



Committee and Date Shropshire Hills AONB Partnership 13 th June 2017	Item 4
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DISCUSSION PAPER ON BREXIT ISSUES AND SHROPSHIRE HILLS AONB

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Summary

This paper examines some of the implications of Brexit issues on the AONB Partnership and outlines some possible responses and questions for discussion.

Recommendation

The Partnership is recommended to consider the issues raised and take part in a short discussion workshop.

Background

The purposes for the AONB Partnership of understanding the implications of Brexit on the AONB are mainly:

- To inform ourselves (Partnership members and the team) on the issues and their relevance to the AONB, and from that to influence our own work.
- To influence, and stimulate dialogue with, other stakeholders in the area, working towards an updated vision for the AONB in the next Management Plan (2019-2024).
- To contribute to the national debate and influence government policy (our influence may be fairly small in this regard and this purpose will require working in conjunction with others, including the NAAONB, Uplands Alliance, etc).

The statutory basis of AONBs lies in UK legislation and will not be directly affected by Brexit.

The two main issues arising from Brexit of direct relevance to the AONB are:

- The future of EU-based environmental legislation and mechanisms for enforcement.
- Government policy and funding regimes for land management (including both farming and forestry)

Other less direct but significant factors are:

- Loss of access to EU funding (including LEADER, structural funds etc) – this affects the AONB Partnership directly but also the area more generally. The loss is direct, but will also have the knock-on effect of increasing competition for key UK funds, e.g. HLF.

- Reaction of the UK economy – this is not predictable, but some commentators predict a slowing of the economy, which could affect likely levels of future government funding for AONBs, as well as impacting other sources e.g. private sector and charitable giving.
- The political climate and/or funding may affect the links of the AONB Partnership with other protected areas, especially elsewhere in Europe, and potentially lead to greater isolation, loss of opportunities for learning, good practice, etc.

A further immediate issue particular to the Shropshire Hills AONB is the potential for Brexit to affect the outcome and/or timescale of our request to Defra to create a Conservation Board.

This paper will focus on the two main issues identified above.

Environmental legislation

Environmental groups are reasonably unanimous in their calls for the government to maintain current standards of legal environmental protection post-Brexit. The government are currently pledging to do this, but there are political pressures from some quarters for 'deregulation'. Some of these are overt, others more subtle, e.g. the government's admission that it may seek to 'correct the statute book' in some cases as part of the proposed transposition process through the Great Repeal Bill. EU-based legislation of most direct relevance to the AONB are the Habitats Directive and the Water Framework Directive, though other regulations and international commitments such as on climate change will affect us, along with everywhere.

Aside from maintaining the standards of environmental legislation, a key concern is over enforcement and oversight of these, which is currently undertaken by a range of strong EU institutions, often with powerful sanctions including fines. Under domestic legislation, these roles would fall to the UK judiciary, which although independent of government, will not have the same power and influence.

Proposed action – The AONB Partnership should add its voice to the prevailing view of environmental groups that existing standards of environmental legislation should be maintained, and adequate mechanisms for enforcement and oversight should be put in place.

Land management policy and funding

This is a complex area, in which the alternative scenarios are quite broad. These issues have been explored in our Shropshire Hills Uplands Forum of February 2017, and written up in a report of the event, which has been publicised by ourselves and the Uplands Alliance, and also sent directly to Defra's Uplands Team.

Regardless of any views on Brexit overall, environmental groups have for decades been dissatisfied with the CAP. The UK for a long time was in the forefront of calls for reform of the CAP towards less environmentally damaging policies, and the limiting factor was usually resistance from other EU member states. There is now therefore the opportunity for a UK based land management policy and funding regime to provide something much better.

Professor Dieter Helm, Chair of the Natural Capital Committee, has characterised the three broad options as follows:

1. Pursue food security and self sufficiency – which he argues is unrealistic (for reasons such as lack of domestic supply of agro-chemicals) and has many negative consequences, e.g. on food exports, on non agricultural uses of land, and through the imposition of import tariffs.
2. Move further from income subsidies to environmental subsidies – i.e. the equivalent of agri-environment schemes growing, with the likes of Basic Payment Scheme being phased out. This option he argues is unsatisfactory, not going far enough and creating perverse incentives e.g. by reversing the ‘polluter pays’ principle, through rewarding land managers for profits foregone for not damaging the environment.
3. Public money for public goods – in this scenario land managers would be paid from the public purse for defined public benefits. This could be in the form of ‘contracts’ which have the advantage of not being classed as ‘subsidy’. Many environmental groups feel that this option would provide the best value for money, and integrate the environment with farming and land management in the best way, recognising natural capital and ecosystem services. Discussion at the Uplands Alliance and our own Uplands Forum suggest that there may be quite broad support for this option, though some land managers and organisations representing them are wary of it. There remain many issues of detail about how such a scheme might operate.

The issue of transition from the current system to a new one is a key factor. The government has pledged to continue current funding regimes up to 2020 (and to honour agreements such as through agri-environment schemes which may extend beyond this).

All commentaries describe the different situation affecting the uplands, where land management is more heavily reliant on subsidy (and inherently less economically viable), and where the balance of delivery from land of food production to other public benefits is most clearly towards the wider range of benefits.

The scenario of paying for public benefits inevitably raises different views on what public benefits should be supported, with a range of positions from hoping that payments to farmers to carry on just as they are, to calls for ‘rewilding’ the uplands with an end to uneconomic sheep farming. This polarisation can be divisive and deflect debate from the real issues. There is much to support in seeking to develop more complex and resilient ecological systems in the uplands, but abandonment of land to let nature ‘do its own thing’ will rarely lead to the best environmental benefits. There is potential for the ‘cultural landscape’ aspects of the AONB, or ‘maintaining landscape character’ to be apparently set in conflict with improving ecological condition, or to be used as arguments against essentially positive changes. Language and perceptions are important here – e.g. there is evidence that visual/pictorial representations of greater levels of native woodland cover in upland landscapes are nearly always welcomed as adding to attractiveness of the landscape. Verbal descriptions of much the same thing on the other hand may quickly be written off as ‘scrubbing over the hills’.

Proposed action – The AONB Partnership should continue dialogue with local and national stakeholders on these issues. There should be an emphasis on finding and developing common ground rather than divisive language and approaches. We should not limit the potential of a new land management policy and funding regime to improve the landscape of the AONB, but also need to recognise that changes for many will feel threatening. The potential benefits of changes need to be well articulated. Over the next six months or so, continuing dialogue may be more useful than setting out written ‘positions’ – there is in fact a risk that the latter could perhaps inhibit dialogue. We need to work over the next year or two towards likely

forthcoming consultations by government and to the next AONB Management Plan. This is at present however quite a fluid area, on which further knowledge and thinking will develop, so positions in the short term need to be relatively flexible.

List of Background Papers Report of Shropshire Hills Uplands Forum 27 th February 2017 http://www.shropshirehillsaonb.co.uk/wp-content/uploads/2010/10/Shropshire-Hills-Uplands-Forum-27-Feb-17-full-report.pdf
Human Rights Act Appraisal The information in this report is compatible with the Human Rights Act 1998.
Environmental Appraisal The recommendation in this paper will contribute to the conservation of protected landscapes.
Risk Management Appraisal Risk management has been appraised as part of the considerations of this report.
Community / Consultations Appraisal The topics raised in this paper have been the subject of earlier consultations with Partnership members.
Appendices Appendix 1 Workshop questions

Appendix 1 Workshop Session

Group 1 Environmental legislation

What are the main issues around environmental legislation and its enforcement for the Shropshire Hills AONB?

How can biodiversity best be protected post-Brexit?

What should the AONB Partnership be doing about this?

Group 2 Land management policy and funding

What are the risks to the AONB landscape from Brexit?

What do we most want to retain in our landscape, and what do we want to change?

How can new policy and funding regimes help to achieve this?

What should the AONB Partnership be doing about this?