

## Wildlife and Countryside Link response to the Environmental Audit Committee's Environmental Scorecard inquiry

July 2014

Wildlife and Countryside Link (Link) brings together 44 voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management, and encourage respect for and enjoyment of natural landscapes and features, the historic and marine environment and biodiversity. Taken together our members have the support of over 8 million people in the UK and manage over 750,000 hectares of land.

This response is supported by the following members of Link:

- Bat Conservation Trust
- British Ecological Society
- Campaign for National Parks
- Environmental Investigation Agency
- Friends of the Earth England
- Humane Society International/UK
- International Fund for Animal Welfare
- Marine Conservation Society
- Open Spaces Society
- Plantlife
- Royal Society for the Protection of Birds
- Salmon & Trout Association
- Whale and Dolphin Conservation
- Wildfowl & Wetlands Trust
- Wildlife Gardening Forum
- The Wildlife Trusts
- Woodland Trust
- WWF – UK

### 1. Summary

- 1.1. Wildlife and Countryside Link (Link) welcomes the opportunity to provide evidence to the Environmental Audit Committee's environmental scorecard inquiry.
- 1.2. This response highlights the key findings, conclusions and recommendations made in Link's *Nature Check 2013* report,<sup>1</sup> which assessed the Government's progress on its commitments to the natural environment. The response also identifies key areas where the need for improved protection is most urgent, and offers solutions for positive action by which the Government can meet its stated environmental aims.<sup>2</sup>

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<sup>1</sup> [http://www.wcl.org.uk/docs/Link\\_Nature\\_Check\\_Report\\_November\\_2013.pdf](http://www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf)

<sup>2</sup> Environmental protection refers to the practice of maintaining, or restoring, the range of natural resources – such as plants, animals and fish, water, soil and the air – by preventing degradation and preserving diversity. <http://www.eurosaiwgea.org/Environmental%20audits/Governance/Documents/2010%20-%20UnitedKingdom%20-%20Full%20report%20Environmental%20Protection.pdf>

- 1.3. In summary, Link believes that the Government must take urgent action to halt and reverse the decline in our wildlife and natural places, and deliver on the ambitions in its Natural Environment White Paper. Key barriers exist to achieving these ambitions, and we believe that the Government needs to take bold and positive action now, before it is too late.

## 2. Nature Check 2013

- 2.1. For the last three years, Link has produced *Nature Check*, an analysis of the Government's delivery against its natural environment commitments. The report represents an objective assessment by over 70 policy experts drawn from across Link's wide range of member organisations.<sup>3</sup>
- 2.2. *Nature Check 2013* rated nine of the commitments the Government has made to the natural environment as red, twelve as amber and just four as green (refer to Appendix I for more detail). Link concluded that, while some Government policies are yielding positive results, overall its delivery for the natural environment is static and that only with bold and positive action now, will the Government be able to realise its ambition, as outlined in its Natural Environment White Paper, to restore, protect and properly value our natural world.
- 2.3. *Nature Check 2013* therefore recommended that the Government should:
  - Demonstrate its commitment to the natural environment by delivering strong leadership and effective action that will reverse the catastrophic decline in wildlife and reconnect people with nature.
  - Enable the statutory nature conservation bodies to fulfil their critical role as champions of nature, by allowing them a voice in developing public policy consistent with their expertise, while properly funding their functions and not imposing a growth duty.
  - Enforce the rules and regulations that protect our environmental public goods, whether domestic or European in origin.

## 3. The areas in which the need for improved protection is most urgent, and the nature of the improvements required

- 3.1. The particular areas of concern identified in *Nature Check 2013*, and where we would consider that environmental protection has worsened most since 2010, include: implementing *Biodiversity 2020* and building natural capital; delivering an ecologically coherent network of marine protected sites in UK waters; avoiding unsustainable agriculture practices and the unrelenting focus on deregulation; ensuring that the Government's focus on 'sustainable intensification' recognises and addresses animal welfare needs; and securing effective implementation of policies on the Green Belt, SSSIs and other environmental protections.

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<sup>3</sup> <http://www.wcl.org.uk/our-members.asp>

Biodiversity:

- 3.2. One of the most significant areas of concern is the Government's *Biodiversity 2020* strategy, which is currently underfunded and behind schedule. To have any chance of delivering on *Biodiversity 2020*, the Government urgently needs to: demonstrate leadership and commitment to this critical strategy; maintain, at the very least, the proportion of GDP spent on biodiversity; provide the resources and incentives to enable public, private and voluntary sector partners to deliver against the strategy; exploit synergies between biodiversity and other policy areas, such as agri-environment schemes and invasive species; put monitoring and surveillance systems in place to identify where objectives are being met; and ensure that all guidance from Defra relating to Natural England clearly articulates Natural England's role as an independent champion for nature, whose primary purpose is to conserve and enhance the natural environment.
- 3.3. The Government's continued failure to operate a science-led and measured approach to the issue of bovine TB and the consequent continuation of the pilot badger culls, remain a serious concern.

Forestry and Access to Nature:

- 3.4. The Government needs to develop a public forest estate management organisation which will maximise the wildlife and public value of our public forests and woods, in line with the recommendations of the Independent Panel on Forestry. As in other areas, they will also need to replace the presumption that regulation should only be used as a last resort with a presumption in favour of what works, backed up by more effective implementation and enforcement of legislation.
- 3.5. The recommendations made by the Independent Panel on Forestry regarding access should be met. The current approach to open access should be reviewed in order to provide more and better access to some of the UK's most beautiful areas. Landowners and farmers who provide permanent public access should be supported through Agri-Environment scheme funding.

Freshwater:

- 3.6. The Government needs to make meaningful steps towards abstraction reform that will protect the water environment. The Government also needs to ensure that steps are being taken to achieve Water Framework Directive objectives across the board, including tackling agricultural, urban and water sector pollutants. The development of natural flood alleviation is an area where the Government's performance has been consistently poor. The Government needs to substantially reduce building on floodplains and enact outstanding legislative provisions that will enable the widespread development of sustainable drainage systems.

Land Use Planning:

- 3.7. We are conscious that the inquiry is not addressing explicitly questions of land use or spatial planning. Link views the planning system as an important tool for achieving environmental, alongside economic and social objectives, including by securing the effective and efficient use of land for development. We are concerned

that recent reforms have reduced the capacity of the planning system to address important environmental objectives. This is despite the stated commitment to sustainable development set out in the National Planning Policy Framework (NPPF). We see little evidence that this objective is being achieved through local planning policies and decisions. These concerns were addressed in our Nature Check report and are being examined at present as part of the inquiry by the CLG Select Committee into the operation of the NPPF. We urge the EAC inquiry to give full consideration to this parallel inquiry and to consider how emerging findings may shape its own deliberations.

- 3.8. Public bodies have a duty to take into account the potential effect of their decisions and activities on National Parks and AONBs but currently not enough is done to ensure this happens. The Government must ensure that Natural England enforces this duty more effectively and monitors and reports on compliance rather than relying on non-compliance being reported to them. Given the changing nature of the bodies involved in delivering publicly-funded infrastructure, the duty itself needs to be extended to apply to Local Enterprise Partnerships (LEPs), combined authorities and other relevant bodies.

#### Marine Environment:

- 3.9. Further to Link's evidence to the recent EAC inquiry into Marine Protected Areas,<sup>4</sup> the Government should remain committed to an ambitious programme of delivery of their contribution to an ecologically coherent network of sites in UK waters. This includes ensuring timely consultation on tranche 2 sites (expected at the start of 2015) with consultation on as many sites as possible. However, even designation of all 37 sites currently under consideration, will not create an ecologically coherent network. Indeed failure to designate all 37 sites may mean that 'big gaps' still remain present in the network; these sites were proposed as 'candidate sites' following work by JNCC to identify large gaps in the network.<sup>5</sup> Additional sites should include those identified for the protection of highly mobile species including cetaceans, as at present these species are not included in the network at all.
- 3.10. Furthermore, the UK Government should work with its colleagues in the devolved administrations in order to ensure that the network is truly ecologically coherent across the UK. A report commissioned recently by Wildlife and Countryside Link, alongside Scottish Environment Link, Wales Environment Link and the Northern Ireland Marine Task Force, examined the network of protected sites across the UK and identified gaps at a range of spatial scales.<sup>6</sup> Effective, appropriate and enforceable management must be put in place within these sites to ensure that they provide the best protection possible for our marine environment.

#### Wildlife Crime:

- 3.11. The Government should establish a centrally held database for wildlife crimes in the UK and work with constabularies to encourage the consistent reporting of both intelligence and offences. This would indicate areas where protection efforts are most needed and resources can be allocated effectively. It is also essential that the

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<sup>4</sup> Wildlife and Countryside Link response to the Environmental Audit Committee inquiry on Marine Protected Areas (January 2014)

<sup>5</sup> [http://jncc.defra.gov.uk/pdf/140224\\_BigGapsMethod\\_v8.pdf](http://jncc.defra.gov.uk/pdf/140224_BigGapsMethod_v8.pdf)

<sup>6</sup> For a copy of the ECN report please contact John Sadler at Wildlife and Countryside Link [john@wcl.org.uk](mailto:john@wcl.org.uk)

Government provides long term funding for the National Wildlife Crime Unit (NWCU). The NWCU is highly effective, vital for tackling cross-border and organised wildlife crime and has very low running costs. While the announcement earlier this year of 2 years' worth of funding for the Unit is welcome, nevertheless short-term funding does not provide the security to retain expert staff, invest in more effective systems or allow forward planning. The Government must also crack down on wildlife cybercrime, either through the NWCU or the National Cybercrime Unit.

**4. Capacity and resources of the Government agencies, and non-governmental bodies, to ensure environmentally protective measures are carried out.**

- 4.1. The relevant Government agencies should be granted appropriate funding to enable them to focus more strongly on their core priority of conserving and enhancing the natural environment. Whilst the agencies should be expected to have regard to economic and social objectives, these should not be their primary objectives. The agencies also need to be independent and free from politics. The actions of the agencies, and of Defra in dealing with them, must be entirely transparent and within the public domain. Critical to protecting the environment are agencies that are: well-resourced; science-led; independent; and free to inform evidence-based policy. The issues also require a long-term perspective that transcends short-term politics.

**5. The extent of coherence between Government policies and between Government and European Union policies, and the likely beneficial or detrimental impacts on the environment.**

- 5.1. The EU has had an overwhelmingly positive effect on the UK's environmental policy. Membership of the EU has required the UK Government to put in place a range of legally-binding policies with strict targets which are regularly assessed.
- 5.2. The Government has carried out a review of the Habitats and Wild Birds Directives and has implemented many of the review's recommendations. However, this has not resulted in better delivery of the Directives. Indeed, in some areas there is a danger that the implementation of the review's recommendations will weaken proper implementation of the Directives and also increase risk and uncertainty around consenting. The Government needs to ensure that its guidance relating to the Habitats and Wild Birds Directives is in line with relevant EU guidance, and the Major Infrastructure and Environment Unit needs to start providing certainty for all parties on difficult strategic issues, such as offshore wind developments.
- 5.3. The UK, represented by Defra in negotiations to reform the Common Agricultural Policy (CAP), maintained a public commitment to the 'public money for public goods' principle. Whilst this position was commendable, as negotiations progressed it appeared to represent a rhetorical rather than real negotiating position, particularly in relation to proposals to 'green' CAP Pillar I subsidies i.e. attach more environmental conditions to them. Defra expended considerable effort securing the flexibility to implement a more ambitious set of greening measures domestically but subsequently decided not to use this option in England, opting instead for the Commission's original, and extremely watered down, greening measures. The consensus from environmental NGOs and experts is that greening will secure extremely few, if any, benefits for biodiversity and will largely repackage existing practices on most farms in the UK and EU.

- 5.4. In parallel, and as part of EU budget negotiations efforts to protect the CAP's Pillar II, which funds measures that are well equipped to benefit biodiversity and the wider environment, were severely undermined by the position taken by David Cameron which prioritised a reduction in EU expenditure above everything else. This resulted in disproportionate cuts to Pillar II at the EU level and the continuation of a very small UK allocation. Despite maintaining a firm commitment to boosting Pillar II funds in England through maximum transfers from Pillar I funds to Pillar II (often referred to as modulation), Defra bowed to intense pressure from farming unions to opt for a lower initial rate (12% rather than 15%) despite clear evidence (e.g. from their own Impact Assessment) that maximum transfers represented the best outcome for the natural environment and the public purse.

## **6. Conclusion**

- 6.1. Link believes that, while the Government is making some progress on its ambitions to secure environmental improvements, significant action is still required in order to restore, protect and properly value our natural world.
- 6.2. Key to success will be the Prime Minister and the Deputy Prime Minister demonstrating leadership across the whole of Whitehall, recognising that the environment is a major contributor to our health and well-being and a key contributor to our economy. The natural environment must be properly valued, despite the competing pressures that the Government faces. Sustainable development, including environmental resilience and working within environmental limits, will need to be at the heart of everything that government does. The emerging focus on resilience is vital to supporting sustainable development, and also for dealing with future threats, principally in the form of climate change.
- 6.3. The Government also needs to more effectively implement its agreed policies, and more effectively and consistently act upon evidence to develop policy. In this regard, statutory bodies need to be provided with the necessary independence and resources to fulfil their vital role as the Government's advisors. Across the board, the necessary resources need to be made available and deployed where they are most needed. And there must be recognition that environmental regulation provides a positive cost/benefit ratio.
- 6.4. To conclude, Link believes that the Government must take urgent action to halt and reverse the decline in our wildlife and natural places. We believe it can deliver on its ambitions in the Natural Environment White Paper, but needs to take bold and positive action now, before it is too late.

## Appendix I

*Nature Check 2013* rated nine of the commitments the Government has made to the natural environment as red, twelve as amber and just four as green.

### Red ratings = failing

- Implement the Biodiversity Strategy and build natural capital through local nature partnerships.
- Maintain the Green Belt, Sites of Special Scientific Interest and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.
- Implement recommendations from the Habitats and Wild Birds Directives Implementation Review.
- Promote high standards of farm animal welfare.
- Implement recommendations from the Macdonald Task Force’s review of farming regulations to reduce burdens and increase responsibility.
- Deliver a new framework for achieving the dual objectives of increasing food production and enhancing the environment.
- Take forward the findings of the Pitt Review to improve our flood defences, and prevent unnecessary building in areas of high flood risk.
- Implement a carefully managed and science-led policy of badger control as part of a balanced package of measures to control bovine TB and to support the cattle industry.
- Designate Marine Conservation Zones in 2013 and reduce the regulatory burden of marine licensing while maintaining a high level of protection of the marine environment.

### Amber ratings = moderate progress

- Reform the water industry to enhance competition and improve conservation.
- Influence reform in Europe to support [a] strong, sustainable agricultural... [industry].
- Implement EU regulations to prevent the trade in illegal logging.
- Tackle the smuggling and illegal trade of wildlife through our new Border Police Force.
- Introduce the right of coastal access under the Marine and Coastal Access Act 2009.
- Protect and enhance our urban and natural environment to improve public health and wellbeing.
- Improve water quality.
- Take action to tackle the illegal trafficking of protected or endangered wildlife species.
- Plant a million trees by 2015 and put English forestry on a more sustainable footing, building on the report by the Independent Panel on Forestry.
- Create a presumption in favour of sustainable development in the planning system.
- Continue our radical reform of the planning system to give neighbourhoods much greater ability to shape the places in which they live.
- Seek to introduce primary legislation at the earliest opportunity to... ban travelling circuses from using performing wild animals.

### **Green ratings = good progress**

- Press for a ban on ivory sales.
- Oppose the resumption of commercial whaling.
- Negotiate reform of the EU Common Fisheries Policy to support sustainable fish stocks, a prosperous fishing industry and a healthy marine environment.
- Implement the Ash Dieback Control Strategy and consider the findings from the Tree Health and Plant Biosecurity Expert Taskforce.



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