

THE CONSERVATIVE PARTY CONSULTATION ON BIODIVERSITY POLICY AND CONSERVATION CREDITS

A RESPONSE BY WILDLIFE AND COUNTRYSIDE LINK

AUGUST 2009

Wildlife and Countryside Link (Link) brings together voluntary organisations in the UK concerned with the conservation, enjoyment and protection of wildlife, countryside and the marine environment. Our members practise and advocate environmentally sensitive land management and food production practices 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 8.3 million people in the UK and manage over 690,000 hectares of land.

We welcome the opportunity to provide some initial views on this important policy initiative as a platform for further dialogue with the Party on conservation credits and other drivers of change in the natural environment. Link's strength is its collective expertise and we look forward to the opportunity to work with you further.

This response is supported by the following 22 organisations:

- Badger Trust
- Bat Conservation Trust
- Butterfly Conservation
- Buglife – The Invertebrate Conservation Trust
- Campaign to Protect Rural England
- Herpetological Conservation Trust
- Friends of the Earth England
- Froglife
- The Grasslands Trust
- International Fund for Animal Welfare
- The Mammal Society
- Open Spaces Society
- Pond Conservation
- Plantlife International
- Ramblers
- Royal Society for the Protection of Birds
- Salmon & Trout Association
- The Wildlife Trusts
- Wildfowl & Wetlands Trust
- Woodland Trust
- WWF – UK
- Zoological Society of London

General Comments

Link welcomes the Conservative Party's recognition that biodiversity loss and the need to enhance biodiversity are significant policy issues requiring a revitalisation of delivery mechanisms. We are pleased that the Conservative Party is engaging in these issues in a serious way.

Link has both hopes and concerns relating to the capacity of a conservation credits policy to make a real difference to reversing the decline in biodiversity and improving the quality of our countryside and green spaces.

Many of the issues behind biodiversity loss and landscape degradation, and action necessary to reverse these declines, will not be resolved through a conservation credits mechanism alone. Therefore any new mechanism should complement rather than substitute existing mechanisms. If guided and tailored appropriately, and as part of a robust biodiversity conservation framework that ensures delivery and evaluation, conservation credits could yield real gains for specific conservation outcomes at both a national and local scale, particularly to lay foundations for wildlife to adapt to a changing climate. Such a scheme must not however replace the need for independent, proactive and strategic work by Government, public, private and voluntary sectors to enable wildlife to recover. Indeed the England Biodiversity Strategy, which includes the Biodiversity Action Plan (BAP), sets a clear framework which new initiatives such as conservation credits could complement.

A conservation credits scheme must also avoid undermining the existing protection afforded to biodiversity through existing regulatory mechanisms such as the Habitats and Birds Directives, Wildlife and Countryside Act, CROW and NERC Acts; Biodiversity Duty, Planning Policy Statement 9, Environmental Assessment Regulations, and Environmental Liability Duty. These are all instruments that have helped to protect biodiversity and landscapes in a period in which they have been under intense pressure; a number of them are also significant achievements of previous Conservative administrations. The relationship between these different elements should be emphasised. Recognising that damage is still being inflicted on our protected sites, for a variety of reasons we recommend that, in parallel to any new conservation credit initiative, existing protection laws and, in particular, the sanctions against transgressors be substantially strengthened.

In particular, it is crucial that any conservation credits scheme is compatible with the well-established mitigation hierarchy that is also applied in Strategic Environmental Assessments. The hierarchy states, in order, that negative impacts on biodiversity should be preferably avoided before mitigation of impacts.

Local agreement and initiative in the use of conservation credits, where the use of them is appropriate, are equally crucial to address concerns about competing pressures at the delivery phase. Furthermore, strategic guidance at the national level to address the need to restore large-scale natural capital, and the principles of delivering landscape-scale conservation, are required. Link supports the ambition of the conservation credits policy to deliver large-scale habitat creation and restoration while maintaining a like-for-like policy in terms of content and quality (a habitat banking approach). A full assessment of this proposal needs to be within a broad policy context which identifies the proposed mechanisms and resources that would support and evaluate it. We do not believe as suggested in the consultation document, that this will carry no additional costs to implement and so Government will need to explore what those costs will be and who will be responsible for them. Equally, we propose the adoption of a suite of conservation principles to ensure that environmental, social and economic functions are adequately covered in landscape-scale project design.

Conservation Principles

To successfully deliver national biodiversity objectives the following principles should be applied to the development of a conservation credits scheme:-

1. A credit scheme is not a replacement for existing biodiversity protection and enhancement mechanisms or a substitute for avoidance or mitigation of negative impacts. It could form a significant tool within the planning system, where it sits alongside additional policy, guidance, legislation and initiatives to halt and reverse biodiversity loss.
2. Lessons must be learnt from similar schemes in other countries, particularly where there are examples of biodiversity offset schemes resulting in net biodiversity loss.
3. There should be a net benefit for wildlife in and around areas where development will occur.
4. The scheme should contain mechanisms for ensuring that the quality of new habitats is at least equivalent to the quality of habitats that are being lost. The timing of habitat replacement must take into account the need to sustain species populations impacted through habitat loss. The location of replacement projects should take into account landscape character and access for local people affected by species and habitat loss.
5. Special consideration in the scheme design will be required to take account of the increasing vulnerability of rare, threatened and declining species and habitats. Certain species and habitats must remain or become, protected outright through legislation, site protection and planning guidance from destruction as their displacement to another area or re-creation is practically unachievable.
6. Species and habitats require adaptation mechanisms in the face of climate change, including landscape-scale conservation, connectivity and site safeguard. Yet it is important to note that small-scale action, targeted in the right places is also essential for maintaining biodiversity and to ensure there are stepping stones between larger sites.
7. Any scheme must include measures to monitor 'conservation land' created or secured by the scheme. Assessment of success should be undertaken by a body independent from those responsible for delivering new habitat or managing secured habitat.
8. Finance for the scheme should be clearly ring-fenced and it should be impossible for it to be used for other initiatives, related or unrelated. The exploration of new innovative methods of securing funds for habitat management should be encouraged.
9. Any scheme should seek to contribute to national or regional conservation objectives through delivery at a local level.
10. The existing range of spatially explicit 'nature maps' and emerging information on species dispersal, habitat restoration and creation should be employed as reference material, and supplemented as necessary by thorough in situ survey.