

COUNTRYSIDE ALLIANCE BRIEFING NOTE

Queen’s Speech Debate

January 2020



Contents

Introduction.....	2
Agriculture Bill.....	2
Trade Bill	4
Environment Bill.....	7
Immigration and Social Security Co-ordination (EU Withdrawal) Bill	8
Animal Welfare Legislation	10
Broadband Legislation	13
Business Rates Statement.....	14

Introduction

There are many measures announced in the Queen's Speech which are welcome. However, delivering a strong economy, increased productivity and thriving communities cannot be achieved without recognising the vital role the countryside has to play. Post-Brexit the countryside has a key role to play in boosting our productivity and must get its fair share of funding for digital connectivity, regulations that support rural businesses, and services which meet the needs of rural communities.

A successful rural economy is vital for maintaining a living and working countryside. Without it there would not be the rural communities and landscapes as we know them today. It is therefore essential that the people who live and work in the countryside are able to engage fully in the economic life of the country.

Below are the Countryside Alliance's comments on some of the measures announced in the Queen's Speech which will impact on the countryside and its communities.

Agriculture Bill

The purpose of the Bill is to:

- *Free our farmers from the bureaucratic Common Agricultural Policy and move to a system based on 'public money for public goods'.*
- *Replace the current subsidy system, which simply pays farmers based on the total amount of land farmed, and instead reward them for the work they do to enhance the environment, improve animal welfare and produce high quality food in a more sustainable way.*
- *Deliver on the Government's manifesto commitments to support farmers and land managers to ensure a smooth and phased transition away from the bureaucratic and flawed CAP to a system where farming efficiently and improving the environment go hand in hand.*
- *Set out the framework for a new Environmental Land Management scheme, underpinned by the principle of 'public money for public good'.*

The main elements of the Bill are:

- *A seven-year agricultural transition period in England during which Direct Payments will be phased out. Transitional schemes will enable investment in new equipment, technology and infrastructure to support change during this period.*
- *Introducing a new system where we pay for public goods including environmental protection, access to the countryside, and work to reduce flooding.*
- *Powers to improve transparency and fairness in the supply chain and provide consumers with more information about how their food is produced.*

Countryside Alliance Position

- A new agricultural policy is one of the three central challenges facing the food and farming industry as we leave the EU, along with new trading arrangements, and access to labour. Establishing a new system of support to replace the EU's Common Agricultural Policy (CAP) is essential for securing the long-term future of farming as well as sustaining the landscapes and communities of many rural areas.

- The food and farming industry is nationally important, generating over £108 billion a year for the UK economy and underpinning our food security. It is particularly important for our most rural areas where farming is often central to the economic and social life of the community as well as playing a vital role in conservation. The establishment of the first British agricultural policy in over 40 years is therefore hugely important, not just to farmers but to the future of the countryside and the nation as a whole.
- The conservation work of farmers is often supported by other forms of traditional land management, such as shooting, and it is vital that the Government develops a co-ordinated policy that allows different types of management to thrive and work together. Farming is the cornerstone for many of the activities enjoyed by people in rural areas, and many farmers benefit from the economic and social role which activities such as shooting contribute to the life of the farm. A new agricultural policy must recognise the close relationship between farming and country sports by continuing to permit activities such as fishing, game shooting, deer stalking, and drag or trail hunting, on land which receives payments under a new system of support.
- Leaving the EU provides the opportunities to establish an agricultural policy that is better suited to the regions and nations of the UK than the CAP, and to simplify the current system of support payments and grants. However, this process will involve significant change as the Government has confirmed that it will move away from direct income support in favour of payments for certain types of environmental outcomes and/or the productivity of farm businesses.
- How the Government chooses to structure a new agricultural policy will determine the landscape of our countryside, the food we eat, and the nature of many rural communities for a generation and beyond.

Public Goods

- Our new agricultural policy must start with the objective of securing a productive and competitive farming industry by looking at ways of supporting farmers in their task of producing food. The environmental outcomes that the Government wants to reward in a new system of support payments such as improved air quality, climate change mitigation, and improving the health or welfare of livestock, are sound objectives but they cannot be achieved without working with farmers to deliver them.
- Unless we recognise the dual role of farmers as food producers and conservationists then we risk turning farmers into environmental contractors with little incentive to continue farming, which would be damaging to the jobs and communities that depend on farming as well as weakening our food security.
- We welcome the proposals to provide financial assistance to improve the productivity of farming alongside support for environmental outcomes. However, some types of farming will always struggle to be productive. This Bill must provide powers to support productivity, particularly for upland farmers. Farmers in the uplands and other marginal areas are limited to low intensity grazing which has small profit margins and is often more exposed to market volatility than other sectors of the industry. Without direct income support, many hill farmers would struggle to make a profit even with financial assistance for providing environmental outcomes and/or starting or improving productivity. Their work, however, often provides the most amount of public good in creating and maintaining some of our most iconic rural landscapes which support many of our rarest habitats and wildlife and are central to rural tourism and leisure for millions of people.

- It is vital that the Bill sets out powers for the Secretary of State to be able to provide as wide a range of financial support to farmers as possible under a new agricultural policy to ensure this, and future governments, can help to secure a thriving farming industry. There should be explicit recognition of upland farming and upland communities in any legislation.

Transition Period

- A new agricultural policy should be appropriate for farming in the different regions and nations of the UK which will require the Devolved Administrations to have greater flexibility in implementing agricultural policy. However, there will also need to be a UK framework for agriculture to ensure fair competition between all parts of the UK, and to respect international obligations.
- We are concerned that the Bill could result in agricultural transition happening at different speeds across the four nations of the UK. This could create difficulties for cross-border farming as well as challenges to the fairness of the UK's internal market.
- The transition from the CAP to a new agricultural policy must not be used as an opportunity to reduce the amount of financial assistance to farmers, even if this is redirected away from area-based payments towards supporting environmental outcomes and/or starting or improving productivity. This will be politically difficult with competition for public funding from other government departments. We urge the UK Government and Devolved Administrations to maintain existing funding levels in new agricultural policies in recognition of the importance of farming to rural communities and the nation as a whole.

Trade Bill

The purpose of the Bill is to:

- *Make the most of new opportunities that come from having an independent trade policy after Brexit.*

The main elements of the Bill are:

- *Creating powers so that the UK can transition trade agreements we are party to through our membership of the EU, ensuring continuity for businesses.*
- *Establishing a new independent UK body, to protect UK firms against injury caused by unfair trade practices and unforeseen surges in imports.*
- *Giving UK businesses continued access to £1.3 trillion per annum of procurement opportunities in 47 countries, by creating the powers for the UK to implement the World Trade Organization Agreement on Government Procurement.*
- *Ensuring the UK government has legal powers to gather and share trade information as evidence to support UK firms against surges in imports and unfair practices.*

Countryside Alliance Position

- The UK produces some of the best food in the world, with the highest standards of safety and animal welfare. Our new relationship with the EU, and any new trade deals with non-EU countries, must protect these standards and allow our produce to be promoted globally and compete on the basis of quality.

- Being part of the Single Market provides UK farmers and producers with tariff-free access to the EU market and labour, and the UK Government must ensure that these benefits are maintained after we leave the EU.
- Leaving the EU provides the opportunity to develop an agricultural policy that is appropriate for the UK, targeting support payments for the public good provided by farmers. It also provides the opportunity to improve food labelling to ensure that consumers have the ability and confidence to support British farmers and producers.
- Trade is vitally important to the success of our food and farming industry. For over 40 years the UK has been part of a single European market, which prohibits tariffs on goods travelling between the UK and other Member States. For agriculture, membership of the Single Market has meant significant protection from non-EU food imports, the creation of an internal market where competition is primarily between Member States, and unrestricted access to the EU market.
- Approximately 62 per cent of UK agricultural exports go to the EU, while approximately 70 per cent of UK agricultural imports come from the EU. Food production and the processing supply chain is complex and often involves several countries within the EU. In recognition of the importance of trade with the EU, it is vital that the UK Government seeks to maintain tariff-free access to the EU market for food and agricultural produce. Particular attention should be given to minimising disruption to existing trade relationships between Northern Ireland and the Republic of Ireland.
- Agricultural goods generally carry higher import tariffs than other commodities. If the UK Government does not establish a new trade agreement with the EU prior to leaving and adopts World Trade Organisation terms, the £12 billion worth of food and agricultural produce which the UK exports to the EU each year would face the prospect of high tariffs. This would be damaging to UK producers and EU consumers.
- Approximately 90 per cent of UK beef, sheep, and dairy exports go to the EU and high tariffs would be particularly damaging to some of our most rural areas where farming is a vital part of the local economy and community. The EU market is particularly important for certain cuts of meat and offal where there is little domestic demand and therefore exports are a significant proportion of carcass value.
- The EU is obliged by the World Trade Organisation to offer reduced (or tariff free) import opportunities to certain types of agricultural produce from outside of the EU under Tariff Rate Quotas (TRQ). There is currently a TRQ in place for lamb from New Zealand and hormone-free beef from Argentina and North America which allows an annual quota of meat to avoid the usual import tariffs. The UK Government must ensure that the TRQs for agricultural produce are not passed back to the UK unless there is a guarantee that UK farmers will continue to have tariff-free access to the EU market.
- As well as maintaining tariff-free trade with the EU, the UK Government must ensure that food and agricultural produce are central to any new trade deals with non-EU countries to open up new export markets. We welcome the UK Government's continued efforts to open up markets in Asia. In China, the value of food and drink exports from the UK has increased by over 50 per cent from 2015 to 2016 and is now worth £439.5 million.
- As the UK Government develops new trading relationships with non-EU countries, it must be ambitious, but it must also be pragmatic. A shift towards promoting export markets outside of the EU is likely to increase the need for UK agriculture to become more competitive, but there will be some farmers who will always struggle to compete on price

in the global market. Farmers in the uplands, and other marginal areas, are not in fair competition with global producers who are operating in very different environments, often with fewer safety and animal welfare laws to comply with, meaning their production costs are significantly lower. This type of upland and marginal farming does, however, provide a vital public good in maintaining some of our most iconic rural landscapes and their communities. The interests of these farmers must be safeguarded in any new trade deals.

- Food and agricultural products should be treated as 'sensitive' in trade negotiations with non-EU countries to recognise that the high standards of safety and animal welfare which UK consumers expect, and our laws require, adds to the cost of production for our farmers. There are significant differences in legislation and best practice between the UK and many non-EU countries in areas such as biotechnology, hormone growth enhancers, and pathogen reduction treatments. There must be recognition of these differences in any new trade deals to avoid downward harmonisation and a lowering of our high standards. Flooding the domestic market with cheaper imports would put UK farmers at a competitive disadvantage and ultimately risk putting many out of business.
- Many of the countries with which new trade deals are seen as a priority, such as Australia, the USA and Brazil are also large meat exporting countries. These countries are likely to seek extensive agricultural concessions as part of any agreement with the UK and our farmers must not be used as a 'bargaining chip' in the negotiations. This is particularly important as World Trade Organisation rules do not allow the process by which something was produced to be taken into consideration when providing state support which is considered to have a distorting effect on the market.
- The ability of the UK to produce its own food must not be undermined by any new trade deals. Skills and experience in the food and farming industry have taken a long time to develop and, in many cases, would be hard to replace if they were lost. Securing our ability to produce food should not be mistaken for self-sufficiency as the UK will continue to import food and agricultural produce, just as it will continue to export. Food security will be achieved by ensuring fair competition for UK farmers and producers in EU and non-EU markets and this must be a priority for the UK Government.
- UK agriculture underpins our food manufacturing sector by providing over 60 per cent of the produce and raw materials involved. This is a vitally important sector, sustaining 3.8 million jobs and adding over £21 billion (GVA) to the UK economy every year. Food manufacturing is nationally important and benefits communities across the country, although it has particular importance in many rural areas. The UK's new relationship with the EU and any new trade deals with non-EU countries will be vital to the future success or otherwise of food manufacturing in this country.

Countryside Alliance calls for:

- Future trade arrangements with the EU should be tariff-free trade in food and agricultural produce. Ensure that any new trade deals with non-EU countries recognise and protect the high standards of safety and animal welfare which UK consumers expect and which our farmers and producers adhere to.
- Development of a comprehensive food labelling policy and extend mandatory country of origin labelling to lightly processed meats and some dairy products. Continue and develop protections for regional and speciality food and drink products in order to support UK farmers and producers.

- UK farmers and producers to have continued access to the EU labour market, which may include the reintroduction of a Seasonal Agricultural Workers Scheme.
- Establishment of a fully funded agricultural policy with support payments targeted at those farmers who are providing the most amount of public good but not being rewarded for this by the market.

Environment Bill

The purpose of the Bill is to:

- *Transform our environmental governance once we leave the EU by putting environmental principles into law; introducing legally binding targets; and establishing a new Office for Environmental Protection.*
- *Increase local powers to tackle sources of air pollution.*
- *Protect nature and improve biodiversity by working with developers.*
- *Extend producer responsibility, ensure a consistent approach to recycling, introduce deposit return schemes, and introduce charges for specified single use plastic items.*
- *Secure long-term, resilient water and wastewater services, including through powers to direct water companies to work together to meet current and future demand.*

The main elements of the Bill are:

- *Establishing new long term domestic environmental governance based on: environmental principles; a comprehensive framework for legally-binding targets, a long term plan to deliver environmental improvements; and the new Office for Environmental Protection.*
- *Improving air quality by setting an ambitious legally-binding target to reduce fine particulate matter (PM2.5), the most damaging pollutant to human health. The Bill also increases local powers to address sources of air pollution and brings forward powers for the Government to mandate recalls of vehicles when they do not meet legal emission standards.*
- *Protecting nature by mandating 'biodiversity net gain' into the planning system, ensuring new houses aren't built at the expense of nature and delivering thriving natural spaces for communities. We will improve protection for our natural habitats through Local Nature Recovery Strategies and give communities a greater say in the protection of local trees.*
- *Preserving our resources by minimising waste, promoting resource efficiency and moving towards a circular economy. These measures include extended producer responsibility, a consistent approach to recycling, tackling waste crime, introducing deposit return schemes, and more effective litter enforcement. We will also ban the export of polluting plastic waste to non-OECD countries, consulting with industry, NGOs, and local councils on the date by which this should be achieved.*
- *Introducing charges for specified single use plastic items. This will build on the success of the carrier bag charge and incentivise consumers to choose more sustainable alternatives.*
- *Managing water sustainably through more effective legislation to secure long term, resilient water and wastewater services. This will include powers to direct water companies to work together to meet current and future demand for water, making planning more robust, and ensuring we are better able to maintain water supplies.*

Countryside Alliance Position

- The Environment Bill announced covers many of the same areas that the draft Environment Bill did in the last session. The Countryside Alliance made clear that there were some substantial concerns regarding the proposed principles and governance of

environmental laws after Brexit. We hope that the new Bill will address those concerns and represent a substantial improvement on the previous version of the Bill

- The Countryside Alliance commented on the previous Bill's weaknesses, highlighting the following:
 1. The proposed constitution of the oversight body, to be called the Office for Environmental Protection (OEP), as set out in the previous Bill was sufficiently independent to scrutinise the Government.
 2. Concern about the OEP's independence is not limited to the appointment and dismissal of its members, but also to its financial independence.
 3. Concern at the shortcomings of the current judicial review process and that the draft Bill does not allay these concerns. If the OEP is to rely on judicial review as the ultimate sanction, then the use and operation of the judicial review process in this area needs to be reconsidered, incorporating some of the distinctive features of the CJEU. The Aarhus Convention Art. 9(4) that procedures for environmental cases must be "fair, equitable, timely and not prohibitively expensive".
 4. Creating artificial 'red lines' or no-go areas may hamper the effectiveness of the OEP and constructive working with other public bodies such as the Commission.
 5. The process of producing the policy statement must require full and public consultation and should require parliamentary approval, as should subsequent changes.
 6. Other principles which the UK has signed up which should be considered for inclusion. We also note that there appears to be no mechanism to add to the list of environmental principles in the future. Such a mechanism is vital if the law is to be sufficiently flexible to evolve with advances in science, future agreements and international obligations.

Immigration and Social Security Co-ordination (EU Withdrawal) Bill

The purpose of the Bill is to:

- *Bring an end to free movement in UK law, to ensure that the Government can deliver a new Australian-style points-based immigration system from 2021.*
- *Make EU citizens arriving from 2021 subject to the same UK immigration controls as non-EU citizens, to enable the Government to deliver a single global immigration system based on people's skills.*
- *Protect the long-standing immigration status of Irish citizens when free movement ends.*
- *Enable the Government to deliver future changes to social security coordination policy.*

The main elements of the Bill are:

- *Ending the free movement of EU citizens under UK law.*
- *The power to align the treatment of EU citizens with non-EU citizens from 2021.*
- *The power to make changes to the current rules for access to benefits and social security co-ordination.*

Countryside Alliance Position

- Access to labour is one of the three central issues facing farmers and producers as we leave the EU, along with trade and support payments. People from the EU play an important role in harvesting, production, and processing across the food supply chain, in both skilled and unskilled jobs.

- Seasonal agricultural workers are particularly important in filling temporary and labour-intensive roles. This type of employment is not only important for farming, but also for other sectors of the rural economy such as forestry and game farming.
- Approximately 80,000 seasonal agricultural workers are employed in the UK every year and according to the Office for National Statistics, 99 per cent of these people are from countries within the EU.
- We need an immigration policy to reflect the importance of workers from the EU to the food and farming industry and the broader rural economy. This must include distinct policy recommendations for seasonal workers, including the reintroduction of a new seasonal agricultural workers scheme or equivalent scheme.
- The Government commissioned the Migration Advisory Committee (MAC) to report on the impact of migration from countries within EU and to make recommendations for a future immigration policy outside the EU. The MAC [published a report](#) in September 2018 which showed that the vast majority of seasonal agricultural workers are from countries within the EU and acknowledged that “it is difficult to imagine a scenario in which this workforce can come from the resident labour market” (p.119).
- The MAC report recognises that if no new seasonal agricultural workers scheme is introduced “it is likely that there would be a contraction and even closure of many businesses in parts of agriculture in the short-run” (p.119). It also states that failure to allow for seasonal workers “may lead to modestly higher prices for consumers” (p.120).
- The Countryside Alliance welcomed the recognition in the MAC report of the importance of seasonal agricultural workers from the EU, although we were disappointed that the MAC did not use this opportunity to call for a new seasonal agricultural workers scheme to be introduced and instead, chose to focus on the conditions around any new provisions for seasonal agricultural workers.
- Shortly before the MAC report was published, the Government announced that Defra and the Home Office were planning to implement a [pilot seasonal agricultural workers scheme](#). The scheme allows up to 2,500 seasonal agricultural workers from outside the EU to work on farms in the UK.
- The Countryside Alliance was pleased that the Government recognised the need for a new seasonal agricultural workers scheme but also expressed concern that what was being proposed would be too little too late for many sectors of the rural economy. We also expressed disappointment that the proposed new scheme will be limited to fruit and vegetable farmers, which will mean other sectors such as forestry and game farming will not be able to benefit from the provisions.
- The 2,500 people that will be allowed to enter the UK as part of this pilot scheme provides little in the way of reassurance when UK farmers and producers employ approximately 80,000 seasonal workers every year. The vast majority of agricultural seasonal workers are from countries within the EU and therefore outside the scope of this pilot scheme.
- The Government’s [White Paper on immigration](#), published in December 2018, set out a skills based approach to a new policy in this area with the “possible exception of seasonal agricultural workers” (p.54). The White Paper makes it clear that the Government do not intend to open sectoral labour schemes, “except potentially” for seasonal agricultural work but it states that “the introduction of any seasonal scheme for agricultural workers will be temporary” (p.54).

- The Countryside Alliance is deeply concerned about the lack of certainty in the White Paper regarding seasonal agricultural workers. References to a new seasonal agricultural workers scheme being the “possible exception” to Government policy in this area and that any new scheme would be “temporary” provide little reassurance to farmers and rural businesses or people from the EU looking to work in the UK. If the Government prioritises skilled workers, or imposes unreasonable conditions on seasonal agricultural workers, then there is a risk of labour shortages in the farming industry which would have a broader detrimental effect on the rural economy in many places.
- The approach to immigration outlined in the White Paper has been determined by the Government’s goal of achieving “sustainable levels of net migration” which was stated in the Conservative Manifesto as reducing migration to the “tens of thousands.” It is vitally important that seasonal agricultural workers are treated separately and not included in the net migration figures on account of the fact that these people are in the UK for a time limited period. The seasonality of many rural businesses means that access to the EU labour market is vital at important times of the year and attempts to reduce this form of temporary migration would be damaging to the rural economy. A clear distinction needs to be made between permanent migration and temporary migration.
- The fact that we are due to leave the EU, with no clarity on future rules on migration, including seasonal agricultural workers, is a matter of grave concern. The Immigration and Social Security Coordination (EU Withdrawal) Bill does not deal with agricultural seasonal workers and the Government must set out what arrangements will be in place for this vital form of migration in the event of a ‘no-deal’ Brexit.

Countryside Alliance calls for:

- An immigration policy to reflect the importance of workers from the EU to the food and farming industry and the broader rural economy.
- Distinct policy recommendations for seasonal agricultural workers, recognising that this a separate form of migration which should be excluded from net migration figures.
- Reintroduction of a permanent seasonal agricultural workers scheme, or equivalent scheme, which should include the requirements of other industries in the rural economy including game farming and forestry, and permit workers to enter from within the EU.

Animal Welfare Legislation

The purpose of the legislation is to:

- *Increase protections for animals and further improve the welfare of animals in our homes, in agriculture and in the wild.*
- *Deliver on the Government’s manifesto commitments to:*
 - *Introduce new laws on animal sentience*
 - *Introduce tougher sentences for animal cruelty.*

The main elements to be taken forward are:

- *A clear statement in domestic law that animals are sentient beings, and a duty on Government to have all due regard to the welfare of sentient animals in policy formulation and implementation.*

- *Extending the current maximum penalty for animal cruelty offences, specified under the Animal Welfare Act 2006, from six months imprisonment to five years imprisonment.*
- *Measures to deliver on commitments to end excessively long journeys for slaughter and fattening, on primates as pets, cat microchipping, and on the import of trophies from hunting of endangered animals.*

Animal Sentience

- The Countryside Alliance has raised concerns about the Government's proposal to enshrine in law a duty on ministers to have regard to the welfare of animals as sentient beings. The Animal Welfare (Sentencing and Recognition of Sentience) Bill introduced in the last session was widely criticised when considered by the Commons EFRA Committee.
- There is a serious question as to whether the inclusion of animal sentience in legislation is really necessary, and the danger that it could be used to further an extreme animal rights agenda, as opposed to genuine animal welfare which the Countryside Alliance supports.
- In evidence to the Commons EFRA Committee Mike Radford, Reader in animal welfare law at the University of Aberdeen questioned whether placing the principle of animals as sentient formally on the statute book would make any practical or "*legal difference ... for the simple reason that it is open to Parliament to pass whatever legislation it wishes to protect animals and to promote welfare. In so doing, it is doing that on the basis that those animals are sentient.*"
- The recognition of animal sentience and the consequent need for animal welfare laws is nothing new and animal welfare laws in the UK date back nearly 200 years. Successive governments and parliaments have recognised the fact of animal sentience both prior to and since our membership of the EU, as reflected in the body of animal welfare legislation on the Statute Book. Welfare laws in this country go far beyond the minimum standards set by the EU, and it is unclear why a new statutory duty is felt so necessary, or even whether this is the best way to advance animal welfare in this country.
- There is need for greater consideration as to how this EU duty is given effect in domestic law, and clarification as to the consequences for government decision making and the potential impact on people and animals.
- Current proposals on sentience would, in practice, go far beyond Article 13 of the Lisbon Treaty both in scope and perhaps more importantly in terms of legal effect. It must be remembered that the Article 13 duty had little, if any, direct effect in UK law because in practice the duty to have regard to welfare was applied in the formulation of EU policy at EU level and it could therefore be assumed when implementing EU laws in the UK that, so long as the resulting directive or regulation was properly implemented, the Article 13 duty was discharged.
- We would also be concerned that any extension of a duty to have regard to welfare to wild animals, without further clarification could endanger properly conducted management of wildlife. The extent of the duty towards animals recognised as sentient must surely be determined by the nature and proximity of the relationship between man and animal. Where an animal is kept by man, or under his control, then a duty to ensure welfare arises, as well as the obligation to avoid causing unnecessary suffering. For wild animals there cannot reasonably be a duty to ensure welfare but there remains a duty to avoid causing unnecessary suffering such as when wild animals are culled. For example, man does not, and should not, have a responsibility to ensure wild rabbits have a suitable diet, but were

a wild rabbit to be rescued by an animal sanctuary then while it is not living wild there would be a duty to provide a suitable diet. The welfare duty as far as wild animals are concerned should only apply where there is some interaction between man and the wild animal, so as to avoid unnecessary suffering.

- It is vitally important for those who own and/or manage animals, whether domesticated or wild, that the law is proportionate, clear and workable and that there is legal clarity and certainty. We do not think this is the case with any of the approaches proposed to date.
- The duty to have “*regard to welfare*” could leave almost any ministerial decision open to legal challenge. The duty would apply to all aspects of government and every government decision from transport and planning to drug procurement. The law must make clear how ministers are to discharge any such duty; and to avoid matters being decided in the courts which properly belong to Parliament.

Increased Sentences for Animal Cruelty

- The Countryside Alliance welcomes the Government’s intention to increase sentences for the most serious animal welfare offences from a maximum of six months to five years imprisonment. This reflects the recommendation of the Commons EFRA Committee following its inquiry into animal welfare in England: domestic pets in the last Parliament.
- We were surprised, given the level of cross-party support that the Animal Welfare (Sentencing) Bill was not carried over. It is to be hoped that the Bill returns as soon as possible. We are however concerned that the complexities of enshrining sentence in law could delay these important changes. We would urge the Government to address these two issues separately.
- We are also concerned about the issue of enforcement and prosecution in the light of increased penalties. Animal welfare, perhaps more than any other area of law, currently relies on private enforcement and prosecution, particularly by the RSPCA.
- The Commons EFRA Committee considered this issue in some detail during the 2016 inquiry and whether the current arrangements are serving public interest, charitable law, and animal welfare. The Committee concluded that: “*The RSPCA should continue its important work investigating animal welfare cases and working closely with the police and statutory authorities. It should, however, withdraw from acting as a prosecutor of first resort where there are statutory bodies with a duty to carry out this role. We are not convinced by its arguments that it is in a better position than the CPS to prosecute animal welfare cases*”.
- The RSPCA has an invaluable role in investigating allegations of animal mistreatment. However, concerns over a number of cases it has chosen to prosecute using charitable funds has led to its reputation being diminished in the eyes of the public and the organisation has itself acknowledged that it needs to be more transparent and accountable.
- The Wooler Report in 2014 recognised that the RSPCA needed to make changes in terms of accountability and transparency before receiving statutory authority. The Commons EFRA Committee noted that the recommendations of the Wooler Report were being implemented slowly and did not address the fundamental concerns about conflict of interest.

- The argument that if the RSPCA did not prosecute then no one else would because of a lack of resources or expertise is not justified and was rejected by the Commons EFRA Committee. The former Solicitor General, Rt Hon Robert Buckland QC MP, also confirmed that the Crown Prosecution Service does not refuse to proceed with prosecutions because of a lack of expert knowledge and made it clear that resources are never a bar to prosecution.
- If custodial sentences increase to five years, the power and authority of those who enforce and prosecute animal welfare offences would be significantly increased. This would make it even more important to ensure that there was accountability and transparency in all prosecutions, which must include the RSPCA ceasing to act a prosecutor of first resort. Offences should ordinarily be prosecuted by statutory authorities except in exceptional circumstances.

Broadband Legislation

The purpose of the legislation is to:

- *Support the roll out of gigabit-capable broadband across the UK to achieve nationwide coverage as soon as possible so people can reap the huge benefits of the fastest, most secure and resilient internet connections.*
- *Make it easier for telecoms companies to install broadband infrastructure in blocks of flats.*
- *Ensure that all new homes are built with reliable and fast internet speeds.*

The main elements of the legislation are:

- *Creating a cheaper and faster light-touch tribunal process for telecoms companies to obtain interim code rights (or access rights) for a period of up to 18 months. This will mean that they can install broadband connections where the landlord has failed to respond to repeated requests for access.*
- *Amending legislation so that all new build homes are required to have the infrastructure to support gigabit-capable connections.*
- *Requiring developers to work with broadband companies to install gigabit-capable connections in virtually all new build homes, up to a cost cap.*

Countryside Alliance calls for:

- The Countryside Alliance believes that high speed broadband and mobile connectivity is an essential service alongside water, electricity and gas; but is nowhere near as available in rural areas as it is in urban areas. 10 per cent of rural premises are not able to receive decent broadband compared to 1 per cent in urban areas and only 42 per cent of rural premises have good indoor mobile coverage from all operators compared to 86 per cent of urban premises.
- Continued poor connectivity in rural areas represents a huge missed opportunity for economic development and these gaps and weaknesses need to be addressed as a priority. The current lack of broadband infrastructure serving small firms threatens the expansion of the rural economy currently worth £400bn annually. The business opportunity includes 28 per cent of all UK firms and over one million small businesses.
- When we leave the EU the Government must seek to be at least as ambitious as the EU in digital connectivity and where possible to exceed EU targets.

- Ofcom to impose rural coverage obligations to improve mobile coverage in rural areas when they award the 700MHz band.
- Increased investment in full fibre connectivity by broadband operators is to be welcomed but this financial commitment must be also committed to rural areas to ensure they can also benefit from the opportunities fibre connection brings.
- Government to promote and support alternative technologies, such as satellite and mobile broadband, which can deliver connectivity to remoter rural areas.
- Countryside Alliance research: Digital connectivity was ranked the most important issue that could improve the rural economy. Our research showed that 70 per cent of respondents were concerned that slow speeds are a barrier to growth, the lack of connectivity was leading to increased isolation and social exclusion, and that fibre connectivity should be available to all, no matter where they live.

Comments from the survey:

1. "Poor internet access from (home), leads to loss of business opportunities. It also adds to toxic emissions, by causing travel which might otherwise be avoided. The loneliness factor must be considered as regards the elderly which can add to potential illnesses linked to loneliness and a concomitant addition to National Health costs. Rapid introduction of fibre-optic broadband is necessary to combat and reduce the above-highlighted issues."
2. "Employers simply do not set up where digital coverage is thin or lacking. BT Openreach needs to be strictly regulated. Where we live there is no landline broadband and it is common for our phone line to be out of order. We used satellite for a while but have now migrated to 4G. However, that is both expensive and temperamental."
3. "Problems of safety if an accident takes place. Lack of opportunity to make use of the world wide web for educational purposes. All villages should be connected by now, so start to connect isolated homes as well."
4. "The inability to react to the changing working environment which in turn leads to the breakdown of community. Good digital connectivity facilitates not just working from home but enables people to work together and form rural hubs or serviced offices which can then support better local amenities."

Business Rates Statement

- *The Government is committed to conducting a fundamental review of business rates.*
- *The Government recognises the role of business rates as a source of local authority income and will consider input from the sector as part of the review of business rates. Further details on the review will be announced.*
- *The Government is committed to increasing the retail discount from one-third to 50 per cent, extending that discount to cinemas and music venues, extending the duration of the local newspapers discount, and introducing an additional discount for pubs.*
- *The Government will also progress legislation to bring forward the next business rates revaluation by one year from 2022 to 2021 and move business rates revaluations from a five-yearly cycle to a three-yearly cycle. This will allow the Government to press ahead with delivering an important reform that has been strongly welcomed by business.*

- *More frequent revaluations will ensure that business rates bills are more up-to-date reflecting properties' current rental values. Moving to three-yearly revaluation will make the system more responsive to changing economic conditions.*

Countryside Alliance's response

The Countryside Alliance welcomes this review and intended proposals as we have long called for a full-scale review of business rates to ensure we have a system which enables rural businesses to compete fairly with those online. Businesses need long term certainty if they are to be able to invest and plan for the future.

For more information please contact

Ed Rowlandson
Political Relations Manager
Ed-Rowlandson@countryside-alliance.org
0207 840 9260

Sarah Lee
Head of Policy
Sarah-Lee@countryside-alliance.org
0207 840 9250