UNIVERSITY OF CAMBRIDGE
Department of Land Economy
50th Anniversary 1962-2012

Property institutions for land conservation: towards a post-neoliberal agenda

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Nature conservation in the UK

- Land is largely privately owned and farmed
- Valued species present on land farmed by particular farming systems

- Threatened by excess or

insufficient farming intensity

- High conservation and landscape values often correlated

Property institutions for land conservation

- Intimations of post-neoliberalism
- Property conditions for land conservation
  - Public Forest Estate
  - Large Conservation Area initiatives
- Three key elements:
  - Institutional blending
  - Residual claimant
  - Public trust
- Implications for policy

Intimations of post-neoliberalism

- Internal contradictions
- Reversals of policy
- Parallel counter-trends
- Public resistance

Internal contradictions in neoliberalism

- Privatisation – neoliberalism:
  - liberating entrepreneurial freedoms, private property rights, free markets
- Proliferation: ‘roll-back’ ‘roll-out’ ...
- Internal contradictions:
  - state intervention in support of neoliberalism,
  - assumes motivation of the state
  - absence of clear counterfactual
- Conservation trusts: ‘hybrid neoliberalism’ or ‘publicisation’?

Reversals and counter-trends

- Reversals:
  - Nationalisation of banks in Western economies
  - Experience in Latin America
- Longer term counter-trends:
  - Reclaiming the commons
  - Erosion of freehold property
- Public resistance to privatisation (and 'free' markets?)

The opportunities of neoliberalism

- Spectrum of institutional options (public, private, non-profit, collective, trusts, …)
- Establishing incentives and markets
- Subsidiarity: Decentralised decision-making
- Range of potential policy approaches (eg environmental contracts, transferable permits, covenants, offsetting)
- Options for co-ordinating decisions: (partnerships – collective ownership)

… neoliberal mechanisms enable the recapture of the commons?

Requirements for land conservation: neither public nor market?

- Provision of public goods
- Multiple land use and private ownership
- Scale and habitat networks
- Long term security of control
- Financing:
  - Government (agri-environment) payments
  - Commercial opportunities
  - Private donations

Two English case studies

- Public Forest Estate (PFE) in England
  - Proposed privatisation & public reaction
  - Independent Panel
  - Retention in public ownership as a ‘trust’.
- Large Conservation Area initiatives
  - Thinking in ecology (Lawton)
  - Control over ‘large’ areas (White Paper)
  - Partnerships and funding

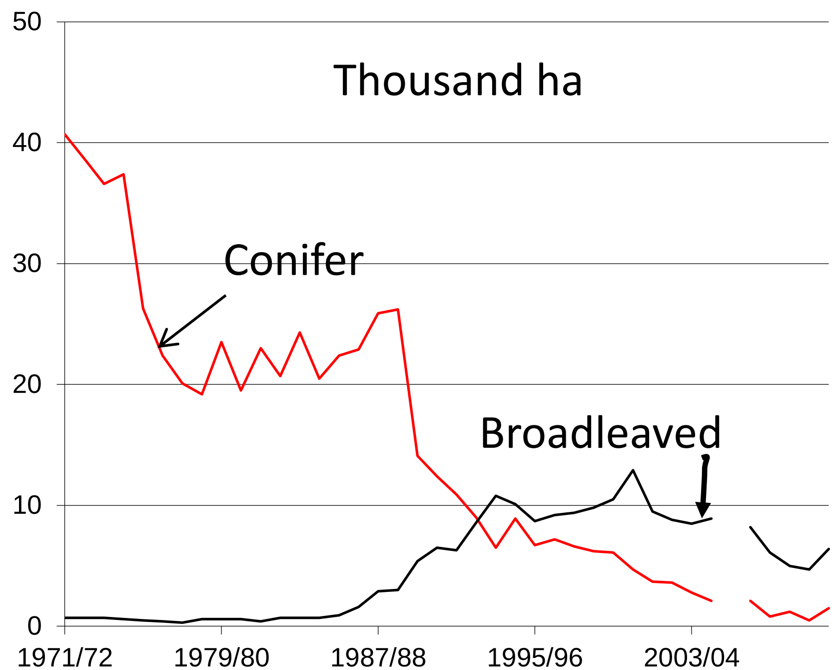
Forestry Commission

- 10% England wooded
  (European average = 37%)
- Forestry Commission – established 1919 to create strategic supply of timber
- Land acquired and coniferous planting as strategic reserve
- Public Forest Estate (England) 2012: 250,000ha (2% land area)
- 60% softwood sales in England
- 40% woodland access

Changing role of forestry

- strategic reserve,
- rural development,
- import substitution,
- recreation,
- biodiversity,
- carbon storage

New woodland planting in Great Britain

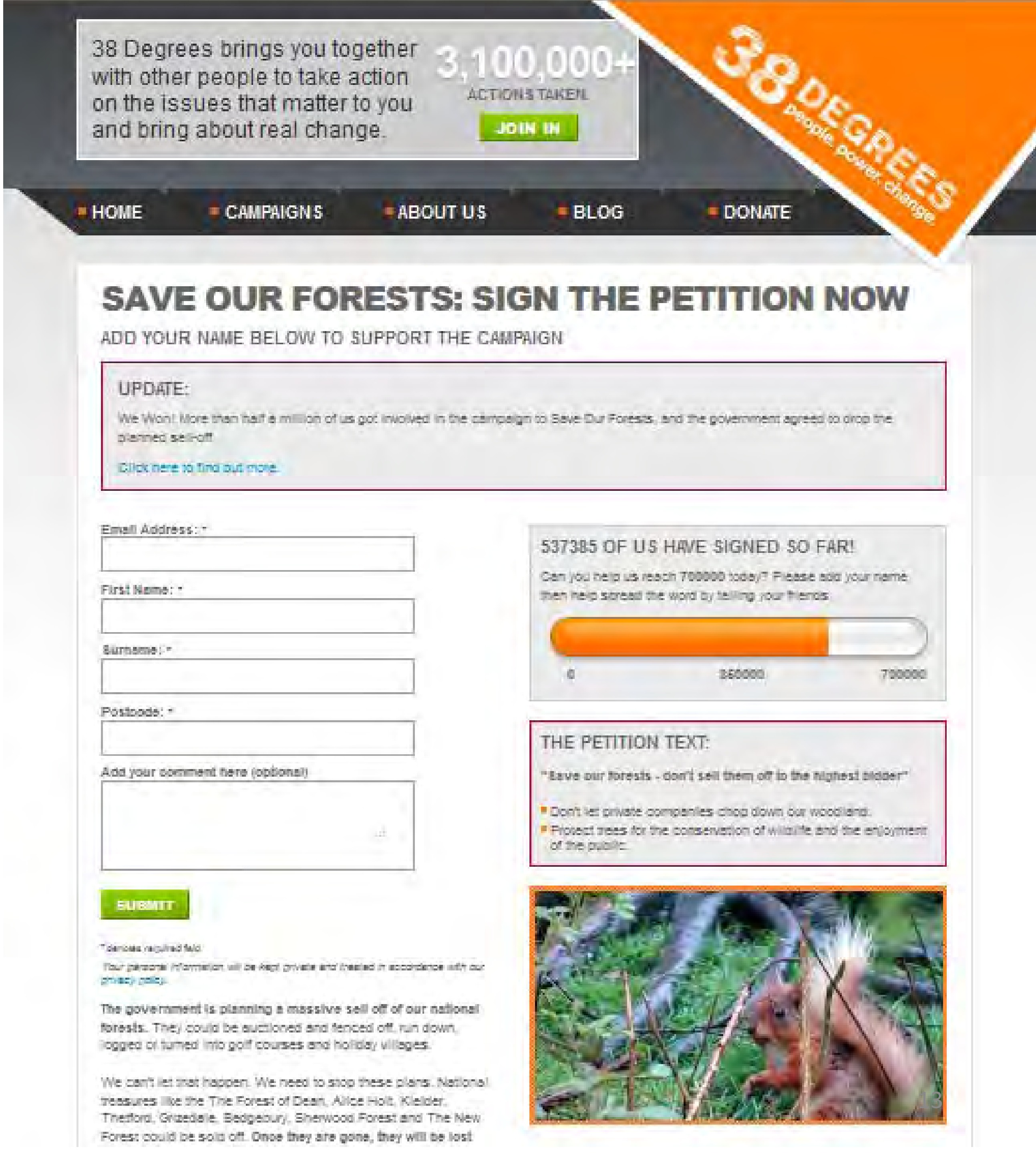


Social Trends – 2006 Figure 11.21 (updated)

Forestry sales plans 2011

- Government plans to sell Public Forest Estate – Nov 2010
- Consultation starts 27 January 2011 on role of "our treasured woodlands" – "how best to protect and improve these public benefits"
- Massive public/ media criticism:
  - 84% agree that woods and forests should be kept in public ownership for future generations
  - >536,418 sign petition "Save our forests – don't sell them off to the highest bidder"
- 17 February – consultation ended
- Independent Panel on Forestry – reported in July 2012 – retain land in public ownership & expand forestry

The petition text:
“Save our forests – don’t sell them off to the highest bidder”



Future forestry policy

- Forestry ‘undervalued’
  - Expansion from 10% to 15% land area by 2060
- PFE to remain in public ownership
  - ‘held in trust for the nation’
  - Overseen by ‘guardians’
  - Accountable to Parliament
  - Government saves money?

- Missed opportunity to develop institutions to match local contexts

Large Conservation Area initiatives: motivations

- Failure current approaches to stem declining conservation values (eg priority species and habitats in decline; farmland birds)
- Ecological networks: scale and connections
- Environmental threats
  – limits of site-based approach
  – climate change (what is to be conserved?)

Large Conservation Areas

Initiatives in selected landscapes where organisation or partnership directs land use change within a delineated area to achieve ecological restoration for wildlife conservation

- RSPB: Futurescapes
- Wildlife Trusts: Living Landscapes
- Butterfly Conservation
- National Trust

National Trust
United Utilities
Forestry Commission England
NATURAL ENGLAND

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Living Landscape schemes

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The Wildlife Trusts have more than 100 Living Landscape schemes underway across the whole of the UK, covering a project area of more than 1.5 million hectares. You can use the 'Scheme directory' in the left hand menu to find out information about each of the individual schemes.


RSPB
for birds
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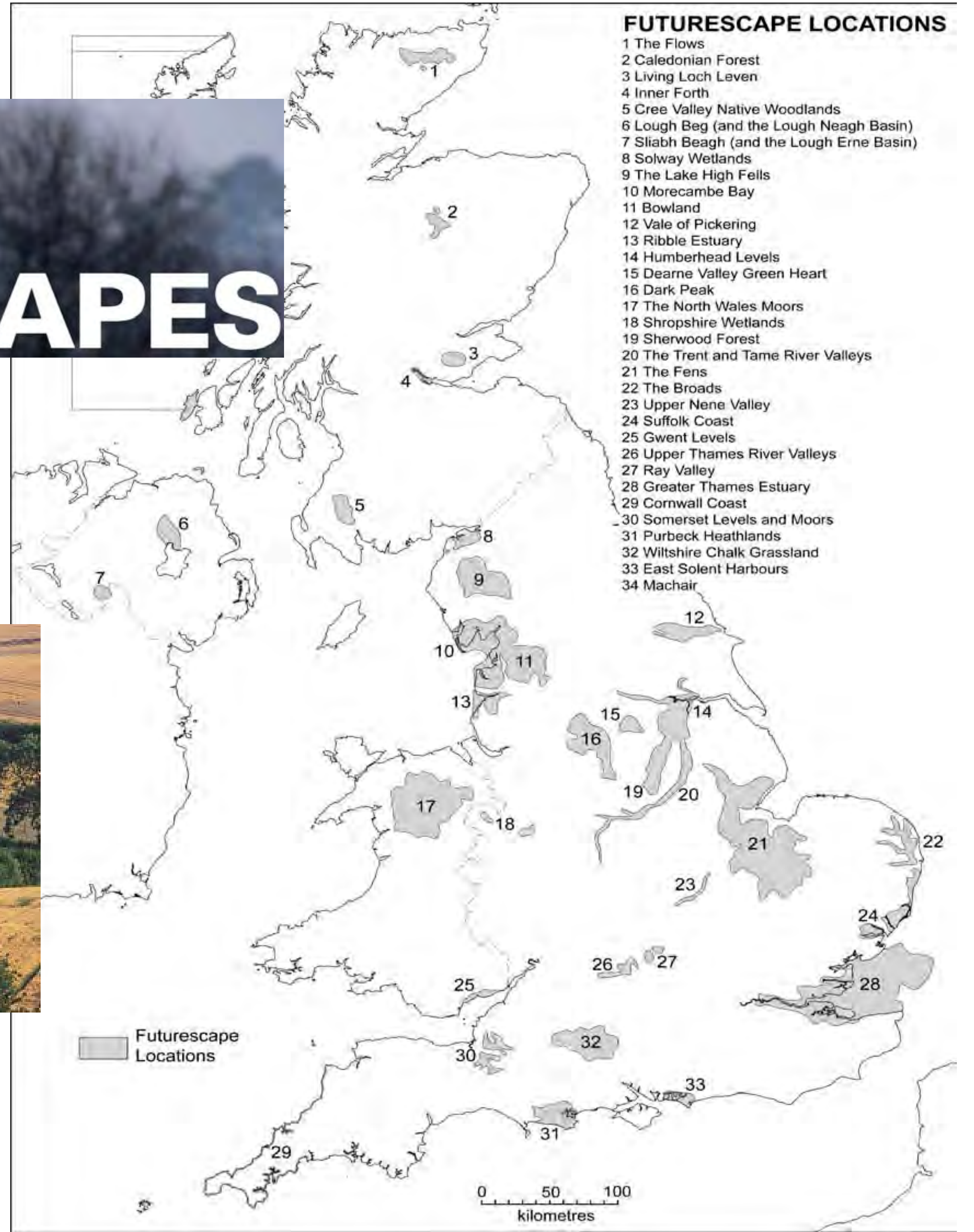
FUTURESCAPES


FUTURESCAPE LOCATIONS
1 The Flows
2 Caledonian Forest
3 Living Loch Leven
4 Inner Forth
5 Cree Valley Native Woodlands
6 Lough Beg (and the Lough Neagh Basin)
7 Sliabh Beagh (and the Lough Erne Basin)
8 Solway Wetlands
9 The Lake High Fells
10 Morecambe Bay
11 Bowland
12 Vale of Pickering
13 Ribble Estuary
14 Humberhead Levels
15 Dearne Valley Green Heart
16 Dark Peak
17 The North Wales Moors
18 Shropshire Wetlands
19 Sherwood Forest
20 The Trent and Tame River Valleys
21 The Fens
22 The Broads
23 Upper Nene Valley
24 Suffolk Coast
25 Gwent Levels
26 Upper Thames River Valleys
27 Ray Valley
28 Greater Thames Estuary
29 Cornwall Coast
30 Somerset Levels and Moors
31 Purbeck Heathlands
32 Wiltshire Chalk Grassland
33 East Solent Harbours
34 Machair
Futurescape Locations
0
50
100
kilometres

Assessment of LCAs

- Aspirational scale and objectives: covering large proportion of land area
- Voluntary sector led initiatives with multiple partnerships
- Ownership and informal arrangements amongst partners
- Complex project & funding structure (high transactions costs)
- Substantially underpinned by agri-environment funds
- Vulnerable to markets and CAP reform

Agri-environment in England

Entry Level Stewardship – *payments for basic environmental management options*

Higher Level Stewardship – *selective with more complex farm plans for environmental benefits*

- Voluntary approach
- Specific environmental objectives
- Standard environmental contracts specify land management requirements
- Payments: eg £30 - £400 /ha/year (¥5-60k)
- Total expenditure >£400m pa (¥64bn)

Three key property elements

- Institutional blending
- Residual claimant
- Public Trust

Institutional blending

Recomposing property, reassigning property rights, partnership arrangements, engaging with non-profits

- Institutions to match local contexts, capabilities and incentives
- Public forestry
  - Contracting out commercial, retaining long term control
  - Public/ private partnerships
  - Devolving ownership to non-profits
- LCAs
  - Extending control over land without land purchase (eg conservation covenants)
  - Leveraging resources
  - Formalising partnerships

Residual claimant

Receives net income and bears residual risk: interprets mission and directs management

- Locates ultimate responsibility and incentives
- Internalises externalities consistent with mission
- In non-profits - Board balances mission & resources
- Public forestry
  - Competition by contracting out
  - Lack of clarity (Commission, Guardians, Parliament)?
  - Subsidiarity: national v. local values
- LCA
  - NGO may remain RC, control land through agreements, contracts & covenants
  - Collective: pooling property to establish separate entity

Public trust

Implementing long term public interest in resource stewardship

- Increasing concerns for resource conservation
- Need for security in long term but lack trust of ‘political’
- Regulation (diminution of freehold) relocates (not extinguishes) rights and duties to higher level
- Public forestry
  - Proposals create new form of property? (Lack confidence in private or public?)
- LCA
  - How is public interest ensured (general oversight and continuity of funding)?

Implications for policy

- Exploration of diversity of novel institutional arrangements
- Building social capital to support them
- Requirements
  - Legislation (legal duties, covenants)
  - Administration (arrangements for oversight of public interest)
  - Public finance (allocation, continuity)