

# Nature Check

An analysis  
of the  
Government's  
natural  
environment  
commitments

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Wildlife and  
Countryside



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October 2011

This report is supported by the following members of Wildlife and Countryside Link:



Wildlife and Countryside Link (Link) is a coalition of 35 voluntary organisations concerned with the conservation and protection of wildlife, countryside and the marine environment. Our members practise and advocate environmentally sensitive land management, and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together our members have the support of over 8 million people in the UK and manage over 690,000 hectares of land.

This report has been prepared by Link, with the support of the members listed above. Member organisations also advocate their own policies, in line with their charitable remits.

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#### Acknowledgements

Thanks go to the huge range of Link members who have contributed their time and expertise to this assessment, and to Green Alliance for their collaboration.

Designed by Howdy.

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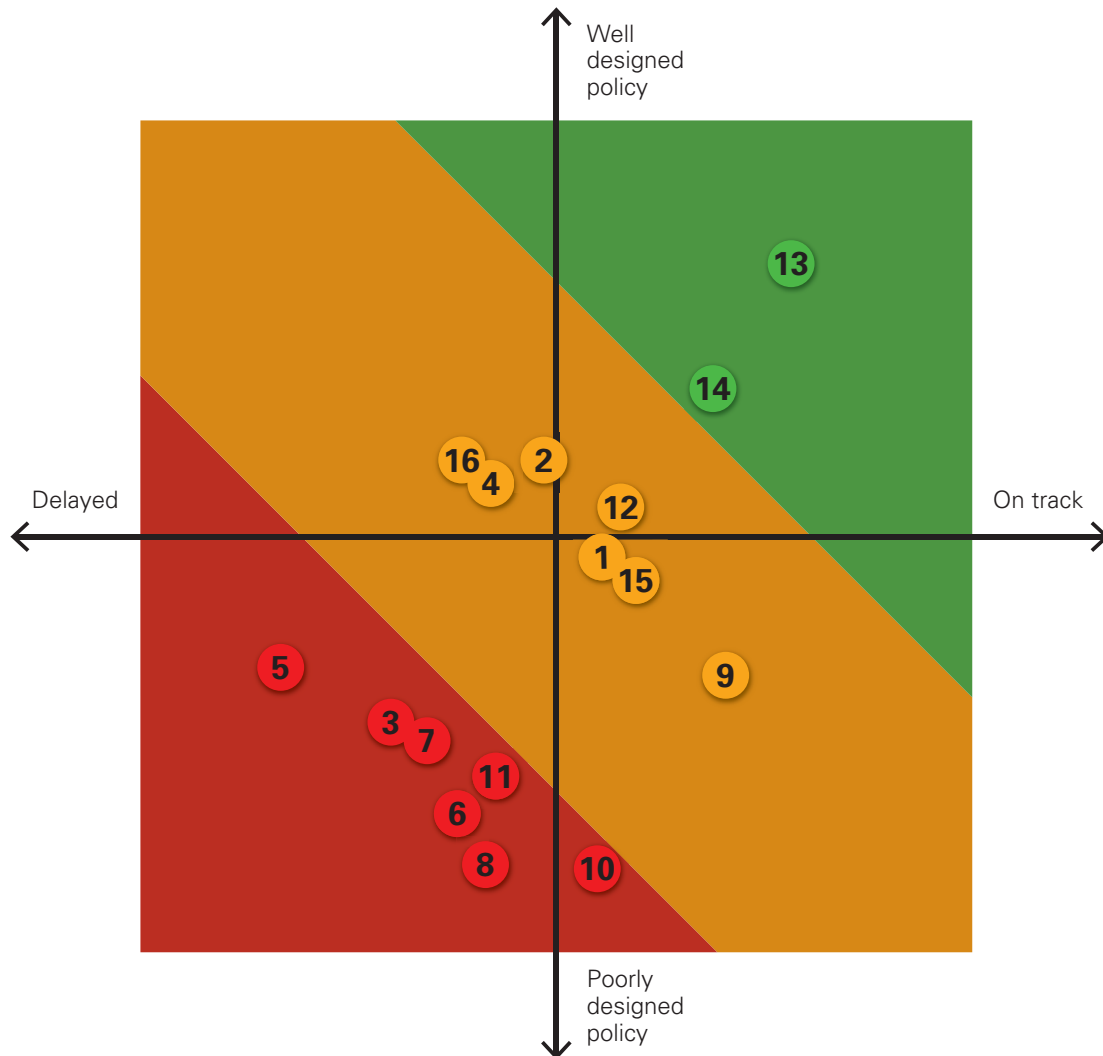
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# Executive summary



The Coalition Government have set out a clear and ambitious agenda for the natural environment. Headline commitments were established in the Coalition agreement, with more detail laid out in the Structural Reform Plans. David Cameron promised that these plans would establish “Specific deadlines for specific action. Not what we hope to achieve – but the actions we will take. They will show how each department plans to bring democratic accountability.”<sup>1</sup>

Nature Check assesses Government progress on its natural environment commitments and is our contribution to this process of democratic accountability. It follows Climate Check, published by a Green Alliance-led coalition of NGOs in September 2011.<sup>2</sup>

- 1** We will introduce measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity.

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- 2** We will make the case for significant reform of the CAP as part of the EU's negotiations for the period beyond 2013.

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- 3** We will take forward the findings of the Pitt Review to improve our flood defences, and prevent unnecessary building in areas of high flood risk.

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- 4** We will publish a White Paper and legislate for reform of the water industry to ensure more efficient use of water, protect poorer households, enhance competition and improve conservation.

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- 5** We will consult on a new strategic approach to forestry in England.

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- 6** We will introduce a carefully managed and science-led policy of badger control in areas with high and persistent levels of bovine tuberculosis.

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- 7** We will publish and present to Parliament a simple and consolidated national planning framework covering all forms of development and setting out national economic, environmental and social priorities.

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- 8** We will create a presumption in favour of sustainable development in the planning system.

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- 9** We will 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.

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- 10** We will radically reform the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live.

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- 11** We will take forward the Marine and Coastal Access Act and ensure that its conservation measures are implemented effectively.

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- 12** We will work to secure changes to the Common Fisheries Policy.

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- 13** We will oppose the resumption of commercial whaling.

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- 14** We will press for a ban on ivory sales.

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- 15** We will tackle the smuggling and illegal trade on wildlife through our new Border Police Force.

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- 16** We will introduce measures to make the import or possession of illegal timber a criminal offence.

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Of the 16 major commitments made by the Coalition on the natural environment, our assessment finds that seven are in the 'red' category (i.e. they have either not been delivered or have been delivered poorly), and seven are 'amber', which signifies delay and/or under-delivery. Just two of the 16 promises have been delivered well.

### **Green – good progress: two commitments**

This Government has been at its best on environmental issues when on the international stage. The UK can be proud of the role that the Environment Secretary, Caroline Spelman, played at the Nagoya meeting on the Convention on Biological Diversity in 2010, and she deserves congratulations for committing the UK to the 2020 biodiversity targets. Furthermore, the UK has played a leadership role and adopted tough positions on both whaling and proposals to sell ivory stockpiles.

### **Amber – moderate progress: seven commitments**

A significant proportion of the Coalition's efforts fall into the amber category, principally because of a failure to support positive ambitions and rhetoric with effective policy intervention. This is clearly seen in the Natural Environment White Paper, *The Natural Choice*. The White Paper sets out the importance of the future of nature, both for its own sake and for the wealth and wellbeing of us all, in terms that can be widely welcomed. But it is weak on tangible commitments, does not commit to halting the loss of species and provides little practical support to reconnect the public with the natural environment. Similarly, *Biodiversity 2020*, which presents the Government's plans to meet 2020 targets in the UK, fails to identify the crucial mechanisms to realise its ambitions (in particular funding). It seems that the Coalition's performance on the international stage is not backed up by action at home.

### **Red – failing: seven commitments**

The Coalition's failure so far to make a sufficient commitment to protecting and enhancing the natural environment in planning reform, proposals for the public forestry estate and plans for a badger cull are

well known and have provoked a strong reaction from the public and many natural environment groups. In addition, the Government is continuing to fail to promptly designate a network of protected areas at sea, leaving rapid industrial development in the marine environment to continue largely unconstrained.

### **Conclusion**

Whilst the Coalition has done well as a champion for the natural environment on the international stage, at home its commitment to being the 'greenest Government ever' is in danger of being undermined. This assessment raises profound questions over the Government's ability and willingness to deliver its green commitments, let alone to set out a long-term, coherent strategy to reverse biodiversity decline by 2020 and meet the needs of the natural environment alongside economy recovery.

The most significant barrier to meeting these commitments is the nature of the coalition's approach to economic growth, which is a short-term agenda being pursued at almost any cost. From planning reform to the Red Tape Challenge the natural environment is being characterised as directly in conflict with economic growth. Clearly, the Coalition is operating in a very difficult political and economic climate. But we also face an ecological crisis, with biodiversity in continued and often accelerating decline. The response to this cannot be to pursue economic growth at any cost now, in the hope that damage can be reversed in the future.

Instead, the Government urgently needs a unifying and common vision for a green economy in the UK, which succeeds because it fully protects and nurtures the ecosystems upon which we all depend, whilst providing for the country's economic needs and wider role in the world. This message is supported by the findings of the Government's National Ecosystem Assessment (NEA), which clearly showed that the natural world is critically important to human wellbeing and economic prosperity, but that it is consistently undervalued in decision-making.

There is now considerable concern that the Government's infrastructure for delivering on the natural environment is severely stressed and, in some

cases, may not be fit for purpose. The Department for Environment, Food and Rural Affairs (Defra) has suffered more than most departments, with funding for many environmental programmes cut, budgets for key Government bodies slashed and the future of others put into doubt. The Environment Agency and Natural England have suffered similar cuts and have had their freedom to act as public champions for the environment, or expert advisors to the policy process, severely constrained.

Our assessment has found no fault line over the natural environment between the parties in the Coalition, and there are clear champions both within and outside Defra. Instead, the fault lines run between departments and in some respects this is a depressing continuation of the situation under the previous Government. The Treasury and the Department for Business, Innovation and Skills (BIS) have played a particular role in holding back nature conservation. George Osborne has complained about “a decade of environmental laws and regulations”,<sup>3</sup> and BIS’ shared *Plan for Growth* established the “inherently pro-growth” nature of the draft National Planning Policy Framework (NPPF).<sup>4</sup> The Department for Communities and Local Government (DCLG) has not understood the vital importance of land use planning for the natural environment, beyond casual use of the term, and has not recognised that the purpose of planning is to promote genuinely sustainable development. If these fault lines persist, the Government risks making the same mistakes as its predecessors, stymieing real progress through a lack of cross-departmental support and joined-up policy making.

Nonetheless, the Coalition Government still has time to seize the initiative, to save species and to protect and restore precious habitats for present and future generations. This is what the Coalition has pledged to do, and it is what the public – who have shown how deeply they value the countryside and nature in the disputes over planning reform and forests – expect. To achieve this, the Government will have to fulfil the key high level recommendations we identify below. And in the best spirit of the voluntary sector, Link and its members will stand by to help the Government to realise its ambition to be the ‘greenest Government ever.’

## **High level recommendations**

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### **1) Provide leadership and cross-Government support for the natural environment**

The Government is faltering on its green promises because of a lack of apparent commitment and leadership from the top of the Coalition. To date, the Prime Minister’s forays into environmental policy have only been to resolve disputes. A new approach is needed, providing proactive leadership from the top, in particular from the Prime Minister and the Deputy Prime Minister. This will clearly place the natural environment at the heart of the Coalition’s agenda and bring all parts of Government, including DCLG, the Treasury and BIS, behind this priority.

### **2) Put the environment at the heart of the Coalition’s growth agenda**

Restoring economic growth and stability is a – probably the – key aim for this Coalition, but this does not have to mean undermining our environmental goals for short-term gain. Green growth, based on the enrichment of nature and on responsible and low-carbon industry, is possible. Government urgently needs to articulate and commit to a vision for green growth – including in a revised National Planning Policy Framework – that speaks to all those who care about our natural environment.

### **3) Restore the role of the statutory agencies**

Severe cuts in funding for the Environment Agency and Natural England in particular, combined with the removal of their role as public champions for the environment, has led to a diminution of leadership and evidence-based expertise on the natural environment within Government. This is likely to harm the availability of information that ensures that Ministers and others make good, science-based decisions.

## **Methodology and diagrams**

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*Nature Check* follows a similar methodology to *Climate Check*, using criteria to score each of the commitments that the Government has made on the natural environment, which can be found in the Appendix. These criteria were developed by Link's working groups, which are composed of leading experts from Link member organisations.

In scoring the commitments, the experts were asked to give a score of 0 – 10, for both timeliness (where 0 is no action, 1 is delayed and 10 is on track) and quality (where 0 is no policy, 1 is a poorly designed policy and 10 is a well-designed policy).

In scoring 'timeliness', Link members were asked to think about any deadlines given in Link's criteria, and an appropriate balance between taking action and giving sufficient time to consider evidence, stakeholder views and the interaction with other existing or developing policies. In scoring 'quality', Link members were asked to think about how far the policy and/or action met Link's criteria, and also the feasibility of policies and/or actions.

On the diagrams the different coloured zones mean the following:

**Green: good progress – the Government is delivering good quality policies at an appropriate speed.**

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**Amber: moderate progress – the Government is making some progress but this is at risk of being undermined by poor policies and/or delays.**

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**Red: failing – the Government is failing to make any progress or is designing policies so poorly that it will not deliver against the stated commitments.**

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# Introduction

When David Cameron became Prime Minister in May 2010 environmentalists could be forgiven for being optimistic. The new Coalition Government said it would be the “greenest Government ever.”<sup>5</sup> “I don’t want to hear warm words about the environment”, Britain’s new Prime Minister said, “I want to see real action.”<sup>6</sup>

Action is what this new Government is about. Cabinet Ministers, hungry for change, have embarked upon what commentators widely agree is the most radical public policy agenda in recent times. For the natural environment, this has spanned the breadth of policy from implementing the Marine and Coastal Access Act to reform of the European Common Agricultural Policy. Many commitments appeared in the Coalition’s founding *Programme for Government* and have also been widely reiterated in departmental plans and parliamentary debate.

However, set against the backdrop of economic crisis and the ‘Age of Austerity’, and the Big Society and the smaller state, hopes for real progress on the natural environment have been mixed with considerable concern. Would the Prime Minister translate his own words into action, and if so would he focus as much of his green zeal on saving species and habitats as on cutting carbon? And how would funding for biodiversity fare when the axe fell on spending?

Months later, we have seen plenty of action at the Department for Environment, Food and Rural Affairs (Defra). Soon after agreeing to take the second deepest cut, proportionally, of all Government departments, Environment Secretary Caroline Spelman launched ambitious plans for the future of the natural environment: the first Natural Environment White Paper in 20 years, with a new England Biodiversity Strategy to put its aspirations into practice, a commitment to publish White Papers on Water and Waste, and the publication of the National Ecosystem Assessment (NEA).

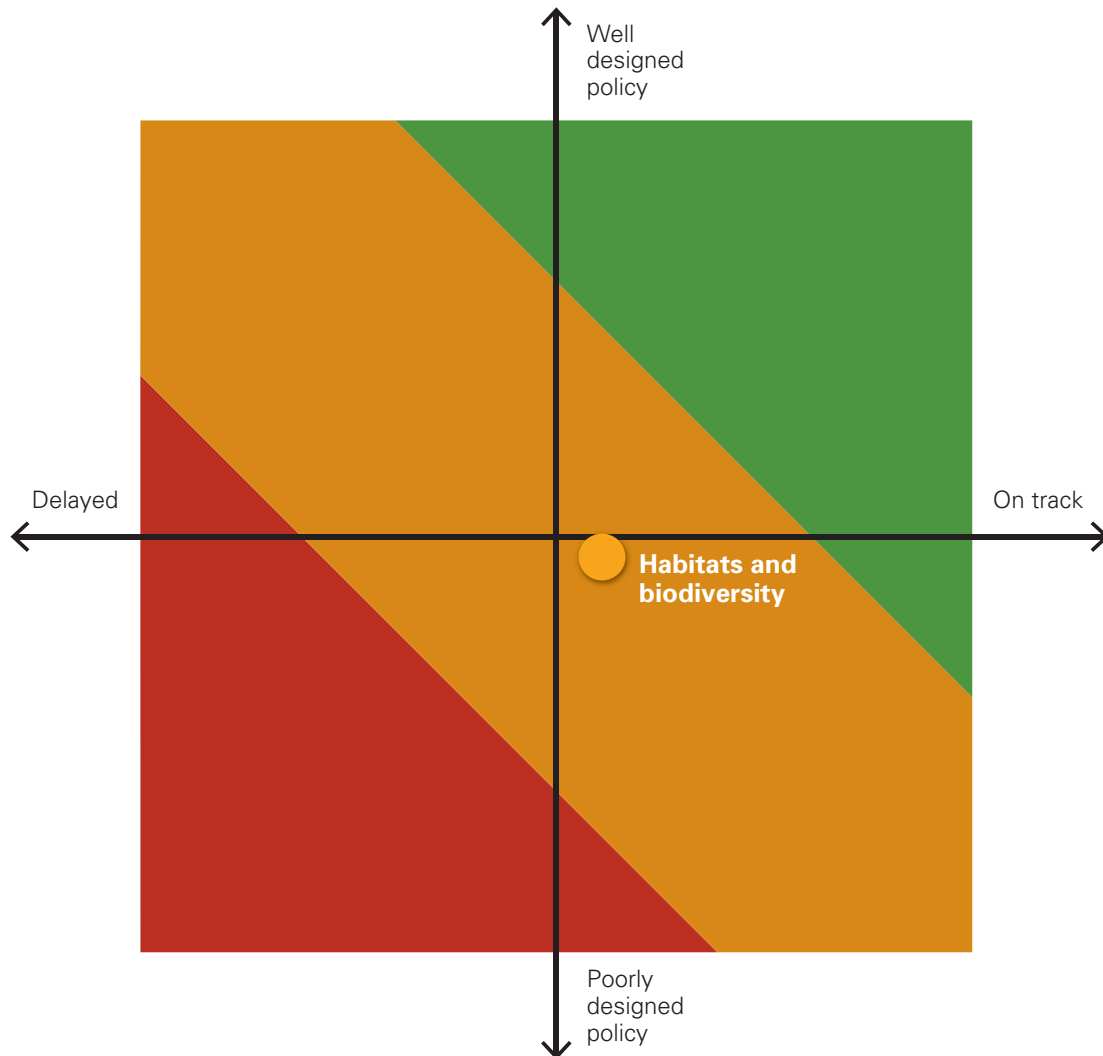
Rightly, the Natural Environment White Paper, *The Natural Choice*, states that the natural environment has an “intrinsic value”, but that “a healthy, properly functioning natural environment is the foundation of sustained economic growth, prospering communities

and personal wellbeing.”<sup>7</sup> The NEA adds “Our wealth as a nation and our individual well-being depend critically upon the environment. It provides us with the food, water and air that are essential for life... It is also in our environment where we find recreation, health and solace, and in which our culture finds its roots and sense of place.”<sup>8</sup> Internationally, it is estimated that we are currently losing £50 billion globally every year from ecosystem degradation and that by 2050 this could rise to welfare losses equivalent to seven per cent of global GDP. Action to prevent this loss would have a benefit to cost ratio of as much as 100:1.<sup>9</sup>

These findings could not be more timely as the Coalition sets about its programme with a single overarching mission: to kick-start the UK economy and stave off a ‘double-dip’ recession. Could economic growth and environmental protection finally be reconciled in the minds of Ministers? That is their approach, but a range of new challenges have arisen across the policy sphere, from flood protection and ownership of the public forest estate to marine conservation and planning reform.

This report from Wildlife and Countryside Link examines the Coalition Government’s first 18 months in office, and asks, does its pursuit of radical reform also credibly support its claim to be the ‘greenest Government ever’?

# Nature and access to nature



## Context

The National Ecosystem Assessment (NEA) report showed that the amenity benefits of living close to rivers, coasts and other wetlands are worth up to £1.3 billion a year to the UK.<sup>10</sup> It also demonstrated the profound value of nature; for example, the benefits that inland wetlands bring to water quality are worth up to £1.5 billion a year. People's commitment to nature is also clear: the consultation on the Natural Environment White Paper, *The Natural Choice* received a record 15,000 responses<sup>11</sup> and latest viewing figures for the BBC's Springwatch Programme are at almost 3 million people.<sup>12</sup>

However, the loss of species and habitats in England continues at an unprecedented rate, with 29 per cent of our most threatened species and 45 per cent of threatened habitats declining or lost.<sup>13</sup> Many of the ways in which people access the natural environment are also now under review.

## **Nature check: moderate progress, moderate prospects**

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The Coalition made broad and ambitious commitments to protect wildlife, halt the loss of habitats and help people to reconnect with the natural environment after the UK's failure to meet its previous biodiversity targets by 2010. The two most important initiatives that the Coalition has progressed since coming into Government are *The Natural Choice* and the England Biodiversity Strategy, *Biodiversity 2020*. These establish the Government's ambitions for the natural environment, but the subsequent initiatives have failed to amount to a programme that will halt the loss of biodiversity, including priority species and habitats. *The Natural Choice* is undermined by the lack of a clear implementation plan and funding strategy, and ambiguity over the links between national ambition and local delivery. *Biodiversity 2020* adds little to *The Natural Choice* and a delivery plan for *Biodiversity 2020* is not due to be published until March 2012, which could negatively affect the Government's pledge to meet its global biodiversity 2020 commitments.<sup>14</sup>

One area that has been notably absent from Coalition action on this commitment is conservation in the UK Overseas Territories. Over 80 per cent of the threatened wildlife for which the UK is responsible is found overseas, but conservation efforts have been severely constrained by lack of capacity and funding. The forthcoming Overseas Territories White Paper will be an important opportunity for the Coalition to lay out its ambition in this crucial yet overlooked area.

In relation to access to green space, it remains to be seen whether the Government's positive statements about the value of green spaces and the importance of people having access to nature will translate into action which delivers public freedom to enjoy the natural environment. If the Government is truly committed to ensuring that everyone should have access to the natural environment, it must protect, promote and enhance public rights of way and access to land.

## **We will introduce measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity.**

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### **The Natural Environment White Paper: *The Natural Choice***

*The Natural Choice* sets the Government on a positive path in relation to the natural environment, outlining some high levels of ambition and highlighting immediate work including the creation of Nature Improvement Areas, Local Nature Partnerships and the continued focus on improving the condition of Sites of Special Scientific Interest (SSSIs). *The Natural Choice* plans to integrate the value of nature into decision-making, which is to be welcomed, and the Government should be commended on plans to establish a Natural Capital Committee reporting to the Chancellor. These plans are timely, given the recent publication of the NEA and The Economics of Ecosystems and Biodiversity (TEEB) report. We hope to see more detail soon on how these plans for the value of nature will be made a core part of wider Government decisions.



The Natural Choice is weak on tangible commitments in both the policy arena and on the ground.”

However, *The Natural Choice* is weak on tangible commitments in both the policy arena and on the ground beyond SSSIs and Nature Improvement Areas. Nothing directly commits to halting the loss of species, and despite some positive language there is very little practical support for initiatives to reconnect the public with the natural environment, with no firm commitments on access or recreation. The Government has published its response to Sir John Lawton's review, *Making Space for Nature*, but it has not set out a clear plan for action to deliver the review's recommendations.<sup>15</sup> The limited attention given to improving public access to our coasts is particularly worrying, especially since no timetable has been included for the next steps in designating the coastal path around England, a commitment in the UK Marine and Coastal Access Act 2009. *The Natural Choice* establishes some useful ambitions for using

the planning system to reconnect people with nature and protect the environment, but it lacks the positive and detailed objectives, targets, goals and indicators to show how these objectives will be implemented in practice. As currently drafted, the planning reforms will undermine environmental commitments outlined in *The Natural Choice* through their emphasis on economic growth and their failure to integrate policies such as Nature Improvement Areas.

Responsibility for making the changes outlined in *The Natural Choice* continues to be increasingly decentralised, but lacks an England-wide framework or the identification of a sufficiently strong role for Government as the leader of change. Within Government, *The Natural Choice* also failed to make sufficient connections with other areas of policy; more clarity is required on how the White Paper will relate to and influence policies and strategies including *Biodiversity 2020*, the Localism Bill and the National Planning Policy Framework (NPPF). In some cases, this lack of connection relates to delays in the publication of other policies (e.g. the Water White Paper), but if *The Natural Choice* is to stimulate cross-cutting implementation of work for the natural environment, the Department for Environment, Food and Rural Affairs (Defra) needs to use it as a strategic driver to help shape Government policy across the board.

The Government should set out a clear funding strategy and implementation plan for *The Natural Choice*. This should include:

- > greater detail on how local delivery by Local Nature Partnerships will fit into national ambitions, and the planning system;
- > how the unsustainable use of peat will be tackled;
- > a roadmap for achieving the right mix of regulations and incentives to deliver positive biodiversity offsets;
- > a credible plan for reconnecting people to nature, including the understanding of the value of the natural environment to people's leisure and well-being; and

- > the membership of the Natural Capital Committee, which should include both natural scientists and economists.

### **The England Biodiversity Strategy: *Biodiversity 2020***

*Biodiversity 2020: a strategy for England's wildlife and ecosystem services* was published in August 2011 in response to the Government's commitments at the Nagoya Biodiversity Summit in October 2010. It was due to come out alongside *The Natural Choice* but its publication was delayed by two months. As much of *Biodiversity 2020* directly copies sections of *The Natural Choice* it is not clear why the strategy was so late. Tangible ambitions for biodiversity previously outlined in *The Natural Choice* were welcomed, including an increase in the extent of priority habitats by 200,000 hectares, 90 per cent of priority habitats in favourable or recovering condition and at least 15 per cent of degraded ecosystems restored by 2020.<sup>16</sup>



Delivery of these biodiversity ambitions requires good governance and a funding plan for the long term”

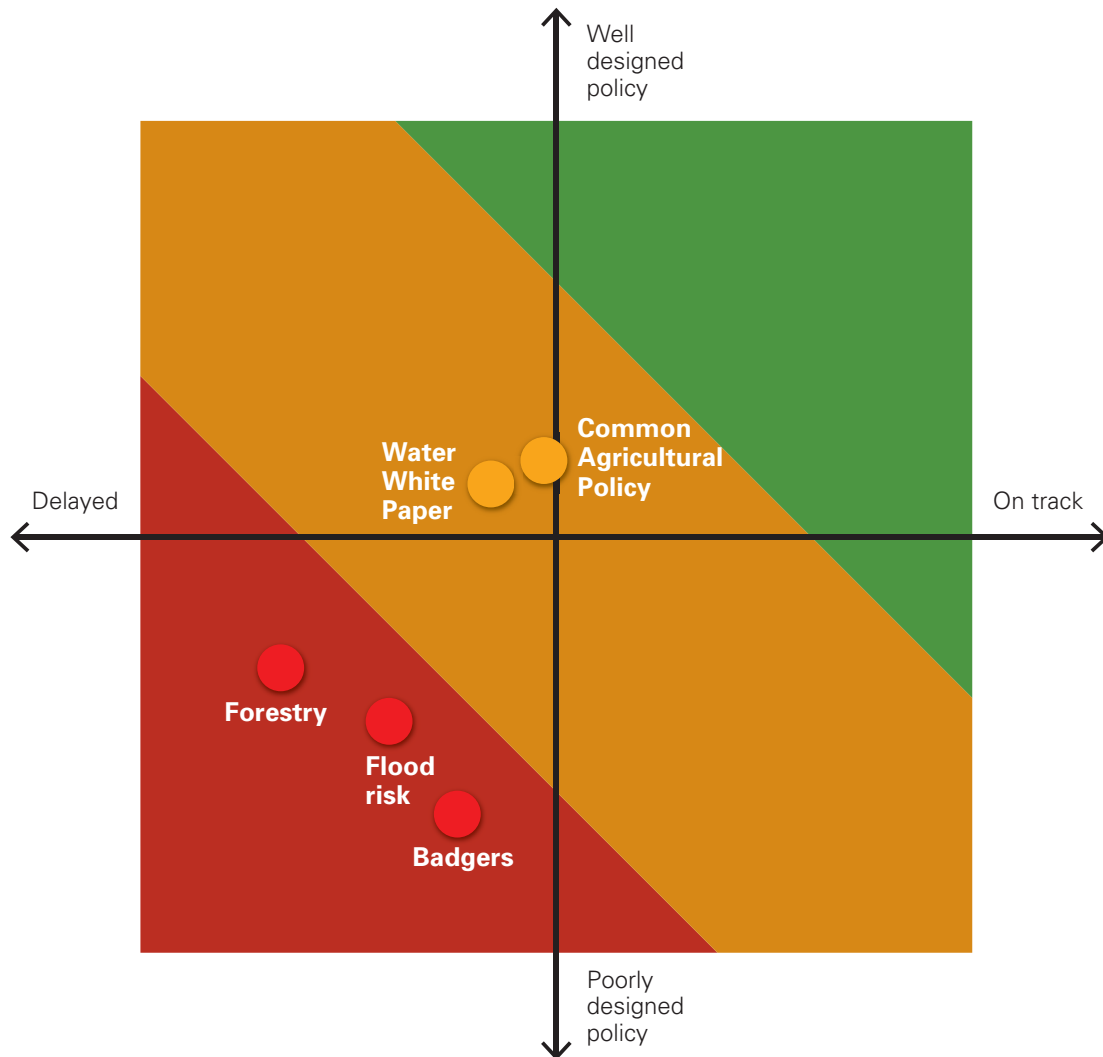
However, the most effective measure of whether we are halting biodiversity loss – which the Government has committed to do by 2020<sup>17</sup> – is through the recovery of species populations. One of *Biodiversity 2020's* outcomes is “an overall improvement in the status of our wildlife... [and] prevented human induced extinctions of known threatened species,” yet we do not have a set of national or local species ambitions which all sectors could use to direct action to recover species within sites, habitats and landscapes.<sup>18</sup> Neither is there mention of the Birds or Habitats Directives, which should have been included, along with details of how these Directives will be used as instruments to support delivery. Other outcomes reiterate existing commitments, including those relating to Marine Protected Areas, marine plans and fisheries reform. The fisheries outcome (sustainable fishing by 2020) has a less ambitious timeline than that which was included in the European Union Biodiversity Strategy or that which is being proposed under the reforms to the European Common Fisheries Policy.

Along with its outcomes, we welcome in principle the four themes of *Biodiversity 2020* – larger scale integrated approach to land and sea, people at the heart of biodiversity policy, reduction of environmental pressures, and knowledge improvement. A fifth theme of ‘Government leading by example’ would also have been welcomed.

As with *The Natural Choice*, our concerns relate to the implementation of *Biodiversity 2020*. Delivery of these biodiversity ambitions requires:

- > good governance, including cross-departmental and inter-agency commitment to secure biodiversity gains, and genuine engagement with Non-Governmental Organisation (NGO) partners in decision-making on priorities;
- > a funding plan for the long term;
- > a clear delivery plan;
- > a baseline of species, habitat and landscape status against which to measure success;
- > putting priority species needs central to habitat and landscape initiatives;
- > using regulation and legislation where voluntary measures fail; and
- > linking local delivery to a robust national framework of information and advice.

# Land management



## Context

The natural environment provides the foundation for our wealth and wellbeing, and land management that is based on an integrated, ecosystems-based approach is critical to the continued delivery of these services. Major reform of agriculture, water and forests policy is underway, both domestically and within Europe, influenced by concurrent developments in planning and wider natural environment policy.

Reform of agriculture policy through the European Common Agricultural Policy (CAP) has the potential to deliver enormous benefits for our natural environment through more sustainable farming. If European governments get CAP reform wrong there will

continue to be major negative implications for the natural environment, and it will become harder to protect and restore nature at a landscape scale level.

Water is one of our most precious natural resources, and it is in crisis: our rivers, lakes and ponds remain our most threatened habitats. Domestic reform is in the works with the forthcoming Water White Paper and, like the CAP, the European Water Framework Directive (WFD) provides an important European Union (EU) dimension to water policy in the UK.

Forests and woodlands – the social and environmental benefits of which have been valued at more than £1.2 billion a year – are also undergoing a policy review; policy on forests and woodlands is an important complement to water and CAP reform.

## **Nature check: poor progress, moderate prospects**

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The Government's commitments and achievements around land management present a mixed picture. Ministers say they are committed to quite ambitious policies but their level of prioritisation amongst other Government policies is unclear. The Department for the Environment, Food and Rural Affairs (Defra) is saying many of the right things: "We want to create a resilient and coherent ecological network at national and local levels across England. Achieving this will require a fundamental shift in approaches to conservation and land management."<sup>19</sup> But Defra's work must be backed up by commitments from all Government departments, particularly the Treasury, the Department for Communities and Local Government (DCLG) and the Department of Energy and Climate Change (DECC).

“  
Defra's work must be backed up by commitments from all Government departments.”

In short, more joined-up thinking is needed. For example, the Government is proceeding with CAP reform and its rural development measures without a statement of its biodiversity objectives. Implementation of international commitments, such as European Directives and the Convention on Biological Diversity, should be delivered alongside domestic land management policy. The relevant statutory agencies must be sufficiently resourced to implement all of these commitments.

Disappointingly, the Government has failed to base its decision on a potential cull of badgers on robust scientific evidence. Implementation of the Pitt Review recommendations has also scored poorly, since the Government has missed opportunities to take action on flood management, e.g. by failing thus far to provide the guidance on Sustainable Drainage Systems (SuDs) required to operationalise the Flood and Water Management Act 2010 (Flood Act). On other commitments there is still time for ambitious, integrated action. On the CAP, the Water White Paper and on forestry the Government has time to develop

policies that deliver for the natural environment and – based on well-implemented natural capital accounting – for the economy.

### **We will make the case for significant reform of the CAP as part of the EU's negotiations for the period beyond 2013.**

Negotiations on CAP reform are at an early stage, with the EU Commission publishing its proposals in October this year. The Government has made positive proposals, stating that Pillar 2 measures (rural development funds) should be enhanced to ensure agri-environment schemes deliver.<sup>20</sup> Ministers must argue for Pillar 2 to receive a larger amount of the overall CAP budget, and for better animal welfare standards in cross-compliance. Currently, the CAP does not do enough to encourage farmers to deliver for the environment and it should be reformed to ensure that farmers and land managers are rewarded for delivering environmental public goods, particularly through effective mechanisms such as the Higher-Level Stewardship scheme.

However, the push towards maintaining and increasing agri-environment funding is endangered by the pressure on national budgets and the Government's focus on competitiveness. The Government needs to prioritise funding for sustainable agriculture and should argue against EU proposals to allow Member States to 'reverse modulate', i.e. to move money away from Pillar 2 and back into Pillar 1 (direct payments to farmers)<sup>21</sup>; this could significantly reduce rewards for farmers taking positive environmental action.

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the push towards maintaining and increasing agri-environment funding is endangered by the pressure on national budgets”

The Government is also failing to make the link between farming and climate change, with inadequate action to reduce greenhouse gas emissions from farming. Climate change mitigation measures are generally narrow in scope and do not adequately consider life cycle analysis. Despite synthetic fertiliser being a major component of climate emissions there is no effective plan to tackle this in the long term; the

same is true for nitrogen pollution from fertiliser and manure.

**We will take forward the findings of the Pitt Review to improve our flood defences, and prevent unnecessary building in areas of high flood risk.**

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The Government's implementation of the Pitt Review scores very poorly in this assessment, despite the Environment Secretary's known interest in water and flood risk issues. The National Flood and Coastal Erosion Risk Management Strategy (FCERM) has failed to capture the critical interdependency between risk management and environmental enhancement, and does not set a tangible level of ambition for the natural environment.

The FCERM *Outcome Measures* document will bring some benefits, but there is a danger that the emphasis on matching private contributions will undermine a strategic approach to FCERM and erode the emphasis on getting the greatest public benefit from public investment.<sup>22</sup>

We also note the poor alignment of policy areas that could support implementation of the Review, including:

- > agri-environment schemes;
- > biodiversity;
- > the National Planning Policy Framework, whose brevity risks variability in approaches to preventing inappropriate development on floodplains;
- > the catchment approach to WFD delivery, which has yet to make links with FCERM and Internal Drainage Boards, whose land drainage function was not captured by the Flood Act (including the national strategy and sustainability duty that the Flood Act introduces).

Many of the new funding and governance arrangements for the Flood Act are either in the very early stages of delivery or not yet enacted. The delay in operationalising the statutory instruments and guidance documents is frustrating. For example, SuDs design standards have yet to be issued despite the urgency of the issue and the support for action from

Conservative MPs, meaning that this part of the Flood Act has no practical effect.<sup>23</sup>

*The Natural Choice* was a key opportunity for the Government to set out its proposed action on flood policy, but although it did contain a number of positive policy steps it mostly lacked the detail to ensure strong implementation.

**We will publish a White Paper and legislate for reform of the water industry to ensure more efficient use of water, protect poorer households, enhance competition and improve conservation.**

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The Government has made some welcome moves on water policy, releasing new money for WFD delivery, announcing plans to establish a Catchment Restoration Fund and starting trials of catchment scale planning ahead of the next round of River Basin Management Plans.

However, publication of the Water White Paper has been delayed making it impossible to judge progress on the water sector as a whole. The Government has reiterated its intention to include water efficiency, protection of poorer households, enhanced competition and abstraction reform in the Water White Paper. But this leaves a gap in terms of any new ambition to tackle diffuse pollution (the chemicals, nutrients, soils and pathogens that run off and through urban and rural land). Diffuse pollution is thought to be impacting around a third of water bodies covered by the WFD, causing significant damage to wildlife and driving up water customer bills. *The Natural Choice* and *Biodiversity 2020* commit to developing "a strategy to identify and address the most significant diffuse sources of water pollution from non-agricultural sources."<sup>24</sup> The Government must use the Water White Paper to flesh this strategy out, reaffirming its commitment to voluntary and incentive driven action, underpinned by a clear timetable for new targeted regulations if such programmes fail to secure improvements.

On water use it appears that Richard Benyon, Minister for the Natural Environment and Fisheries, agrees with the need for "innovative improvements in water

efficiency.”<sup>25</sup> He has welcomed “steps to develop sustainable drainage systems”, and has said that “in many respects, our existing abstraction regime and some of our supply and sewerage infrastructure is not even designed to meet today’s needs.”<sup>26</sup> The Government’s consultation *Affordable Water: a consultation on the Government’s proposals following the Walker Review of Charging*, sets out the need to provide “fair and affordable water.”<sup>27</sup> To achieve this the Water White Paper should include a package of reforms that will deliver near universal metering in combination with retrofitting of water efficiency measures and tariffs that support vulnerable groups.

“  
a third of rivers are impacted or at risk of damage from over-abstraction”

Over-abstraction is another key threat to the environment and sustainability of public supply. The Environment Agency has shown that a third of rivers are impacted or at risk of damage from over-abstraction, while predicting that climate change could reduce summer flows by up to 80 per cent in some parts of England and Wales.<sup>28</sup> *The Natural Choice* and *Biodiversity 2020* both make reform of the abstraction regime a priority.<sup>29</sup> It is vital that the Government uses the Water White Paper to commit to radical reform of abstraction licensing to achieve comprehensive environmental protection, including incentives for innovation and flexibility in managing the balance of supply and demand.

Finally, the evolution of policies which allowed Ofwat (The Water Services Regulation Authority) to fund catchment solutions to water quality started under the previous administration but has gained strong support from across the political spectrum. The Water White Paper must reinforce the message that catchment management should provide the first line of defence against pollution of drinking water, as well as setting out how Government will put in place incentives to ensure greater uptake.

While Government has made some welcome noises on the issues to be tackled by the Water White Paper, the current lack of progress is more telling. Against the backdrop of a strongly deregulatory agenda it is

unclear to what extent Government is willing to use its powers to direct Ofwat and the water industry, and how much progress we will really see over the lifetime of this parliament.

### **We will consult on a new strategic approach to forestry in England.**

The Government’s consultation on the public forest estate, published and withdrawn earlier this year, clearly failed to meet the public’s expectations, particularly on ownership, management and access issues.<sup>30</sup> Wildlife and biodiversity were barely mentioned in the consultation and the suggestion of Government withdrawal from the ownership and management of land is a matter of concern. Attempts have been made since the 1990s to restructure state forests and improve management practices, with a strong emphasis on landscape, recreation, and, to a limited extent, biodiversity. But there is still more that should be done to make the public forest estate – as an important national asset – deliver public benefits.

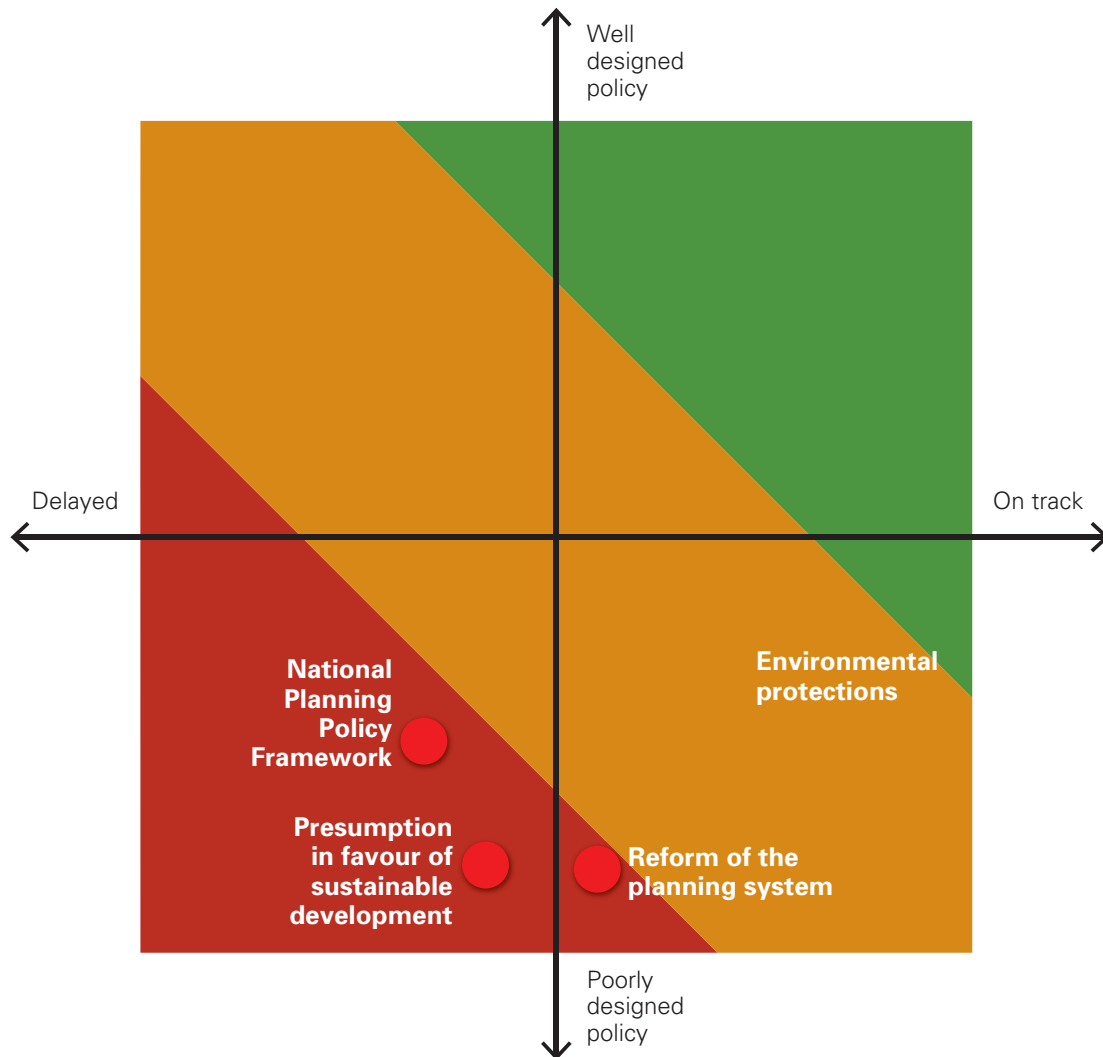
The Independent Panel on Forestry provides a valuable opportunity to look at forestry policy in the round and to build on the body of forestry research and reports that already exists. In order to develop a positive strategic approach to England’s forests and woodlands the Government needs to understand forests and woodlands as a multifunctional resource; one that has a vital role in delivering coherent ecological networks and is a source of well-being and an important recreational asset. In particular, any forestry vision needs to promote enhanced woodland and open habitat biodiversity, landscape character, greater public access to woods, a larger, more sustainable and resilient woodland resource and protection of the historic environment.

### **We will introduce a carefully managed and science-led policy of badger control in areas with high and persistent levels of bovine tuberculosis.**

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The Government scores poorly on this issue as it has not fully taken into account the advice of its Independent Scientific Group (ISG) on TB in Cattle. The ISG indicated that a cull would be of little help in reducing bovine TB in cattle in the long term, and could actually make things worse in some areas through perturbation.<sup>31</sup> Licensing and monitoring the cull will be a heavy burden on Natural England and there are significant questions over its ability to regulate a cull that is effective (removing 70 per cent of badgers in a killing zone), but which does not cause local extinctions. Caroline Spelman has said that she is “strongly minded” to implement a cull.<sup>32</sup> If she does, it must be transparently based on independent, scientific advice and it must be clear how such a cull would be managed in the long term.

# Land use planning



## Context

The UK planning system plays a pivotal role in supporting a healthy natural environment and creating public faith in democratic decision making. Planning is the vehicle for implementing key policies and delivering the outcomes that communities need. This includes affordable housing, urban regeneration, biodiversity and countryside protection, habitat creation, green infrastructure, community facilities and renewable energy. Good planning can improve the space we live in and help to reconnect people with nature.

The Government is in the midst of fundamentally reforming the planning system in England, through the Localism Bill and the new National Planning Policy

Framework (NPPF). The Coalition's approach is driven by their desire to simplify the planning system, to decentralise control over planning decisions, to drive housing and other development and to introduce policies that will "establish economic growth as a Government priority for planning."<sup>33</sup>

## Nature check: poor progress, poor prospects

The aspiration to give local communities more say in planning is welcome, but the implications of the suite of proposals for sustainable development, protection of the natural environment and the ability of communities to shape their areas are significant and far-reaching. Although the Government has said that it

is committed to sustainable development, it is pursuing short-term economic growth above other concerns, and is failing to recognise that economic activity can only be sustainable if it is compatible with environmental and social objectives.

“economic activity can only be sustainable if it is compatible with environmental and social objectives.”

The ambition to decentralise planning control on the one hand, and the promise of maintaining the protection for designations that support the natural environment on the other, are being undermined by the strongly growth-driven emphasis of the NPPF, Clause 130 in the Localism Bill (financial considerations in planning) and the status given to Local Enterprise Partnerships.<sup>34</sup> It is not clear how different levels of the new planning regime will relate to each other, risking confusion, inaction and environmentally damaging development. At the same time, there is uncertainty about how robust the new Local Green Space designation will be and current proposals would make it more difficult for communities to register land as town and village greens. The Government’s programme may therefore make it harder, rather than easier, for people to protect green spaces that they particularly value.

**We will publish and present to Parliament a simple and consolidated national planning framework covering all forms of development and setting out national economic, environmental and social priorities.**

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The Government is working towards its commitment to publish a NPPF, having produced a draft for consultation. However, its late publication has limited the opportunity for it to be debated in Parliament during the passage of the Localism Bill, and the document itself is deeply worrying. It elevates short-term economic growth above other considerations, fails to provide delivery mechanisms for policies in *The Natural Choice*, scraps policies that gave priority to the development of previously used land and weakens protection for the countryside outside designated sites.

The lack of coordination in developing *The Natural Choice*, the Localism Bill and the NPPF will inevitably produce anomalies, inconsistencies and potentially perverse incentives, which threaten the Government’s ability to meet its own aspirations for the natural environment. As a result, each policy has focused on particular interests, rather than delivering multiple benefits to people and the environment by protecting and designating the right areas in the right way. Moreover, countryside that is not protected with a formal designation will now have little or no protection from unsuitable development. This will make it harder to achieve landscape scale conservation and restoration of biodiversity as fragmentation of our landscapes and habitats continues. Affording protection for priority species and habitats within the new planning policies would demonstrate solid cross-government commitment for biodiversity.

“the Government’s draft NPPF is not fit for purpose.”

Overall, the Government’s draft NPPF is not fit for purpose. It must be amended so that it provides an overarching vision for planning that shows how England’s economic, social and environmental objectives fit together and what these mean at the local and sub-national levels.

**We will create a presumption in favour of sustainable development in the planning system.**

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The current presumption in favour of sustainable development is deeply concerning. Firstly, it does not include an adequate definition of sustainable development, i.e. one consistent with the principles contained in documents such as *Securing the Future: delivering UK sustainable development strategy*.<sup>35</sup> As it stands, there is no reference to *Securing the Future* in the presumption. Instead, there is brief reference made to the very high level Brundtland definition of sustainable development.<sup>36</sup> In the absence of an adequate practical definition, any development could be classified as ‘sustainable’ and the presumption simply becomes a presumption in favour of *development*, not genuine sustainable development.

This concern is amplified by the Chancellor's statement in his Budget earlier this year, where he suggested that the default answer to development should be 'yes'. This is a clear sign of the flawed approach the Government is currently promoting.

The Government is also proposing "sustainable economic development", that is, development whose primary purpose is economic growth, not social or environmental improvements.<sup>37</sup> Economic growth that fails to integrate environmental and social considerations will not be sustainable and will be detrimental to the long-term health and sustainability of the economy, the environment and society. Without effective definition and implementation, the concept and practical application of sustainable development itself will be damaged. This is not in line with the proposal in *Open Source Planning* to "rebalance the system in favour of sustainable development", nor the proposal to create a presumption where developers have to "conform to national environmental, architectural, economic and social standards."<sup>38</sup> Instead, the presumption will return policy to the position of the 1980s, before the introduction of the plan-led system, when environmental considerations were often marginal to planning decisions. The current draft of the NPPF will make it necessary to prove that the interests of the NPPF are met *as a whole* before environmental protection can be considered.

“ the presumption will not lead to greener planning decisions and will diminish the concept of sustainable development just when we need it most.”

The decision to drop the targets for brownfield development are a specific cause for concern, since they imply an increase in pressure on green field sites. Brownfield sites are not all suitable for development, but there should be a 'brownfield first' approach where sustainable. The formal definition must be amended to exclude locally, nationally or internationally designated areas of importance for wildlife conservation. Similarly, the target of identifying an additional 20 per cent supply of land over and above a five year supply is likely to put new pressure on undeveloped land.

The Government must listen carefully to the public responses to the NPPF consultation, clarify how the presumption and the wider NPPF will relate to the rest of the new planning system, and recognise that without addressing these fundamental concerns the presumption will not lead to greener planning decisions and will diminish the concept of sustainable development just when we need it most.

### **We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.**

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On the face of it the Government has been clear that the draft NPPF and the National Policy Statements should maintain existing policy on protections for nationally designated areas of landscape; the Government has sought to protect Green Belt, although questions remain about how the presumption in favour of sustainable development might impact on Green Belt in practice.<sup>39</sup> There are also commendable policies in the NPPF that address, for example, the protection of valued landscape, priority habitats and species and maintaining the highest levels of protection for Natura 2000 wildlife sites. However, there are serious concerns about the ability of the NPPF as currently drafted to deliver progress in these areas; in fact, there is evidence which suggests that it could make matters worse.

Overall, the draft NPPF has the potential to undermine the government's own ambitions as set out in *The Natural Choice*. It takes a restricted approach to the natural environment, demonstrating a lack of joined-up thinking across Government, and legal advice shows that it weakens protection for designations like SSSIs. There is no reference to *The Natural Choice* commitment to "retain protection and improvement of the natural environment as core objectives for local planning and development management", and policies to protect and restore levels of biodiversity by delivering more and better ecological networks through the planning system are timid in comparison to those for other sectors.<sup>40</sup> To achieve effective protection for the Green Belt, SSSIs, Local Wildlife

Sites (LWS), National Parks and Areas of Outstanding Natural Beauty, as well as the environmental quality of the countryside outside of these sites, Ministers will have to do more to turn the vision of *The Natural Choice* into practical planning policies and address the relationship between these policies and the presumption. In particular, we need to see national planning policy which recognises and protects LWSs; planning policy is the only form of protection currently afforded to these sites, yet the draft NPPF makes no specific reference to them. We also need to see a strong vision for and commitment to the new Local Green Space designation, which should enable communities to protect local places that are important to them. It should not, by default, be overridden by short-term economic considerations, and should have a clear relationship to other site designations.

**We will radically reform the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live.**

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Increasing public involvement in planning is a welcome ambition. The basis for the planning reforms, the Conservatives' *Open Source Planning* paper, suggests that local neighbourhood plans should deliver "civic engagement and collaborative democracy", and "a fundamental and long overdue rebalancing of power... back into the hands of local people."<sup>41</sup> The Conservatives and the Liberal Democrats both made pre-election pledges to a limited third party right of appeal.<sup>42</sup>

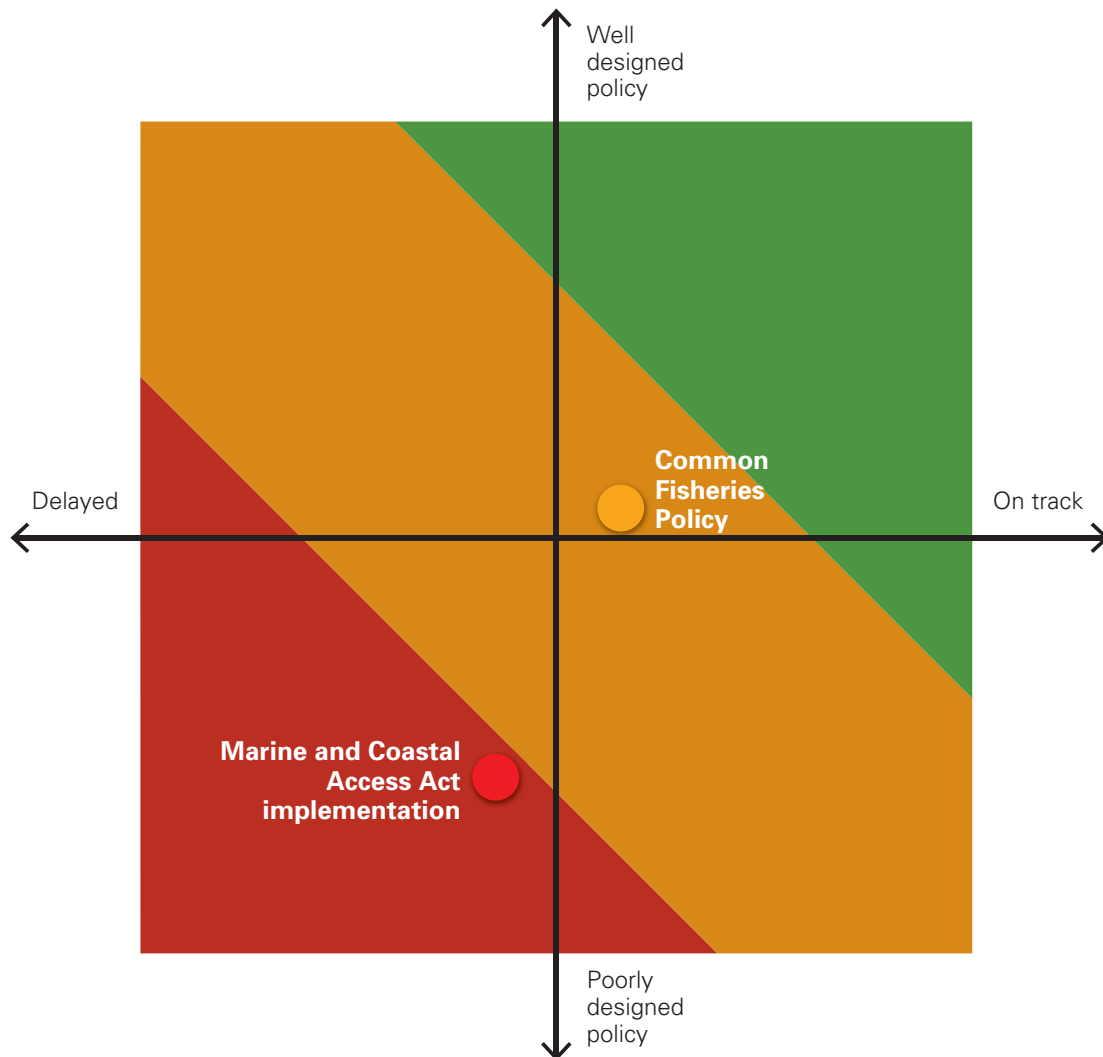
However, the Localism Bill is not making local plans balanced or democratically legitimate because it does not recognise the barriers to public involvement (time, costs, expertise), nor the need to limit unduly excessive business influence over plans. To date, Ministers have not accepted the need for any third party right of appeal, adding to the imbalance in the system that is a key source of diminishing public faith in planning decisions.

The planning reform agenda reaches much further than neighbourhood involvement. The revocation of Regional Spatial Strategies has fundamentally changed the nature of strategic planning, which is now being

taken forward through a new duty on local authorities, the duty to cooperate. There has been substantial dialogue between the Government and environmental groups on this issue, but as it stands the proposed duty is not an effective mechanism for enabling local authorities to plan strategically and develop joint solutions, especially on matters such as biodiversity protection and conservation, habitat creation and adaptation to the impacts of climate change.

In line with the push for economic development, Local Enterprise Partnerships have received noticeably more attention than the Local Nature Partnerships. The Government has said that it does not accept the need to put more detail on the nature of cooperation into legislation, in line with its principles of deregulation. But if cooperation is not defined or enforced then the natural environment will suffer, because voluntary arrangements for strategic planning will not support local authorities to resolve contentious issues across administrative boundaries.

# Marine environment



## Context

Marine ecosystems are a vital part of the UK's natural environment. They contain over 50 per cent of the UK's plants and animals and provide vital ecosystem goods and services such as food provision, climate regulation and CO2 sequestration. They also support thousands of jobs and are enjoyed by millions of people every year. But our seas are under increasing pressure as marine activities proliferate, energy demands increasingly move offshore and climate change disturbs the entire marine ecosystem. The UK's marine environment is extraordinarily rich in wildlife but is poorly protected in comparison to its terrestrial counterpart. One of 2009's greatest milestones was the passing of the Marine and Coastal

Access Act to realise the Government's vision of "clean, healthy, safe, productive and biologically diverse oceans and seas."<sup>43</sup> This legislation was supported by both of the parties now in Government, as well as the Labour Party and maritime industries.

## Nature check: moderate progress, moderate prospects

Effective implementation of marine legislation is now needed to protect and restore the health and resilience of our seas. The Government's commitment to implementing the Marine and Coastal Access Act is a critical first step, but so far that implementation has been inconsistent. The Marine Policy Statement (MPS) was published on time in March 2011, but it

looks unlikely that Marine Conservation Zones (MCZs) will be designated by the 2012 deadline. Development at sea and of marine activity, including fisheries, needs to be underpinned by a strong conservation framework, including the timely designation of a truly ecologically coherent network of Marine Protected Areas (MPAs) that includes all species and habitats, with robust conservation objectives and effective management measures.

Our score for the European Common Fisheries Policy (CFP) indicates the Government's commitment to sustainable solutions at the early stages of the reform process, when the outcomes are still unclear. To score well in this area in the future, the Government must build on the Minister's positive statements with a strong, sustainable policy on fisheries.

### **We will take forward the Marine and Coastal Access Act and ensure that its conservation measures are implemented effectively.**

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The MPS was published on schedule and with the support of the Minister, Richard Benyon.<sup>44</sup> However, the statement fails to deliver on a number of key issues: neither the ecosystem-based approach nor the principles of sustainable development are embedded within the MPS; the statement does not set any strategic direction or policy prioritisation; it does not provide an obvious steer for marine planning authorities or marine decision-makers<sup>45</sup>; and it does not provide clear environmental limits for the exploitation of our seas.

The Government promised to "designate MCZs which can co-exist with socio-economic activity, to the extent that this is compatible with the overriding ecological requirements".<sup>46</sup> Yet there are numerous cases of ecologically important sites being lost to socio-economic needs<sup>47</sup> and a lack of adequate scrutiny in evaluating socio-economic evidence.<sup>48</sup> There is serious concern that many MCZs will have weak conservation objectives because their drafting has been based on assumptions made about the level of vulnerability of various features.<sup>49</sup> Moreover, many objectives will not be finalised until the completion of the project in 2012,<sup>50</sup> and since they will determine the

management measures proposed for each MCZ<sup>51</sup> any weakness or delay in their introduction threatens to undermine the selection of the management measures as well. Once MCZs are designated, management measures for many sites are likely to be voluntary<sup>52</sup>, and in many cases damaging activities within sites will continue.



it is now looking unlikely that an ecologically coherent network of MCZs will be achieved by the 2012 deadline.”

Despite previous assurances from the Department for Environment, Food and Rural Affairs (Defra), it is now looking unlikely that an ecologically coherent network of MCZs will be achieved by the 2012 deadline. The Government has repeatedly stated that spatial protection areas alone cannot protect mobile species, but there are currently no conservation objectives for mobile species, such as sharks, dolphins and seabirds, where they are included within sites designated for other features.<sup>53</sup> There is also no coherent strategy for protecting them via 'other' conservation measures.<sup>54</sup> Marine Special Protection Areas (SPAs) will form a key part of the complete ecological network, but there are currently only three entirely marine (rather than coastal) SPAs.<sup>55</sup> The next batch of marine SPAs is not expected to be identified until 2015 and not classified until later. If MCZs are not properly managed the process will have resulted in nothing more than a number of unrelated zones that will fail to effectively protect and restore the UK's marine life.

### **We will work to secure changes to the Common Fisheries Policy.**

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The Government has prioritised the reform of the CFP and Richard Benyon's commitment to "radical reform" is welcome.<sup>56</sup> It is vital that the Government follows through on this early promise by supporting its commitments with robust action at the European level.

A specific commitment, in support of the European Commission's proposal (13 July 2011) for CFP reform, has been made to achieve Maximum Sustainable Yield for all stocks by 2015 through long term management

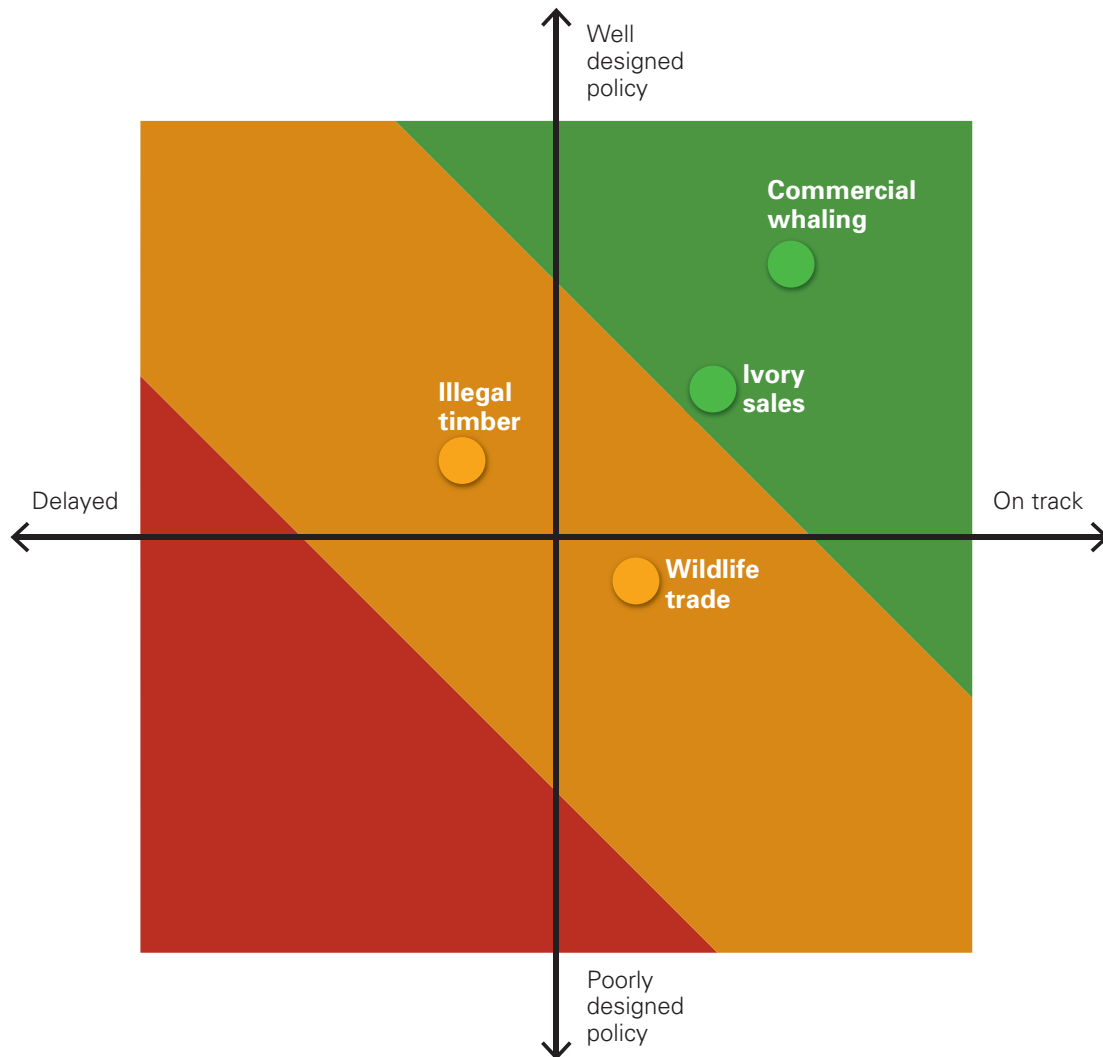
plans.<sup>57</sup> Over-capacity has been mentioned by Richard Benyon but this fundamental obstacle to achieving sustainable fisheries must be pushed at European level. As a driver to deliver the right capacity in qualitative and quantitative terms, those that can demonstrate that they fish responsibly - in the most selective, fuel-efficient way - should be given preferential access to fishing grounds. There should also be stronger recognition that the decentralisation of fisheries management will go hand in hand with greater responsibility for achievement of stock recovery by the fishing industry.<sup>58</sup>



The Government has prioritised the reform of the CFP and Richard Benyon's commitment to "radical reform" is welcome.<sup>56</sup>

Overall, an integrated approach to fisheries management across Government is yet to be demonstrated, including how they intend to achieve Good Environmental Status under the Marine Strategy Framework Directive, and Favourable Conservation Status of species, habitats and Natura 2000 sites, under the Birds and Habitats Directives.

# International responsibilities



## Context

Ecosystems do not recognise national borders and there is consequently a pressing need to improve protection and restoration of the natural environment at an international level. The Government recognises that climate change, biodiversity and development are closely linked, and it aims to tackle these issues together at the global scale by focusing on the sustainable management and use of natural resources. The Government has a major role to play in international forums to ensure that animals and plants are traded legally across national borders, and that entry into global markets does not lead to unsustainable or inhumane harvesting practices.

## Nature check: good progress, good prospects

“

It is in relation to its international responsibilities that the Government has achieved significant progress, particularly in its work on cetaceans.”

It is in relation to its international responsibilities that the Government has achieved significant progress, particularly in its work on cetaceans. Its commitments represent action across a range of key issues and cover policy development as well as the use and enforcement of legal instruments.

Although it is not specifically referenced in the Department for the Environment, Food and Rural Affairs' (Defra) *Structural Reform Plan*, it is worth noting that the Government has been actively tackling conservation of a range of endangered species. The UK has been a valuable and influential member of the Global Tiger Forum and has promoted good governance in the development of the Global Tiger Recovery Programme, despite being the only non-range state. The Government has also developed a policy to halt the export of rhino antiques<sup>59</sup> and put forward a discussion document on rhinos to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) Standing Committee 61.<sup>60</sup> That paper was successful in setting up a new working group, firstly to identify measures that could be taken by CITES Parties to reduce the impact of illegal trade on the conservation of rhinos, and secondly to enhance existing controls on trade in rhino horn products.<sup>61</sup>

### **We will oppose the resumption of commercial whaling.**

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“

The Government has scored very well on its support for the moratorium on commercial whaling.”

The Government has scored very well on its support for the moratorium on commercial whaling. The Government actively promotes the International Whaling Commission (IWC) as a body whose primary function is to prevent threats to cetaceans,<sup>62</sup> and has demonstrated European Union (EU) leadership at the IWC by successfully proposing improvements to the effectiveness of operations within the IWC.<sup>63</sup> The Government also demonstrated its commitment to introducing ethics and welfare issues into the IWC through the Defra-run UK Whale Ethics and Welfare Workshop, held in March 2011, and resulting report.<sup>64</sup> We note that the latest meeting of the IWC would have provided a more complete opportunity to address conservation issues, including those relating to small cetaceans, had the agenda for that meeting been completed; these items should be pursued, including resistance to a derogation on whaling for Iceland, should it be accepted into the EU.

### **We will press for a ban on ivory sales.**

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Since May 2010, the Government has reiterated its position on ivory, stating that it will not support further sales of stockpiled ivory without firm evidence that such sales will reduce illegal trade.<sup>65</sup> This would imply that the Government may support future ivory sales on their individual merits once the assessment from the Monitoring the Illegal Killing of Elephants project, the Elephant Trade Information System and other data is complete.<sup>66</sup> The Government is therefore not calling for an indefinite ban on ivory sales, but has been proactive in advocating a common EU position on ivory well in advance of the most recent CITES Standing Committee meeting. The Government's proposals include positive statements such as “only if there is unequivocal evidence that ivory sales reduce poaching and smuggling, should any further sales be countenanced.”<sup>67</sup> As a signatory to CITES, and as one of the EU's current representatives on the CITES Standing Committee, the UK is well placed to take forward its work in this area.

### **We will tackle the smuggling and illegal trade on wildlife through our new Border Police Force.**

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The proposed Border Police Force (or 'Command') could be an effective means of improving the UK's enforcement of domestic wildlife trade law, but only if wildlife is given priority in the development of its parent body, the National Crime Agency (NCA). We recognise that the development of the NCA is at a very early stage but its 28-page Creation Plan refers to wildlife crime only once: “The Border Policing Command will crack down on the trafficking of people, weapons, drugs and wildlife.”<sup>68</sup> At the time of our assessment it was not clear whether the NCA's responsibilities will cover wildlife crime more generally or whether its remit will only extend to wildlife smuggling across UK borders. There is concern that a focus only on the latter could threaten the good work done inland by the National Wildlife Crime Unit (NWCU).

The Government needs to advance this agenda, clarify the intended scope of the NCA and its Border Police Command, and ensure that there is greater profile for

wildlife crime. Above all, the wildlife capacity of the NCA should be *additional* to the NWCU.

**We will introduce measures to make the import or possession of illegal timber a criminal offence.**

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If the Government passes legislation to fulfil this commitment it would make the introduction of illegally logged timber products to the market and the possession of illegal timber throughout the supply chain a criminal offence. EU timber regulations have now been approved that prohibit the sale of timber logged illegally, and these will come into force in 2013. This means that the Government is required to procure timber and wood-derived products originating from either legal, sustainable or Forest Law Enforcement Governance and Trade-licensed or equivalent sources. But if these regulations are transposed as they stand into UK law, i.e. without improvements to include possession or any requirement to track imports back to source, this could effectively create a loophole in the system.

# Appendix

## **Commitment: We will introduce measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity.<sup>69</sup>**

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### **Link criteria**

Government should publish a Natural Environment White Paper in May 2011 that:

- > sets a new vision and commits to a step change in nature conservation by implementing Making Space for Nature in full;
- > sets out how the UK will meet the Nagoya commitment;
- > sets out measures to reconnect people and nature;
- > establishes mechanisms for embedding the value of nature in our economy and decision making at all levels;
- > introduces a framework to facilitate local action for the natural environment;
- > integrates policy and funding to make the most of every public pound spent.

Government should also publish an England Biodiversity Strategy in May 2011 that:

- > guarantees biodiversity conservation is given real political commitment at the highest level with a wide acceptance that this is of equal importance to tackling climate change;
- > ensures that accountability for annual progress towards the EU 2020 biodiversity target resides with the Environment Minister;
- > includes a clear definition of what successful achievement of the 2020 target would look like and a concise set of SMART indicators to assess progress towards it (through transposing Aichi targets to an UK/England level).

## **Commitment: We will make the case for significant reform of the CAP as part of the EU's negotiations for the period beyond 2013.<sup>70</sup>**

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### **Link criteria**

Government's case for a reformed CAP should have biodiversity and landscape at its heart, delivering public money for public goods:

- > public money should be used to support sustainable agricultural activities and nature conservation priorities in areas where farming has an important role in maintaining landscape character and nature e.g. Natura 2000 sites;
- > agriculture should play its part in reducing greenhouse gas emissions, enabling wildlife to better adapt to climate change through the protection of High Nature Value systems and improving the permeability and wildlife-friendliness of the wider countryside;
- > money raised through taxation should be spent in an effective, efficient and transparent way, in particular to counteract the market failure to secure environmental public goods delivery through appropriate land management.

## **Commitment: We will take forward the findings of the Pitt Review to improve our flood defences, and prevent unnecessary building in areas of high flood risk.<sup>71</sup>**

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### **Link criteria**

Government should:

- > align public and private investment from water companies and flood risk management to secure a better return on existing public investment.
- > protect and restore rivers, lakes, ponds and wetlands in partnership with local communities:
  - \_ By 2012, the Government and its agencies should encourage partnership in water management by adopting a local catchment scale approach to water quality, water resource and flood risk management;

- \_ By 2012, the Government and its agencies should assess the cumulative effects of river engineering on wildlife and use powers to remove or mitigate the impact of redundant and poorly designed physical obstructions.
- > restore large areas of wetland and floodplain to create and link vital wildlife habitats, improve water quality, protect soil carbon and reduce urban flooding:
  - \_ By 2011, all Government spending on flood risk management works (capital and maintenance) should be prioritised on the basis of need and demonstrable benefit.
  - \_ By 2012, the Government should strengthen planning policy to safeguard floodplains and riparian land as part of its commitment to protect wildlife and promote wildlife corridors.
  - \_ By 2012, Defra should direct all Flood and Coastal Erosion Risk Management authorities to protect peat soils from damage caused by flood defence and land drainage works.

**Commitment: We will publish a White Paper and legislate for reform of the water industry to ensure more efficient use of water, protect poorer households, enhance competition and improve conservation.**<sup>72</sup>

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#### Link criteria

In the Water White Paper Government should commit to:

- > reduce water consumption by at least 20 per cent through more efficient use in homes, buildings and businesses.
  - \_ In 2011, the Water White Paper should set out plans to make all homes water efficient, making the links with existing energy saving retrofitting programmes.
  - \_ By 2012, all new housing should be water neutral with developers offsetting demand through efficiencies elsewhere. Building in water stressed areas should only be permitted if developers contribute to an overall reduction in demand through efficiency savings.

- > make household water bills reflect the amount of water people use.
  - \_ By 2014, Ofwat should increase economic incentives for meeting environmental quality objectives by using low-carbon solutions to sewer overloading, intermittent discharges and wastewater treatment.
  - \_ By 2015, water companies should set out plans to increase investment in multifunctional catchment management schemes that protect raw water quality and enhance biodiversity.

**Commitment: We will consult on a new strategic approach to forestry in England.**<sup>73</sup>

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#### Link criteria

Government should ensure that:

- > any change in forestry policy and architecture must enhance public benefits such as access and wildlife;
- > funds from any sale of commercially valuable forests which offer minimal public benefits should be reinvested in delivery of public goods;
- > the cost burden of outsourced management of state-owned land to nature conservation NGOs should not lie with the voluntary sector.

**Commitment: As part of a package of measures, we will introduce a carefully managed and science-led policy of badger control in areas with high and persistent levels of bovine tuberculosis.**<sup>74</sup>

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#### Link criteria

Government should ensure that any wildlife control measures to tackle bovine TB should be subject to detailed cost/benefit analysis based on scientific evidence and the Independent Scientific Group (ISG) criteria.

**Commitment: We will create a presumption in favour of sustainable development in the planning system.<sup>75</sup>**

**Link criteria**

Government should develop a presumption that rests on an appropriate, legally enforceable definition of sustainable development and strengthens, rather than undermines, the plan-led system of development management.

**Commitment: We will publish and present to Parliament a simple and consolidated national planning framework covering all forms of development and setting out national economic, environmental and social priorities.<sup>76</sup>**

**Link criteria**

By the end of 2011, Government's National Planning Policy Framework (NPPF) should set an overarching vision for land use showing how England's economic, social and environmental objectives fit together and what these mean at the local level; and identifying national ambitions, for example restoring and creating new habitats at a landscape-scale.

**Commitment: We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.<sup>77</sup>**

**Link criteria**

Government should ensure that existing planning policies aimed at environmental protection are maintained and strengthened, reflecting the commitments in both the coalition agreement and the Natural Environment White Paper (through the NPPF).

**Commitment: We will radically reform the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live.<sup>78</sup>**

**Link criteria**

The Government's Localism Bill should:

- > ensure that local plans provide a fair and transparent approach to community participation;
- > introduce new arrangements for strategic planning across local authority boundaries;
- > provide a limited public third party right of appeal;
- > include objectives to restore the natural environment to help people and wildlife adapt to and mitigate climate change.

**Commitment: We will take forward the Marine and Coastal Access Act and ensure that its conservation measures are implemented effectively.<sup>79</sup>**

**Link criteria**

Government should:

- > publish a UK-wide Marine Policy Statement in spring 2011 and use it to ensure there is sustainable development and an ecosystem-based approach to the management of UK seas and better protection for marine wildlife;
- > designate Marine Conservation Zones (MCZs) as part of an ecologically coherent network of Marine Protected Areas by 2012, including EU protected areas (Special Areas of Conservation and Special Protection Areas), highly protected sites and sites for mobile species;
- > ensure that MCZs have clear, strong conservation objectives and precautionary management measures, and are identified using the best scientific information available.

### **Commitment: We will oppose the resumption of commercial whaling.<sup>80</sup>**

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#### **Link criteria**

The Government should demonstrate EU leadership at the International Whaling Commission (IWC) to ensure that the moratorium on commercial whaling remains in place, by:

- > promoting the IWC as a body whose primary function is to address threats to cetaceans;
- > leading and supporting initiatives to effectively promote and address all small cetacean whaling issues.

### **Commitment: We will press for a ban on ivory sales.<sup>81</sup>**

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#### **Link criteria**

The Government should play a key role in developing the EU position in advance of, and directly at, the CITES Standing Committee 61 and Conference of the Parties 16 negotiations, opposing any further attempts to sell ivory.

### **Commitment: We will tackle the smuggling and illegal trade on wildlife through our new Border Police Force.<sup>82</sup>**

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#### **Link criteria**

Smuggling of and illegal trade in wildlife should be included in the priorities for the Government's new National Crime Agency, through its Border Police Command.

### **Commitment: Work to secure changes to the Common Fisheries Policy.<sup>83</sup>**

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#### **Link criteria**

The Government should:

- > ensure achievement of at least Maximum Sustainable Yields (MSY) for all stocks by 2015, with future targets going beyond levels which can produce MSY in order to restore fish stocks to precautionary biomass levels;
- > regulate fishing such that environmental impacts are kept within safe biological limits compatible with achieving Good Environmental Status under the Marine Strategy Framework Directive (MSFD), and favourable conservation status of species, habitats and Natura 2000 sites under the Birds and Habitats Directives;
- > establish firm timelines for the adoption of fisheries management plans, including reductions in discards and by-catch, which are long-term, multi-stock and ecosystem-based, corresponding to the marine regions set out in the MSFD;
- > reduce overcapacity and restructure the fleet of each Member State in line with targets and timelines to achieve stock recovery and establish preferential access for those that can demonstrate that they fish responsibly, in the most selective, fuel-efficient way;
- > only promote aquaculture that does not rely on or lead to overexploited feed fisheries and protects the environment upon which it relies.

### **Commitment: We will introduce measures to make the import or possession of illegal timber a criminal offence.<sup>84</sup>**

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#### **Link criteria**

The Government must implement legislation in accordance with the EU Timber Regulation in a way that makes the import or possession of illegal timber a criminal offence.

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