

1981 OR 1984... IT'S MUCH THE SAME

From my own slightly hazy point of view these two years were indeed pretty similar and if I'm listening to any music from this period I invariably guess the wrong year. But fortunately perhaps for you I'm not proposing to talk about my entirely dubious musical taste; rather the altogether more prosaic world of rural legislation. Chief among these is the 1981 Wildlife and Countryside Act and it is this, largely because it is so wide ranging, that I have increasingly come to regard as a totemic example of the government mentality so prevalent in the famous George Orwell book.

Every provision within it was no doubt meant with the best intention but so many have now become blunt unwieldy tools that not only do little or nothing to preserve species but also in many cases stifle and inhibit those in the countryside doing their level best to manage the land in a sustainable and positive way. Taking the case of the rules relating to SSSIs as one example, one can see why it was thought that a network of special sites across the country was a necessity but the government created a legislature of such complexity that, if it was to be enacted to the letter, would require a small army of advisers drawing up consents and assents every day of the year for even the most nondescript activity.

In reality, however, there aren't enough advisers to undertake all of this work and thankfully most of them either take a pragmatic line or, dare I say it, turn a blind eye to things they don't happen to believe warrant it. On the other side of the fence a number of these sites' owner occupiers know very well that what they're doing is not consented but also know that if they keep their head down no one is likely to come knocking on their door. This is all very well but in practice a few of these advisers may allow their own personal beliefs (dare I say prejudices?!) to govern what they do and don't decide to take issue with; something I have seen at



▶ Clayton to Offham Escarpment SSSI on the South Downs National Park

first hand in a number of instances both from within and without these organisations and which does nothing but sow the seeds of mistrust. What we are left with over 35 years later is a cumbersome system that to my mind has had effects on the countryside and people in it that could scarcely have been predicted back in 1981.

So, as you can see I have no great faith in the Wildlife and Countryside Act which is why I balked visibly last week when I saw that Natural England was consulting on proposals to 'improve its capability to exercise its existing SSSI byelaw-making powers'. I'll be quite frank that I have yet to read the whole consultation from end to end but it does on the surface appear to be yet more gold plating of a legal framework that is already hugely burdensome for all parties. Either way I certainly hope the NFU, CLA et al are taking a keen interest in it.

More recently we had the Environmental Impact Regulations (Agriculture) Regulations in 2006 which, amongst other things, cover any changes of use proposed for semi natural or uncultivated land. After 10 years of bubbling along not causing too much trouble the government decided to

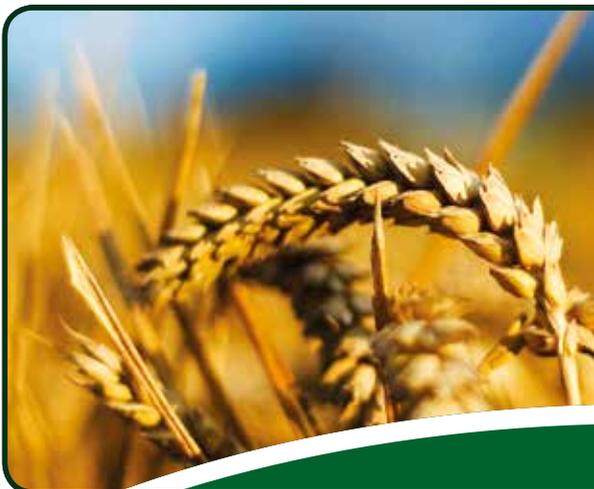
tighten the assessment procedure such that each application requires various pieces of accompanying documentation to justify ploughing everything other than a pasture of wall to wall rye grass. While this may seem pretty small beer in the grand scheme of things there is a danger, with over effusive administration perhaps of the type highlighted above, that we could be looking at a position in 10-20 years whereby whole swathes of the countryside have effectively been locked into being one habitat.

The two examples above are a small selection of a welter of other wildlife and countryside regulation which I fear over time, even without maladministration, are going to throttle the life out of our countryside and slowly but surely turn it into the kind of world that might have fitted well with George Orwell's vision of the future.



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