows on from that in a much more substantial way and asks that we set up a national soil monitoring programme. It is agreed that our soil is not in as good health as we would like. Over recent decades, it has probably been deteriorating. If we are to change that, and look after it, and get ourselves back into the sort of situation we would like to be in, we need data and information. We need to know where we are now and watch, as the decades roll by, what progress we are making towards where we ought to be. To do that, you need a soil survey. It is not vastly difficult or expensive. You just lay out a grid of locations across the UK and take soil samples, measure them, preserve them and go back again a few years later. It is something that most developed countries do automatically; it is something that we used to do but gave up doing. But with all the ambitions in this Bill, and the fundamental importance of soil to most of those ambitions, it is something that we should do again. I beg to move.

**Lord Teverson (LD) [V]:** My Lords, I declare an interest as co-chair of the Cornwall and Isles of Scilly Local Nature Partnership. I will speak to Amendments 40, 42, 84 and 97. I thank the noble Baronesses, Lady Bennett of Manor Castle, Lady Young of Old Scone and Lady Ritchie of Downpatrick, and the noble Earl, Lord Caithness, for their support for all or some of these amendments.

The amendments are about agroecology and agroforestry, two areas of agriculture that have become more and more prominent in understanding and importance, and that in many ways reflect some of the

best agricultural practices over many years. I welcome the Government mentioning agroecology in the Bill, at the top of page three, but recognise that it is done in a way that defines “understanding the environment” and is in the Bill in relation to access to and enjoyment of the countryside, rather than necessarily as a technique for farm management. However, it is becoming more and more mainstream, and it would be very useful if the Bill were to recognise it specifically as an area of support under the financial regime we are talking about here.

Agroecology is primarily about whole-farm management in an environmental sense, particularly the conserving of natural resources, and not least soil fertility, which is much more prominent in our discussions these days. I welcomed Michael Gove, when he was Secretary of State at Defra, ensuring that this was prominent in the 25-year environmental plan, and I agree with the noble Lord, Lord Lucas, about the importance of tracking the health of our soil. Agroecology is also about biodiversity. We have all sorts of challenges in biodiversity, not only worldwide but equally in this country, where it is very depleted. Crop diversity within agroecology is one way that we can boost biodiversity, particularly at a farm level.

Agroecology is also about balancing inputs and having lower inputs than we need at the moment. A low carbon footprint provides low pollution, thereby, we hope, helping human health. Low input does not necessarily mean low output; it means that we work in a much more intelligent way. I was very interested in the contribution from the noble Lord, Lord Cameron of Dillington, about how we could improve our output without increasing input.

Agroforestry is equally important. It is about not only forestry but combining agriculture and trees. Obviously, agroforestry has big pluses in terms of climate change, providing shade for livestock and some other crops. We sometimes forget that trees provide crops—not only the apple orchards that I have here in Cornwall, but also other fruits and nuts. It is also about soil improvement and, not least, natural water management, which is a key part of our adaptation plan in the climate change actions that we hope to undertake as a country as we move towards net zero in 2050.

Agroecology and agroforestry resonate very strongly with the nature recovery networks that we will consider when the Environment Bill finally comes to this House. Agroecology and agroforestry are not about replacing every other system in terms of these amendments and this Bill. We are looking for recognition that this is an important part of improving the environment and our countryside’s biodiversity, while having a type of farming that remains commercial. The financial changes would be a very important way of farmers moving from one form of agriculture to a better and less input-led form. The ELMS and financial changes taking place as a result of this Bill can really help the countryside, help farming and help biodiversity.

**Baroness Ritchie of Downpatrick [V]:** My Lords, this group of amendments deals specifically with the management and custodianship of the environment. I have added my name to some of them.



[BARONESS RITCHIE OF DOWNPATRICK]

I believe in the principle of public money for public goods to achieve good soil health and biodiversity. To get to that stage we need to employ nature-friendly farming methods, agroecology and agroforestry. In that respect, I support Amendments 39 and 96 in the name of the noble Earl, Lord Caithness, which clearly seek to put nature-friendly farming in the Bill and ensure that financial assistance is targeted at and supports nature-friendly farmers and land users who carry out nature-friendly farming practices on their land.

A considerable number of farmers throughout the UK now employ nature-friendly farming; there are many of that type in Northern Ireland. They have restored biodiversity and some of them use organic methods, but above all they have produced good, healthy food that contributes to our health and well-being. That is something we should support.

I agree with what the noble Lord, Lord Teverson, has just said, because there should be direct references in the Bill to “whole farm agroecological systems”. That is in Amendments 42 and 97. Amendments 40 and 84, also in the name of the noble Lord, Lord Teverson, and Amendment 41 in the name of the noble Earl, Lord Dundee, seek to add agroforestry to the Bill. This is an important practice for the diversification of farming, meeting our national tree-planting targets and bringing overall benefit to our natural environment.

These methods help address climate change and produce food, so I think we need to move to this type of farming, which complements livestock and other types of farming. The most important thing about nature-friendly farming, agroecology and agroforestry is that they are good not only for land and biodiversity but for landscape development and renewal of our soil. I was very much taken by the point made by the noble Lord, Lord Lucas, that there is probably a need to regenerate the soil because it has been leached of various nutrients over many years due to intensive agricultural production methods.

I support Amendment 120, which

“allows the Secretary of State to make regulations to develop a target for the uptake of integrated pest management and to monitor progress towards this target.”

Those are the amendments I support. It is all about producing better environmental standards for our landscape and the local environment and thereby producing food that will lead to better food security, health and well-being for our nation.

**Baroness Jones of Moulsecoomb [V]:** My Lords, I do not think I signed any amendments in this group, so I will say simply that I support all my noble friend’s amendments, which are obviously superb.

8 pm

**The Duke of Wellington [V]:** My Lords, I declare my agricultural interests as detailed in the register. Many amendments have been tabled to Clause 1 about the activities to which the Secretary of State can give financial assistance. I will speak to my Amendment 48, which seeks to increase certain payments that the Secretary of State is already, or will be, empowered to make. Farmers are currently paid for converting from traditional agriculture to an organic system. This is to

compensate for the loss of production during the conversion period, which takes about three years. At the end of the conversion period, the farmer will then be certified and able to receive the premium price for the organic product.

However, the current level of conversion payments is clearly insufficient. According to the Government’s own figures, published on 28 May this year, the area of land in the United Kingdom farmed organically has fallen by 34% in the last 12 years. According to figures published recently by the Research Institute of Organic Agriculture, for the last 10 years the area of land farmed organically has increased by 200% in France, by 60% in Germany, by 76% in Italy and by 69% in Spain. In the UK in the same 10 years, it has fallen by 36%.

In this country, only 27% of land is farmed organically. This is in marked contrast to the average in the member states of the European Union of about 7%, and in Germany and Spain of over 9%. If one believes, as I do, that it is in the public interest for farmers to use fewer pesticides, fewer herbicides and fewer agrochemicals, it must surely be a public good to increase the area of land farmed organically.

The Minister may say that increased payments may be part of the new environmental land management schemes, but these do not begin until 2024. While the basic payments to farmers are being progressively reduced over the next few years, would it not be a public good to pay public money to farmers to convert to organic farming? Sales of organic food in the United Kingdom now represent only about 1.5% of all food sales. This compares with about 5% in France and Germany and just under 10% in Switzerland, so it may also be a public good to pay public money to encourage the increase of sales of organic food for the general health of the nation.

I therefore ask the Minister if he will accept this amendment to increase in the Bill from 2021 the conversion payments for organic farming, as I believe he already has the power to do. I wish the Government would commit themselves, among their other greening objectives, to vastly increasing the percentage of land farmed organically.

**Baroness Bennett of Manor Castle [V]:** My Lords, it is my great pleasure to follow the noble Duke, the Duke of Wellington, and to endorse entirely everything that he has just said. I was very pleased to sign his amendment. It very much complements one of the amendments in this group that I will come to later.

Across this group we have references to soil, agroecology and reductions in the use of pesticides and herbicides. We are talking about farming systems that work with nature—systems that do not use metaphorical coshes but instead see how we can use the existing systems, cultivate them and restore them. Of course, the foundation of that, as the noble Lord, Lord Lucas, outlined in his introductory remarks, is very much the soil. I guess I have to focus on this as the Member of your Lordships’ House who first used the term “tardigrades” in *Hansard*.

In the soil we have a range of animals—mites, springtails, nematodes and, of course, the earthworms that Charles Darwin was aware were so important.

It is crucial that the Bill explicitly recognises the need to focus on the organisms in the soil, as well as the billion bacteria that you find in every teaspoon of healthy soil, and the fungi, which I will talk about in discussing another group. I therefore commend Amendment 29 from the noble Lord, Lord Lucas.

I have put my name to Amendment 224 in the name of the noble Earl, Lord Caithness, about publishing a soil health index report within 12 months. It is really important that we have timetables built into the Bill, and into all the Bills that come before your Lordships' House. We are very aware of many delays, whether it is the food strategy or the peatland strategy. The state of our soils and the state of nature cannot wait. We need to ensure that there are timetables for the Government to act upon and meet.

I also commend Amendment 217, about the long-term monitoring of soil, which fits into that same kind of approach. Furthermore, in this agroecological, joined-up approach, I commend Amendment 38 in the name of the noble Baroness, Lady Bakewell of Hardington Mandeville, and Amendment 39 in the name of the noble Earl, Lord Caithness, on nature-friendly farming.

I was very pleased to put my name to Amendments 40 and 97 from the noble Lord, Lord Teverson. As the noble Lord said, we have heard many words on agroecology; I recall Michael Gove, I think three Oxford Real Farming Conferences ago, saying that the Government were absolutely committed to agroecology. However, we do not really see this in the Bill in a coherent, central manner. Words and statements of intention from Ministers are fine, but we really want to see agroecology front and centre of the Bill.

I was also pleased to put my name to Amendment 42 from the noble Lord, Lord Teverson, on whole-farm agroecological systems, because this gets at the idea that we are not talking about a field or a single area and that we need to think about whole-farm systems. I think the Minister addressed this earlier: when he talked about education, he spoke about how woodland might well be part of a whole-farm approach or system. But this needs to be built into the actual farming elements of the Bill, to acknowledge that we need to see this agroecological approach taking in soil, water and all sorts of different plants, and to see arable, pasture and woodland as a complete system—what you might call an approach involving systems thinking or permaculture.

I turn now to a couple of amendments that appear in my own name, starting with Amendment 49, which very much builds on the earlier comments of the noble Duke, the Duke of Wellington. This would put explicit aims in the Bill: reducing herbicide and pesticide use; ending the use of chemical fertilisers; and—moving to a concept that may not yet be familiar to many of your Lordships, but I am sure it soon will be—using the idea of nutrition per acre as a measure of the kind of farming that we want, and need, to see. We have seen already in the Bill an evolution towards an acknowledgement that farming is about food, which is a pretty obvious statement, but we need to produce good, healthy food as a public good and to contribute to public health. That is what this amendment addresses.

As the noble Duke, the Duke of Wellington, said, the EU has set figures and aims for the improvement of organic farming. Our record is, sadly, a very slow one, and indeed a story of going backwards. The EU has said that it wants to see 25% of its farmland become organic by 2030. We often hear from the Government in many contexts that they want to be world-leading. If they want the Agriculture Bill to be world-leading, they need to set a target for organics on the face of the Bill higher than that which the EU has set.

That is also the case in terms of fertiliser use: the EU has set a target of at least a 20% reduction in artificial fertiliser use by 2030. World-leading has to be better than that. That, of course, is an issue that feeds into so many other aspects we have been discussing in the Bill. My noble friend has sought to introduce references to air pollution; we are also concerned about water pollution from the use of nitrogen fertilisers, in particular. On pesticides, the EU has set a target of a 50% reduction by 2030. I refer the Government again to the issue of being world-leading.

We are often told that this is a framework Bill and all the detail is going to come later in regulations, but if we look at the Climate Change Act, that set out a very clear direction of travel that has since been enhanced. Anyone who read the Bill knew what the Government were trying to achieve. Sadly, a framework Act that has powers but not duties fails in that fundamental principle.

Finally on this amendment, I want to particularly mention nutrition per acre. A lot of this work comes from the Sustainable Food Trust, which is involved in one of Defra's ELM trials, and is also based on the work of the Indian campaigner and environmentalist Vandana Shiva, who points out that biodiverse agroecological systems have much better outputs of micronutrients and phytonutrients. If we come at this from the other side, the British Nutrition Foundation had a very interesting round table in May 2019, which particularly focused on the fact that, of course, we know that we have a problem with obesity, with an excessive intake of calories, yet, like most of the global north, about three-quarters of people in Britain do not actually get sufficient nutrition in terms of vitamins, minerals, essential amino acids and fatty acids. If we are going to see a reduction in calorie consumption, we really have to be boosting the level of nutrition—the health of food. This is a relatively new area, but we are seeing and understanding that a carrot is not just a carrot—there can be massive difference between the nutritional content of a carrot grown under an agroecological system and a carrot grown in a heavily chemically fertilised, very worn-out soil.

I am aware that I have been speaking for some time, but I will refer briefly to Amendment 84 in the name of the noble Lord, Lord Teverson, on agroforestry. As he was saying, this has to be central to models of the future. If noble Lords have not been to the wonderful Wakelyns, the organic agroforestry research and development site in Suffolk, I urge them to visit and see what can be achieved. It is an inspiring case study and helps demonstrate the principle that agroforestry, broadly speaking, is one-third more productive than simple arable production.

[BARONESS BENNETT OF MANOR CASTLE]

Finally, I come to the amendment in this group that appears in my name. I thank the noble Lords, Lord Randall of Uxbridge and Lord Greaves, for signing it. Amendment 117 refers to meadows and semi-natural grasslands. I pay tribute to the campaigning group Plantlife, which did most of the work on this amendment. Noble Lords might recollect that last Saturday was National Meadows Day, which gave us a chance to reflect on the fact that we have lost 97% of our meadows since the 1930s. These beautiful, hugely valuable, biodiverse environments actually produce very healthy food for animals. We have been talking about the value of diversity in human diets; the same applies to animals. They are also crucial, of course, to our pollinators, which are central to so much of our food production. Having lost 97% of them, this amendment puts into the Bill the principle that we simply cannot afford to lose any more. This, as with many of our upland landscapes, is a hugely valuable, internationally precious resource that we have to protect. I ask noble Lords to consider ensuring that we include it in the Bill.

**Baroness Young of Old Scone [V]:** My Lords, I support Amendment 40, to which I have put my name. It talks about financial assistance for establishing and maintaining agroforestry systems. I also support Amendment 84, which lays out what agroforestry actually means. I feel slightly guilty about this, because having pointed out on our first day in Committee the problems of this being a Christmas tree Bill that everybody wanted to hang a bauble on, here I am with a cherished bauble, because agroforestry systems have major benefits.

I should declare an interest as chairman of the Woodland Trust. Combining trees and farming is a very long-established system. Trees are a crop in themselves, but in combination with agriculture they also help nature, combat climate change and protect water, as well as being good for soil protection and animal welfare. For example, sheep with access to shelter belts of trees produce bigger lambs and suffer less ewe and lamb mortality. I offer my support to this amendment to probe and explore with the Minister how the Government will ensure that agroforestry might receive public funds under the terms of the Bill, since it undoubtedly delivers public goods.

8.15 pm

Amendments 42 and 97, to which I have also put my name, seek support for agroecological practices. The case for that has been laid out admirably by the noble Lord, Lord Teverson, so I shall not go on at length at this stage in the evening. Agroecology uses ecological principles to ensure farm productively while conserving natural resources, and takes into account the wider social and environmental context as it affects farmers and rural communities. Farms are seen as ecosystems and integrate the whole range of public goods that the Bill pursues to help join-up the various purposes in a much more systematic way.

I believe that nature-friendly farming is central to farming's long-term survival. To give just one example, we know that, in many places in the UK, soils have been impoverished to the extent that they will support only a limited number of future harvests. Agroecological

farming protects the future sustainability of soils, including their biodiversity, while delivering food. It was heartbreaking to hear the figures for the reduction in organic farming and food that the noble Duke, the Duke of Wellington, laid out so vividly. Can the Minister tell us how farms and land managers who want to implement agroecological principles will be supported from the funding schemes under the Bill and how more farmers and land managers can be encouraged to do so?

**Baroness Meacher (CB) [V]:** My Lords, I will speak very briefly in support of Amendment 40, tabled by the noble Lord, Lord Teverson, and Amendment 41, tabled by the noble Earl, Lord Dundee, to which I added my name—it is unfortunate that he is speaking after me. The noble Lord, Lord Teverson, has already said that trees offer a safe, nature-friendly and relatively cheap way to soak up the carbon that we urgently need to sequester if we are to meet our legal climate obligations. Trees have an extraordinary range of other benefits that he also set out. I certainly do not want to repeat what he had to say and what the noble Earl, Lord Dundee, might also say. In view of the extraordinary qualities of trees and the range of their benefits, I hope Ministers will take this very seriously and accept the principle of what the noble Lord, Lord Teverson, and, somewhat differently, the noble Earl, Lord Dundee, are putting forward.

**The Earl of Dundee [V]:** My Lords, I support and will first comment on Amendment 97, tabled by the noble Lord, Lord Teverson, and others. The new and welcome direction pointed by the Bill is furthering the joint aims of healthy food production and good environmental land management. Whole-farm agroecological systems are central to this. They should therefore be clearly described. That is what Amendment 97 would do.

Following this, and for the same reason of its central consistency with the Bill, I am in favour of Amendment 42, which would ensure that financial assistance is given for whole-farm agroecological systems. I also support Amendment 48, which would properly recompense farmers more than the Bill currently does for converting to organic and ecologically sustainable systems. I am in favour of Amendment 84, on encouraging agroforestry, and Amendment 96, which seeks better to reward nature-friendly farms. I agree with Amendment 120 about monitored targets for integrated pest management, and equally with Amendment 217, which advocates improved productivity programmes related to soil analysis.

Amendment 41 in my name relates directly to Amendment 40 on agroforestry, tabled by the noble Lord, Lord Teverson. It encourages a connection between afforestation and agroforestry. Its purpose is for agroforestry development to contribute towards afforestation targets. Although most of the target of 30 million trees which the Government have committed to plant will apply to upland areas, through agroforestry an increasing proportion could be planted on lower ground, which is otherwise, and for good reason, often the sole preserve of agricultural production. Conversely, agroforestry itself, where deployed on low ground, can



assist afforestation targets, since it maintains fields of agricultural crops, with trees planted at certain wide intervals between them.

Through agroforestry, as carried out on United Kingdom farmland, it is estimated that 920 million trees could be planted in fields, yet this would cause agricultural output to reduce by only 7%.

**Lord Randall of Uxbridge [V]:** My Lords, I shall not detain the Committee long. I have added my name to several of these amendments. I want to underline the importance of getting some of these things right—whether it is nature-friendly farming, the reduction of pesticides, the increase in organic or the agrochemicals reduction. I support particularly Amendment 117 in the name of the noble Baroness, Lady Bennett of Manor Castle, on meadows and grasslands. I am a member of Plantlife, as I am of Buglife.

These amendments are crucial. But the time is late. Very eloquent people are making their points and I think it is time for me to be quiet.

**Baroness Finlay of Llandaff (CB) [V]:** My Lords, today's important debates have been greatly enhanced by the pleasure of hearing the noble Lord, Lord Rooker.

My Amendment 259 is in this important group. I am grateful to my noble friends Lord Patel and Lord Wigley for their support. Chemical weapons were developed in the Second World War and then remanufactured as pesticides, now used in agriculture for around 75 years. In 2013 the Government accepted all recommendations from two important reports. The first was the Bystanders Risk Assessment Working Group of the Advisory Committee on Pesticides. The second report was from the sub-group of the Advisory Committee on Pesticides: the Pesticides Adverse Health Effects Surveillance working group. Both were scathing about the use of pesticides and laid out the dangers. Yet, although accepted, their recommendations remain largely unimplemented.

It is a worrying indictment that 70% of our land is used for farming and almost all of it, except for the 3% for organic farming, is subjected to spraying that is not dose-controlled in any way. In 2014, 17.75 million kilograms of pesticide were sprayed on the land. Carried in the wind, harmful residues have been found several miles downwind. The dangers to health are now recognised. A 2017 report by the UN special rapporteur on the right to food found that chronic exposure to agricultural pesticides was associated with several diseases and conditions, including cancers, and that those living near crop fields were particularly vulnerable to exposure.

The International Panel of Experts on Sustainable Food Systems report describes the unacceptable harm caused by the current chemical farming systems and the energy consumption in the manufacture of these chemicals. It exposes just some of the astronomical health costs externalised by the current system, and states an urgent and overwhelming case for action.

The Lancet Commission on Pollution and Health report on global deaths and chronic diseases from outdoor air pollution, including from the use of pesticides,

has the lead author saying that his biggest concern is the impact of the hundreds of industrial chemicals and pesticides already widely dispersed around the world.

I remind all involved in this Bill that the effects are cumulative, because these chemicals often sit in fat stores and are not cleared. The chemicals disrupt the internal hormonal environment; they are endocrine disruptors and make cells more susceptible to mutations, abnormalities and malignancy.

I turn briefly to one of these, glyphosate, used in the weed killer Roundup, which has a large number of tumour-promoting effects on biological systems, including direct damage to DNA in sensitive cells, disruption of metabolic processes and modification to more toxic molecules. Epidemiological evidence suggests correlations between glyphosate usage on crops and a multitude of cancers that are reaching epidemic proportions, including common cancers and lymphoma. In the US, many lawsuits have been brought against the producer Monsanto, which is now part of Bayer.

The effect on the developing nervous system and on the adult neurones is not clearly known, but we must take the precautionary principle. Rats exposed to high levels of glyphosate, their offspring and the offspring's offspring—two generations on—developed malignancy, obesity and birth abnormalities. Neurotransmitter changes occur in rats and mice exposed to glyphosate, and mice display mood and movement changes. Increased understanding of epigenetics suggests that harm experienced by the adult may be handed on by epigenetic factors to offspring not even yet conceived.

I spoke in the previous debate on the theme of future generations and I return to that now. We cannot ignore the cumulative evidence. In my amendment, I suggest an annual report to Parliament on the safety of herbicides and pesticides, taking into account evidence from the analysis of foods that should be glyphosate-free but appear to be contaminated by windborne spray. Neurotoxic effects on pollinators and the damaging effects on human health of these chemicals cannot be ignored.

As we leave Europe, we are free to produce more of our own food for our own market and ensure that our food is safe and of high nutritional quality. We must make also sure that imported food meets our new high standards. Going forward, pesticides need to be designed out of farming systems, for the environment, for health and for the market-ready production of excellent food; hence my amendment.

**Lord Patel (CB) [V]:** My Lords, I want to support the amendment of the noble Baroness, Lady Finlay. Much of what I was going to cover she has covered in great detail, so I will try not to repeat too much.

Pesticides may be metabolised, excreted, stored or bioaccumulated in body fat. The numerous negative health effects that have been associated with chemical pesticides have been mentioned in great detail by the noble Baroness. In the majority of cases, the concentrations do not exceed legislatively determined safe levels. However, these safe limits may underestimate the real health risks, as in the case of simultaneous exposure with two or more chemical substances, which

[LORD PATEL]

occurs in real-life conditions and may have synergistic effects. Pesticide residues have also been detected in human breast milk samples, and there are concerns about prenatal exposure and health effects in children.

The noble Baroness mentioned glyphosate-based herbicides and the DNA damage that it is known to cause, which may lead to cell deaths and other conditions in cellular metabolism causing disease. Furthermore, the real-life chronic exposure in mixtures of pesticides with possible additive or synergistic effects requires in-depth research. The underlying scientific uncertainty, exposure of vulnerable groups and the fact that there are numerous possible mixtures reveal the real, complex character of the problem. The combination of substances with probably carcinogenic or endocrine-disrupting effects may produce unknown adverse health effects. Therefore, the determination of safe levels of exposure to single pesticides may underestimate the real health effects, ignoring also the chronic exposure to multiple chemical substances.

8.30 pm

Taking into consideration the health and environmental effects of chemical pesticides, it is clear that there is an urgent need for a new concept in agriculture. This new concept must be based on a drastic reduction in the application of chemical pesticides. I feel that some of the new science that is being developed and investigated at centres such as the John Innes Centre, the Sainsbury centre and the James Hutton centre may well produce some of the answers whereby we could eliminate the use of chemical pesticides that may be damaging to health. No doubt in later amendments we will be able to explore some of these scientific developments. I support the amendment in the name of the noble Baroness, Lady Finlay.

**Lord Greaves:** My Lords, during the last two, three or four months, like everyone else I have had quite a lot of spare time on my hands and have been able to get out into the countryside around where I live, which is on the edge of an urban area where you can walk straight into Pennine pastures, fields with gritstone walls and, beyond there, rising up to the moorland massif of Boulsworth Hill. Two valleys run down from the hills to where we live; they are really contrasted at the moment, as I will briefly explain.

Before I do so, I am sorry that the noble Lord, Lord Blunkett, is not in his place. He talked about going out of Sheffield on to the Peak District hills and delighting in what I think he called the song of the curlews, which are one of the evocative birds of the Pennine moorlands. The others are the skylarks and the lapwings, which locally are traditionally known as “tewits” after the sound they make.

During the past three or four months, I have been woken up every morning by the sound of curlews, which is wonderful, but when we first lived there 40 or 50 years ago, we were woken up by flocks of lapwings. I have not heard a lapwing from our house for a long time. Lapwings have declined most in that kind of area up on the moors, particularly in what the amendment refers to as “semi-natural grasslands”.

For us, the grasslands are pastures and fields; they have got tall, quite coarse, natural native grasses, and some better ones. We have some of what the amendment calls “dicotyledonous herbs”, although that really refers to lowland meadows rather than the sort of meadows we have, and lots of clumps of rushes, which are important for giving cover, along with the tall grasses, to ground-nesting birds such as curlews and lapwings—the tewits.

Over the years, the fields have been improved. Those nearest to us used to be buttercup meadows. They have long gone, and now a lot of the coarser semi-natural meadows have gone as well. The farmers scrape off all the vegetation which has been growing there and seed it with one or two species of much richer and, from their point of view, more productive grass, mainly for the sheep but also for mowing, haylage and so on.

The landscape has been transformed. The fields in spring, instead of being a greyish green—natural, as they were, or semi-natural—are now sparkling bright green, and no doubt some people find them attractive. The two valleys, however, are contrasted. One is the Wycoller valley, which largely belongs to Lancashire County Council—Wycoller Hall is thought to be Ferndean Manor from *Jane Eyre*—and the other is the Trawden valley, which has the old mill village of Trawden it and lots of farms around. The Trawden valley is bright green and the Wycoller valley is still very much as it was. How do you know where you are? If you close your eyes, in the Wycoller valley you can hear the tewits and in the Trawden valley there are none. It is as simple as that.

So it is not just lowland meadows that the amendment is talking about. I hope the new regime will stop farmers turning even more of the pastures into modern bright green pastures and driving away the tewits, which is still taking place at the margins and the moorland margins. The tier 1 or tier 2 deals that come about, whichever they are, encourage a reversion of at least some of the fields to what they used to be. If you have a farm of six or 10 fields, you do not need a lot of it to revert to the traditional pasture that it used to be to provide a flock of lapwings with a habitat; you might need one or two, and that is all. As you walk through that area, you can plot the flock of lapwings to the fields that are still traditional.

I hope that kind of thing will be part and parcel of the new regime, not to destroy farmers’ livelihoods in any way but to provide them with some finance to provide a natural, or semi-natural, environment that superb birds such as lapwings and tewits require.

**The Earl of Caithness [V]:** My Lords, before I go on to talk to the amendments, I want to reiterate the point that the noble Lord, Lord Greaves, made earlier today and make a plea to the Minister and the Whip to talk to the Chief Whip about the groupings. Can we please go back to the old way that used to happen in Committee, whereby the movers of amendments spoke first and then the other signatories spoke afterwards? All the signatories to my amendments have spoken before me, and on the next group of amendments I am a signatory to an amendment from the noble Baroness, Lady Jones of Moulsecoomb, but she, as the mover, is

speaking after me. It really does not help proceedings unless we get back some sort of structure like we had in the old days.

I turn to the amendments. This is a hugely important group because I believe that the only way that farming will survive in this country is if we work with nature. All these amendments are designed to help farming to do just that. There is considerable overlap between them. I shall speak to Amendments 39 and 96 in my name, which relate to nature-friendly farming. Not everything that nature-friendly farmers do is covered in the Bill. For instance, what about the creation of new habitats, ponds and wetlands? That leads to another problem, because the creation of some ponds will require planning permission. Therefore, as I said, you need dedicated farmers who are very keen to help nature to carry out such work. A farmer taking these schemes solely to get money from the taxpayer is not someone who is going to apply for planning permission for a new pond. There is no mention in the Bill of field margins and hedgerows. These are hugely important as wildlife corridors, and nature-friendly farming is a great help in that respect.

It is tragic that we have seen the decline in 600 farmland species over the last 50 years. Of course, none of us now has the problem of having to wash our windscreens having driven through the countryside, particularly at night. That is long gone. When I first started driving, one had to wash one's windscreen after every drive because of the number of insects that got stuck on it and impeded the view. It would be nice if we could go at least half way back to the situation that we were in.

I will just make a point on what the noble Lord, Lord Greaves, said about lapwings. I know a farm in Caithness where the farmer has farmed organically since he took over the farm—gosh—it must be 30 years ago now. He has farmed in a nature-friendly way, but the number of lapwings has decreased hugely. There used to be lovely big flocks, but now there are very few. The problem is, it is not the farming system—that is not totally responsible—but the fact that we do not control the predators of lapwings and lapwing eggs and nests, such as the hooded crow. When I was a boy, the hooded crow was a very scarce bird; it is now very common. When I last lived in Caithness, about four years ago, I remember seeing five hooded crows on the lawn outside my little cottage. They just would not have been there when I was a boy. Unless we get to a stage where we can control the number of corvids and the abuse by corvids of ground-nesting birds, there will be a continual decline, whatever system of farming one operates.

I have also put my name to the agroecology and agroforestry amendments, because these are hugely important too. They are slightly different ways of farming from nature-friendly farming, but they of course work on exactly the same principle of working with nature.

I pay tribute to the work of the Game & Wildlife Conservation Trust, Nature Friendly Farming and Agrigology, which have been working together for five years. The Game & Wildlife Conservation Trust, the Organic Research Centre and the Daylesford Foundation have together done a tremendous amount of work in this area and I can tell the Minister how grateful they are for the financial support that Defra

has given them. It is exactly from institutions such as this and the demonstration farm at Allerton that other farmers can learn how to carry out these works and the benefit that they can contribute to their own farms. I hope that, when responding, my noble friend will say that this funding will continue.

I turn to Amendment 224, which is on soil. It requests that the soil metric index is instituted. This was of course in the 25-year environment plan, from which it is worth quoting:

“Farmers and land managers can struggle to monitor the quality of their soil, which in turn makes it difficult to improve. We will develop a soil health index (including indicators such as the level of humus and biological activity in the soil) that can be used on farms to check whether their actions are having the desired effect. At the moment, data on soil health is held piecemeal by different institutions and businesses. It is not easy to access or use. Defra will invest at least £200,000 to help create meaningful metrics that will allow us to assess soil improvements, and to develop cost-effective and innovative ways to monitor soil at farm and national level.”

Can the Minister say what is the result of that work? Is there any progress? What is the progress? Can she please update us on it?

It was encouraging to hear the Secretary of State respond to the Environmental Audit Committee in the other place recently, saying he was considering a combination of approaches to address soil problems, and a more sustainable approach to grade 1 and grade 2 agricultural land, focusing on soil health and crop rotations. What is this going to involve? Can the Minister shed some light on these very encouraging statements?

8.45 pm

What is particularly encouraging is that the Secretary of State mentioned rotations, because I am a great believer in rotations being the key to soil health. The old Norfolk four-course rotation was very beneficial to farming, as it balanced the restorative phases with the exploitative ones. I hope that my noble friend will be able to give me a lot more information.

I like what my noble friend Lord Lucas said when he introduced the first amendment, but there is a problem with what he proposes. We can go on monitoring soil levels for ever; we have been monitoring the decline of birds for the last 50 years, and we will go on monitoring the decline of songbirds. We need to do something about it. That is what I hope the Minister will say the Government propose to do: correct the present downward trend in soil structure and conditions, and support the work of agriculture-friendly and nature-friendly farmers who are seeking to turn this around.

**Lord Hain (Lab) [V]:** My Lords, I particularly enjoyed the contribution of the noble Lord, Lord Greaves, who I have known for over 50 years, when he talked about his local bird life and the implications it has in this debate.

I support Amendment 42 to Clause 1 in the name of the noble Lord, Lord Teverson, and others, which relates to whole-farm agroecological systems and organic farming. The pandemic has been a tragic lesson in how broken our connection to our life support systems, by permission of nature, has become. In March, the UN's environment chief, Inger Andersen, told us that

“Nature is sending us a message”  
with the coronavirus and ongoing climate crisis.



[LORD HAIN]

In 2019, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services published the most comprehensive study into the health of the planet ever undertaken. It concluded that human society was in jeopardy from the accelerating decline of nature, on which the survival of the human race depends. This ongoing work is telling us that

“Rampant deforestation, uncontrolled expansion of agriculture, intensive farming ... as well as the exploitation of wild species have created a perfect storm for the spillover of diseases.”

The scientists leading this work have warned that

“The health of people is intimately connected to the health of wildlife, the health of livestock and the health of the environment. It’s actually one health.”

Agroecological agriculture—of which organic is one system—supports small farms that are diverse, integrated and use low levels of chemical input to ensure the long-term balance between food production and the sustainability of natural resources. Although agroecology is recognised in the Bill, it is in a very minor way. In Clause 1(5), the Bill states that

“better understanding of the environment”

—one of the purposes for which the Secretary of State may give assistance—

“includes better understanding of agroecology”.

This appears to signify a basic misconception of what agroecology is and what a large-scale transformation to agroecological farming could deliver for farmers, wildlife, climate and public health. It should not be relegated to a legislative footnote; it should be a key part of this Bill and the Government’s broader agricultural policy, as others have said.

While I welcome this reference in the Bill, a more substantive reference, such as that proposed in Amendment 42, is also needed to create a specific commitment under Clause 1(1) for financial and wider support for existing agroecological farms—such as organic—and to ensure that all farmers can promote agroecological practices on the whole farm. This would then allow for support and incentives for farmers to facilitate the integration of food production with the delivery of environmental and social public purposes, in line with the avowed objectives of the Bill. It would ensure that farmers could transition to ecological farming models, producing food while restoring environments and nature.

These benefits are enhanced when they are part of the whole-farm system, rather than in reserved areas or only on the margins. Organic farms have been shown to support 50% more wildlife than is found on conventionally farmed land and healthier soils, with 44% higher capacity to store long-term soil carbon. Agroecological farms can also improve public access to nutritious, affordable fruit and vegetables, and to community projects, supporting improved public health outcomes for us all, as well as enterprise. I therefore hope that the Minister will indicate his acceptance of Amendment 42 in particular.

**Viscount Trenchard:** My Lords, I sympathise with Amendment 29 in the name of my noble friend Lord Lucas, although I wonder whether it is necessary. Is it not covered effectively by Clause 1(1)(j)?

On Amendment 38, in the name of the noble Baroness, Lady Bakewell of Hardington Mandeville, I observe that the best and by far the cheapest way to implement integrated pest and weed management measures will follow from our freedom from EU regulation, which has unnecessarily banned some pesticides and fungicides which could be used to reduce pest and weed problems without any negative environmental consequences. Of course, many chemicals have rightly been banned, but some have been banned without definitive scientific evidence.

I am sure that all noble Lords would support nature-friendly farming, as advocated by my noble friend Lord Caithness in Amendments 39 and 96. However, I believe it is already clear that nature-friendly practices are wholly consistent with the purposes listed in Clause 1.

Amendments 40 and 84, in the name of the noble Lord, Lord Teverson, seek to add agroforestry schemes to the list of approved purposes. I agree with the noble Lord but believe that they are unnecessary, because agroforestry is surely included within the scope of Clause 1(1)(I). Similarly, my noble friend Lord Dundee reminds us that the Government have committed to plant 30 million trees without taking any agricultural land out of production. Will the planting of these trees lose us 7% of agricultural land, as I thought he also said, and how many of these trees will be planted on brownfield sites? Was this policy adopted before or after it was recognised that ash dieback might decimate the country’s population of ash trees?

The noble Duke, the Duke of Wellington, supported by the noble Baroness, Lady Bennett, in his Amendment 48 seeks to widen the purposes for which financial assistance may be paid to include conversion to organic and ecologically sustainable farming. I believe that the noble Duke is right: farmers who follow ecologically sustainable practices should be rewarded. I had believed that consumer demand meant that farmers were replacing less ecologically sound practices with organic practices and was surprised to hear how small the organic acreage is. Ultimately, organic produce should command significantly higher prices, which will increase the profitability of farmers who produce it. I support the noble Duke’s amendment.

We have already noted the introduction of a new concept: agroecology. Through Amendment 97, the noble Lord, Lord Teverson, wishes to include whole-farm ecological systems as an additional and distinct model. I think that what it represents is already included in the Bill, and it would be better not to complicate the Bill unnecessarily.

I am not at all opposed to—indeed, I would support—increased monitoring of soil health, as proposed in Amendments 217 and 224, but I would not be able to support Amendment 259 in the name of the noble Baroness, Lady Finlay of Llandaff. Growing crops such as oilseed rape in this country has become unsustainable because EU regulations, which rely too much on the precautionary principle, have placed unnecessary and costly burdens on farmers and unnecessarily exposed their crops to various diseases. One of the benefits of leaving the European Union is that we will be free to develop our own food standards. These must of course maintain the highest standards, but should no longer

unnecessarily apply rules which are unsupported by scientific evidence and which artificially raise the prices of food, especially at a time when many consumers are badly affected by the serious economic damage inflicted by the coronavirus pandemic.

*House resumed.*

*House adjourned at 8.55 pm.*