

Wildlife and Countryside Link briefing on the Natural Environment and Rural Communities Bill

Wildlife and Countryside Link (Link) brings together voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management and food production 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 eight million people in the UK and manage over 476,000 hectares of land.

Link welcomes the publication of the Natural Environment and Rural Communities Bill and supports the establishment of Natural England as a powerful champion for our natural environment.

Part 1 – The role of Natural England and Sustainable Development

1. Link welcomes the Government's comments that Natural England should be an "independent and powerful guardian of our natural heritage that will be responsible for conserving and enhancing England's rich and diverse natural environment"¹ and is particularly pleased that the focus of Natural England remains on the natural environment, as reiterated by the Government in the Bill's second reading in the House of Commons. Link has consistently called for Natural England to be a strong environmental champion with appropriate powers and duties to continue and enhance the work of its confederated partners. Link therefore strongly supports clause 2(1) and believes it is crucial for Natural England to retain this prime focus on the natural environment.
2. Link believes that maintaining Natural England's environmental focus will allow for the development of a vibrant natural environment capable of adaptation to the inevitability and pace of climate change. This will require Natural England to be fully engaged in spatial planning, both at a regional and Local Development Plan level including case work. A vibrant robust and diverse natural environment will also in turn provide the foundation for strong and sustainable local economies. In this way, Natural England will contribute to sustainable development and social and economic well-being in ways which support the protection and enhancement of the natural environment. Thus, sustainable development will be achieved through the sum of Government policy as a whole. Link therefore believes that it is vital that Natural England retains its purpose as set out in clause 2(1).
3. The maintenance of Natural England's purpose, as set out in clause 2(1), is especially important given the number of statutory bodies which already hold statutory responsibility for the delivery of social and economic pillars of sustainable development. A leading example is the Regional Development Agencies (RDAs)², which state one of their five purposes as being "to contribute to sustainable development". Maintaining clause 2(1) will ensure that legislation for Natural England complements that which established the RDAs. This, read together with the mission of England's RDAs³, which focus only on "sustainable economic development" provides a rationale for Natural England to be responsible for the environmental pillar of sustainable development. Any trade

¹ Extract of quote from Rt Hon Margaret Beckett MP's opening remarks during the Second Reading of the NERC Bill, 6th June 2005 (Official Report, 6/6/05; col 1007).

² Regional Development Agencies Act 1998 - Section 4 of the Act gives the Regional Development Agency (RDA) a statutory purpose "to contribute to sustainable development in the United Kingdom".

³ The mission of England's RDA's is: "Transforming England's regions through sustainable economic development" (<http://www.englishrdas.com/home.aspx>).

offs that need to be made between environmental, social and economic benefits should be made and explained openly by Government through due process such as a public enquiry. Government would therefore be acting with full consideration of all relevant parties and not solely one NDPB.

4. Link welcomes the duty that Natural England will have to protect biodiversity. Link also considers that a 'duty to protect' should be applied to the landscape in clause 2(2)(b) as it will ensure that the current statutory duties of the Countryside Agency set out originally in the National Parks and Access to the Countryside Act 1949 to "the preservation and enhancement of natural beauty in England, both in areas designated as National Parks or AONBs and elsewhere" will be transferred in their entirety to Natural England. This existing duty should be extended to include specific reference to the wider countryside outside nationally designated landscapes which is presently the responsibility of the Countryside Agency, but which is omitted from the Bill.
5. Natural England's independence is crucial to ensure its credibility amongst stakeholders and Link is pleased to see that as a result of the pre-legislative scrutiny the Bill has been amended in a number of areas to improve this accountability. In particular, the additional detail on the membership and composition of the Board (Schedule 1, clauses 3 and 4) and the requirement that any guidance given to Natural England by the Secretary of State must be in consultation with relevant parties (clause 15 (3)) and published.
6. *Review and Research functions:* Link is encouraged that research will be an important component of Natural England's functions and is particularly pleased to see the inclusion of clause 3(4) in the Bill, retaining English Nature's current role with regard to the gathering, management and dissemination of information.

This statement is supported by:

- Bat Conservation Trust
- British Mountaineering Council
- Buglife – the Invertebrate Conservation Trust
- Butterfly Conservation
- Campaign to Protect Rural England
- Council for British Archaeology
- Council for National Parks
- Friends of the Earth England
- Herpetological Conservation Trust
- Ramblers Association
- Royal Society for the Protection of Birds
- The Wildfowl & Wetlands Trust
- The Wildlife Trusts
- Woodland Trust

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