

# Agriculture Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 1**

LORD ADDINGTON

Page 2, line 7, after “purposes” insert “to those involved in agriculture, horticulture, forestry or land management”

Page 2, line 9, at end insert “and people’s access to it”

***Member’s explanatory statement***

*This amendment seeks to ensure that where financial assistance is provided for the protection or improvement of the environment, public access enhancements are, where appropriate, incorporated so that people can experience and benefit from the actions taken.*

Page 2, line 10, leave out “supporting” and insert “enhancing”

***Member’s explanatory statement***

*This amendment seeks to express more clearly that financial assistance will be provided to augment public access to the countryside by improving the accessibility, beyond the legal minimum, of existing public rights of way and navigations. It would also help ensure that financial assistance could be provided for the creation of new public access opportunities.*

Page 2, line 11, after “farmland” insert “, water”

***Member’s explanatory statement***

*This amendment intends to ensure that water is explicitly included in the context of public access.*

THE EARL OF CAITHNESS

*As an amendment to the Amendment tabled by Lord Curry of Kirkharle on sheet HL Bill 112(g)*

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

Page 2, line 11, at end insert “, and financial assistance to pay compensation for damage and additional costs caused by such access;”

**Member's explanatory statement**

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

LORD ADDINGTON

Page 2, line 13, at end insert “and people’s access to it”

**Member's explanatory statement**

*This amendment is intended to ensure public access to cultural or natural heritage is a key consideration of its restoration and enhancement.*

Page 2, line 35, at end insert “, and the need to encourage land managers to maximise opportunities to provide public goods in terms of access to and enjoyment of the countryside, land and water.”

**Member's explanatory statement**

*This amendment would ensure that, in framing any financial assistance scheme, the Secretary of State must have regard to the public benefit derived from that investment, specifically how that land can be maximised for public recreational purposes and enjoyment.*

LORD LUCAS

Page 2, line 35, at end insert—

“( ) In framing any financial assistance scheme, the Secretary of State must consult such Local Nature Partnerships as may be appropriate.”

LORD ADDINGTON

Page 3, leave out lines 1 and 2 and insert—

““better understanding of the environment” includes—

- (a) a better understanding of agroecology,
- (b) furthering understanding of the natural environment or cultural heritage, and
- (c) enabling or assisting other persons to further their understanding of natural environment and cultural heritage;”

**Member's explanatory statement**

*This amendment is to broaden what is defined under "understanding the environment" to include furthering understanding of the natural environment and cultural heritage, and through actions to support the understanding of others – ensuring that led, coached or guided activity is covered.*

BARONESS BENNETT OF MANOR CASTLE

Page 3, line 5, leave out “or plants” and insert “, plants or fungi”

LORD ADDINGTON

Page 3, line 17, at end insert—

““supporting public access to and enjoyment of the countryside” includes the provision of new public access or improving the accessibility of existing public rights of way and the navigation of waterways.”

**Member's explanatory statement**

*This amendment is to clarify the specific ways in which public access will be supported by financial assistance, including for recipients who provide new paths or improve the accessibility of existing public rights of way or navigation of waterways that cross their land.*

**Clause 2**

LORD ADDINGTON

Page 3, line 27, at end insert –

“( ) The conditions may (among other things) require the recipient to fulfil their duties for public rights of way under the Highways Act 1980.”

**Member's explanatory statement**

*This amendment ensures that landowner/occupier duties for public rights of way are among the conditions that the Secretary of State may attach in the provision of financial assistance.*

Page 4, line 3, at end insert –

“(d) the conditions subject to which the financial assistance was given.”

**Member's explanatory statement**

*This amendment seeks to ensure that the conditions attached to financial assistance, under subsection (2), are included in the information published under subsection (8).*

**Clause 4**

LORD ADDINGTON

Page 5, line 8, after “priorities” insert “, in relation to each of the purposes listed in section 1(1) and (2),”

**Member's explanatory statement**

*This amendment seeks to align the strategic priorities contained within multi-annual financial assistance plans and the purposes for which financial assistance can be provided in section 1(1) and (2). This will require consideration of, for example, strategic priorities for supporting public access to and enjoyment of the countryside, farmland, water and woodland.*

**Clause 5**

LORD ADDINGTON

Page 6, line 13, at end insert –

“(c) the extent to which financial assistance is given for each of the purposes listed in section 1(1) and (2)”

**Member's explanatory statement**

*This amendment would allow for greater clarity on the different public goods being delivered through the financial assistance scheme, including public access to the countryside, farmland, water and woodland.*

## Clause 8

LORD CARRINGTON

Page 7, line 40, at end insert –

- “(1A) Where any business is in receipt of direct payments under the basic payment scheme, any financial assistance from the Secretary of State may not be reduced by more than 25% of the specified amount in subsection (1B) prior to a scheme providing financial assistance under section 1(1) being introduced.
- (1B) The specified amount is an amount to be determined by the Secretary of State by regulations, and may be based on –
- (a) the amount a business received under the basic payment scheme for a specified year, or
  - (b) the average amount a business received under the basic payment scheme over specified years before 2021 determined by the Secretary of State.
- (1C) Regulations under the subsection (1B) must provide for a right of appeal if a business believes that any financial assistance they receive will be reduced by more than 25% of the specified amount prior to a scheme providing financial assistance under section 1(1) is introduced.”

***Member’s explanatory statement***

*This will ensure that any cuts in direct payments do not seriously damage the viability of businesses before the new public goods programmes are introduced.*

Page 8, line 10, after “subsection” insert “(1B) and”

***Member’s explanatory statement***

*This amendment ensures that regulations made under the amendment tabled by Lord Carrington to Clause 7, page 7, line 40 are subject to the affirmative procedure.*

## After Clause 16

LORD WHITTY

Insert the following new Clause –

**“Smallholdings estates**

- (1) Every smallholdings authority which, before the commencement of Part 1 of this Act, holds any land for the purposes of smallholdings must –
  - (a) review its smallholdings estate, and
  - (b) before the period of 18 months beginning with the day Part 1 of this Act comes into force, submit to the Secretary of State proposals with respect to the future management of its land for the purposes of providing –
    - (i) opportunities for persons to be farmers on their own account;
    - (ii) education or experience in environmental land management practices for farmers, potential farmers and farm workers;
    - (iii) opportunities for increasing public access to the natural environment and understanding of sustainable farming; and

**After Clause 16 - continued**

- (iv) opportunities for innovation in sustainable land management practices.
- (2) No land held by a smallholdings authority immediately before the commencement of Part 1 of this Act is to be conveyed, transferred, leased or otherwise disposed of other than—
  - (a) in connection with the purposes listed in subsection (1), or
  - (b) in accordance with the proposals submitted under subsection (1).
- (3) For the purposes of this section “smallholdings authority” has the same meaning as in section 38 of the Agriculture Act 1970.”

***Member’s explanatory statement***

*This new Clause would limit the disposal of "county farms" by local authorities and would require local authorities to review their holdings and submit proposals for future management to provide opportunities to extend farming to new farmers, provide agricultural education and stimulate innovation.*

**Clause 22**

BARONESS BENNETT OF MANOR CASTLE

Page 18, line 35, after “plants” insert “or fungi”

Page 19, line 4, after “plants” insert “or fungi”

Page 19, leave out line 6

**After Clause 34**

BARONESS FOOKES

Insert the following new Clause—

**“Export of farmed animals for slaughter or fattening**

- (1) A person commits an offence if the person exports to any country outside the United Kingdom a farmed animal for slaughter or fattening.
- (2) A person commits an offence if the person arranges or facilitates the export to any country outside the United Kingdom of a farmed animal for slaughter or fattening.
- (3) Subsections (1) and (2) do not apply to the export of a farmed animal from Northern Ireland to the European Union.
- (4) A person guilty of an offence under subsections (1) or (2) is liable on summary conviction—
  - (a) in England and Wales, to imprisonment for a term not exceeding 51 weeks, to a fine or to both;
  - (b) in Scotland, to imprisonment for a term not exceeding 12 months, to a fine not exceeding level 5 on the standard scale, or to both.
  - (c) in Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding level 5 on the standard scale or to both.

**After Clause 34 - continued**

- (5) In relation to an offence committed before section 281(5) of the Criminal Justice Act 2003 comes into force, subsection (4)(a) has effect as if for “51 weeks” there were substituted “6 months”.
- (6) This section extends to England and Wales, Scotland and Northern Ireland.
- (7) This section shall come into force on “IP completion day”, where “IP completion day” has the meaning given in section 39 of the European Union (Withdrawal Agreement) Act 2020.”

***Member’s explanatory statement***

*This Clause prohibits the export from the UK of farm animals for slaughter or fattening. It includes an exception for exports from Northern Ireland to the EU as the Withdrawal Agreement prohibits restrictions on exports from Northern Ireland to the EU.*

LORD WHITTY  
BARONESS JONES OF MOULSECOOMB

Insert the following new Clause—

**“Application of pesticides: limitations on use to protect human health**

- (1) The Secretary of state must by regulations make provision for prohibiting the application of any pesticide for the purposes of agriculture near—
  - (a) any building used for human habitation;
  - (b) any building or open space used for work or recreation; or
  - (c) any public or private building where members of the public may be present including, but not limited to—
    - (i) schools and childcare nurseries, and
    - (ii) hospitals.
- (2) Regulations under this section must specify a minimum distance between any of the locations listed under subsection (1)(a) to (c) to be maintained during the application of any pesticide, and list any category of building or location.
- (3) For the purposes of this section “public building” includes any building used for the purposes of education.
- (4) Regulations under this section are subject to affirmative resolution procedure.”

***Member’s explanatory statement***

*This new clause would have the effect of protecting members of the public from hazardous health impacts from the application of chemical pesticides near buildings and spaces used by residents and members of the public.*

**After Clause 42**

BARONESS JONES OF MOULSECOOMB

Insert the following new Clause—

**“Ratification of international trade agreements**

- (1) After IP completion day, any agricultural food products imported into the United Kingdom under an international trade agreement must—

**After Clause 42 - continued**

- (a) comply with the standards laid down by primary and subordinate legislation in the United Kingdom regarding food safety, the environment and the welfare of farm animals, or
  - (b) have been produced to standards or in ways that are comparable in effectiveness to the legislative standards of the United Kingdom in protecting food safety, the environment and the welfare of farm animals.
- (2) The United Kingdom shall not ratify any international trade agreement unless it includes provisions that enable the United Kingdom to refuse to permit the import of food products that are inconsistent with subsection (1).
  - (3) In this section, “IP completion day” has the meaning given in section 39 of the European Union (Withdrawal Agreement) Act 2020.”

***Member’s explanatory statement***

*This amendment ensures that UK standards regarding food safety, the environment and animal welfare cannot be undermined by imports produced to lower standards.*

Insert the following new Clause—

**“Carbon emissions: net-zero and interim targets**

- (1) When considering the provision of financial assistance under sections 1(1) and 1(2) of this Act, the Secretary of State must ensure that the likely impact of that funding is compatible with the achievement of any emissions reduction target set out in subsection (2) or (3).
- (2) It is the duty of the Secretary of State to—
  - (a) set an emissions reduction target for the net United Kingdom carbon account for agriculture and related land use for the year 2050 which is at least 100% lower than the 1990 baseline, and
  - (b) ensure that the target is met.
- (3) The Secretary of State must, within six months from the day on which this Act is passed, publish interim emissions reductions targets for agriculture and related land use that align with budgetary periods as they relate to carbon budgets.
- (4) It is the duty of the Secretary of State to ensure that the net United Kingdom carbon account for agriculture and related land use for a budgetary period does not exceed any interim emissions reduction target published under subsection (3).
- (5) The Secretary of State must, within twelve months from the day on which this Act is passed, publish a statement of the policies to be delivered in order to meet the interim emissions reduction targets published under subsection (3).
- (6) In this section—
  - (a) “net United Kingdom carbon account” shall have the meaning given in section 27 of the Climate Change Act 2008, and
  - (b) “budgetary periods” and “carbon budgets” shall have the meaning given in section 4 of the Climate Change Act 2008.”

**Schedule 5**

BARONESS BENNETT OF MANOR CASTLE

Page 65, line 11, after “plants” insert “or fungi”

Page 65, line 25, after “plants” insert “or fungi”

Page 65, leave out line 27

**Schedule 6**

BARONESS BENNETT OF MANOR CASTLE

Page 77, line 11, after “plants” insert “or fungi”

Page 77, line 25, after “plants” insert “or fungi”

Page 77, leave out line 27

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*22 June 2020*

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