



NPA/21/019

Dartmoor National Park Authority

9 July 2021

Farming in Protected Landscapes

Report of the Chief Executive (National Park Officer)

Recommendation: **That Members:**

- I. Formally agree that Dartmoor National Park Authority should participate in the FiPL programme (2021 – 2024).**
- II. Agree a minimum grant threshold of £2,000 per application (i.e. applications below £2,000 will not be considered).**
- III. Note the key risks associated with the FiPL programme (see appendix 1) and agree that FiPL should be added as a strategic risk to the Authority's risk register and a specific risk assessment developed for the programme with the aim of minimising the risks identified.**
- IV. Authorise the Chief Executive (National Park Officer), in consultation with the Chief Financial Officer (Section 151 Officer) and Monitoring Officer, to develop and agree formal Terms of Reference for the Dartmoor Local Assessment Panel to ensure that the Panel operates as per the Defra guidance and to the standards of probity and professionalism expected of the Authority.**
- V. Delegate to the Chief Executive (National Park Officer), in consultation with the Chair of the Authority, responsibility for appointing persons to the Dartmoor Local Assessment Panel as per the arrangements outlined in this report.**
- VI. Approve the insertion of a new section in the Authority's Financial Regulations to provide specific authority to operate the FiPL programme (see section 4 of this report).**
- VII. Agree the format for the Dartmoor Local Assessment Panel and appoint a Member of the Authority to serve on the Panel (this appointment will be subject to review at the Annual Meeting).**

1 Background

- 1.1 In November 2020 the Government published ['The Path to Sustainable Farming: An Agricultural Transition Plan 2021 to 2024'](#). This document set out the key changes to agricultural policy in England that would be made from January 2021 through to 2027 - a seven year transition away from EU-based rules and payment systems towards a new system for England focused on paying farmers for delivery of public benefits such as environmental management and improvement. As part of this transition the Basic Payment Scheme (BPS) will be reduced and then removed,

existing agri-environment schemes will close and a new system introduced focused on:

- Environmental Land Management – this will comprise of three schemes. The Sustainable Farming Incentive is being piloted in 2021, Local Nature Recovery will start (in pilot form) in 2022 and Landscape Recovery pilots will commence in 2021.
- Grants and other help to improve productivity and prosperity.
- A new approach to farming regulation and enforcement.

1.2 [‘The Path to Sustainable Farming’](#) contained a commitment to introduce a new Farming in Protected Landscapes (FiPL) programme to commence in 2021 and run until end of March 2024. The commitment was to provide funding through the Protected Landscapes bodies to support farmers, particularly upland farmers (75% of whom live and work in Protected Landscapes). The funding was to be for farmers and other land managers to make improvements to the natural environment, cultural heritage and public access on their land. [‘The Path to Sustainable Farming’](#) envisioned that the money would provide funding for farm-level projects to diversify incomes and prepare for Environmental Land Management; and wider infrastructure and projects on farmland, to support farmers and rural economies.

1.3 FiPL was also part of the [Spending Review 2020](#). The commitment in the Spending Review 2020 to “increase the funding for National Parks and AONBs to more than £75m” included provision of circa £22m for FiPL in 2021/22 (para 7.30).

2 Farming in Protected Landscapes (FiPL)

2.1 FiPL was formally announced by the Secretary of State for Environment, Food and Rural Affairs on 24 June 2021. Each protected landscape in England has received confirmation of their provisional allocations for 2021/22. Defra have stated that the programme will be open for applications from 1 July 2021. Defra have also circulated a National Framework document which is, in essence, the operating manual for FiPL providing information on how the programme will operate, subsidy control etc.

2.2 DNPA’s provisional allocation for 2021/22 for grants to farmers and land managers is circa £600,000.

2.3 We are developing a specific section of our website to provide information for potential applicants and others on FiPL:
<https://www.dartmoor.gov.uk/living-and-working/farming/farming-in-protected-landscapes>

What is FiPL and how will it operate?

2.4 FiPL is a fixed-term programme providing funding for projects, it is not a new agri-environment scheme. It will be complementary to and not in competition with existing national schemes such as Countryside Stewardship. Grants will be awarded to support projects under four priority themes: climate, nature, people and place. It will operate at the level of an individual National Park or AONB, though there is the opportunity for protected landscapes to collaborate and Defra are keen

to support this. We have only received an indication of our funding allocation for 2021/22. Defra have been clear that the programme will end in March 2024 and be 'replaced' by the new environmental land management schemes (see above).

Eligibility

- 2.5 FiPL will be open to all farmers and land managers in a protected landscape – or where activity on the ground can bring benefit to one or more of those areas. Other organisations and individuals can apply, as long as they do this in collaboration with a farmer(s) or land manager(s), or in support of a farmer or group of farmers.
- 2.6 Applicants must complete an application form (downloadable from our website) and for 2021/22 the application window will run from 1 July 2021 to 31 January 2022. Funding will be awarded to successful applicants throughout the application window, rather than after the window closes. Applicants are strongly encouraged to discuss potential applications with the relevant protected landscape team before submitting.

Outcomes

- 2.7 FiPL will pay for projects that provide value for money and meet at least one of the outcomes listed below, under four themes.

Climate outcomes

- More carbon is stored and/or sequestered
- Flood risk is reduced
- Farmers, land managers and the public better understand what different habitats and land uses can store carbon and reduce carbon emissions
- The landscape is more resilient to climate change

Nature outcomes

- There is a greater area of habitat improved for biodiversity
- There is an increase in biodiversity
- There is greater connectivity between habitats
- Existing habitat is better managed

People outcomes

- There are more opportunities for people to explore, enjoy and understand the landscape
- There are more opportunities for more diverse audiences to explore, enjoy and understand the landscape
- There is greater public engagement in land management, such as through volunteering
- Farmers and land managers feel increasingly comfortable with providing public goods

Place outcomes

- The quality and character of the landscape is reinforced or enhanced
- Historic structures and features are conserved, enhanced or interpreted more effectively
- There is an increase in farm business resilience

- 2.8 These outcomes link to our Business Plan and revised National Park Management Plan. One of the key actions in the 2021/22 Business Plan is delivery of FiPL.
- 2.9 As noted above, projects must also deliver against the relevant protected landscape Management Plan. We have summarised these and provided details on the [FiPL section of the Authority's website](#).

Process

- 2.10 FiPL grants will be awarded to support projects under the four themes referred to above. The priorities, application process, application form, scoring process, assessment process and grant agreement are all set out in the National Framework. There is a maximum grant threshold of £250,000 and we are proposing a minimum threshold of £2,000. The proposal for a minimum threshold is thought important given the cost of and time required to process such applications. The National Framework states that grants of £5,000 and under will be assessed by an officer of the relevant protected landscape. Grant applications for more than £5,000 will need to be assessed and approved by a Local Assessment Panel (LAP). Details about how FiPL will fit with the Authority's Standing Orders, Scheme of Delegation and Financial Regulations is set out in section 4.

Local Assessment Panel (LAP)

- 2.11 Defra have indicated that the LAP should comprise of at least five members. There is a requirement for representatives from the relevant protected landscape team, Natural England and the farming and land management community (several members). Whilst guidance for the LAP is provided in the National Framework (see appendix 2) there is flexibility for the approach so that the LAP can be developed to suit each protected landscape. The LAP plays a key role in determining all applications above £5,000. There is a national scoring framework for all applications that the LAP will need to apply. The LAP will need to meet at least every eight weeks during the application window.
- 2.12 Proposals for the Dartmoor LAP are detailed in section 3 below.

Intervention rates

- 2.13 If an applicant will not make a commercial gain through a project, they could receive up to 100% of the costs. Where an applicant would benefit commercially from a project, they could receive between 40% and 80% of the costs through the Programme, depending on how much commercial benefit the project will give them. LAPs have flexibility to determine the intervention rate with advice from the relevant FiPL officer(s).
- 2.14 If an activity is equivalent to one under Countryside Stewardship (CS), the Programme payment rate will be the same as the CS rate. If not, then the Programme funding offers will be based on the projected costs of an activity (with final payments made against evidenced costs). This approach maximises flexibility but also places a heavy onus on the LAP and officers to advise on and assess value for money. We may need to use the funding available for advice to commission specialist support.

Maintenance requirements

- 2.15 FiPL can provide for some forms of on-going maintenance. Projects that include capital infrastructure assets such as fencing and gates and machinery assets will need to sign a maintenance agreement for 5 years and not be eligible for any ongoing management payments. It is understood that the requirement to maintain natural, cultural and access activities (for example, management or restoration of species rich grassland, restoration of a limekiln) delivered as part of programme will cease no later than 1 April 2024.

Formal Acceptance

- 2.16 Each protected landscape is being asked to confirm that they wish to participate in FiPL. It is recommended that the Authority formally agrees to participate in the FiPL programme. The main reasons for involvement in FiPL include:

- it is a key mechanism to support the farming community, deliver our priorities and the National Park Management Plan actions. It provides funding to support our wider objectives including, but not limited to, nature recovery and climate action.
- it is as an important opportunity: if we can demonstrate a track record of using FiPL to deliver practical outcomes (see above) it will help support our case for a role in the delivery of the new environmental land management schemes (notably Local Nature Recovery and Landscape Recovery). Conversely, if we 'fail' to deliver FiPL it may weaken our case.
- it is a potential model of integrated delivery, providing for:
 - capital and revenue funding for training, skills development, knowledge transfer as well as environmental management and enhancement; links access with natural and cultural environment; and links the farm business to the farm environment;
 - farmer/land management engagement in the LAPs;
 - funding for advice, facilitation and administration costs;
 - local flexibility; and
 - a role for National Park Management Plans in shaping local priorities with FiPL seen as a mechanism to deliver Management Plan objectives.

- 2.17 Despite these opportunities Members need to be aware of potential risks. Appendix 1 outlines the key risks. There are three main risk areas:

- **Programme design and spend** – whilst FiPL is a three year programme we do not have a three year allocation and no flexibility on yearly spend. At present, the allocation for 2021/22 has to be spent within the financial year or returned to Defra. Spend means projects approved, works completed and paid for and claims paid to applicants. We cannot count committed spend. We have explained to Defra that this is a serious 'weakness' in the programme design: we only have a few months to promote awareness, receive and determine applications and for successful applicants to complete the works and claim. There is a risk that this may deter some applicants; some activities/works may not be possible within the time window available in year 1; it could serve to favour applications from certain types of farmers and disadvantage those who have to seek approvals before applying. We will continue to make the case for a more flexible funding model to Defra.

- **Core grant** – there is a risk that Defra will use the FiPL investment to state that they have increased the funding for National Parks and AONBs. Even at an area level this is simplistic as it ignores the impact of reductions in agri-environment coverage and spend and Basic Payment Scheme reductions. At the Authority, or organisation level, it ignores the fact that our core funding has been cut (in real terms) despite the recommendation in the Landscapes Review. FiPL is a positive development but it is ring-fenced funding and not to be confused with our National Park Grant.
- **Governance** – FiPL is a national initiative but we will need to deliver the programme within our own governance arrangements.

3.0 Dartmoor Local Assessment Panel

3.1 As noted above, we need to establish a LAP. Appendix 2 provides details of Defra's 'expectations' for the LAPs. Whilst the Defra guidance indicates that LAP members should be appointed rather than recruited we are proposing a 'hybrid' model that combines representatives of key organisations and an opportunity for the farming/land management community to apply for one of three places on the LAP.

3.2 It is proposed that the Dartmoor LAP comprises of the following representatives/members:

- Dartmoor Commoners Council – invitation to the Chair
- Dartmoor Hill Farm Project - invitation to the Chair
- Farmer representatives (three places) – advertised via the Authority and Hill Farm Project websites and social media platforms. We will also promote via the Hill Farm Project database and other networks
- DNPA Member – appointed by the Authority
- DNPA Officer – appointed by the Chief Executive (National Park Officer)
- Natural England
- Representative from environmental non-governmental organisations (defined as one member of the Panel to represent the following organisations: RSPB, Devon Wildlife Trust, Woodland Trust and National Trust)
- Landowner representative – invitation to the Chair of the Dartmoor Common Landowners Association
- Representative from Dartmoor Local Access Forum
- Rural Payments Agency

3.3 The three places for the farmer representatives will be advertised via the Authority and Hill Farm Project websites, social media platforms and key partners. Applications will be welcome from those who can demonstrate that they are actively engaged in farming within the National Park. Applicants will be asked to explain why they wish to join the LAP and identify the skills and experience they will bring. The applications will be assessed by the Chief Executive (National Park Officer) (or another Officer of the Authority) and the Chair of the Authority. Appointments will be agreed by the Chief Executive (National Park Officer) and the Chair of the Authority. There will be no right of appeal for unsuccessful applicants. This process follows the model that we use for the Dartmoor Local Access Forum and provides an opportunity for wider farmer/land management engagement.

3.4 It is recommended that the Authority authorise the Chief Executive (National Park Officer), the Chief Financial Officer and Monitoring Officer to develop and agree specific Terms of Reference and guidance for the Dartmoor Local Assessment Panel. These will need to build on the Defra guidance (see Appendix 2) and set out a transparent governance framework for the Panel.

4.0 Relationship between FiPL and the Authority's Governance Framework

4.1 FiPL is a national programme but with local flexibility. The funding allocation is ring-fenced for FiPL – it cannot be used for any other purpose. There are three elements to the funding. The majority of the money (circa 86%) is to be used for project grants paid to farmers/land managers and other eligible applicants. There is an allocation towards the administration costs of the programme (circa 5%) and also an allocation for advice and guidance to farmers and land managers (circa 9%). We are using the allocations for advice and guidance and administration to help fund project officer capacity to run the programme, support the LAP and report to Defra.

4.2 Under the Authority's Financial Regulations the Authority's Standing Orders state that:

"The Authority and its committees, sub-committees, working panels & other groups and every Member and Officer shall at all times act in accordance with and behave in conformity with all financial regulations as may be made by the Authority."
(section 27).

4.3 The Authority's Financial Regulations contain a section on External Arrangements which provide for partnership working and external funding. Section A of the Financial Regulations state that grants above £5,000 must be approved by Members of the Authority prior to payment (para A8.2)

4.4 It is recommended that Members approve a formal amendment to the Authority's Financial Regulations that provides the required governance framework for FiPL. Specifically, the insertion of a new Section F on FiPL which would state:

Section F – Farming in Protected Landscapes

Farming in Protected Landscapes is a national programme with dedicated ring-fenced funding from Defra to fund projects that:

- Support nature recovery.
- Mitigate the impacts of climate change.
- Provide opportunities for people to discover, enjoy and understand the landscape and its cultural heritage.
- Support nature-friendly, sustainable farm businesses.

For the purposes of Farming in Protected Landscapes, grants and agreements up to and including £5,000 may be authorised by the Chief Executive (National Park Officer) or an Officer of the Authority with written delegated authority from the Chief Executive (National Park Officer).

For grants and agreements above £5,000 and up to £250,000 the Authority gives Dartmoor Local Assessment Panel the authority to make a formal recommendation as to whether or not the Authority should award a grant and/or enter into an

agreement. Where a recommendation is made to award a grant and/or enter into an agreement, the Dartmoor Local Assessment Panel will duly notify the Chief Executive (National Park Officer). The Authority gives delegated authority to the Chief Executive (National Park Officer) to issue the grant offer/agreement or to delegate this authority to an appropriate Officer of the Authority, provided that the requirements below are satisfied.

Officers must ensure that the Local Assessment Panel has operated correctly, and within the approved terms of reference, when determining project applications and making grant recommendations.

Officers must carry out sufficient checks to satisfy themselves that any organisation or business to be grant-aided will be financially viable for the duration of the appropriate project or activity, that they are not in receipt of or applying for any other funding for the proposed activities (i.e. double funding) and must obtain signed terms and conditions before payment is made.

The general administration of the Farming in Protected Landscapes Programme will be overseen by the Authority's Chief Financial Officer. The Authority will maintain a record of applications, decisions and grants. Such information is open to public inspection.

Progress on the FiPL programme will be reported to the Authority's Audit and Governance Committee and to the Authority.

5.0 Legal Framework

- 5.1 The stated objectives of FiPL correlate closely with the statutory purposes of National Parks and our duty to promote the socio-economic well-being of our local communities.
- 5.2 Section 65 of the Environment Act 1995 provides for the Authority to do "*(a) anything it considers appropriate for the purposes of the carrying out of any of its functions (its "functional purposes")*"

6.0 Financial Implications

- 6.1 Defra are providing each protected landscape with a dedicated FiPL funding allocation. This is being formally paid as a change notice to our National Park Grant but is for all accounts and purposes separate to National Park Grant.
- 6.2 We have received notification of our provisional allocation for 2021/22, informed that FiPL is a three year funding programme that will run until 31 March 2024 but at time of writing do not have any detail on the allocations for 2022/23 and 2023/24.

7.0 Conclusions and Recommendations

- 7.1 FiPL is an important and significant policy and funding development. It provides an opportunity to support the farming and land management community within the National Park to make, in the words of the Government, 'the transition towards environmental land management'. It also provides a funding source to help deliver

the shared vision in the National Park Management Plan. The programme is not without risks and some of these are summarised in appendix 1.

7.2 It is recommended that Members:

- Formally agree that Dartmoor National Park Authority should participate in the FiPL programme (2021 – 2024).
- Agree a minimum grant threshold of £2,000 per application (i.e. applications below £2,000 will not be considered).
- Note the key risks associated with the FiPL programme (see appendix 1) and agree that FiPL should be added as a strategic risk to the Authority's risk register and a specific risk assessment developed for the programme with the aim of minimising the risks identified.
- Authorise the Chief Executive (National Park Officer), in consultation with the Chief Financial Officer (Section 151 Officer) and Monitoring Officer, to develop and agree formal Terms of Reference for the Dartmoor Local Assessment Panel to ensure that the Panel operates as per the Defra guidance and to the standards of probity and professionalism expected of the Authority.
- Delegate to the Chief Executive (National Park Officer), in consultation with the Chair of the Authority, responsibility for appointing persons to the Dartmoor Local Assessment Panel as per the arrangements outlined in section 3.
- Approve the insertion of a new section in the Authority's Financial Regulations to provide specific authority to operate the FiPL programme (see section 4).
- Agree the format for the Dartmoor Local Assessment Panel (see section 3) and appoint a Member of the Authority to serve on the Panel (this appointment will be subject to review at the Annual Meeting).

Kevin Bishop

Attachments: **Appendix 1 – Summary of key risks associated with FiPL**
 Appendix 2 – Defra guidance on “Expectations for Local Assessment Panels”

Appendix 1: Summary of key risks associated with FiPL

Potential risk	Description and Analysis	Mitigation measures
Operational risks		
Lack of applications	There is a risk that farmers will not apply to FiPL in the belief that they are better off waiting for the new ELM schemes.	Effective local communication and engagement supported by national promotion. 'Gove guarantee' that you will not be worse off. Seeking assurance that FiPL will be a route into ELM schemes
Staff resource	There is now a rush to launch the programme. There will be over 50 new FiPL Project Officer posts that protected landscapes are recruiting to and a risk that there are not sufficient suitably qualified candidates. These posts will not be filled before the programme goes live creating a capacity issue. Later in the programme there is the risk that Project Officers will leave due to fixed-term nature of the contracts	Defra have been made aware of this risk. We are reviewing staff work programmes to priorities FiPL but this will have knock-on implications. We have appointed a project manager for FiPL and are seeking to recruit a dedicated Project Officer. We are looking at options should we not be successful with the recruitment.
Link with existing agri-environment schemes	We have sought to ensure that FiPL can be used on land already within an existing agri-environment scheme. This is important given coverage of land within protected landscapes already in such schemes but then creates a risk of double funding and the complexity of demonstrating 'value added/additionality'.	Check process with Rural Payments Agency Natural England involved in Local Assessment Panels Effective and efficient FiPL Project Officer(s) with active and supportive line management
Financial Risks		
Financial risk as the accountable body	NPAs will be the accountable bodies for FiPL meaning we will need to ensure that FiPL operates within our own schemes of delegation, standing orders and audit processes. There is a risk that our governance arrangements might not link easily with the national programme. If an applicant does not deliver the outcomes specified in their application or submit fraudulent claims the Authority will be accountable and have to seek repayment from the applicant. We will also be responsible for monitoring projects.	We have sought to ensure that the National Framework is flexible and will work with internal governance arrangements. Need for clear governance arrangements from the outset at the protected landscape level. Effective and efficient FiPL Project Officer(s) with active and supportive line management

Potential risk	Description and Analysis	Mitigation measures
Year-end Spend	The 2021/22 allocation has to be spent by the end of the year (i.e. application submitted, approved, grant offer made, works completed and paid for).	We have highlighted this as a significant risk to Defra during the development of FiPL. We have been advised that they will review once FiPL is operational. A potential solution is to allow year 1 spend to include commitments entered into and capitalised revenue payments
Investment in FiPL used to state that funding to National Parks and AONBs has been increased	The Spending Review 2020 already makes this assertion. It is not clear whether FiPL is a net increase in funding to protected landscapes given the reductions in BPS payments and agri-environment scheme coverage). The key risk is that Ministers/senior officials conflate spend in National Parks (the area) with the budget for NPAs (the organisations) – FiPL is separate to funding for NPAs	Effective communication about what we are delivering with the FiPL money and demonstrating to Ministers and key officials the importance of the funding for advice and administration. If we are successful with FiPL it will help make the case for future investment as we will be seen as trusted delivery bodies
Lack of clarity on funding for years 2 and 3	Allocations are only confirmed for year 1 due to the Spending Review for 2020 being for one year.	We think the risk of no funding or reduced funding in years 2 and 3 is low given the commitment in the Agricultural Transition Plan but lack of certainty makes it difficult to plan ahead and could have an impact on applications
Underspend in year 1	This is a significant risk due to late start and the insistence that we can only account for money that is actually spent and not forward commit (see above). Financial spend may be a key criterion in the evaluation of FiPL	We have already raised this as a significant risk with Defra and we hope that they will revisit the accounting guidance (see above). Need to remind them of the Spending Review 2020 commitment. We are seeking to ensure that the evaluation of FiPL is focused on outcomes and not just financial spend and that it is longitudinal (ie runs throughout the 3 years of the programme with feedback loops rather than a post-programme evaluation). Potential re-allocations towards end of year 1.

Reputation risks		
Local Assessment Panels	There is a risk that Local Assessment Panels might become embroiled in local 'politics'.	Careful consideration of issues in the appointment/recruitment of panels. Appropriate training/guidance for panel members. Careful consideration of 'conflicts of interest'.
External scrutiny	FiPL is the first of the post Brexit programmes launched by Defra and is likely to be subject to external scrutiny by stakeholders such as NFU and CLA, the press and National Audit Office. The farming and land management community have not been involved in the design of FiPL which could attract criticism from NFU, CLA, TFA etc.	We have asked Defra to engage with the key representative bodies for farmers and land managers to ensure they are aware of FiPL at a national level and Defra are able to deal with any concerns/criticism. We are seeking to ensure that the Dartmoor Local Assessment Panel provides opportunities for farmer/land management engagement.

Appendix 2: Defra guidance on 'Expectations for Local Assessment Panels'

Purpose of the Panel

To consider and decide on applications for projects (above £5,000) submitted to the Farming in Protected Landscapes (FiPL) programme, according to the agreed criteria for the programme as published in the information for applicants and in accordance with the scoring system provided. Protected Landscapes are responsible for appointing the panel.

Role of Local Assessment Panel (LAP)

The panel shall:

- Refer all enquiries for the Farming in Protected Landscapes grant to the Protected Landscapes FiPL officer without prejudicing their decision making
- Receive a report and recommendation on all valid applications from the FiPL officer and should consider all applications along with the FiPL officer report and recommendations
- Assess applications, giving regard to the FiPL National Framework and other guiding documents, and marking applications to achieve the desired outcomes of the FiPL programme
- Assess applications using the scoring system provided
- Award, partially award, request more information or refuse applications
- Give precise reasons for decisions - these reasons should refer to the guidance documents and scheme criteria.
- Treat decisions as confidential until notice has been issued by the Protected Landscape to the applicant.
- Review and make recommendations for alterations the Panel's Terms of Reference; these recommendations will be considered by the Chief Officer or their nominee and the Chair of the panel
- Champion the FiPL programme with farmers, land managers and other relevant organisations
- Have regard to the [Nolan Principles](#) in all its affairs

Membership of the LAP

- Panels will be appointed rather than subject to recruitment processes.
- Panels should be made up of a good geographical and thematic spread across the PL
- Panels should have a mind to equality and diversity. The panel should as far as practical represent the diversity of the people who live, work and spend time in the Protected Landscape.
- Interests across both the environment and access and engagement related causes should be represented on the panel
- Panel members should also have excellent specialist knowledge in their field, good knowledge of the local area and the respect and support of their peers.
- Panels may be made up of one or more Protected Landscape bodies. These shared Local Assessment Panels will assess applications for the PLs present. This approach is

to allow participating Protected Landscape bodies to benefit from a greater sharing of collective knowledge and experience.

- Panels should have at least 5 panel members
- For shared local assessment panels there should be a maximum of 18 panel members (excluding the Chair)
- The quorum of the panel should be 50% (at least 3) + 1 of the agreed panel size
- The panel must consist of representatives of:
 - the Protected Landscape Team;
 - Natural England
 - the farming and land management community (several members);
- Protected Landscape teams are strongly encouraged to include the RPA in the representation of the panels and also to consider including further representatives from the Defra network (Forestry Commission, Environment Agency, and Historic England) as appropriate. It may be that PLs bring in FC/EA/HE guidance and expertise for 'one off' advice when necessary. The FC, EA and HE are all committed to this approach and it is up to their discretion as to whether they attend the panel. They will not be required to attend the full duration of a panel. Please see Annex S for more information on how the FC, EA, HE, NE and RPA can support panels and relevant contact information to arrange attendance at panels.
- The panel should consider representatives from organisations with a focus on nature recovery, rural development, public access/engagement and existing agri-environment support and provision.
- The panel may keep its membership under review and may, at the discretion of the Chair and the Director of the Protected Landscape or their nominee, invite additional members or remove members.
- The Panel should appoint a chair from among its membership at the first meeting.
- The secretariat should be provided by the Protected Landscape. For shared Local Assessment Panels this decision should be made locally.
- The Panel membership should be available to the public, if requested

Organisation of LAP meetings

- Panels will meet on a regular basis to consider applications with an expectation that this will be every 8 weeks. The schedule of meetings will be determined by the PL. Additional meetings can be called at a minimum of 5 working days' notice.
- Meetings should be considered quorate where at least 50% +1 of the membership is present.
- All members of the panel should have equal voting powers and decisions should be taken by a majority of those present. In the event of no clear conclusion the Chair should have a second and casting vote.
- Where it is considered (by officer or panel member) that a member has a conflict of interest in a matter under discussion, that member must be excluded from that part of the meeting (they will have to leave the meeting or disconnect from a video link), they will have no vote on such applications and the conflict of interest noted in the minutes. Panel members will have a responsibility to declare an interest in any application under discussion.

- All applications and matters discussed at grants panel meetings should be treated in the strictest confidence, though it should also be noted that all communication in relation to the fund is on the public record and subject to Freedom of Information legislation.

Administration

- All meetings should be scheduled where possible to suit the majority of members, meetings can be called at a minimum of 5 working days' notice.
- The agenda, supporting papers and report should be issued at least one (1) week before the date of a meeting, by email.
- Panels can choose to meet virtually and also decide by correspondence by local agreement.
- All administration of the panel including minute taking will be the responsibility of the Protected Landscape. This includes reasons for decisions made at the meeting.
- Decisions of the panel including the reasons for those decisions should be issued in writing to applicants within 1 week of the date at which it was agreed.
- Minutes of the panel meeting should be circulated to members within two (2) weeks of a meeting. They shall include:
 - Attendance
 - Matters arising from previous meetings (e.g. progress on deferred applications)
 - A decision record for each application
 - Financial information (committed and spent funds)
- On receipt of timesheets, farmer and land manager representatives to the panel and those from organisations with charitable status attendees can be reimbursed expenses for preparation for and attendance at panel meetings at the discretion of the lead Protected Landscape. This spending would come out of Protected Landscape's admin budgets and should be a shared expense across the groups of Protected Landscapes if the panel is a shared panel.

Conflicts of interest

All members of the Local Assessment Panels will be required to adhere to the Nolan Principles of conduct in public office¹. Panel members will be expected to declare any pecuniary interest or other conflict of interest in projects being assessed. Where there is such a conflict of interest, the panel member must withdraw from the meeting while the rest of the panel deliberate on those matters.

Panel members may apply to the fund but, will not be involved in assessing their own applications nor may they lobby other panel members for support. Where it is considered (by officer or panel member) that a member has a potentially compromising interest in a matter under discussion, that member should be excluded from that part of the meeting, must abstain from voting on the application, and the conflict of interest noted in the minutes. This includes the FiPL officer or members of the Protected Landscape if there is an application from the Protected Landscape to the programme.

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

Appeals

Appeals on decisions made on applications should be made to the Protected Landscape body in which the applicant is based (regardless of whether the decision was made at a shared Local Assessment Panel).

Applicants can only query a funding decision if they think that the Local Assessment Panel has:

- made a mistake with the application
- made a processing error
- got the law wrong

Applicants must set out to their relevant Protected Landscape body the reason for their appeal under one (or more) of these 3 criteria. Information on how to appeal should be included in the written decision from the panel as a matter of course.

Applicants should be provided with the following advice for making an appeal:

- An appeal must be made within 10 working days of receiving your application decision
- The PL will aim to communicate with you about your appeal within 15 working days from when you submitted your appeal.

Appeals should be dealt with locally in the first instance by the relevant Protected Landscape body. Where necessary, Protected Landscapes bodies (and, for AONB Partnerships, their host authorities) can escalate the appeal to Defra for advice and further management of the appeal.

Complaints

Complaints (separate to appeals on applications) should be directed to the Protected Landscape body relevant to the application or project. Protected Landscape bodies should all have complaints procedures in place and there will be some local variation.

Applicants should be provided with the following advice for making a complaint:

- The PL will aim to communicate with you about your complaint within 15 working days from when you submitted your complaint, although if the matter is complex this may need to be extended, within a reasonable period, after explaining to why.

Protected Landscape bodies should address the complaint in the first instance. Should an applicant think their complaint is not being dealt with adequately, the Protected Landscape body can refer the complaint to Defra for further investigation.

All Protected Landscapes will have formal complaint and compliment procedures in place and fall under the jurisdiction of the independent Local Government and Social Care Ombudsman which is the final stage for complaints about the local authorities (i.e. protected landscapes).

Reviews

Defra will undertake an annual review of these expectations.



NPA/21/020

Dartmoor National Park Authority

9 July 2021

SOUTH WEST PEATLAND PARTNERSHIP – NATURE FOR CLIMATE FUND

Report of the Director of Conservation and Communities

Recommendation: **That Members:**

- i. **Support the submission of a bid, by South West Water (SWW) to the Nature for Climate Fund;**
- ii. **Agree that the Authority will employ and manage project team (four posts) with the employment costs being met by the Nature for Climate Fund Grant;**
- iii. **Approve and allocate a separate contribution to add value to the project of up to £125,000 to be met from the Match Funding Reserve; and**
- iv. **Note that the Authority will be also be making an in-kind contribution if it employs the project team in terms of support functions and costs**

1 Background

- 1.1 Following some smaller scale initial trials peatland restoration started in earnest on Dartmoor in 2010 with the Dartmoor Mires Project which ran between 2010 and 2015. This project aimed to test the feasibility of restoring blanket bog on Dartmoor and gathering of evidence on the effects of restoration on water quality, carbon and biodiversity. Work was undertaken at a number of sites and it was concluded that restoration was feasible. After a period of reflection and review which included the formation of the Dartmoor Peatland Partnership (DPP), a community engagement project (Magnificent Mires <https://www.dartmoor.gov.uk/nested-content-2016/films/magnificent-mires>) and detailed mapping of the extent and condition of Dartmoor's peatlands by the University of Exeter, a new phase of restoration work was started in 2018. The University of Exeter mapping was used to identify the priority areas for restoration and for funding bids.
- 1.2 The mapping revealed that Dartmoor contains 31,500 ha of peatland. The mapping identified erosion and gully features, peat cuttings and associated drainage that would affect the condition (the eco-hydrology) of the peatland:
 - An estimated 2900 ha (6.5%) of peatland is hydrologically affected by erosional features.
 - Only 360 ha of the peatland is estimated to be functionally intact bog.
 - The remainder of the peatland area is neither directly impacted by mapped erosional features nor intact functioning bog, but as such it is not in good

condition. Most of this area is dominated by purple moor grass and this indicates the poor condition of the habitat.

- 1.3 After a successful bid to the Defra Capital Grant scheme for Peatland Restoration in 2018, the South West Peatland Partnership (SWPP), led by SWW, was allocated a grant to deliver peatland restoration across the three south west moors between 2018 and 2021. Additional resources were allocated to the project from Defra for the financial year 2021/22 to deliver additional restoration. This would suggest that Defra was happy with the progress and quality of work completed in the South West. Members will recall that the Authority allocated £150,000 for the employment of a Dartmoor Peatland Officer, over the four year period, to help with the implementation of the works. Other partners including the Duchy of Cornwall, Dartmoor Preservation Association, the MoD and the RSPB also provided funding to support the Historic Environment Officer post and a range of monitoring and archaeological surveys.
- 1.4 The progress and success of the current restoration programme on Dartmoor has been impressive, even with the delays imposed by COVID and a small team they have delivered 318 ha of restoration to a high standard. 130 hectares of restoration is still to be completed from this current round of funding and this will be delivered between August 2021 and March 2022.
- 1.5 Members will be aware of concerns expressed by some of the DPP and others, following an incident at Hangingstone Hill last winter. The DPP has therefore taken the opportunity to take stock and review the current programme of works given that we are coming to the end of this current phase of work. A number of suggestions have been made:
 - the need for better communication and engagement both within the Partnership and to the wider public about the work being undertaken;
 - the need for dedicated resource for the historic environment on Dartmoor and further resources to liaise with the farming community;
 - Different techniques have been suggested and questions about whether the Season for restoration could be extended. (At the current time restoration is outside of the bird breeding season and therefore takes place between 1 August and 31 March);
 - Some questions have been asked by members of the Partnership about the resilience of Dartmoor's peatland in response to climate change and the science behind the work.
- 1.6 Dartmoor's peatlands lie at the southern limit of the temperature and rainfall conditions required for *Sphagnum* to grow but with current temperatures, rainfall and sunlight hours the South West does have the right climate for sphagnum growth to further build blanket bog. Models predicting the impact of climate change on the South West indicate a range of possible outcomes or scenarios in terms of impact on peat. If winters and summers become drier the range that blanket bog occupies on Dartmoor may retract. However, if climate change results in a shift in the gulf stream, conditions may get better for peat formation. Given this uncertainty it makes sense to focus on resilience: hydrological restoration will make peatlands more resilient to drought. Functioning bogs in the headwaters of rivers will also make the rest of the river system more resilient to drought and better able to regulate the flow of water.

1.7 Across England, peatlands cover 10.9% of the land and it is estimated that only 13% are in a near natural functioning state (Evans et al. 2017). Government has prioritised the importance of protecting and restoring peatland in its 25 Year Environment Strategy and the UK Peatland Strategy 2018 – 2040 lays out a vision and strategy for action with an ambition to ensure two million hectares of peatland in good condition, under restoration or being sustainably managed by 2040. The England Peat Action Plan launched May 2021 aims to Restore 35,000ha of peatland by 2025. Members will note that the Dartmoor National Park Management Plan 2021 - 2026 recognises the importance of peatland restoration and has a target of 1000 ha over the 5-year period of the plan.

2 South West Peatland Partnership - NE Nature For Climate Grant Application

- 2.1 The Government has committed £640million to a Nature for Climate Fund, which includes tree planting and peat restoration. In April 2021 Natural England (NE) launched a competitive grant scheme, the Nature for Climate Peatland Grant Scheme (NCPGS) providing funds over the next four years (2021 – 2025)
- 2.2 The fund is linked to the delivery of two key targets in the draft England Action Plan:
- To have undertaken restorative action on 35,000ha of degraded peat in England by March 2025
 - Reduce emissions from peat by 9MTCO₂e cumulatively by 2050
- 2.3 Unlike the Defra capital grant scheme this new fund takes a much more integrated approach and enables applicants to include staff costs, community engagement and monitoring/surveys. These elements were not eligible in the previous Defra grant but, as outlined above, we did fund some of this work through local Partnership funding.
- 2.4 The fund opened in April 2021 and applications had to be submitted in eight weeks, the closing date being 25 June 2021. It is NE's expectation that successful applicants will start implementation from August 2021 and therefore decisions are expected towards the end of July.
- 2.5 As with the last Defra bid SWW has worked with the wider SW Peatland Partnership to develop and submit one umbrella bid for the three moors - the South West Peatland bid. There was a steer from NE to combine smaller applications and our experience through the latest bid shows the benefit of a joint bid; sharing resources, skills and experience through a multi-disciplinary team supporting delivery across all three moors. We expect this to continue.
- 2.6 The intention to submit a bid to the new fund was shared at the Dartmoor Peatland Partnership in early June. SWW, the Forest of Dartmoor Commoners Association, the Duchy of Cornwall and the Authority have all played a significant role in developing the detail of the Dartmoor bid. Although a high level summary was shared before submission, unfortunately the timeframe did not enable us to share the detail of the bid with the whole Partnership and therefore not all partners felt able to send a letter of support for the bid. We have continued to prioritise sites identified through the University of Exeter mapping but it was essential that the proposed restoration sites were agreed with landowners, the Commoners

Association and affected commoners before being shared more widely and this was the priority. It is worth noting that the Forest of Dartmoor Commoners Association are in support of this bid and agreed that the work can take place during the period of the HLS rollover.

- 2.7 The closing date for applications was the 25 June. South West Water (SWW) has submitted the bid as the lead body.
- 2.8 The SW Peatland bid aims to deliver 2634ha of restoration over the 3 moors at a cost of £13,558,766.35 with a requested contribution from the Nature for Climate Peatland Restoration Scheme of £9,395,553.43. The match funding has come predominantly from SWW, through their Green Recovery Initiative, the Duchy of Cornwall and a number of other organisations. The bid includes staff costs, survey, monitoring and community engagement which are eligible costs.
- 2.9 On Dartmoor the bid is for 931 ha of restoration across five sites and a total cost of just over £6m. This includes three Peatland Project Officers, and an Historic Environment Officer for Dartmoor plus other staff who will be shared across the three moors including community engagement and communications posts and farm liaison. The bid also includes a Dartmoor specific budget for ecological monitoring £50,000; archaeological surveys £40,000 and communication £8,000. Members will note that the bid has tried to address the points raised by the Dartmoor Peatland Partnership.
- 2.10 Treasury cash contributions as match funding to this grant fund are not eligible and therefore the Authority is unable to provide cash match funding, but we can add value to the Project by funding additional elements that have not been included in the actual bid. We can also provide in-kind support the by employing and hosting posts.
- 2.11 Officers have discussed with the SWW a continuing role for the Authority to lead the work on Dartmoor and employ the Dartmoor focussed posts (subject to confirmation of final detail and approval from Members). The main benefit of doing this is to ensure integration with other work being led by the Authority, such as the Natural Flood Risk Management Project (NFM) and to ensure integration with other specialist staff across the Authority. If Members support this approach the Authority would employ four officers: three Peatland Project Officers and an Historic Environment Officer. These posts would be fully funded from external funds. Although the Authority will employ the officers it will be essential that they work closely with, and as part of, the wider SW Peatland team to ensure exchange of knowledge and expertise and a co-ordinated approach across the three moors. The postholders would represent the wider Partnership and this would be reflected in the job titles and branding.
- 2.12 Officers have submitted a letter of support for the bid outlining the provisional in-kind support we can offer and a provisional cash contribution of £125,000 over the four years to add value to the bid. Given the Authority's priorities for nature recovery and climate change our continued support for this work is very relevant.
- 2.13 The programme of works as detailed in the bid will require a step up in the rate of delivery. An integrated restoration plan will be drawn up for all sites using appropriate restoration techniques and balancing archaeology, farming, public

access and military interests. The appointment of a larger team to deliver this work is crucial and this will require dedicated management time to oversee the team, without additional management capacity we would not be in a position to host the new peatland posts. The Authority's cash contribution will be used to support this management capacity.

3 Risks

3.1 On Dartmoor the programme of works as detailed in the bid is ambitious and there are risks

Risk	Probability	Severity	Control measures
Weather delays progress on restoration	Possible	This could have a major impact on the sites where working days are limited by MoD activity.	Days lost through weather for the last Defra funded Project were low. Build into contracts the potential for weekend working.
No agreement on sites and restoration techniques.	Possible	High	Landowners and commoners have agreed all sites to be restored. However for a number of sites this is subject to on-going HLS agreements. Restoration techniques have been discussed with the Partnership, existing techniques are proven but new techniques can be assessed if identified
HLS agreements are not rolled over	Possible	High	Application is an ambitious but deliverable programme of work to support HLS rollover.
UXO survey limits progress due to high density of finds in one area or lack of contractors	Possible	Medium	Alternative sites would need to be found, some sites are under discussion but not approved. This has not been an issue to date.
Lack of public support/engagement	Possible	Medium	Communications staff have been included in the most recent application. A good evidence base is available but does need to be developed for different audiences.

Inability to recruit staff	Likely	High	Job descriptions and person specifications to reflect different aspects of the role to try and attract varied applicants which will allow for development of specialist skills if these aren't available.
Liability for redundancy cost	Possible	Medium	Still to be determined and will be dependant on outcomes of recruitment. Potential costs might be covered by project funding and discussions are underway however this could be a liability for the Authority

4 Links to other projects

- 4.1 The Dartmoor Headwaters NFM pilot is part of the £15 million national programme to further understand the benefits of more natural solutions to flood risk issues, including tree planting, soil health improvement, land management changes and river restoration. Members will be aware that this is a partnership project between the Environment Agency and Dartmoor National Park Authority working closely with a range of other partners including the landowners and graziers in the pilot catchments. The Authority has employed the NFM Project Officer during the three year pilot phase of this project and work has taken place in five catchments.
- 4.2 The pilot concluded at the end of March 2021 and further funding has been secured to continue from 2021 to 2027. If funding for future peatland restoration is forthcoming it is the ambition of all partners to better align the peatland restoration, natural flood management and wider biodiversity work on Dartmoor more effectively in the future, creating a team of officers for Dartmoor delivering at a catchment scale and part funded through the EA, SWPP, DNPA and other partners.

5 Conclusion

- 5.1 The Moorland Vision developed in 2005 recognised the importance of Dartmoor's blanket bogs and the potential for restoration. Since then, we have completed mapping of the extent and condition of Dartmoor's peatland and through this work identified priority areas for restoration. Through the Dartmoor Mires Project and more recently the Defra capital Grant Scheme, we have completed 385ha of peatland restoration on Dartmoor since 2010.
- 5.2 The Government has recognised the importance of peatlands for both climate change and progress to net zero and for nature recovery. The National Park Management Plan Review has also recognised the importance of peatlands on Dartmoor and included a target of 1,000ha of peatland restoration over the five-year period of the Plan. The benefits accrued from healthy peatlands are well rehearsed: carbon storage, clean water, flood alleviation, biodiversity and protection of archaeology. Through the SWPP we are starting to position the south west

alongside some of the northern moors who have developed and received funding for large schemes over many years.

- 5.3 It is recommended that Members support this new application to the Nature for Climate Fund; agree to hosting 4 Dartmoor focussed posts and support the continued work with funding of £125,000 over the period 2021 – 2025.

6 Financial Implications

- 6.1 The full SW Peatlands umbrella bid has a value of £13,558,766.35 with a bid to the NCPRS of £9,395,553.43. The match funding coming predominantly from SWW through its Green Recovery Initiative and the Duchy of Cornwall who have pledged £700,000 plus in kind time to the Project. On Dartmoor the bid is for 931 ha of restoration and a total cost of just over £6m. It is recommended that the Authority agrees to employ the four posts required to deliver this work, noting that the cost is covered by external funding, and allocates up to £125,000 from its match funding reserve to ensure the management of this project and its integration with other work.
- 6.2 Members should note that employing and hosting these posts also incurs support and management cost (HR, finance, legal, IT and premises) which, if agreed, would be an in kind contribution to the project of circa £50,000 a year.

7 Equality and Sustainability Impact Assessment

- 7.1 The techniques used to implement the restoration will take into account access routes and will ensure that access is not impeded by the proposed works.

Alison Kohler



NPA/21/021

Dartmoor National Park Authority

9 July 2021

Tree Preservation Orders, Section 211 Notifications (Works to Trees in Conservation Areas) and Hedgerow Removal Notices Determined Under Delegated Powers

Report of the Trees and Landscape Officer

Recommendation: **That the decisions be noted.**

TPO APPLICATIONS

Teignbridge

Ref: 20/0054 **29 Amberley Close, Ashburton** **SX 7450 7063**

Application to remove a low branch from a Holm oak. The works are minor and will have minimal impact on the health or appearance of the tree. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

Ref: 20/0058 **Yonder Wreyland, Lustleigh** **SX 7882 8122**

Application to reduce a sweet chestnut. The works are minor and will have minimal impact on the health or appearance of the tree. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

Ref: 20/0063 **Cross Street, Moretonhampstead** **SX 7552 8602**

Application to reduce the crown of a Western Red cedar. The works are minor and will have minimal impact on the health or appearance of the tree. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations.

West Devon

Ref: 20/0055 **11 The Platform, Horrabridge** **SX 5102 6950**

Application to reduce an oak tree. The works are minor and will have minimal impact on the health or appearance of the tree. Consent was granted subject to conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. All works are carried out in accordance with British Standard 3998:2010 Tree Work-Recommendations.

Ref: 20/0059 **Village Hall, Meldon** **SX 5602 9238**

Application to fell a beech tree. The tree is very exposed and prone to windthrow. Consent was granted subject to conditions:

1. All works are carried out in accordance with British Standard 3998:2010 Tree Work-Recommendations.
2. Replacement planting of one half standard beech tree within the crown spread of the original during the first planting following felling.

SECTION 211 NOTICES

Teignbridge

Ref: 20/0053 **Linhau Cottage, North Bovey** **SX 7391 8392**

Notification to fell two ash trees. The trees are infected with Ash Die back

A Tree Preservation Order has not been made.

West Devon

Ref: 20/0057 **Roseland, Brentor** **SX 4820 8153**

Notification to fell a maple tree. The tree is blocking light from a window and the felling will have minimal impact on the character of the conservation Area.

A Tree Preservation Order has not been made.

Ref: 20/0060 **Torside Cottage, Mary Tavy** **SX 5098 7866**

Notification to fell a cypress and a line of ash trees. The cypress is in very poor condition and the ash trees are infected with Ash Die Back.

A Tree Preservation Order has not been made.

Ref: 20/0061 **Duchy House, Princetown** **SX 5882 7360**

Notification to fell four pollarded sycamore trees. The trees are in poor condition and mostly hidden from public view.

A Tree Preservation Order has not been made.

Ref: 20/0064 **Highfield, Chagford** **SX 7013 8711**

Notification to reduce a beech tree. The crown of the tree is unbalanced and the works will improve its form.

A Tree Preservation Order has not been made.

Ref: 20/0065 **Bowling Club, Chagford** **SX 6997 8762**

Notification to pollard an acacia tree. The tree has lost a large limb and the works will allow the tree to be retained.

A Tree Preservation Order has not been made.

Ref: 20/0066 **The Elms, Horrabridge** **SX 5148 6993**

Notification to reduce a beech tree. The works will have minimal impact on the health or appearance of the tree.

A Tree Preservation Order has not been made.

South Hams

Ref: 20/0056 **COOP, South Brent** **SX 6974 6009**

Notification to cut back branches from a group of ash, willow and poplar. The works will have minimal impact on the health or appearance of the trees.

A Tree Preservation Order has not been made.

Brian Beasley