

Natural England Uplands Strategic Standard



What does this standard cover?

This standard sets the approach Natural England will take to working in the uplands, reflecting both the Government's policy and Defra's wider priorities for the natural environment.

The standard also explains '*why*' and '*what*' our role is in delivering Government upland policy and should be read in conjunction with other related standards covering evidence, regulation, biodiversity and SSSIs available through our website.

Natural England understands the competing demands on the uplands and recognises that other stakeholders have legitimate interests in them. This makes it important for us to work in close partnership with others to secure the multiple benefits society seeks from the uplands, whilst valuing and protecting the special qualities of these landscapes.

Who is this standard for?

The standard applies to all staff in Natural England whose work contributes to our corporate plan objectives relating to the English uplands and to the delivery of the Government's Uplands Policy Review to ensure we achieve a consistent understanding of what our role is in the uplands. It is particularly relevant to our upland specialists working in our Evidence and Landscape & Biodiversity functions, and our advisers in Land Management, Regulation and Access. We will also ensure that the people or organisations working with us, or on our behalf, in the uplands are aware of this standard.

About this standard

The uplands are a national asset prized by people for their tranquillity, for quiet enjoyment, inspirational nature and for recreation. They are also a vital source for goods and services, for example food and clean water.

Nearly two thirds of the uplands are designated landscapes, either National Parks or Areas of Outstanding Natural Beauty, valued for their scenery, their sense of remoteness, scale and wealth of cultural and natural heritage. This is reflected in the fact that the uplands are a major national recreational asset; 86% of Open Access land is in the uplands; and 500 km of National

Trails are in the uplands providing the backbone to an extensive rights of way network, enjoyed by walkers, cyclists and horse riders. In addition 53% of England's SSSIs¹ are found in the uplands; sites which have been designated for their outstanding wildlife habitats, species or geology. 88% of these upland SSSIs form part of the Natura 2000 series; sites regarded as having special significance² in a European context. The uplands also contain a high proportion of undesignated UK BAP priority habitats³, for example 32% of upland blanket bog is not protected as a statutory nature conservation site.

Although covering only 12% of England⁴, the uplands provide an extensive range of important services; 70% of UK drinking water comes from upland catchments and 300 million tonnes of carbon are stored in English peatlands. The uplands are working landscapes; 16% of the uplands are managed as grouse moor and upland hill farmers are a key part of the rural economy, with 3 million, or 45%, of England's total breeding ewes based in the uplands or upland fringes. Tourism also plays an important role in upland economies with an estimated 60 million day visits a year made to mountain, hill and moorland⁵. There is no doubt that, with growing energy demands and fluctuating commodity prices, increasing development pressure will be placed on the uplands, particularly for their minerals, food and renewable energy potential⁶.

Land ownership is often complex in the uplands. Over half of upland farms are owner occupied, with the majority of the rest farmed under tenancies of one year or more⁷. There are a significant number of very large upland estates, some of which are in private ownership and others owned by a range of organisations such as the MoD; non- governmental organisations such as the RSPB, and National Trust; utility companies; and investment companies. 20% of the upland is registered Common land. Commons and the commoners that manage them are a vital component of the upland culture and landscape. Common land⁸ has statutory protection

¹SSSIs are protected under the Countryside and Rights of Way Act (2000).

² Special Areas of Conservation and Special Protection Areas for birds are designated under the European Habitats and Species Directive and are afforded higher protection in law than other nature conservation designations.

³ Biodiversity Action Plans (BAPs) have been prepared for habitats considered threatened within the UK and include many upland habitats such as upland hay meadow, blanket bog upland, oakwood, limestone pavement and upland Calcareous grassland.

⁴ Upland areas in England are defined in Defra's Uplands Policy Review document – Northumberland and North Pennines; Lake District; Yorkshire Dales and Bowland; North York Moors; South Pennines; Peak District; Welsh Borders; Exmoor, Dartmoor and Bodmin Moor; South West Disadvantaged LFA Area.

⁵ Monitor of Engagement with the Natural Environment (MENE) survey 2011

⁶ Statistics drawn from [Natural England's Mapping Values: the vital nature of our uplands](#) (November 2009)

⁷ Farming in the English Uplands (May 2010), Defra Agricultural Change and Environmental Observatory

⁸ A 'common' and 'common land' mean any land included on the statutory registers of common land held by commons registration authorities under the Commons Registration Act 1965 or the Commons Act 2006 (or commons specifically exempted from registration under these Acts). '**Shared grazing**' means communal pasture where graziers have a legal entitlement to graze (for example, a pasture used jointly by tenants) but where the land is not registered as common land.

and under Sections 26 and 46 of the Commons Act Natural England has a statutory duty to protect the interests of Commoners and the public on Common land⁹.

Our statutory purpose and Government Policy

The scale of the English uplands and extent of their designations for landscape, geology and nature conservation, together with their importance as a recreational resource, make them of particular interest to Natural England. The assets they support are central to our statutory purpose to conserve, enhance and manage the natural environment for the benefit of current and future generations¹⁰. The value that society places on the uplands and its natural environment is also reflected in the range of current legislation that informs Natural England's role and responsibilities, including issues as diverse as planning, open access, commons, nature conservation, resource protection and designations as summarised in Annex1.

In March 2011 Defra published the Government's review of uplands policy¹¹, which sets out a range of actions the Government, led by Defra, will take in partnership with others in the public, private and voluntary sectors to help secure a sustainable future for the English uplands; further details are provided in Annex 1.

The actions in the Uplands Policy Review sit under four main themes:

- Supporting England's hill farmers
- Delivering public goods from uplands environments (including biodiversity)
- Supporting sustainable upland communities
- Driving and monitoring change

Natural England has a specific role in helping deliver the Uplands Policy Review in particular through:

- our research and evidence-based advice,
- our delivery of agri-environment schemes¹²,
- our partnership work with the hill farming and moorland management sector and,
- rural communities to deliver a wide range of public goods and environmental benefits in the uplands.

⁹ Natural England is committed to following the guidance of '[A Common Purpose](#)'.

¹⁰ Natural Environment and Rural Communities Act (2006)

¹¹ [The Defra Uplands Policy Review](#) document builds on the findings of a number of reports including Commission for Rural Communities High ground, high potential (June 2010) and Natural England's Mapping Values: the vital nature of our uplands (November 2009).

¹² Natural England delivers agri-environment schemes on behalf of Defra as part of the Rural Development programme for England (RDPE); the current scheme will be subject to change as a consequence of planned European Union Common Agricultural Plan (CAP) reform in 2014.

Our role in the uplands is also shaped by our broader role in the delivery of the government's Natural Environment White Paper and Biodiversity 2020 aspirations. These focus on the enhancement and protection of ecosystem services and the natural environment¹³, including the importance of public engagement. Biodiversity 2020 seeks to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. Biodiversity 2020 includes targets to improve the condition of SSSIs by achieving 50% in favourable condition and 95% in favourable or recovering condition by 2020, and for non SSSI priority habitats, such as blanket bog, 90% to be in favourable or recovering condition.

Uplands Strategic Standard

In taking forward our statutory responsibilities to conserve and enhance the natural environment, Natural England recognises the distinctiveness of upland areas both individually and as a whole, their natural assets, the history of their use and current land management. We will work in close partnership with land managers and other stakeholders¹⁴ to protect this unique and special natural environment. We will ensure that our delivery respects and accommodates, as far as we are able, the work, aims and aspirations of other stakeholders in the uplands and, in particular, the ability of land managers to deliver environmental outcomes, products and services. Our approach will be grounded in best available evidence and we will be open and honest in our dealings with all our customers and partners. We will seek consensus on shared environmental outcomes for the uplands at all scales whether management unit, landscape or across England so there is a clear and consistent approach to delivery by ourselves and by others.

Our approach and the environmental outcomes we are seeking to secure in the uplands will be guided and shaped by ten principles grouped under three main headings:

- Valuing the uplands
- Establishing our objectives and ways of working
- Working with others

Valuing the uplands

1. Natural England's actions will seek to sustain and enrich the natural resources and biodiversity of the uplands.

¹³ The importance of protecting ecosystem services is outlined in the National Ecosystem Assessment.

¹⁴ Stakeholders are defined as organisations representing a particular sector and include all parties with an interest or stake in the uplands. Partners are defined as an organisation or individual Natural England is engaged with to deliver joint outcomes. Customers are defined as those individuals who are in receipt of services provided by Natural England including agri-environment agreements, advice and regulation

We are committed to securing a vibrant and robust upland environment, well-equipped to withstand and adapt to climate change and other pressures, in a way that enriches both the intrinsic worth of its wildlife and landscapes and the many benefits it provides to people. We will do this through advice; through the information and evidence we provide; through our partnership work and through the payments we offer to support sustainable land management; and in accordance with the principles of better regulation¹⁵.

2. We recognise the multiple benefits which are derived from the uplands.

Whilst our prime responsibility is to consider upland areas from an environmental perspective (in particular their importance for biodiversity, landscape, access, recreation and enjoyment, historic environment and ecosystem services), we will also seek to develop solutions in our day-to-day work that support other community and business interests and activities, which provide wider social and economic benefits. These additional benefits include provision of food, water, tourism opportunities, energy and local employment.

3. We recognise the role the uplands play in meeting the Government's aspirations for the natural environment.

As a major repository for biodiversity, the uplands are key to the delivery of the Government's ambitions set out in the Natural Environment White Paper and England Biodiversity Strategy (2011). Alongside working to secure improved condition status for SSSIs, we will work to shift the emphasis from piecemeal conservation action towards a more large-scale integrated approach. Natural England recognises that securing environmental gain at a landscape scale can only be delivered through a consensual partnership with upland stakeholders including land owners and managers, the local community and other Non-Governmental Organisations (NGO).

Establishing our objectives and ways of working

4. In seeking to protect the special features and qualities of the uplands we will discharge all our statutory responsibilities in a professional manner that is transparent, consistent and proportionate.

We have a range of statutory duties enshrined in legislation (Annex 1). These include working closely with National Parks¹⁶ and AONBs, responding to planning proposals, SSSIs including selection, designation, consenting and assenting, protected species licensing, administration of Open Access, and ensuring cross-compliance of agri-environment schemes. In undertaking these responsibilities in upland areas we will follow the principles set out in the Regulators' Compliance Code (2007) and abide by our own national standards.

¹⁵ [Regulators' Compliance Code](#)

¹⁶ As laid out in [Defra's English National Parks & Boards UK Government Vision and Circular 2000](#), (March 2010)

5. Base our advice and decisions on up-to-date evidence drawn from a range of sources.

Through our own evidence programme we will continue to develop and maintain a sound evidence base for the uplands, based on research, demonstration projects and practical experience. We will make this evidence accessible to the wider public. We will use our own monitoring and research as well as drawing on research and evidence from external parties including research councils, the academic community, the land management community and their representatives and other arm's length bodies. We will apply our Evidence Standards to the way we gather, use and evaluate all upland evidence.

We will use our scientific and environmental evidence base to inform our advice and decision making. In making decisions we will also take other factors into account such as social and economic evidence. We will ensure we are open and transparent in our decision-making and that we clearly explain to our customers and partners how we have reached our decisions.

In exceptional cases, or on issues where there is no clear agreement, we will establish a review process to consider evidence from all sides in order to secure a resolution, in accordance with our guidelines (to be developed).

6. We will take a long term view when making decisions about land and resource management to respond to the challenges posed by development and climate change.

The fragility and openness of many upland landscapes and habitats means that the fabric and character are sensitive to change, whether caused by long term changes in the climate or hydrology, or in the construction of new infrastructure. Many upland SSSIs are also particularly vulnerable and it can take many years for them to recover and meet favourable condition. We will take this into account when considering development proposals, such as those for energy, transport infrastructure, access, and woodland and water management. We will use our upland evidence to inform our work across the uplands to help protect them from longer-term challenges such as climate change or increasing development pressures. We will seek to do this in ways which are compatible with the government's desire for a sustainable future in the uplands. We will provide advice based on best available evidence to encourage land use and management that can protect vulnerable soil carbon stores and improve the ability of upland habitats (such as blanket bog and woodland) to capture and lock up carbon dioxide. We will also identify measures to improve the ability of the upland environment to adapt to unavoidable impacts of climate change.

7. Our decisions and our environmental objectives will take into account the distinctiveness of each upland area and the links between the uplands and the lowlands.

Natural England appreciates and values the diversity of England's uplands. Their different scenery, topography, biodiversity and land use are described in our upland National Character Areas (NCAs) profiles and their supporting statements of Environmental Opportunity (currently under development). Using these and other spatial features such as catchments, estates, National Parks, AONBs and parish boundaries, we will work with our partners and local communities to identify and share environmental objectives that are relevant and are at an appropriate scale.

We will ensure that, whilst our local delivery adheres to our national standards, we will take into account local circumstances to develop bespoke solutions and local opportunities for environmental enhancement.

Working with others

8. Encourage and support the role of land managers in the uplands as environmental managers.

Working with land managers, including farmers, commoners and other partners, is essential if we are to deliver environmental benefits in the uplands. We value the relationships we have with those who manage SSSIs and deliver environmental outcomes through agri-environment schemes on our behalf. We will continue to work with them to build trust and to foster effective partnership working by carrying out regular reviews of management and outcomes. We will ensure our advisers and technical specialists have the right range of skills and understanding of upland farming businesses and wider upland issues to work in partnership with land managers and farmers to deliver multiple benefits from these areas.

We will also work with our partners to develop demonstration projects to show-case new, innovative and flexible approaches to achieving sustainable upland land use and management that enables natural processes and promotes multiple benefits. We will seek to develop such approaches on our National Nature Reserves and will use agri-environment payments to encourage other land managers to adopt similar approaches.

Whilst more than 90% of the uplands are under some form of agri-environment scheme, Natural England also recognises those upland land managers with whom we don't have a formal relationship, but who deliver important environmental outcomes including supporting nature conservation or the protection of ecosystem services. We will look for opportunities to broaden our working relationship with them.

9. Work with other upland stakeholders and our customers using ways of engagement that encourage open communication and collaborative working.

Natural England recognises that to work in a collaborative way we need to build trust with upland stakeholders and customers, through more open dialogue and communication. We will do this by:

- Having regular dialogue with our agri-environment agreement holders and SSSI site managers.
- Using face to face meetings, forums, events, publications and our website, ensuring upland stakeholders, including NGOs and the Major Landowners Group (MLG), are kept up to date with our delivery actions in the uplands.
- Ensuring that our upland partners and customers know who to contact in Natural England, by appointing a customer or account manager for particular partners or groups. This will enable us to take into account specific and local circumstances and ensure we work with our customers to reach the best solutions.
- Making use of specific topic groups and/or forums to bring together the range of opinions and expertise both from within Natural England and from other upland stakeholders, such as local interest groups (e.g. Grazing Associations or Commons Councils/Associations), with the aim of developing common understanding on key topics.
- Joint working with Defra and other Arms Length Bodies (Environment Agency and Forestry Commission).

10. We will seek to understand the views of others and strive to achieve consensus.

Natural England recognises and respects that there are a wide range of views and aspirations amongst land managers, farmers, upland rural communities and those who enjoy the recreational opportunities in the uplands. We will actively listen to and aim to understand the views of all different parties. However, we accept that in some cases we will have a different perspective from those of other upland stakeholders. Where this is the case we will be open and transparent, taking responsibility for our decisions and being able to justify them based on best available evidence (and through an effective audit trail) when challenged.

We also recognise that there may be incidences where some land management practices or other activities may lead to the degrading of landscape, habitats, ecosystem services or access opportunities. Where this occurs we will be honest and open with our customers to work with them to find solutions to reverse this decline.

Application of the standard

Detailed guidance on how we will achieve and apply the principles will be provided through the Uplands Delivery Programme and other related standards, including Evidence, Regulation and SSSIs.

Annex1: Legislative and policy context

Summary table of key activities, our role and legislation relevant to uplands

Activity	Natural England's role	Legislation
Protected areas: Ramsar sites, Sites of Special Scientific Interest (SSSIs), Special Protected Areas (SPAs), Special Areas of Conservation (SACs) National Parks and Areas of Outstanding Natural Beauty	<ul style="list-style-type: none"> • SSSIs – site selection and designation • Issuing consent/assents – full, conditioned, modified, refusals • Enforcement • Considering cases of environmental damage in relation to SSSIs, European Sites and species • Advise and comment on management plans 	<ul style="list-style-type: none"> • The Natural Environment & Rural Communities Act 2006 • Wildlife & Countryside Act 1981 • Conservation of Habitats & Species Regulations 2010 • Environmental Damage Regulations 2009 • National Parks and Access to the Countryside Act 1949 • Countryside and Rights of Way Act 2000
Protected species: Species protected through European directives (some birds, great crested newts, bats, dormice etc) and UK/English law alone (badgers)	<ul style="list-style-type: none"> • Assessment of applications and (where tests are met) issuing licences to undertake activities affecting protected species that would otherwise be illegal • Enforcement of licence breaches 	<ul style="list-style-type: none"> • Game Act 1832 • Wildlife & Countryside Act 1981 • Conservation of Habitats & Species Regulations 2010 • Protection of Badgers Act 1992 • Destructive Imported Animals Act 1932 • Deer Act 1991 • Pests Act 1954 and Agriculture Act 1947
Environmental Impact Assessment	Assessing screening applications; assessing Env Statements and issuing consent/refusal; investigating referred cases; enforcement including stop and remediation notices.	Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006 Act
Environmental Damage	Serving prevention and remediation notices where severe	Environmental Damage (Prevention

Regulations	damage to biodiversity has occurred. Natural England is one of the enforcement authorities where there is damage to biodiversity. Our companion enforcers are the Environment Agency, local authorities and the Marine Management Organisation.	and Remediation) Regulations 2009
Heather & Grass Burning	Licences to burn outwith the regulations (e.g. outside the burning season). Enforcement of breaches of the regulations.	Heather & Grass Burning Regulations 2007
Control of injurious weeds	Resolution of complaints under the Weeds Act 1959 (as a last resort) including if necessary exercising powers (devolved from the Secretary of State) which enable action to be taken to arrange for the weeds to be cleared and recover the cost of doing so, if necessary through the Courts.	Weeds Act 1959
Open Access	<ul style="list-style-type: none"> • Work with land managers to maintain the openness of Open Access areas • Decide whether open access rights need to be temporarily restricted for land management, safety, fire prevention, nature conservation, heritage preservation purposes • Periodically review the related statutory guidance on restrictions • Review every ten years maps of open country and registered common land – areas that have open access rights • Keep the associated records of dedicated land and ‘section 15’ access land up to date • Periodically review the Countryside Code 	<p>Countryside and Rights of Way Act 2000</p> <p>National Parks and Access to the Countryside Act 1949</p>
Farm support to deliver environmentally beneficial land management practices	<ul style="list-style-type: none"> • Running/administration of the Environmental Stewardship Scheme • Delivery of advice under the Catchment Sensitive 	Common Agricultural Policy (CAP) - Rural Development Programme, England (RDPE 2007-13), Axis 2 –

	<p>Farming programme</p> <ul style="list-style-type: none"> • Delivery of the Inheritance Tax Exemption • Administration and maintenance of the Classic Schemes 	improving the environment and countryside
The Natural Choice: securing the value of nature	<p>Supporting the delivery through:</p> <ul style="list-style-type: none"> • Creation of Nature Improvement Areas • Establishment of Local Nature Partnerships • Development of a new approach to biodiversity offsetting • Increasing the proportion of SSSIs in favourable condition 	Natural Environment White Paper, (NEWP) June 2011, Lawton Review – Making Space for Nature, 2011 UK National Ecosystem Assessment, June 2011
Biodiversity	Building on the approach put forward in NEWP, providing the list of key habitats and species, contributing to delivery of the 2020 targets both by our own work and through partners such as other ALBs.	England Biodiversity Strategy, August 2011
Commons	<p>Enables Natural England to stop any unauthorised agricultural activities either to the commoners', landowner's or public interest.</p> <p>Natural England can support Commons Associations to form statutory Commons Councils, which greater powers to manage activity on their Common.</p>	Commons Act 2006 Section 26

Uplands Policy Review

The Key Policy Measures

Under the four main policy themes identified in the Upland Policy Review the key measures which Natural England has a role in contributing to are:

Supporting England's Hill Farmers to:

- Create an 'Upland theme' within new delivery arrangements for the RDPE to provide targeted support to upland areas through specific schemes and/or weighting towards the uplands in national schemes.
- Ensure funding is available within the 2007-13 RDPE to allow all farmers in the Severely Disadvantaged Areas (SDA) to enter Uplands Entry Level Stewardship.
- Update the existing Uplands ELS guidance to make it clearer what commoners need to do to ensure their applications can be processed as quickly as possible.
- Ensure that Natural England works actively with hill farmers, land managers and other stakeholders in the uplands to explore how they can best work in partnership to deliver the multiple benefits these areas can provide.
- Look for opportunities to bring about greater co-operation and networking between the various demonstration farm initiatives, including those in the uplands.

Delivering Public Goods from the Upland Environment theme to:

- Promote new ways to pay for ecosystems services (especially those related to water and carbon/peat): the NEWP provides the foundation for this.
- Ensure Natural England works with key stakeholders, such as the Moorland Association, to establish the most appropriate moorland management regime needed to deliver multiple policy outcomes.
- Support National Park Authorities to continue to play an active role in facilitating local partnerships to create shared plans of action, which can deliver multiple policy outcomes from land management.

Supporting Sustainable Upland Communities:

- By working with Local Authorities serving upland communities, particularly in relation to planning and delivery.

Driving and Monitoring Change:

- By maintaining a sound evidence base to support future policy making.
- By supporting further research into upland issues and publishing relevant upland data and indicators.

Quick reference

Type of Standard	Strategic
Purpose:	This standard sets out the key principles of how Natural England will deliver its work in the uplands in relation to our statutory purpose and our role in delivering the government's upland policy and wider Defra's priorities. The standard also outlines how we will work and engage with upland stakeholders and our partners.
Owner(s):	Land Management
Sign-off:	Rob Aubrook, Director of Standards, Ian Fugler Director of Uplands
Publication:	Publication catalogue – external version
Issue Number	Final version 3
Updated:	May 2015 – version updated to current template

Document Amendment Record			
Issue	Amendment detail	Author	Date
0.1	First draft	Alison Tytherleigh	15.11.2011
0.2		Lydia Speakman	18.11.11
0.3	Responding to amendments from Rob Aubrook	Lydia Speakman	23.11.11
0.4	Additional text related to the principles	Alison Tytherleigh	05.12.11
0.5	Additional text relating primarily to the introduction and incorporating comments from Maddy Jago	Lydia Speakman	12.12.11
0.6	Revised text incorporating comments from Dan Hunt, Adrian Vass and John Barrett.	Lydia Speakman Alison Tytherleigh	19.12.11
0.7	Revised text to incorporate comments from the Programme Board, Naomi Oakley, Phil Eckersley, Mick Rebane, Pete Brotherton and Helen MacVicker	Alison Tytherleigh Lydia Speakman	25.01.12
0.8	Revised and restructured Standard following feedback from Focus groups	Lydia Speakman Alison Tytherleigh	13.03.12
0.9	Revised following discussion with Rob Aubrook,	Lydia Speakman, Gail Brown and Alison Tytherleigh	27.03.12
0.10	Revised following comments from Programme Board and Helen Rae and addition of draft implementation plan	Lydia Speakman	27.04.12
0.11	Revised following comments received during internal consultation process.	Lydia Speakman	13.6.12
0.12	Revised following comments from Defra colleagues, Upland Stakeholder group & Andy Mackintosh, Natural England Board to incorporate additional references to Commons, National Parks, Access, Landscape and economic issues	Lydia Speakman	18.7.12
0.13	Final version	Lydia Speakman & Alison Tytherleigh	24.7.12
V3	Amended typo's	Kate Heveron & Alison Tytherleigh	18.2.13

