



# Nature Check 2012:

## An analysis of the Government's natural environment commitments

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Wildlife and  
Countryside

LINK 

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November 2012

This report is supported by the following organisations:



Wildlife and Countryside Link (Link) is a coalition of 39 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 750,000 hectares of land.

This report has been prepared by Link, with the support of its members. Not all members work on all the issues that are covered in the report.

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We would like to acknowledge the time and expertise that all Link members have contributed to this report.

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# Contents

<b>Executive summary</b>	<b>2</b>
<b>Introduction</b>	<b>6</b>
<b>The Government's progress on the natural environment since 2011</b>	<b>8</b>
Nature and access to nature	8
Land management	13
Land use planning	20
Marine environment	25
Protection of animals	28
<b>Analysis of the Government's progress</b>	<b>31</b>
<b>Conclusions and recommendations</b>	<b>36</b>
<b>References</b>	<b>38</b>

# Executive summary

*Nature Check 2012* is Link's second assessment of the Government's progress against its commitments to the natural environment in England. Our report assesses the series of commitments relevant to the natural environment that were laid out in the Coalition Agreement in May 2010.<sup>1</sup> The Coalition Government's programme for the natural environment has subsequently been refined and enlarged, and our assessment takes into account the changing external and policy contexts, assessing developments between October 2011 and October 2012. Our aim is to both hold the Coalition to account and to support effective policy-making and implementation.

“  
... progress towards the ambitions of *The Natural Choice* – and the Government's wider natural environment commitments – has been patchy, at best.”

The publication of the Natural Environment White Paper, *The Natural Choice*, in June 2011 was a significant step forward for the Coalition Government. *The Natural Choice* was warmly welcomed by Link for its bold ambitions; the White Paper seemed poised to provide the leadership and commitment to the natural environment that was so desperately needed.

Since its publication, however, progress towards the ambitions of *The Natural Choice* – and the Government's wider natural environment commitments – has been patchy, at best. This mixed picture has led us to examine the gap between the Coalition's stated ambition and its record. We have found that decision-making and implementation are key to improving environmental action within government, and that both of these also require leadership.

This Government can and does make sensible, proportionate decisions to protect and enhance species, habitats and ecosystems, but these decisions are not consistent. Where poor decisions are made it is normally because Ministers and officials have failed to use appropriate evidence and expertise or to engage stakeholders and the public, who have repeatedly demonstrated their deep attachment to our treasured natural environment. One such example from this year would be the public outcry over the decision to fund testing of controversial management techniques to reduce loss of pheasant poults to buzzards.

Equally, implementation of government policy is confusingly varied. Where it works well, we can see appropriate levels of resources (including, but not restricted to, funding) being made available and supported by joined up, cross-government working. For example, Defra has successfully launched 12 pilot Nature Improvement Areas across England with the support and cooperation of partners such as non-governmental organisations, local authorities and statutory agencies; this initiative is also supported by appropriate policies in the new National Planning Policy Framework. However, where implementation is dependent on action from other government departments, as is the case for many of the commitments made in *The Natural Choice*, progress has been slow or non-existent. Successful implementation of most natural environment commitments will depend upon a secure future for agri-environment funding. The Government must therefore show commitment and resilience to protecting this spending through European Union (EU) Budget and Common Agricultural Policy negotiations in the coming months.

“  
The Prime Minister and Deputy Prime Minister must bring the Coalition Government together to achieve their ambitions for the natural environment.”

One final factor binds all of this together: leadership. *Nature Check 2011* called for the Prime Minister to step up and be a champion for the natural environment. That has not happened. Instead, we have seen divisions within the Government with some Ministers wrongly pitching the environment as a barrier to economic growth.<sup>2</sup> Without leadership, delivery for the natural environment will continue to be piecemeal and inconsistent, undermining both the Government's and others' efforts to achieve a thriving natural environment and a sustainable economy for today and for future generations. The Prime Minister and Deputy Prime Minister must therefore bring the Coalition Government together to achieve their ambitions for the natural environment.

The Government faces many tests of its commitment to the natural environment over the next 12 months, in a climate of continued financial austerity. These tests include: ensuring environment spending is

protected during the settlement of the EU Budget; the forthcoming triennial review of the Environment Agency and Natural England; maintaining medium-term spending on agri-environment schemes; the ongoing need to fully implement existing environmental laws (such as those relating to protected areas on land and at sea); and making sure wildlife does not pay the price when resolving issues of countryside management, planning reform and infrastructure development.

Our recommendations are, therefore, that over the next 12 months the Government must:

1. Consistently use appropriate expertise and effective stakeholder engagement to make the best decisions for people and the environment;
2. Implement programmes with appropriate monitoring, use of evidence, funding, environmental governance and political support;
3. Reinvigorate the message of *The Natural Choice*, using it to drive policy-making across government.

## Summary of our ratings

The Coalition Government has made 20 major commitments relevant to the natural environment. Our assessment uses a 'traffic light' score to give each one a rating, either green (well-delivered), amber (delayed or under-delivered) or red (poorly or not delivered). We have found that two of the 20 are in the 'green' category, 14 are in the 'amber' category and four are in the 'red' category. This compares with two in green, seven in amber and seven in red when we carried out our assessment (of 16 commitments) in 2011.

Climate change is, of course, a vital consideration for most or all of the commitments we examine, but as in 2011 the Government's specific commitments on climate change are being monitored by our colleagues at the Green Alliance.

### Green (good progress): two commitments

Both of the green commitments are to international protection of animals, and they have continued to score very well, as they did in 2011. Ministerial support, active stakeholder engagement and appropriate resourcing have combined to deliver real progress in protecting endangered cetaceans and

elephants. Nonetheless, commitments in this category continue to be disappointingly few in number.

### Amber (moderate progress): fourteen commitments

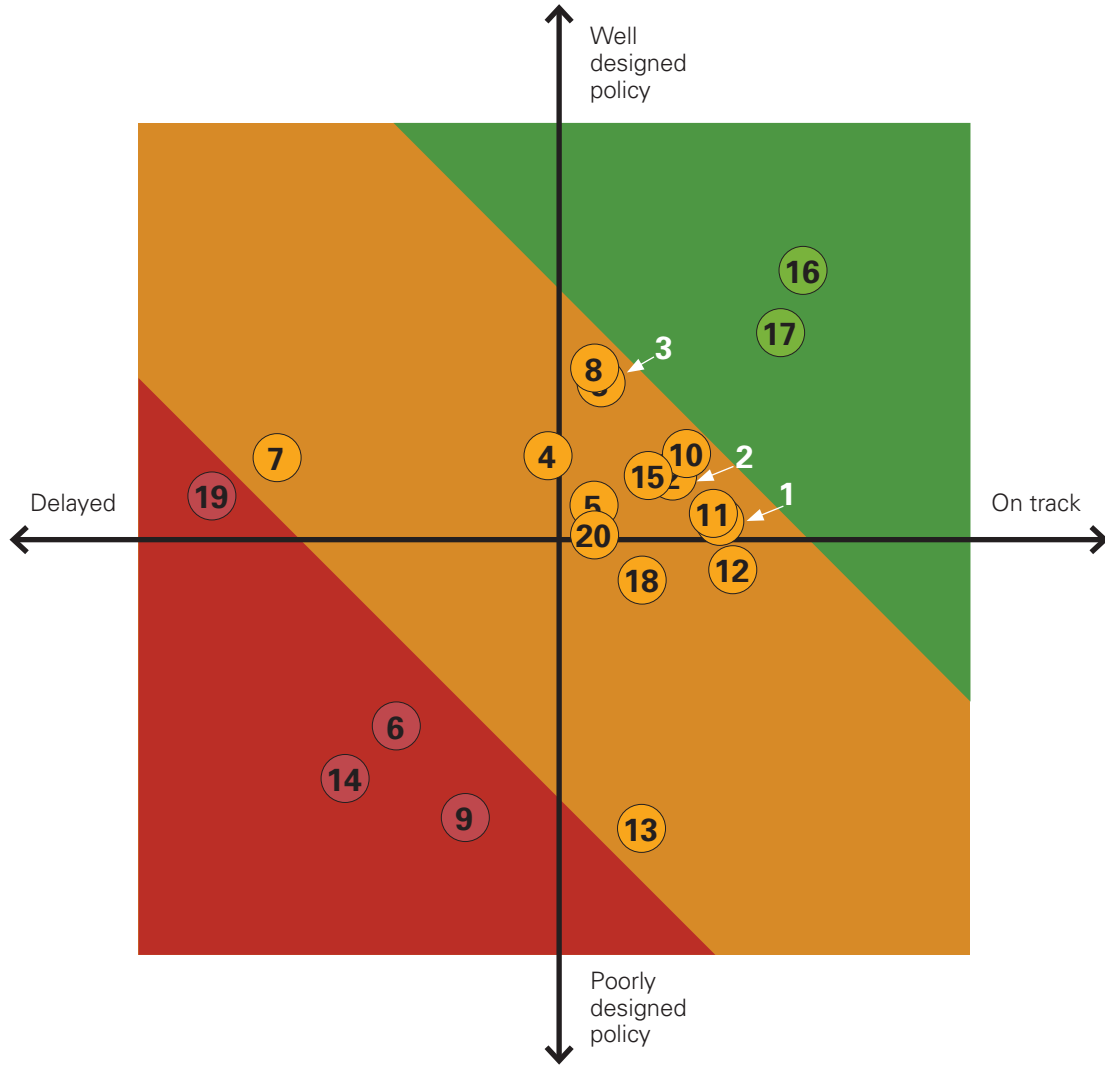
There has been a twofold increase in the number of commitments in this category since 2011. For some issues an amber rating reflects progress. For example, all the three land use planning commitments that were red in 2011 have moved up to amber, reflecting the Government's willingness to engage and listen to stakeholders on this issue. The tests of this improvement will be that Local Plans coming forward reflect these environmental ambitions, and the impact of further changes to planning now being proposed by the Government. Progress has also been made in land management, where the Government has welcomed the report from the Independent Panel on Forestry. These commitments now need to be supported with strong implementation in order to continue their upward trajectory.

Other commitments have remained in amber since 2011. In some cases, there have been improvements that are not significant enough to merit a green rating, such as the lack of practical action to deliver *Biodiversity 2020* commitments. In some other cases, damaging proposals have had their impacts mitigated by positive subsequent progress. All the amber commitments must now make progress through implementation, which will require energy and funding from the Government, and support from stakeholders.

### Red (failing): four commitments

Our most worrying finding is the ongoing lack of action for the marine environment, which is leading to further degradation of this precious natural habitat, and the animals and plants that it supports. Other failing policies include that on bovine tuberculosis, where the Government continues to give insufficient regard to scientific evidence, and the promised ban on performing wild animals in circuses, which is now being undermined by the Department for Environment, Food and Rural Affairs' proposed licensing regime.

### Summary of 2012 results



2011	2012	
1	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. <sup>3</sup>
—	2	The Government will ensure that compliance with the Habitats and Wild Birds Directives does not lead to unnecessary costs and delays to development, while continuing to support the Directives' objectives. <sup>4</sup>
—	3	We are committed to introducing the right of coastal access under the Marine and Coastal Access Act 2009. <sup>5</sup>
4	4	We will make the case at EU negotiations for significant reform to deliver a smaller, simpler, greener Common Agricultural Policy. <sup>6</sup>
5	5	We will reform the water industry to enhance competition and improve conservation. <sup>7</sup>
6	6	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>8</sup>
7	7	We will review the direction of forestry and woodland policy in England. <sup>9</sup>
8	8	We will introduce measures to make the import or possession of illegal timber a criminal offence. <sup>10</sup>
9	9	We will introduce a carefully managed and science-led policy of badger control in areas with high and persistent levels of bovine tuberculosis. <sup>11</sup>
10	10	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>12</sup>
11	11	We will create a presumption in favour of sustainable development in the planning system. <sup>13</sup>
12	12	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. <sup>14</sup>
13	13	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>15</sup>
14	14	We will take forward the Marine and Coastal Access Act and ensure that its conservation measures are implemented effectively. <sup>16</sup>
15	15	We will negotiate reform of the EU Common Fisheries Policy to support sustainable fish stocks, a prosperous fishing industry and a healthy marine environment. <sup>17</sup>
16	16	We will oppose the resumption of commercial whaling. <sup>18</sup>
17	17	We will press for a ban on ivory sales. <sup>19</sup>
18	18	We will tackle the smuggling and illegal trade on wildlife through our new Border Police Force. <sup>20</sup>
—	19	[We] will seek to introduce primary legislation at the earliest opportunity to... ban travelling circuses from using performing wild animals. <sup>21</sup>
—	20	We will promote high standards of farm animal welfare. <sup>22</sup>

# Introduction

*'We must properly value the economic and social benefits of a healthy natural environment while continuing to recognise nature's intrinsic value. The Government wants this to be the first generation to leave the natural environment of England in a better state than it inherited.'*<sup>23</sup>

This is the Coalition Government's vision for the future. Leaving the environment in a better condition than it is today is a great ambition and, like all such ambitions, it is challenging. Recognising as much, the Coalition has continued to stress its commitment to being the 'greenest Government ever.'<sup>24</sup> But *Nature Check 2011* found that action to implement this rhetoric did not extend far beyond the doors of the Department for Environment, Food and Rural Affairs (Defra). And since 2011 we have seen misleading and damaging anti-environment rhetoric from the highest levels of Government. Recently, there have been worrying indications that further planning reform is seen merely as a means of boosting the economy: this could re-open the divisive planning debates of 2011 just as the new planning regime is bedding down. Equally concerning are reports that the Government's 2030 climate change targets could be watered down, which could have devastating consequences for a green, low-carbon future, the long-term fate of wildlife in the UK and the role of ecosystems in averting and adapting to climate change.

**“Green growth can and must be at the heart of the economic recovery.”**

These backward steps are not only a blow for the natural environment; they also represent a fundamental shift away from the green economic growth that we need in order to ensure a richer future – both in our economy and in our environment – for all. Link is all too aware of the perilous economic climate and the need for a rapid return to a more stable economy, but we believe that green growth can and must be at the heart of this recovery. Indeed the UK's green economy has continued to grow steadily even whilst broader economic activity has slowed.<sup>25</sup> We also appreciate the need for reductions in public spending, and acknowledge that environmental spending must shoulder its share of these. However, Link does not believe that the environment should be expected to

bear more than its fair share of budget cuts and it is a major cause for concern when cuts to environmental budgets are disproportionate. Rather than pitching the environment against the economy, it is time for the whole Government to recognise that we must improve our environment and our economy hand in hand.

**“The Government needs to build on its own good practice more often, by using the best available evidence and expertise, effectively engaging stakeholders, finding appropriate sources of funding and generating support across government.”**

Set against this backdrop we have, however, seen some positive action. We applaud the establishment of the Ecosystem Markets Task Force and the Natural Capital Committee, as well as the new Nature Improvement Areas and Local Nature Partnerships. The final National Planning Policy Framework is a major improvement on the original draft, maintaining vital protections for the environment and opening the door for genuine sustainable development that integrates economic, social and environmental concerns to build a prosperous future for all. Yet the lack of joined up, cross-government understanding of, and commitment to, the natural environment has held back progress in areas as diverse as flooding, bovine tuberculosis and Marine Conservation Zones.

This mixed picture makes it difficult to say whether action for our natural environment will have gained pace or slipped backwards by our next assessment. Certainly, the Government has shown that it can make good decisions and implement policy effectively, for example around the protection of cetaceans. But it needs to build on its own good practice more often, by using the best available evidence and expertise, effectively engaging stakeholders, finding appropriate sources of funding and generating support across government.

This last point is for us the most significant. The vision of *The Natural Choice* is an overarching one, and it is the *spirit* of this vision that must become embedded in cross-government policy making: the recognition of the vital role that nature plays in underpinning our economy and in providing a wide range of social benefits. The *National Ecosystem Assessment* should



be a trigger for action to protect and restore habitats, species, ecosystems and landscapes, demonstrating as it does that the natural environment is a contributor, not a barrier, to economic progress and growth.



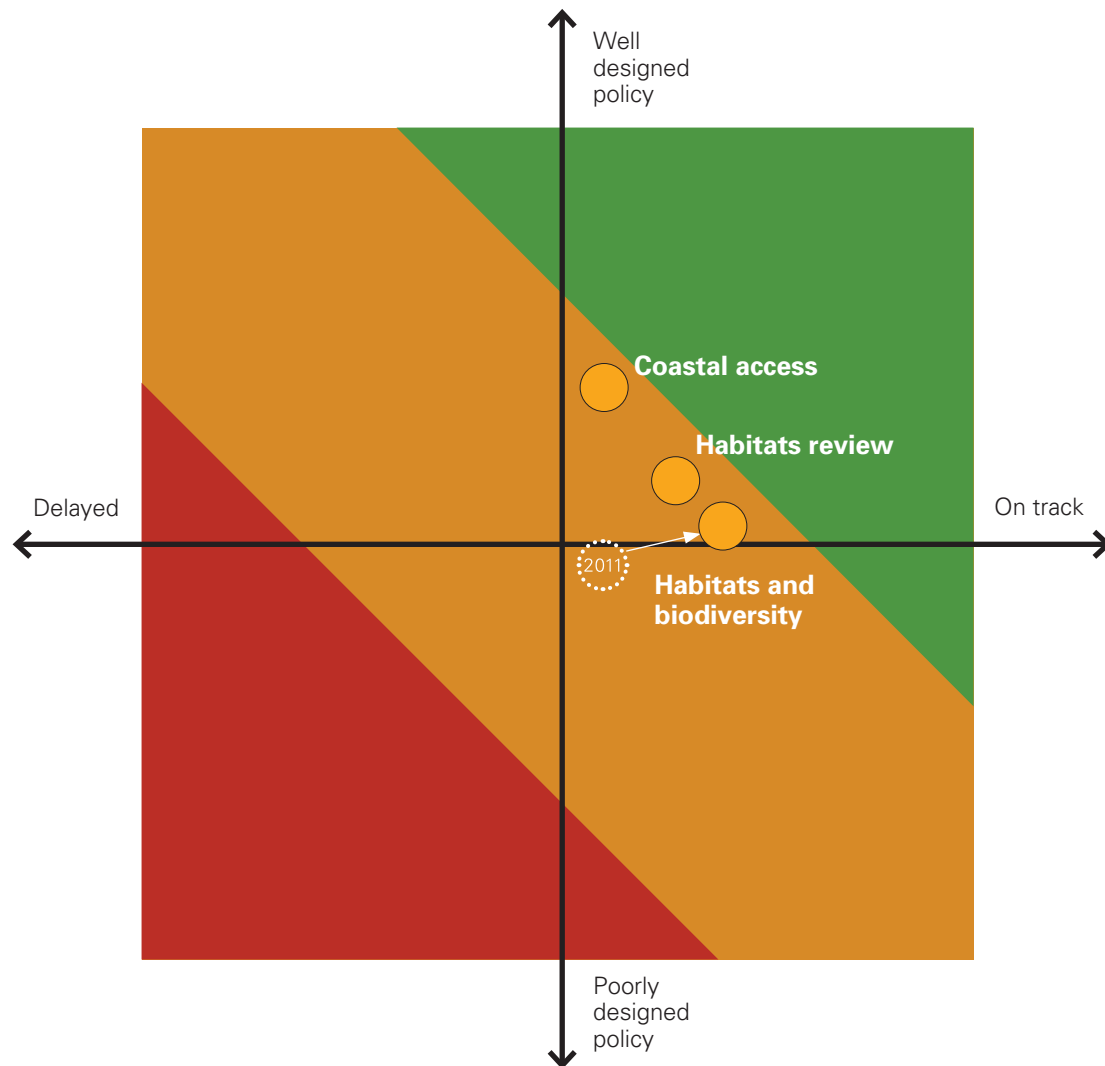
The vision of *The Natural Choice* is an overarching one, and it is the spirit of this vision that must become embedded in cross-government policy making.”

Only effective leadership will make this happen. But the Prime Minister and Deputy Prime Minister should know that they will have significant support in championing the natural environment. The public has already demonstrated its deep and abiding love for it,

and will, we are sure, continue to do so (their defence of the public forest estate in England being only one example). The *National Ecosystem Assessment* provides a robust scientific assessment, which shows that ‘nature is worth billions of pounds to the UK economy’,<sup>26</sup> and the Natural Capital Committee will support integration of the natural environment into accounting and decision-making across government. Businesses are looking for a Government which recognises that ‘resource efficiency makes business sense and will continue to gain traction with businesses as the stewardship of resources becomes more critical to business success.’<sup>27</sup> And finally the UK’s strong civil society – including Link – will continue to demand and support real action to protect and enhance our natural world.

# The Government's progress on the natural environment since 2011

## Nature and access to nature



### 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.

**1.1.** The Government's commitment to halt the loss of habitats and restore biodiversity is vital, and a core concern for Link members. However, it continues to receive an **amber** rating – as in 2011. The Department for Environment, Food and Rural Affairs (Defra) has had some success in making the links between the economy and the environment, building on the *National Ecosystem Assessment* and establishing the Ecosystems Knowledge Network, but this approach is not nearly widespread enough and has yet to lead to quantifiable improvements in biodiversity or the quality of our countryside.<sup>28</sup>

**1.2.** As first outlined in *The Coalition: our programme for government* and subsequently in *The Natural Choice*, this commitment has now been fleshed out in England's biodiversity strategy, *Biodiversity 2020*: 'Our mission is to halt overall biodiversity loss, support healthy, well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.'<sup>29</sup> To achieve this, *The Natural Choice* and *Biodiversity 2020* must become strategic drivers across government, which are more strongly championed by Defra and the Cabinet Office, within other government departments and amongst businesses and non-governmental organisations (NGOs).

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**1.3.** The commitment can also be supported through wider recognition that the value of the natural environment runs into many hundreds of billions of pounds. To give just one example, the value of inland wetlands in improving water quality is £1.5 billion per year. If the UK's ecosystems were properly maintained they could add an extra £30 billion a year to our economy. As *The Natural Choice* notes, 'we must properly value the economic and social benefits of a healthy natural environment while continuing to recognise nature's intrinsic value.'<sup>30</sup>

**1.4.** One area where cross-government commitment to *The Natural Choice* has been demonstrated is in respect of planning policy, with references in the final National Planning Policy Framework (NPPF) to both Nature Improvement Areas (NIAs) and Local Nature Partnerships (LNPs). The NPPF also maintains protection for other core natural areas – Natura 2000 sites, Sites of Special Scientific Interest (SSSIs), Local Wildlife Sites, National Parks and Areas of Outstanding Natural Beauty – and recognises the value of ecological networks and open countryside.

**1.5.** In 2012, Defra's big picture action for ecological connectivity (which the commitment refers to as 'wildlife corridors') has been establishing NIAs, and good progress has been made thanks to the clear commitment to establish them in *The Natural Choice*, dedicated administrative support within Defra and the availability of some initial funding. NIAs – with local and national support – must now prove that voluntary landscape-scale action can reverse declines in biodiversity. To deliver for species and habitat conservation, this will require more explicit links with the outcomes of *Biodiversity 2020*: maintaining and enhancing species, habitats, landscapes and ecosystems. These linkages should include monitoring and reporting on actions and outcomes for priority species.

**1.6.** Above and beyond this, the Government and its partners must work harder to keep species in sight through *all* the programmes and initiatives of *The Natural Choice*, by acting to achieve *Biodiversity*

*2020*'s outcome 3: 'By 2020, we will see an overall improvement in the status of our wildlife and will have prevented further human-induced extinctions of known threatened species.'<sup>31</sup> In particular, the needs of priority species must be integrated into habitat and landscape-scale conservation and locally-led initiatives. The need for species recovery programmes for those species that do not respond to wider habitat-based measures must also be recognised. Such action should enable an overall improvement in the status of species, which is a vital measure of success for environmental policy: stable and increasing populations indicate good and/or improving conditions of habitats, ecosystems and landscapes.

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... an overall improvement in the status of species is a vital measure of success for environmental policy.”

**1.7.** Failing to prioritise species recovery could fundamentally undermine progress against this entire commitment. For example, if the ongoing shortcomings in government action to prevent the extinction of hen harriers in England continue, and the species is lost as a breeding species from this country next year (quite possible given the population has crashed to a single breeding pair this year), it would represent a default on *Biodiversity 2020* and could lead to a red rating for this commitment in subsequent assessments.

**1.8.** The Government should also utilise existing legislation to enact a ban on the sale of harmful invasive non-native aquatic plants, which pose an ongoing and serious threat to our wetland biodiversity. We recognise the continued work of the BePlantWise campaign, but note that the threat of invasive species is comparable to that of habitat loss and climate change, costing £1.7 billion to the British economy every year.<sup>32</sup>

**1.9.** Looking across the board, there is still an absence of cross-government support for the implementation of *The Natural Choice*, which makes delivery difficult. As the Environment, Food and Rural Affairs Committee has noted, 'the Government must do more to ensure that all Whitehall departments fully value nature's benefits', and must 'publish a timetabled action plan for delivering each of the White

Paper's commitments.<sup>33</sup> Governance arrangements for determining delivery of *Biodiversity 2020's* outcomes are positive, enabling good stakeholder representation. But accountabilities and interconnections across government, and between national and local delivery structures, must still be clarified. In addition, the statutory agencies need to ensure that their corporate planning is properly aligned with the timings and objectives of the *Biodiversity 2020* delivery plan.

“**Natural England's *Biodiversity 2020* programme should be replicated within other statutory agencies and central and local government.**”

**1.10.** Natural England is undertaking a '*Biodiversity 2020* programme', which includes work streams aimed at embedding national biodiversity priorities within SSSI delivery, habitat management, species recovery programmes, surveillance and monitoring. This programme is a step in the right direction, though it requires effective communication and adequate resourcing; the programme should be replicated within other statutory agencies and central and local government. Natural England is also leading the definition of *Biodiversity 2020's* outcomes for species, habitats and ecosystems. Action to deliver these outcomes must focus on those species, habitats and ecosystems most vulnerable or under threat; this means tailoring and targeting delivery mechanisms in specific places for particular elements of our biodiversity.

**1.11.** Each of *Biodiversity 2020's* outcomes must be robustly assessed in order to deliver the Government's ambitions. The publication of *Biodiversity 2020 Indicators: 2012 Assessment Summary* is useful in this regard, as it should begin to set out the baseline for species, habitats and ecosystem status, against which progress can be measured.<sup>34</sup> A greater emphasis on monitoring will be necessary to support these types of data and the Government has a role in providing an overall monitoring strategy, with clear roles and incentives for partner organisations.

**1.12.** At the same time as finalising definitions and baselines, the Government must promote *Biodiversity 2020* and encourage partners from all sectors to get involved in meeting its aims. This will be essential

in getting the actual work on the ground underway, to deliver accurate baseline understanding of, and thus improvements to, the status of our species and habitats. The UK Biodiversity Action Plan (BAP) for priority species and habitats had a good profile with government, NGOs, farmers, foresters, funders and to some extent the general public. *Biodiversity 2020* is essentially the English version of BAP, yet its existence and its aims are as yet poorly known even within the conservation community. Government must promote *Biodiversity 2020* so that the species, habitats and ecosystems it aims to restore are well known and the economic value of their restoration is used to leverage further political and economic support for biodiversity.

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**1.13.** In relation to resources, direct, albeit short-term funding, has been provided to maintain and enhance biodiversity – for example, to NIAs and Water Framework Directive delivery. The current economic climate means that cuts in public spending are inevitable, but the natural environment will not improve without further investment and more resources must therefore be found from other sources; the environment must not suffer from disproportionate budget cuts. At present, the Government's funding plan for biodiversity, in the long- and the short-term, is insufficient. The Lawton Review estimated that £0.6 billion to £1.1 billion per year is needed to deliver a robust ecological network.<sup>35</sup>

**1.14.** A number of innovative solutions are being trialled by the Government, including biodiversity offsetting pilots and research into funding Payments for Ecosystem Services. Defra must monitor their effectiveness in terms of delivering benefits for priority species and habitats, and monitor other market-led/ private sector-driven funding mechanisms and initiatives to ensure that they deliver the funding required; the department should intervene swiftly if they do not. Defra should also continue to explore

other new potential sources of non-public funding for the natural environment.

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... the Government's funding plan for biodiversity, in the long and the short-term, is insufficient.”

**1.15.** Moving outside the UK, this year has been an important one for the biodiverse but threatened natural environments of the UK Overseas Territories (UKOTs). Both Defra and Foreign and Commonwealth Office (FCO) Ministers have spoken positively about the importance of biodiversity in the UKOTs, and Defra has committed to preparing an implementation plan to follow on from its UKOTs biodiversity strategy. These commitments were consolidated in the recent UKOTs White Paper, *The Overseas Territories: Security, success and sustainability*, which is strong on positive ambition, but light on means.<sup>36</sup> The confirmation that all Whitehall departments have a responsibility to the UKOTs means that Defra must provide proactive support to UKOT Governments. This is welcome, as is the pledge to oversee exemplary environmental management on uninhabited territories. However, funding and clear plans of action will be needed to realise the ambitions set out in this White Paper.

**The Government will ensure that compliance with the Habitats and Wild Birds Directives does not lead to unnecessary costs and delays to development, while continuing to support the Directives' objectives.**

**1.16.** The Habitats and Wild Birds Directives Implementation Review was a new government commitment made in late 2011, and in light of its provenance, process and outcomes it receives an **amber** rating. The review sprang not from Defra but from HM Treasury, which – without evidence to support its claims – suggested that the implementation of the Directives was gold plated and put 'ridiculous costs on British businesses.'<sup>37</sup> Evidence collated through the review shows this statement to be inaccurate. In fact, it has been estimated (by the EU) that the protection of Natura 2000 sites established through the Directives in Scotland has national welfare benefits seven times greater than the costs of maintaining those sites

over a 25-year period.<sup>38</sup> In the Netherlands, the gross welfare benefits of all Natura 2000 areas are estimated to be around €4.5 billion/year.<sup>39</sup> The provenance of the habitats review was extremely worrying and the process, though open, was rushed. We note, however, that following engagement with stakeholders across the private, public and third sectors, Defra's report concludes that the 'integrity and laudable ambition of the original Directives [should be upheld].'<sup>40</sup>

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The review's conclusions must continue to be enacted, to improve the functioning of the Habitats Regulations and related legislation without damaging their core purpose.”

**1.17.** The review's conclusions must continue to be enacted, with support from relevant external stakeholders and all departments to improve the functioning of the Habitats Regulations and related legislation without damaging their core purpose. In doing so, care must be taken that, as a package, the recommendations do not undermine proper implementation of the Directives in England. For example, Natural England's responsibility to provide candid and independent advice about impacts on the natural environment must not be further weakened.

**We are committed to introducing the right of coastal access under the Marine and Coastal Access Act 2009.**

**1.18.** This commitment continues to receive an **amber** rating since, although Natural England has set out plans for the implementation of the English Coastal Path and its associated margin of land over the next five to seven years, there is still no timetable for the completion of the entire Path.

**1.19.** The Government has recognised the value of open spaces and access to the natural environment for people's wellbeing, as well as to the economic health of the nation. The *National Ecosystem Assessment* has put an annual economic value of £1.2 billion on the economic and social benefits of people being able to access and enjoy the countryside, and has valued recreational visits at £484 million per year.<sup>41</sup> *The Natural Choice* states that 'greener neighbourhoods and improved access to nature will

improve public health and quality of life and reduce environmental inequalities', and that £2.1 billion could be saved in healthcare costs if all households had 'good access to quality green space'.<sup>42</sup>

**1.20.** The first stretch of the Coastal Path at Weymouth Bay was opened in time for the Olympics. Six further stretches are expected to be open to the public by the end of 2015 and work on another five stretches to be complete by 2016.<sup>43</sup> This work must now be strengthened with a timetable for the completion of the entire Path.

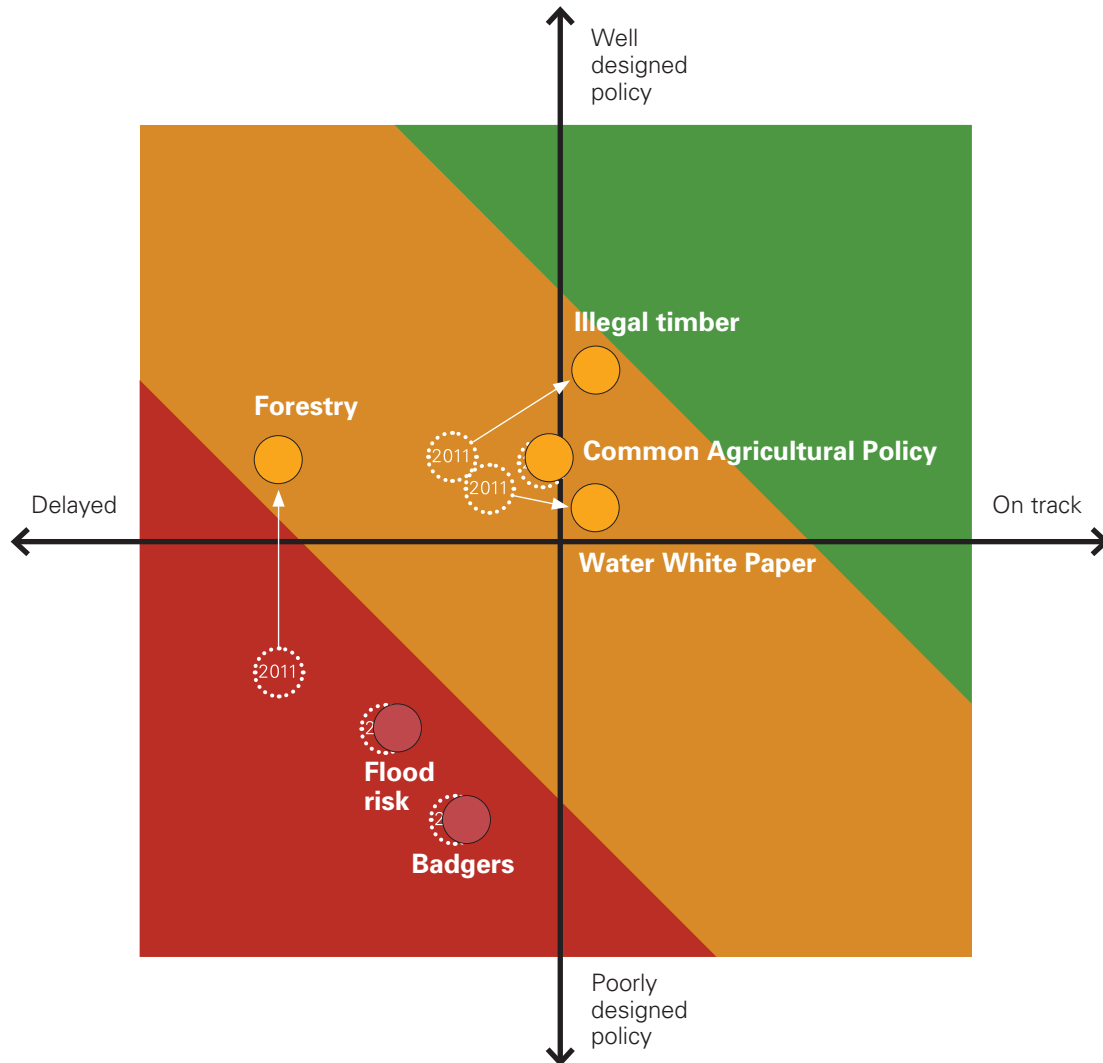
**1.21.** Consultations are underway on a number of other issues which could have an enormous impact on the public's ability to access the natural environment. The Government's proposed changes to National Trails would transfer responsibility for their management to 'Local Trail Partnerships' to be formed by local authorities and voluntary groups. The Government must ensure that these 'nationally important assets',

which attract 12 million visitors a year from around the world, pouring millions of pounds into the economy, have a national body to properly champion, support and protect them.<sup>44</sup>

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Work on the English Coastal Path must now be strengthened with a timetable for the completion of the entire Path.”

**1.22.** The Government is also consulting on the reform of the rights of way network, in particular the recommendations of Natural England's Stakeholder Working Group on unrecorded rights of way. These recommendations, which aim to simplify and streamline processes for recording and making changes to public rights of way, must be implemented in their entirety, since they are a balanced set of measures developed through careful negotiation between all stakeholders.

## Land Management



### We will make the case at EU negotiations for significant reform to deliver a smaller, simpler, greener Common Agricultural Policy.

**2.1.** Overall, our analysis suggests that the Government could do much more to demonstrate its commitment to achieving a reformed, 'greener' Common Agricultural Policy (CAP) – i.e. one which delivers environmental public goods and rewards to farmers for the part they play in this. There is some concern that parallel processes, including the Government's position on the overall European Union (EU) Budget, risk undermining future environmental delivery in the UK. We need to see greater commitment to coordinated thinking on farming and

sustainable land management and an unequivocal commitment from across Government to protect the vital funding for conservation and sustainable land management via agri-environment schemes. The rating of this commitment therefore remains **amber**.

**2.2.** The farming community is a key component of more sustainable land management and thriving rural areas. Farmers should be supported where they deliver environmental public goods (such as biodiversity, beautiful and diverse landscapes, soil, water and adaptation to, and mitigation of, climate change) and thus go beyond what one would expect of sound stewardship. Delivery of these goods, which the market fails to adequately reward, is a clear role for the public money that farmers already

receive through the CAP. As the former Minister for Agriculture said, 'The Government is in favour of a greener CAP, with a greater proportion spent on public goods, including improved environmental outcomes such as supporting biodiversity and climate mitigation, and will be seeking to secure this in the CAP reform negotiations.'<sup>45</sup> Such linkages would also allow the Government to deliver on its *Biodiversity 2020* outcomes: for example, Natural England has estimated that the status of more than half of all priority species in England could be improved using agri-environment options. Such linkages would also, of course, protect and improve the natural resources needed for long-term, stable food production.

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We need to see ... an unequivocal commitment from across Government to protect the vital funding for conservation and sustainable land management via agri-environment schemes.”

**2.3.** In the long-term, the Government is seeking radical CAP reform which would phase out direct payments under Pillar I and focus CAP resources on additional payments under Pillar II (Rural Development). In the short term, the Government has maintained its positive stance on the flexibility to transfer funds from Pillar I to Pillar II (modulation) in order to continue – and increase – the level of ambition for agri-environment schemes. Such schemes provide the most effective means of conserving farmland biodiversity and enhancing landscape character, whilst also helping to maintain viable farming and rural communities and therefore delivering wider economic and social benefits. In the face of probable cuts in the overall CAP budget, it is vital that the UK argues for the flexibility to maintain a strong budget for the Rural Development Programme for England (RDPE) and for compulsory minimum spending on agri-environment schemes.

**2.4.** At home, Defra has made some modest but welcome changes to agri-environment schemes under the Making Environmental Stewardship More Effective programme; we welcome the trialling of more ambitious changes, which would significantly improve the delivery of environmental benefits through these schemes.

**2.5.** Currently, farmers in receipt of direct payments – and some rural development payments – must comply with a set of standards under a system known as cross-compliance. This system forms a basic but crucial part of the CAP's environmental architecture. It must be improved and strengthened to deliver a robust baseline that reflects legal requirements and basic good farming practice, including climate change adaptation and mitigation, resource protection, higher standards of animal welfare and public access that is open and useable. It is deeply disappointing that the Government opposes the inclusion of the Water Framework Directive (WFD) in cross-compliance, without offering a viable alternative to delivering the Directive's objectives through the CAP.

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Farmers should be supported where they deliver environmental public goods.”

**2.6.** In addition to cross-compliance, the European Commission is proposing that direct payments under Pillar I should require farming practices that are 'beneficial for the climate and the environment.'<sup>46</sup> Such 'greening' measures could include: crop diversification; permanent grassland; and ecological focus areas. Since the majority of CAP funds are administered through Pillar I, the greening of Pillar I must secure meaningful environmental improvements. Greening must also form part of an enhanced environmental baseline (i.e. increased environmental requirements for recipients of Pillar I payments) upon which agri-environment schemes then build, thus increasing the net delivery of environmental public goods and wider socio-economic benefits from UK farming. Greening must, of course, be done with care, avoiding over-stringent rules that ignore variations in farming systems and climatic conditions, and enabling a more ambitious programme of environmental delivery in Pillar II. It must not facilitate a shift of priority, or funding, away from environmental delivery in the next RDPE.

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Agri-environment schemes provide the most effective means of conserving farmland biodiversity and enhancing landscape character, whilst also helping to maintain viable farming and rural communities.”



**2.7.** The continuing focus on reducing regulation for the agricultural sector is an approach that, if not well managed, will increase costs for society as a whole, and lead to increased risk to the natural environment. Major questions remain about proposals for earned recognition, where private assurance schemes could replace the risk-based inspections conducted by statutory authorities. Concerns also relate to proposed weakening of the Nitrates Regulations. The Government's preference for less regulation has driven an over-reliance on voluntary approaches to improved land management, so far with limited success. For example, the Campaign for the Farmed Environment was designed to deliver the environmental benefits previously secured through set-aside but, by the Government's own analysis, 79% of farmers are not planning to take up campaign actions.<sup>47</sup> Where voluntary initiatives are shown not to achieve their goals, the Government must consider other measures – including regulation – to realise their aims.

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It is deeply disappointing that the Government opposes the inclusion of the WFD in cross-compliance, without offering a viable alternative to delivering the Directive's objectives through the CAP.”

**2.8.** The positions of departments other than Defra are also highly relevant. The Department for Business, Innovation and Skills (BIS) is leading the Government's engagement on the Common Strategic Framework which, via a Partnership Contract, will set out the UK's delivery of Structural Funds in the next financial period (2014-2020). It is vital that UK, and wider EU, environmental commitments are fully reflected across all Structural Funds and Link will be following this process extremely closely. HM Treasury has a responsibility to secure adequate financial resources for the Government's environmental objectives; a responsibility it is failing to commit to. The Government's position on freezing the EU Budget and protecting the UK rebate means that there is a strong risk that otherwise commendable positions, such as securing a larger Pillar II allocation for the UK and the means to modulate, could be undermined – or even traded away – during political deal-making.

**2.9.** The Green Food Project is a joint initiative between Government, industry and environmental partners, stemming from *The Natural Choice*, designed to reconcile improvements to the environment and increasing food production. Published in July 2012, the Project's report highlighted important conflicts and synergies between the Government's environmental commitments and its aspirations regarding the food sector. The report includes positive, high-level commitments from the Government and stakeholders to continue to work together on issues including valuing ecosystem services and managing land sustainably. These commitments must now be developed into specific, time-bound actions to achieve real improvements in environmental delivery.

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Where voluntary initiatives are shown not to achieve their goals, the Government must consider other measures – including regulation – to realise their aims.”

**2.10.** Finally, *The Natural Choice* acknowledges that 'food increases must be achieved sustainably in order to protect the ecosystem services (such as pollination and the water cycle) on which food production relies'.<sup>48</sup> But within the UK the urgent priority is to shift to more environmentally sustainable methods of farming, not to increase food production. The Government does not appear to have grasped this fact, as demonstrated in its weak implementation of the EU Sustainable Use Directive on Pesticides. This Directive presented an opportunity to reform the use of pesticides in food production, reducing food producers' reliance on chemicals and minimising environmental impacts. However, the Government has failed to take this opportunity, instead making only the minimum necessary changes to existing legislation and drafting a National Action Plan which, by repeating existing measures such as labelling of products and training in their use, is unlikely to reduce the risks to people or nature.

## We will reform the water industry to enhance competition and improve conservation.

**2.11.** In December 2011, the Government published its Water White Paper, *Water for Life*. Like *The Natural Choice*, this paper is complex and wide-ranging. *Water for Life* puts a healthy freshwater environment at its heart and shows real ambition in seeking to tackle future water challenges. However, we fear that a lack of short- and mid-term action and concrete policies – even in this year of unprecedented drought and flood – may lead the Government to fail in the entirety of its vision.<sup>49</sup> As the Environment, Food and Rural Affairs Committee has noted, '*Water for Life's* proposals on abstraction reform and metering lack ambition and are unlikely to deliver meaningful change within acceptable timescales.'<sup>50</sup> Overall, the commitment continues to receive an **amber** rating.

“*Water for Life* puts a healthy freshwater environment at its heart and shows real ambition in seeking to tackle future water challenges.”

**2.12.** The largest gap in *Water for Life* is the lack of policy drivers for water efficiency. Water meters, in particular, have been shown to be a key part of an effective demand management programme. By using social tariffs, metering can provide a fair and efficient response to England's very high levels of water consumption and help address existing cross-subsidies from higher-income to lower-income customers. Yet, despite its support for social tariffs, the Government refuses to implement universal metering.<sup>51</sup> The Water Resources Planning Guideline sets out clear and stretching proposals for increasing demand management across the water industry, but there remains no wider policy framework to significantly increase the scale of water efficiency in homes and buildings.<sup>52</sup> The Love Your River campaign does attempt to make the links between healthy rivers and domestic water use, but has neither the coordinated messaging nor the resources to deliver the scale of behaviour change required.

**2.13.** In place of water efficiency, physical water transfers feature heavily in *Water for Life*. But the Minister for the Natural Environment himself has

said that 'as water is heavy and expensive to move large scale infrastructure investment does not tend to be cost effective against alternative options';<sup>53</sup> this view has been supported by the Institute of Civil Engineering.<sup>54</sup> Large-scale transfers must be approached carefully, and should only be considered once significant investment has been made in demand management.

**2.14.** *Water for Life* does outline effective principles for reform of the abstraction regime, but the timetable for reform is too long to address ecological needs, especially given the likelihood of a delay in the legislative timetable. In addition, the short-term proposals, such as the Abstraction Incentive Mechanism and the Government's ability to vary or revoke abstraction licences that are causing serious damage, are yet to be put in place.

**2.15.** The invigorated focus on tackling different sources of urban diffuse pollution in *Water for Life* is encouraging. The White Paper also references the multiple benefits of Sustainable Drainage Systems (SuDS), a key method of addressing urban diffuse pollution. Where the White Paper falls short is in providing a full framework to enable the uptake of SuDS and, since its publication, there has been very little progress with new implementation, despite it being a statutory obligation.<sup>55</sup> Leadership over the pivotal role of SuDS in delivering sustainable development and flood risk management seems to have been lost, with a raft of proposed exemptions that will impede their uptake where they are most needed. And this is despite the Committee on Climate Change highlighting that 'the costs of SuDS are rarely greater than conventional drainage costs, even when accounting for land-take.'<sup>56</sup>

“... there has been very little progress with new implementation of SuDS, despite it being a statutory obligation.”

**2.16.** Progress on addressing diffuse agricultural pollution remains woefully slow, despite *Water for Life* highlighting it as the second most significant contributor to the failing ecological status of waterbodies. The Government's approach still relies heavily on non-targeted voluntary measures such as Catchment Sensitive Farming and it has not

considered the need for further regulation, such as Water Protection Zones, that may be necessary to make improvements to waterbodies.

“Progress on addressing diffuse agricultural pollution remains woefully slow.”

**2.17.** Finally, *Water for Life* makes moves towards integrating and aligning existing processes and initiatives relating to water. If properly supported and facilitated the catchment based approach has the potential to achieve the Government's ambitions to improve water quality, halt biodiversity loss, support healthy, functioning ecosystems and establish coherent ecological networks. But it currently falls short of the integrated framework necessary. To remedy this, the catchment pilots need to be given a clear remit and status, be allowed to follow novel approaches, have clear indicators of the environmental improvements they have achieved, and be integrated with River Basin Management Plans (RBMPs), Nature Improvement Areas and approaches to flood risk management.

“... the catchment based approach has the potential to achieve the Government's ambitions to improve water quality, halt biodiversity loss, support healthy, functioning ecosystems and establish coherent ecological networks.”

**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.**

**2.18.** Our assessment of the implementation of the Pitt Review is largely unchanged from 2011, and therefore remains **red**. Since responsibility for flood risk management is now split amongst Regional Flood and Coastal Committees it is difficult to know who is responsible for what on the ground, and there is significant scepticism as to whether the system will work. There is also a concern that Regional Flood and Coastal Committees are not receiving sufficient information or training and that they will think locally, rather than strategically for a wider area. Flooding can only be tackled effectively by considering the entire catchment, as flood control actions in one part may

simply move the problem downstream. In addition, the new funding scheme for flooding makes it harder to get funding for multiple benefits, e.g. flooding risk and biodiversity, so there is likely to be an increase in single-purpose flood defences.

**2.19.** In order to improve the rating on this commitment we would need to see a halt to building on floodplains (unless it is for vital works and has Environment Agency approval) and flood management that is consistent with the WFD. Such consistency would require flood risk management strategies to link with RBMPs, floodplains and coastal habitat (unless disproportionately costly).

“Flooding can only be tackled effectively by considering the entire catchment, as flood control actions in one part may simply move the problem downstream.”

**2.20.** There is also a lack of alignment between flooding and other policies, such as *Biodiversity 2020*, and thus a failure to see the multiple benefits of natural flood defences to people *and* the environment. The National Planning Policy Framework (NPPF) compounds this trend with caveats that allow development on flood plains, weakening the Coalition's commitment to 'prevent unnecessary building in areas of high flood risk'.<sup>57</sup> The Committee on Climate Change's Adaptation Sub-Committee has noted that development in the floodplain grew at a faster rate than elsewhere over the past 10 years, and that the Environment Agency does not track 35% of the applications for floodplain development to which it objects.<sup>58</sup>

**We will review the direction of forestry and woodland policy in England.**

**2.21.** The Independent Panel on Forestry published its final report in July 2012. The report was positive, comprehensive and challenging, but at this stage the commitment receives an **amber** rating, as it remains to be seen whether the Government will rise to the report's challenges. This is, however, an improvement from last year's red rating.

**2.22.** The Government welcomed the Panel's report, but it must now accept and commit to implementing



The Government must now accept and commit to implementing the Panel's recommendations in full, under a clear, achievable timescale.”

the Panel's recommendations in full, under a clear, achievable timescale. We expect the Government response to include the delivery of biodiversity aims through woodland management and restoration of ancient woodlands and heathlands, an increase in public access to all woodland and ambitious proposals for increasing the extent of woodland cover. We also hope that the Government's response will learn the lessons of the discovery of Ash Dieback (*Chalara fraxinea*), and recognise the need to create a long-term and properly resourced strategy around the whole issue of plant diseases, pests, and other pressures such as development which are threatening to decimate our already beleaguered woodland. If we see this kind of positive response from the Government we would hope to be able to rate this commitment as green in subsequent assessments.

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

**2.23.** The Government has retained its commitment to making the import or possession of illegal timber a criminal offence. However, in order for the Government to properly enforce the EU timber regulations, their implementation needs to be effectively resourced by Defra. This requires resources for both the competent authority and for a suite of appropriate and proportionate penalties and sanctions. So far the UK has taken a strong stance on illegal timber in Europe. To maintain this position, the UK must also push to close the loopholes during the review of the legislation in 2015: currently, there are over 50 exceptions to the regulations identified by industry. The uncertainty around the implementation of this commitment means that it continues to receive an **amber** rating.

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

**2.24.** The approach to reducing bovine tuberculosis (bTB) in England is to test and slaughter cattle and to tackle the wildlife reservoir of the disease. There is a gradually increasing rigour with which cattle-based measures are being deployed, and signs of greater inclusion of stakeholders. This is to be welcomed. But the evident lack of commitment to a science-led policy and the uncertainty around effectiveness of the farmer-led and funded badger culls means that this commitment continues to receive a **red** rating.



These new estimates of badger numbers will further increase the costs of culling.”

**2.25.** Significant concerns exist over the use of the science in policy-making over the badger cull. Indeed, a group of 31 scientists wrote to the Government in October 2012 to ask it to reconsider its strategy of culling,<sup>59</sup> and a backbench parliamentary debate and vote on the issue in the same month resulted in an overwhelming rejection of the policy.<sup>60</sup>

**2.26.** The potential effectiveness of the two pilot badger culls in reducing bTB in cattle is based upon the removal of at least 70 per cent of the badgers (amongst other criteria). This makes the pilots reliant upon accurate estimates of the numbers of badgers present in the cull areas. However, recent research has shown that the variance and uncertainty around estimates of badger densities is so high that between 50 per cent and 100 per cent of badgers could be killed.<sup>61</sup> If the former, this increases the risk of 'perturbation' and so could increase bTB outbreaks in cattle herds. If the latter, this would contravene the Convention on the conservation of European wildlife and natural habitats (known as the Bern Convention). The uncertainty in the estimates of badger density in the cull areas needed to be reduced, i.e. by carrying out detailed badger surveys. These surveys were not carried out until September 2012 and they revealed much higher estimates of badger numbers than were included in the impact assessment and the planning of the pilot culls. These new estimates will further increase the costs of culling, which already

represent a net cost for participating farmers. The new estimates were one of the reasons cited for postponing the pilot culls until 2013.<sup>62</sup>

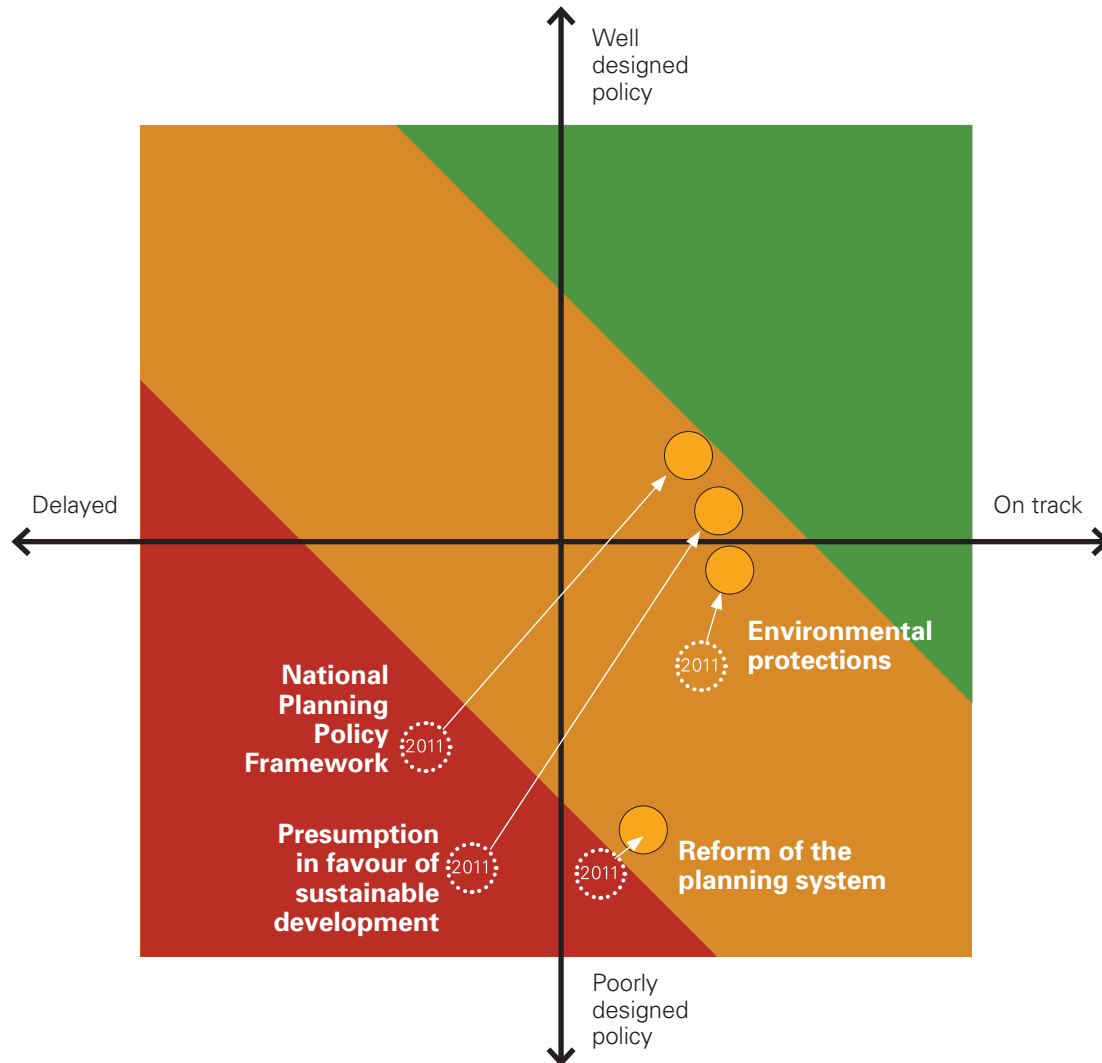
**2.27.** Furthermore, the culls are based mainly on shooting free-running (as opposed to caged) badgers. This has never been tested for its effectiveness in reducing the number of badgers or for welfare issues, and is likely to be the subject of social disquiet, possibly leading to active protest. The Government is proposing that the effectiveness, humaneness



Shooting free-running badgers has never been tested for its effectiveness in reducing the number of badgers or for welfare issues.”

and safety of two six week pilots will be assessed by an expert group. But the methodology by which these criteria will be measured is as yet uncertain, and a leading scientific expert on badger culling has questioned the statistical validity of such limited pilots,<sup>63</sup> and thus their ability to produce reliable results.

## Land Use Planning



**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.**

**3.1.** We recognise and welcome the Government's final published National Planning Policy Framework (NPPF), which provides vital safeguards for sites, landscapes and the Green Belt. These are essential to protecting our natural assets and meeting *The Natural Choice's* aim of 'retain[ing] the protection and improvement of the natural environment as core objectives of the planning system'.<sup>64</sup> The Government's approach therefore appears to be

more cognisant of environmental challenges than in 2011. But because the real test is how the NPPF is implemented and interpreted, this commitment has only been upgraded to an **amber** rating in 2012, rather than green.

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The real test of the NPPF is how it is implemented and interpreted.”

**3.2.** The NPPF now includes welcome references to the Brundtland definition of sustainable development, and to the five principles laid out in the 2005 Sustainable Development strategy.<sup>65</sup> Paragraph 9 states that 'pursuing sustainable development involves moving from a net loss of biodiversity to achieving net

gains for nature', which gives biodiversity a far higher profile than it had within Planning Policy Statement 1, and suggests some joined up thinking between the NPPF and *Biodiversity 2020*.

**3.3.** The NPPF recognises Nature Improvement Areas (NIAs) and Local Nature Partnerships (LNPs), commits to establishing 'coherent ecological networks' and supports *The Natural Choice's* ambition of 'a net gain' for nature.<sup>66</sup> In addition, the core planning principles include the directions to recognise 'the intrinsic character and beauty of the countryside', to 'contribute to conserving and enhancing the natural environment and reducing pollution' and to 're-use previously developed land provided it is not of high environmental value'.<sup>67</sup> The Government must now follow through on its promise to recognise LNPs in regulations, as bodies that Local Planning Authorities (LPAs) should 'have regard to' when preparing Local Plans and other related activities.

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The NPPF gives biodiversity a far higher profile than it had within PPS1, and suggests some joined up thinking between the NPPF and *Biodiversity 2020*.”

**3.4.** The effectiveness of the NPPF can only be fully judged when we have a clear picture of how it has influenced local authority policies and decisions, and government inspectors' examination of Local Plans and decisions on appeals. However, we note that some of the early decisions based on the NPPF give cause for concern, and should these set a precedent they would show that the vision of sustainable development in the NPPF is not being pursued as the Government intended. We refer to a number of these below, but we would note here that the viability test is also one such cause for concern.

**3.5.** Planning obligations play a fundamental role in delivering sustainable development. We recognise that economic viability is a key factor influencing where, when and how new development takes place. Any viability test must come with appropriate safeguards and we welcome paragraph 176 of the NPPF; if development cannot be made sustainable it should be refused. In the absence of official guidance from the Government to date, guidance documents from the Home Builders' Federation and Local Government

Association, and the Royal Institute of Chartered Surveyors, have given their own interpretation of the new NPPF policy. There is a concern that, if given weight by LPAs, these interpretations could reduce the scope of negotiations with local communities over a fair share of community benefits from new development, particularly since they have no public interest safeguards. There must be transparent discussions between developers and LPAs, and these should recognise the needs of the local community and their environment. To ensure proper implementation, the Government could provide its own guidance on this matter.

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To ensure proper implementation, the Government could provide its own guidance on viability.”

**3.6.** More broadly, the approach of the Department of Communities and Local Government (DCLG) to guidance around planning will be an important factor in the way in which the whole NPPF is implemented. We would therefore agree with the Environment, Food and Rural Affairs Committee's recommendation that DCLG should 'publish guidance as to how planning bodies should take into account the benefits of the natural environment when determining planning applications'.<sup>68</sup>

**3.7.** If by our next assessment there is clear evidence that Local Plans being brought forward contain robust policies for the protection and enhancement of the natural environment, including irreplaceable habitats such as ancient woodlands, and that these are supported by the Government in examinations, call in and appeal decisions, this commitment should receive a green rating.

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The presumption in favour of sustainable development recognises the legal primacy of development plans and no longer overrides environmental designations; these are appropriate, considered limitations.”

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

**3.8.** In light of an improved policy, but one that is still to be tested in implementation, this commitment is upgraded from a red rating in 2011 to an **amber** rating in 2012. If by our next assessment the presumption has been shown to promote genuinely sustainable development, it will receive a green rating.

**3.9.** In the final NPPF, the presumption in favour of sustainable development recognises the legal primacy of development plans and no longer overrides environmental designations; these are appropriate, considered limitations. It is still too early to assess the implementation of the presumption, though the Planning Inspectorate's model policy on the presumption gives cause for concern because it arguably goes beyond the wording in the NPPF: it implies that any proposal can be approved with the right solutions (which is not always true); and it pressures LPAs to approve development wherever possible, without excluding NPPF policies in the way the NPPF itself does.<sup>69</sup>

### **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.**

**3.10.** The final NPPF has broadly maintained Green Belt policy, alongside Sites of Special Scientific Interest (SSSIs) and other environmental protections, and the phasing out of regional strategies is removing a number of threats to the Green Belt. The NPPF also includes important policies on NIAs and LNPs – which is an encouraging example of cross-departmental working toward the ambitions of *The Natural Choice*. However, the Government's statement on 'housing and growth' on 6 September 2012, and various central Government interventions and decisions in the planning system, mean that this commitment has continued to receive an **amber** rating in 2012. It is at risk of being downgraded if, over the next six months, the Government promotes or allows inappropriate development on protected areas,<sup>70</sup> protected landscapes or the Green Belt, fails to encourage use

of the Local Green Space designation or makes it significantly more difficult for local people to register their much-loved open space as a town or village green.

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The NPPF includes important policies on NIAs and LNPs – which is an encouraging example of cross-departmental working toward the ambitions of *The Natural Choice*.”

**3.11.** We note that the wording on irreplaceable habitats is disappointing, and that local decision-making should not undermine the national importance of these sites. The true value of irreplaceable habitats must be made much clearer, with more joined up thinking on economic and environmental issues. For example, the *National Ecosystem Assessment* demonstrates that 'the loss' of ancient woodland is far more significant than the NPPF policy suggests.<sup>71</sup> Also, research by some Link members has shown that the Government's evidence base on planning demonstrates only to a limited extent the costs of the planning regime, and fails to demonstrate the many benefits that good planning delivers.<sup>72</sup>

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The true value of irreplaceable habitats must be made much clearer, with more joined up thinking on economic and environmental issues. ”

**3.12.** Concerns around ongoing implementation also undermine the achievement of this commitment. The decision by the Secretary of State for Energy and Climate Change to grant approval to a gas plant in the North York Moors National Park<sup>73</sup> runs counter to the NPPF statement that 'Great weight should be given to conserving landscape and scenic beauty in National Parks.'<sup>74</sup> Green Belt boundaries are being reviewed with the idea of accommodating development of at least 80,000 new dwellings (aided and abetted in some cases by Government planning inspectors), and new roads are being promoted in a number of areas.<sup>75</sup> The September statement encourages further changes to boundaries at the local level, 'in order to promote growth.'<sup>76</sup> The NPPF states that Green Belts should be permanent and their boundaries only altered in exceptional circumstances. Link accepts that there



has always been some degree of flexibility to amend Green Belt boundaries when, over time, land changes in character and can no longer be considered as part of open countryside. But there is nothing 'exceptional' about the need to promote growth, and the areas of Green Belt land threatened by reviews go beyond previously developed sites to include areas that are clearly open countryside.

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The decision to grant approval to a gas plant in the North York Moors National Park runs counter to the NPPF.”

**3.13.** The Government gave real prominence to the Local Green Space designation in 2011, and outline criteria for the designation have been provided in the final NPPF. Key elements of the criteria have, however, not been fully explained, nor has the designation to date been successfully used or promoted by Government planning inspectors. The Government now needs to provide guidance on this new policy area and promote the designation in order for it to realise its potential, especially since proposed changes to the town and village green process will make it harder for communities to register greens.

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Key elements of the criteria for Local Green Spaces have not been fully explained, nor has the designation to date been successfully used or promoted by Government planning inspectors.”

**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.**

**3.14.** The Localism Act 2012 aims to devolve power and responsibility to local people. This is matched by *The Natural Choice's* desire 'to help people take more responsibility for their environment, putting local communities in control and making it easier for people to take positive action.'<sup>77</sup> However, the new neighbourhood planning process does not provide communities with adequate resources or support to 'determine the shape' of where they live, for example by developing the positive vision for their areas that would include a vibrant natural environment. The

Government has provided some welcome funding for civil society organisations to support neighbourhood plans, but Ministers must demonstrate a long-term commitment to backing neighbourhood plans. The commitment to planning reform therefore receives an **amber** rating, moving up from a red rating in 2011.

**3.15.** Progress on adopting up to date Local Plans has so far been problematic, often because of the onerous 20% housing land supply requirements included in the NPPF. This means that, in areas where Local Plans are deemed to have an under-supply for housing site allocations, housing sites are being approved regardless of their suitability.<sup>78</sup> Such sites will not have been tested through the Strategic Environmental Assessment (SEA) of Local Plans and so may not be the most sustainable, and it is possible that this policy will lead to a long-term trend that pushes development towards easier to build, but more environmentally damaging, sites. The situation is all the more frustrating because, in reality, current under-delivery of housing is primarily a result of market failure in the take-up of allocated sites.<sup>79</sup>

**3.16.** In terms of the integration between different elements of the new planning regime, we note that LPAs are being allowed to adopt relevant policies from Regional Strategies into their Local Plans, and that the National Policy Statements for major infrastructure that have so far been adopted have recognised and incorporated concerns about biodiversity and landscape.

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... the pressure on LPAs to put in place up-to-date Local Plans is likely to strain the capacity of planning departments.”

**3.17.** However, the abolition of strategic planning at a regional level and the different timeframes of Local Plans will make it much harder for local people, LPAs, Government or anyone else to assess the cumulative environmental impacts of plans and development proposals. The SEA requirements involved in the revocation of regional strategies are also raising important issues about our understanding of the effects of losing a strategic overview. How effective will the 'duty to cooperate' be? And how are the evidence bases generated for regional strategies now being used and shared on the ground? Since Local

Plans are in many cases being prepared at different times and different rates, LPAs' ability to cooperate will be logistically very difficult.

**3.18.** We also note that the pressure on LPAs to put in place up-to-date Local Plans is likely to strain the capacity of planning departments. This, at a time when we know there is a significant shortage of professional resources, including ecologists, without whom it is difficult for LPAs to make the best decisions for the natural environment.<sup>80</sup>

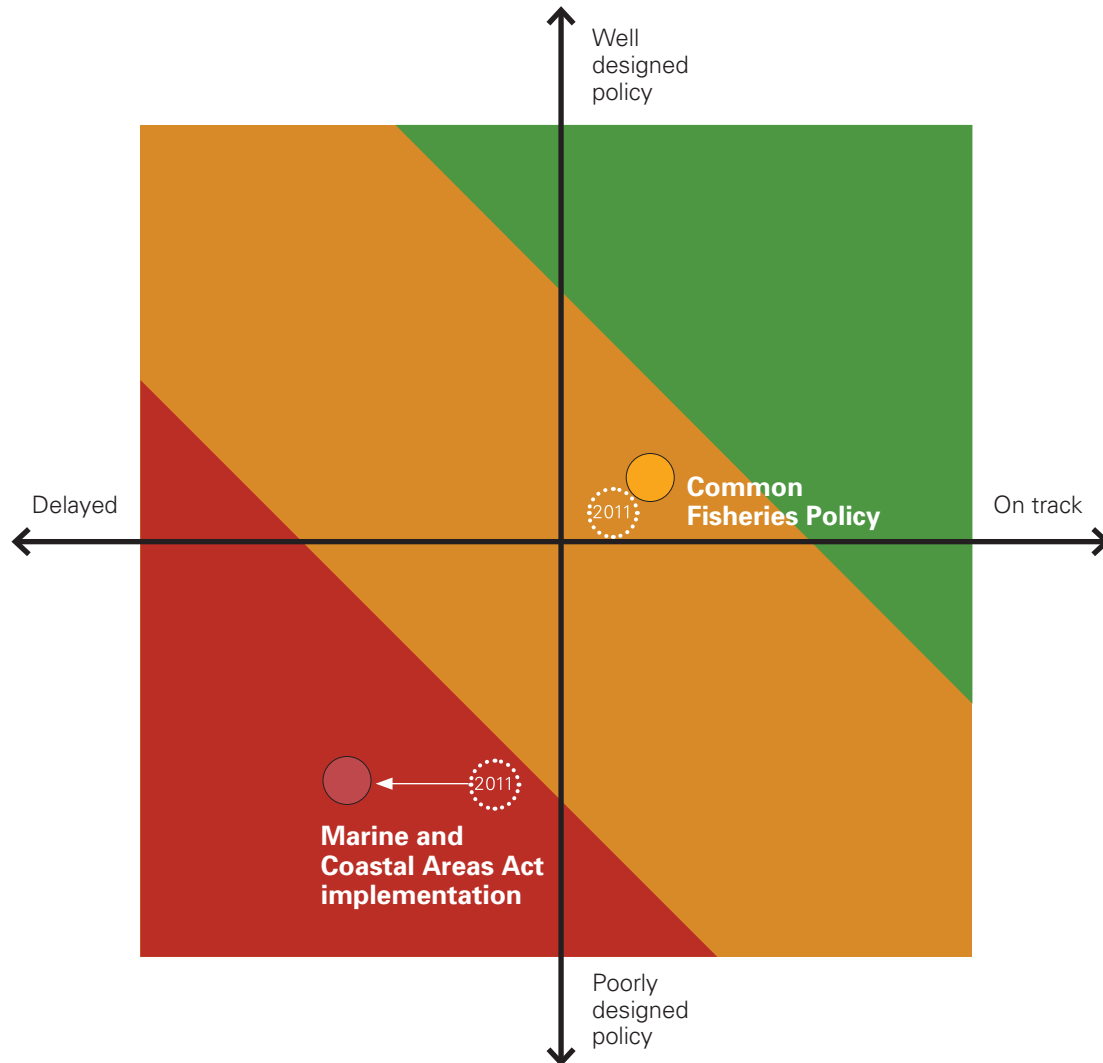
**3.19.** Finally, the provisions in the recently published Growth and Infrastructure Bill make worrying moves towards centralisation of planning decisions, by allowing the Secretary of State to bypass local decision-making in designated LPAs. This flies in the face of the localist agenda and good decision-making. The proposals to make it harder to register town and village greens are heavy-handed, and should be



The provisions in the Growth and Infrastructure Bill make worrying moves towards centralisation of planning decisions, and removal of the special protection afforded to National Parks and Areas of Outstanding Natural Beauty.”

targeted at the small minority of planning applications that have raised concerns, rather than the breadth of such applications. It is also of concern that the Bill contains proposed amendments to rights of way legislation which were not mentioned in the major rights of way reform consultation paper of summer 2012. And finally, the Bill also seeks to remove some of the special protection afforded to National Parks and Areas of Outstanding Natural Beauty in recognition of their natural beauty, and thereby risks undermining the legislation which established these protected areas in the first place.

## Marine environment



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

**4.1.** Overall there has been disappointing progress on the marine environment, with a real lack of action on creating better protection for marine species (particularly mobile species) and further delays in designation of Marine Conservation Zones (MCZs). The result is that this commitment not only remains in the **red**, but is more delayed than in 2011.

**4.2.** MCZs are the key conservation policy in the Marine and Coastal Access Act, and are vital to the Government's vision of 'clean, healthy, safe, productive

and biologically diverse oceans and seas.'<sup>81</sup> But the MCZ network will not be designated by the 2012 deadline, and it is expected that significantly fewer than the original 127 recommended sites will be designated by the new 2013 deadline. This is contrary to the advice from both the MCZ Science Advisory panel and the Statutory Nature Conservation Bodies (in this case the Joint Nature Conservation Committee and Natural England), which both state that an ecologically coherent network can only be achieved if the full set of 127 sites is designated.<sup>82</sup> The Government has said that more scientific evidence is needed to support site designation (hence the delay and the reduction in the number of sites); their approach should be to work with the best available evidence, proceeding on a precautionary basis to designate as many sites as possible.



The MCZ Science Advisory panel and the Statutory Nature Conservation Bodies both state that an ecologically coherent network can only be achieved with the full set of 127 sites.”

**4.3.** The position of mobile marine species is particularly concerning, as even the current proposals for MCZs will not provide them with any protection. This is a particular worry for harbour porpoises, which are a European protected species with only one (candidate) Special Area of Conservation. In addition, there are currently no Special Protection Areas to protect the foraging grounds of breeding seabirds at sea.<sup>83</sup>

**4.4.** MCZs will be vital to the achievement of *Biodiversity 2020* targets. Outcome 2 states that ‘By 2020 we will have put in place measures so that biodiversity is maintained, further degradation has been halted and where possible, restoration is underway, helping deliver good environmental status and our vision of clean, healthy, safe, productive and biologically diverse oceans and seas.’<sup>84</sup> And where the Marine Strategy Framework Directive (MSFD) and the Water Framework Directive (WFD) overlap (up to 1 nautical mile offshore), there are imperatives for progress towards high ecological standards.



MCZs will be vital to the achievement of *Biodiversity 2020* targets.”

**4.5.** In relation to *Biodiversity 2020*, the process for producing marine plans is on track, with work on the first two plan areas well underway. In England, the Marine Management Organisation (MMO) has been developing the first marine plans for the East England inshore and offshore regions, due to be released for public consultation in January 2013. Although the process took time to get underway, the final stages have taken place in quick succession, when perhaps more time to assess the implications of plan options would have been useful. The MMO has, however, taken steps to engage with stakeholders and take on board guidance from relevant sectors, including from environmental organisations.

**4.6.** On marine issues more widely, the Government's progress is poor, particularly in relation to Europe. The MSFD consultation lacked ambition and it is unlikely that the UK will succeed in achieving Good Environmental Status in the marine environment by 2020 with the current targets. Some of these are very weak in comparison with the ambitious targets of other member states, and are likely to lead to the same lack of progress for species that we have seen in *Biodiversity 2020*.



The MSFD consultation lacked ambition and it is unlikely that the UK will succeed in achieving Good Environmental Status in the marine environment by 2020 with the current targets.”

**4.7.** More worryingly, our European protected sites have not been adequately safeguarded and damaging fishing activity is still taking place within these sites. Recently, the MMO has failed to prevent damaging fishing activity in a Special Area of Conservation (an area which should protect species and habitats listed under the Habitats Directive), and has also failed to protect recommended MCZs from scallop dredging. We hope that the Department for Environment, Food and Rural Affairs' new precautionary management approach to European Marine Sites, announced in August 2012, will remedy these failings, supported by the newly established Marine Evidence Group. We note that the Inshore Fisheries and Conservation Authorities have a specific conservation remit, and that this has led to improvements in activity for, and the profile of, marine conservation.

**We will negotiate reform of the EU Common Fisheries Policy to support sustainable fish stocks, a prosperous fishing industry and a healthy marine environment.**

**4.8.** The Government continues to receive an **amber** rating for this commitment since, although its stance is generally positive, its definition of Maximum Sustainable Yield (MSY) will not lead to truly sustainable fisheries management.

**4.9.** The Government has continued to push for its version of 'radical reform' of the Common Fisheries Policy (CFP), and has taken active steps to achieve its vision at a European level, as well as taking action at home, e.g. by increasing funding for Fisheries Science Partnerships. The Government recognises the relationship between decentralisation of fisheries decision-making and sustainable fisheries management, and we commend its championing of regionalisation and support for regionalised multiannual plans to achieve conservation measures. We also commend the Government's focus on the need to integrate the CFP

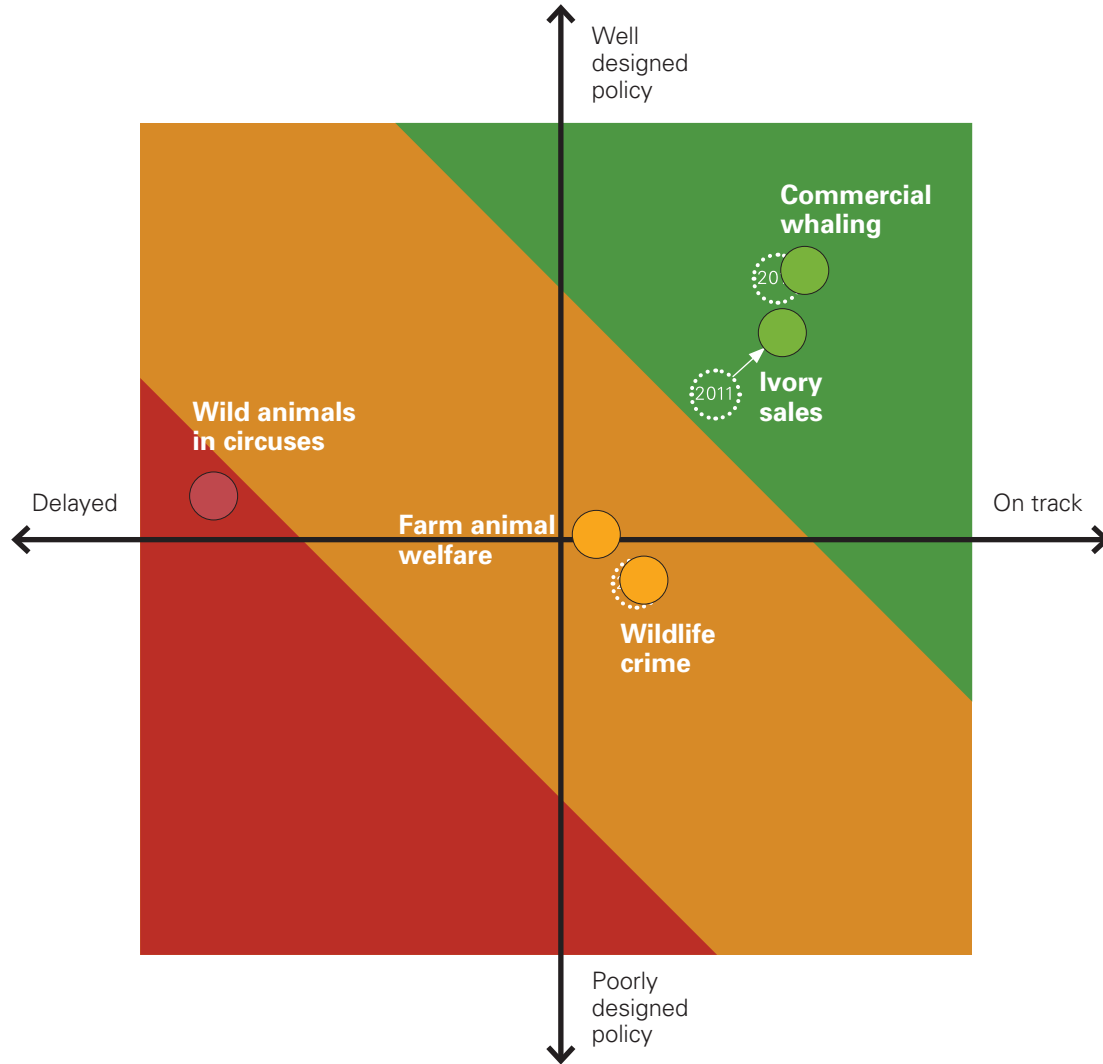
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The Government has continued to push for its version of 'radical reform' of the CFP, and has taken active steps to achieve its vision at a European level.”

with key environmental legislation, including the MSFD. The UK's strong opposition to discards is also very welcome.

**4.10.** However, the UK has been particularly poor at assessing the capacity of its fleet (particularly in regard to loopholes in the Registered Buyers and Sellers Scheme for the under 10m fleet) and has not submitted its mandatory report to the European Commission.

**4.11.** Moving forward, the Government must engage more comprehensively with all key stakeholders in moving towards a more inclusive approach to fisheries management. We would also advocate that it maintains its support for MSY by 2015, using a biomass MSY indicator to ensure timely, positive environmental outcomes.

## Protection of Animals



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

**5.1.** The Government has maintained a consistent and positive position on the issue of whaling and receives a high **green** rating for its work here. It has demonstrated its commitment to whale protection by sending a Minister to the International Whaling Commission (IWC) meeting this year – the UK was one of the few countries to do so.

**5.2.** At the IWC, Environment Minister Richard Benyon continued the UK's leading role in the IWC's welfare and conservation agendas, including taking a strong line against the expansion of Greenland's whaling quota, on the grounds of the increased

commercialisation of the hunt. The UK was supportive of the proposal to create a South Atlantic Whale Sanctuary, although this failed to achieve the requisite three-quarters majority and was therefore not adopted. The UK also supported many conservation-related initiatives, including a workshop on the interactions between cetaceans and marine debris, and the small cetacean fund. The Government has also clearly stated its opposition to any South Korean policy to undertake scientific whaling.<sup>85</sup>

“  
At the IWC Environment Minister Richard Benyon continued the UK's leading role in the IWC's welfare and conservation agenda.”

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

**5.3.** The Government position on ivory continues to be strong, with recent confirmation that it would oppose any downlisting proposals for elephants (under the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)) if they include ivory sales. The Government has worked to persuade the CITES Standing Committee to reject the Decision Making Mechanism (DMM) documentation commissioned by the CITES Secretariat, which was not fit for purpose; it has also put resources towards the African Elephant Fund.<sup>86</sup> This commitment receives a **green** rating.

**5.4.** In the run up to the 16th meeting of the CITES Conference of the Parties in March 2013, the Government will have an opportunity to build on this excellent work by continuing to ensure that the DMM for ivory trade does not permit trade whilst elephants continue to be poached in record numbers.

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The UK Government must be more willing to raise animal protection and biodiversity issues with other countries.”

**5.5.** CITES also covers a number of other endangered species, such as lions, tigers and rhinos, for which the Government has been pushing for stronger protection. For example, the Government has contributed \$500,000 towards the Global Tiger Fund, and is working to reduce exports of rhino horn – mainly from South Africa. The UK is also chairing the CITES Rhino Working Group and leading on stricter domestic measures on the re-export of rhino horn products from the European Union (EU). The Government has also made more funding available for the Darwin Initiative,<sup>87</sup> supported Interpol work in this area through projects Predator and Wisdom and been actively engaged in combating online wildlife trade.

**5.6.** The Department for Environment, Food and Rural Affairs (Defra) has lead responsibility for these international issues, but in order to mainstream such work across government the Foreign and Commonwealth Office (FCO), the Department for Business, Innovation & Skills (BIS) and the Department for International Development (DfID) should also play a more active role. The FCO needs to

take a wider view of environmental issues than simply climate change work, important though that is. The illegal wildlife trade is not just an environmental issue, it is a critical governance issue that can compromise national security. Left unaddressed, illegal wildlife trade can destabilise societies by facilitating the growth of organised crime, undermine governments' efforts to halt other illicit trades such as counterfeiting and drugs, help fund regional conflicts and lead to human injury and death.

**5.7.** The UK Government must be more willing to raise these animal protection and biodiversity issues with other countries, in order to bring more consistency to government policy across the board. BIS should insist that issues of biodiversity protection, conservation, sustainability and animal welfare be included in any bilateral trade negotiations between the UK/ EU and other trading partners. DfID already supports Defra's Darwin Initiative, and now needs to make the links between social issues and environmental enhancement, including protection of biodiversity.

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

**5.8.** A lack of committed resource and an absence of progress in key areas such as bat and bird of prey persecution, mean that this commitment receives as **amber** rating. Smuggling and illegal trade in wildlife is an important element of wildlife crime, which is currently an integral part of the work of the Border Police Command; it is hoped that this will be cemented as the Command's parent body, the National Crime Agency (NCA), is established. More immediately, the future work of the National Wildlife Crime Unit (NWCU) is uncertain beyond March 2013, and its relationship with the NCA must urgently be clarified. As the Environmental Audit Committee has recommended, 'The Government must maintain the current level of funding [for the NWCU], with longer-term certainty, to allow the Unit to focus on its core duties.'<sup>88</sup> The Committee also noted the need for the Crown Prosecution Service to review its performance on prosecuting wildlife crime.<sup>89</sup>

**5.9.** The Metropolitan Police Wildlife Crime Unit (WCU) is partly funded by the World Society for the



The future work of the NWCU is uncertain beyond March 2013, and its relationship with the NCA must urgently be clarified.”

Protection of Animals (WSPA). The fact that WSPA had to step in to secure the WCU's future signals an extremely worrying shortfall in government funding and support for tackling wildlife crime. The Environmental Audit Committee has challenged Defra and Home Office Ministers on this point, and on the general lack of progress in tackling crime affecting wildlife in the UK, such as birds of prey. The hen harrier faces extinction as a breeding species in England as a result of continued, systematic persecution.

**[We] will seek to introduce primary legislation at the earliest opportunity to... ban travelling circuses from using performing wild animals.**

**5.10.** The Government has said it is committed to a ban on performing wild animals in travelling circuses by May 2015;<sup>90</sup> 94% of the public support a total ban.<sup>91</sup> However, this commitment earns a **red** rating because the Government has also decided to introduce a potentially expensive licensing regime for such animals between now and then. The regulations for such a scheme would have a five year review period, so if they were introduced in November 2012, it would be at least 2017 before a ban could come into effect. The regulations, once in force, are set to last for seven years (an initial year-long licence and two subsequent three-year licences); hence wild animals could still be used in travelling circuses in 2019, way beyond the 2015 ban that the Government promised.



94% of the public support a total ban on the use of performing wild animals in travelling circuses.”

**We will promote high standards of farm animal welfare.**

**5.11.** Some farm animal welfare issues have seen progress, but overall it is a mixed picture and this

commitment receives an **amber** rating. The UK successfully lobbied in Europe to retain the original deadline for the introduction of a ban on keeping laying hens in barren battery cages, which can cause extreme physical and psychological distress.<sup>92</sup> UK regulations also enforce the lower limit for the legal density of broiler chickens – at 39kg/m<sup>2</sup> – rather than the higher, but still permissible limit of 42kg/m<sup>2</sup>. But it has not opposed continuation of keeping hens in ‘enriched’ cages, which provide few additional welfare benefits compared with conventional cages.



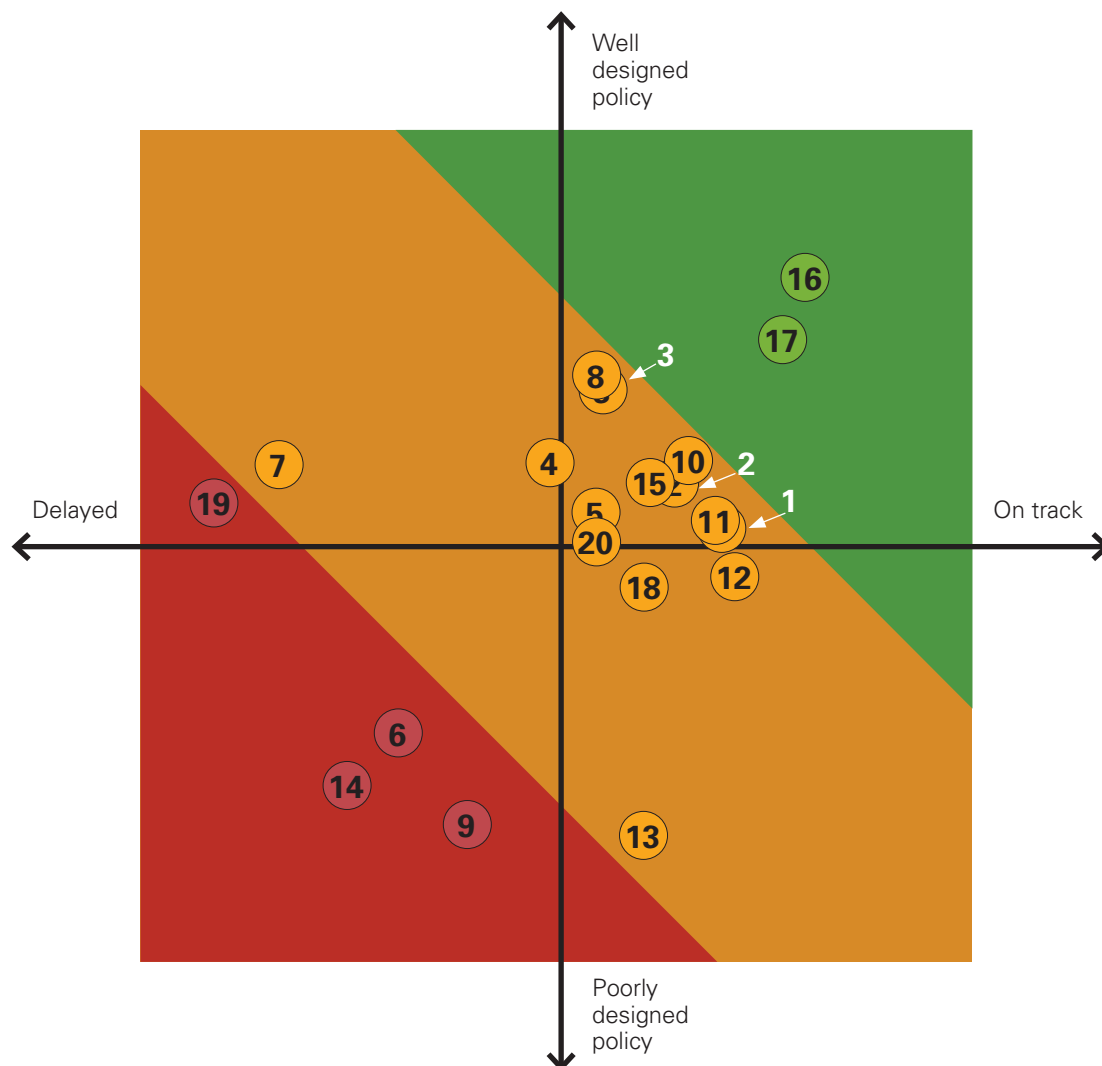
The UK successfully lobbied in Europe to retain the original deadline for the introduction of a ban on keeping laying hens in barren battery cages.”

**5.12.** On the issue of ‘mega-dairies’ the Government has been weak. Clearly, welfare should be a concern in all farming systems, but intensive dairy farming has been shown to be particularly bad for welfare, leading to an increase in lameness, mastitis, infectious disease, injury and premature death, whilst inhibiting animals’ natural behaviour.<sup>93</sup> In addition, such super-sizing can also reduce employment opportunities through increased mechanisation. Finally, it also has an impact on the wider environment and the character of the countryside, as ‘super farms’ can put smaller farmers – on whose activities and practices the appearance of much of our countryside depends – out of business.

**5.13.** Intensive pig farming has a negative effect on pigs’ health, leading to an increase in tail biting and therefore to tail docking.<sup>94</sup> This is illegal unless farmers have made a meaningful effort to increase animals’ enrichment, but is practised in around 80% of UK farms. Unfortunately, Ministers have so far not addressed the impact on farm animals in the ongoing debate around sustainable intensification. In addition, the current administration back-tracked on the previous Government’s commitment to a recommendation – in the revised codes of practice covering game birds – against the use of cages for breeding game birds.



# Analysis of the Government's progress



**6.1.** Our analysis of the Government's progress against its natural environment commitments reveals that:

**Two** commitments are green.

**Fourteen** commitments are amber.

**Four** commitments are red.

**6.2.** Compared with 2011, a significant majority of the commitments are now in amber. Rather fewer are red and no commitment has moved 'down' the traffic light scale, e.g. from amber to red. However, there has been no increase in green ratings. Of the four commitments we have newly assessed in 2012 – to better reflect the breadth of government action across the natural environment – three are amber and one is red.

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Unfortunately, as in 2011, domestic action to protect animals is still weaker than international action to conserve them.”

**6.3.** What does this picture tell us? Overall, international protection of animals is still the most successful area of work, with continuing progress on cetaceans, elephants and a number of other endangered species. But progress in this area is arguably easier than in domestic policy, since the funding required is shared between different nations and there are fewer national stakeholders likely to raise an objection. Unfortunately, as in 2011, domestic action to protect animals is still weaker than international action to conserve them.

**6.4.** Nature, access and land use planning are all areas that have shown improvement over the year, with five commitments moving up from red to amber. All of the planning commitments rated as red in 2011 have moved up to amber in 2012 (although the ongoing benevolence of planning changes will be tested by what they deliver on the ground, and the changes that look likely to be introduced by new legislation now in Parliament). Some progress has also been made in land management, mainly through the publication of policies, such *Water for Life*.

**6.5.** Worryingly, marine scores remain poor. As with the scores for the protection of animals, action at a European level on Common Fisheries Policy reform has been good, but the implementation of marine conservation at home is failing.

## 2012 compared with 2011

**6.6.** Progress against the recommendations that *Nature Check* made to the Government in 2011 is similarly mixed. Our recommendations were: provide leadership and cross-government support; put the environment alongside the economy; and restore the role of the statutory agencies. As our analysis shows, none of these recommendations have been met, meaning that our recommendations this year are very similar.

**6.7.** When *The Natural Choice* was published in June 2011 it seemed like a milestone in cross-government support for the natural environment and a beacon of positive leadership. We welcome the positive action that has sprung from the White Paper, but we have yet to see much-needed leadership from the Prime Minister or Deputy Prime Minister, or a heightened sense of the environment as a cross-departmental issue. One opportunity for the Prime Minister to provide leadership on the natural environment – his long-awaited ‘environmental speech’ at the Clean Energy Ministerial in April – was missed, since he only addressed renewable energy.

**6.8.** The past year has seen senior members of the Cabinet characterising environmental protections as a barrier to economic growth, in contrast to other Ministers who have advocated the environment’s central role in underpinning our economy and wellbeing. These divisions within the Cabinet, and

resulting announcements and rhetoric, have led to repeated public outcry and unnecessary public battles over government policy. The Environment, Food and Rural Affairs Committee has noted that, ‘Ministers must fully assess and communicate to the public the benefits as well as the costs of environmental regulation so as to prevent a perception that environmental protection is a drag on the economy.’<sup>95</sup> The Prime Minister and the Deputy Prime Minister can and must heal this divide, by providing the urgent leadership from within the Government that is needed to secure a healthy natural environment for future generations. And in addition to leadership from the top, the Department for Environment, Food and Rural Affairs, HM Treasury and the Cabinet Office must also play a role in promoting the benefits of the natural environment.

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The past year has seen senior members of the Cabinet characterising environmental protections as a barrier to economic growth.”

**6.9.** Despite these avoidable battles, our analysis of the policy *outcomes* suggests that cross-government support for the environment has improved, albeit marginally, over the course of the year. For example, the final National Planning Policy Framework (NPPF), the outcome of the Habitats and Wild Birds Directives Implementation Review, and the establishment of the Natural Capital Committee are all steps toward integrating the needs of our economy, environment and society.

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Our analysis of the policy *outcomes* suggests that cross-government support for the environment has improved, albeit marginally, over the course of the year. ”

**6.10.** Defra’s statutory agencies have a crucial role to play in making the ambition of *The Natural Choice* a reality. But increasingly, their ability to act as independent advisers on the natural environment is being compromised by policy developments and lack of resources. As already noted, some of the recommendations of the Habitats and Wild Birds Directives Implementation Review have the potential to water down Natural England’s responsibility to

provide independent, evidence-based advice about impacts on the natural environment. Furthermore, all of Defra's statutory agencies need central government support to align their programmes with delivery of improvements in the overall status of wildlife, as set out in *Biodiversity 2020*. The forthcoming triennial review of Natural England and the Environment Agency will be an important test of government commitment to the ambition of The Natural Choice; the result must be arms-length, independent and well-resourced statutory agencies truly able to champion the natural environment.

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All of Defra's statutory agencies need central government support to align their programmes with delivery of improvements in the overall status of wildlife, as set out in *Biodiversity 2020*.”

**6.11.** Overall, we have found a very varied and uncertain picture, with differential performance in different areas of policy and across different parts of government. We have therefore taken a step back to examine the detail of both decision making and implementation: where it is delivering, where it is not, and why.

## Decision-making

**6.12.** Government decision-making is at its best when issues are identified through open discussions with a broad range of stakeholders and solutions are based on sound evidence. Poor decisions are reached when consultation is unnecessarily limited and conclusions relate not to evidence but to a preconceived set of ideas. Over the past year, there have been examples of both.

**6.13.** The Government commitments that have scored highest this year, and indeed last year, are international policies to oppose the resumption of commercial whaling and to press for a ban on ivory sales. In both cases, the Government has routinely demonstrated its commitment to openness and widespread stakeholder engagement. Defra officials meet non-governmental organisations (NGOs) on a regular bilateral and multilateral basis (the NGO Whale Forum in the case of whaling and the Joint Liaison Group for international trade in endangered species) and in both cases often

take action on the basis of evidence provided by stakeholders. At an international level, the Government has often advocated for NGO engagement when other Parties to international conventions (specifically the Convention on International Trade in Endangered Species of Wild Flora and Fauna and the International Whaling Commission) have opposed such transparency. Indeed, the UK delegation to the IWC includes NGO representatives. Such engagement with stakeholders enables the Government to draw on significant additional expertise and evidence when taking decisions in this area, with corresponding positive results in the international arena.

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Engagement with stakeholders enables the Government to draw on significant additional expertise and evidence when taking decisions, with corresponding positive results.”

**6.14.** The Government's decision-making on international species protection contrasts sharply with its decision (now reversed) to fund the testing of management techniques to reduce losses of pheasant poult to buzzards. A research tender was issued after lobbying from one set of stakeholders, and without sufficient attempts to define the apparent problem before committing public funds to identify solutions. Defra's tender admitted that the scale of any predation problem was unknown, although previous research indicated that losses of poult to birds of prey were small compared with other factors, such as road collisions. Had the Government followed an open, consultative process, enabling an objective appraisal of the evidence and identification of proportionate solutions to any problems identified, the resulting public outcry, and subsequent volte-face, could have been avoided.

**6.15.** These examples demonstrate the need for appropriate expertise to make the best decisions, by which we mean: involvement from all relevant stakeholders, including public participation as defined by the Aarhus Convention; technical expertise (e.g. Planners, Ecologists, Rights of Way Officers); relevant scientific knowledge; and an understanding of wider factors such as environmental pressures and links between the environment and the economy.

**6.16.** Reactions to recent government decisions also show that the public do care – very strongly in fact – for our natural environment, and for the species and habitats with which we share the planet. Research shows that public concern about the environment remains strong, even where there are more immediate economic worries.<sup>96</sup> The public continues to demonstrate its desire to engage directly with the natural environment: during August 2012 alone, adults in England made an estimated 242.8 million visits to the natural environment, with an average expenditure of £29.06 per visit; a total of 2.77 billion visits were made between September 2011 and October 2012.<sup>97</sup> A recent YouGov survey found that almost seven out of 10 British people (69%) believe the public should have legal access to walk along beaches and along the entire coast of England, indicating the importance of our coastline to people's enjoyment of the countryside.<sup>98</sup>

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Research shows that public concern about the environment remains strong, even where there are more immediate economic worries.”

**6.17.** When the Government fails to draw on appropriate expertise, or to understand the public commitment to the natural environment, it is more likely to make poor decisions. This is compounded when departments across Whitehall fail to reflect the vital role of the natural environment in their decision making. Ultimately, this impedes the Government's justified drive towards better environmental governance and regulation and its ability to be 'the greenest Government ever'. As *The Natural Choice* says, leaving the natural environment in a better state than before 'requires us all to put the value of nature at the heart of our decision-making – in government, local communities and businesses.'<sup>99</sup>

## Implementation

**6.18.** Implementation is most successful where cross-departmental working is strong. The discussion within government on the NPPF seems, on the face of it, to offer a good example of a department reflecting on established government policy in the *Natural Choice* and the weight of evidence presented through its consultation on the flawed draft NPPF, and amending its proposals to be consistent with the established

policy. This has led to much greater support for the new planning framework, although it is too early to judge its likely effects.

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Updates on progress with *The Natural Choice* apparently show that only 14 commitments belonging to non-Defra departments have been completed.”

**6.19.** In a number of cases, strategies for implementation appear to be fragmented, and are not sufficiently binding across departments. For example, Defra is maintaining an overview of *The Natural Choice's* recommendations, and has made reasonable progress in the areas where it has responsibility (moving swiftly to establish Nature Improvement Areas (NIAs), Local Nature Partnerships (LNPs) and biodiversity offsetting pilots, for example). However, the evidence that other departments are carrying forward their commitments in the White Paper is more limited. Of *The Natural Choice's* 92 commitments, Defra and its agencies are responsible for 52, 12 involve other departments alongside Defra and the remaining 28 are shared between all other Government departments and agencies. Updates on progress with the White Paper apparently show that only 14 commitments belonging to non-Defra departments have been completed.

**6.20.** We believe the lack of a cross-government strategy for implementing *The Natural Choice* has led to an absence of shared responsibility for delivery. This includes a lack of clarity over who will hold departments to account if they continue to fail. And departments must adhere not just to the letter of the commitments, but to the spirit of the White Paper. HM Treasury has continued largely to disregard the commitments placed on it by wider government policy, as evidenced by its rationale for reviewing the implementation of the Habitats and Wild Birds Directives. This attitude from departments other than Defra serves to undermine the strategy and the Government's ability to deliver it as a whole.

**6.21.** Where voluntary approaches are the preferred delivery mechanism, the Government must make good on its promise to regulate if independent evidence shows that such approaches are not working, for example on the Campaign for the Farmed Environment.<sup>100</sup>

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We appreciate that public finances are tight, but it is essential that the natural environment does not suffer disproportionately.”

**6.22.** Implementation of natural environment policy also requires adequate funding, and this is an ongoing challenge. We appreciate that public finances are tight, but it is essential that the natural environment does not suffer disproportionately; Defra must fight for its fair share of public funding. While we understand that the nascent NIAs are already showing that they can bring in significant additional funding from non-government sources, their low core funding may limit their ability to deliver. There is also the risk that new programmes such as NIAs will become the focus of limited funding sources to the detriment of other essential work. Similarly, delivery of *Biodiversity 2020* is looking to ‘crowd-source’ funding from non-government partnerships such as NIAs and the

wider community of biodiversity practitioners, but a certain amount of funding must be made available to communicate the strategy to these partners and incentivise their involvement.

**6.23.** While we recognise the important work of the Ecosystem Markets Task Force, the impact of its work will not be felt for a while. Shortages of money are a problem in a range of other areas, including in the constraints they place on the ability of Defra’s agencies to offer the best quality advice and guidance. Looking ahead, Defra will need to mount a robust defence of the environmental elements of CAP funding, as significant reductions here could fatally undermine the Government’s ability to implement its broad restorative agenda for the natural environment. Overall, innovative approaches to funding nature conservation must continue to be developed and implemented, in order to demonstrate that the ‘paradigm shift’ around funding for the protection of nature can become a reality.

# Conclusions and recommendations

## Conclusion

The Coalition Government has reiterated its commitment to being the 'greenest Government ever.'<sup>101</sup> Progress against its natural environment commitments suggests it has some way to go: four are red, 14 are amber and only two are green. A number of commitments have moved out of red since last year, but no commitment has moved up into green. These policies should be receiving more green ratings, but slow implementation is holding them back, as well as negative actions and pronouncements in some areas and by some Ministers, and insufficient leadership. The Prime Minister and the Deputy Prime Minister must make good a lack of presence in this area and become champions for the natural environment.

The Government must now build on and reinvigorate the vision of *The Natural Choice*, as well as the legacy of better outcomes this year. The improvements to the National Planning Policy Framework, for example, are largely to be welcomed, particularly its recognition of the importance of existing designations, its direction to achieve a 'net gain' for nature and its valuing of the wider countryside. But progress will only be maintained if implementation on the ground delivers the right results, and there are worrying signs – in the Growth and Infrastructure Bill – that parts of government still regard good planning as a barrier to growth. Building on the work of the Natural Capital Committee, the Government can create a truly green economy that integrates resource stewardship and valuations of nature to bring benefits to both people and the environment.

“  
The Government must now build on and reinvigorate the vision of *The Natural Choice*, as well as the legacy of better outcomes this year.”

Decisions need to consistently and properly recognise the value of the natural environment by using the expertise within government, including the statutory agencies. The forthcoming triennial review of Natural England and the Environment Agency should recognise that a strong degree of independence and a clear and transparent relationship with government are core principles that will allow agencies to help

deliver a healthy natural environment, as outlined in *Biodiversity 2020*. Wider stakeholders also have much to offer here, and must be given the encouragement, time and information to engage.

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The public, non-governmental organisations and many businesses care deeply for our natural environment, and are active in engaging with and protecting it.”

We must see robust implementation of programmes that will allow the Government to achieve its vision. This cannot be achieved without commitment and action from other departments as well as wider stakeholders. For example, communities need to be supported and encouraged to engage with neighbourhood planning reforms, which are in danger of failing because of a lack of adequate resources for inclusive involvement of communities across the board. Whilst the economic picture remains worrying, there is money available for implementation of natural environment policies; to some extent this is a question of government priorities and choices. As the Independent Panel on Forestry noted, 'Government funding for the 250,000 hectare English public forest estate is around £20 million in 2012/13. For comparison, £160 million was allocated by Government for work to dual a 9km stretch of the A453'.<sup>102</sup>

The public, non-governmental organisations and many businesses care deeply for our natural environment, and are active in engaging with and protecting it. The Government has started to recognise the huge range of benefits that the natural environment provides, and it now has a responsibility to act to protect and enhance the environment, in both the short- and the long-term.

Building a green future will require difficult decisions, including on big infrastructure in the years to come. Government should engage with NGOs and other stakeholders, who are ready to offer their expertise and experience in order to help create a positive future for all.

## **Recommendations for government action over the next 12 months**

### **1. Consistently use appropriate expertise and effective stakeholder engagement to make the best decisions for people and the environment**

Expertise exists within and outside government, but it is not always used or regarded. For example, Defra's statutory agencies need to be allowed to fulfil their role as impartial, expert advisors and this role must be retained through the forthcoming triennial review. Equally, stakeholders must be properly consulted on decisions that affect them, and their advice must be taken into account. We know that robust and effective decisions flow from the proper use of expertise, good engagement and proper regard to evidence, and the Government should build on its good decisions to avoid policy mistakes and public outcry in the future.

### **2. Implement programmes with appropriate monitoring, use of evidence, funding, environmental governance and political support**

Implementation must be stepped up and supported with appropriate resources across government and amongst stakeholders. Without effective implementation, the Coalition Government will fall short of its ambitions for the natural environment. Robust arms-length statutory agencies are essential for effective implementation, which must be borne in mind during the forthcoming triennial review. It will be particularly important to monitor the implementation

and effects of the planning reforms, and to take corrective action if evidence emerges of their having damaging impacts on the natural environment. Some innovative funding approaches have been trialled; more must now be found, alongside central government, private and third sector funding. Vitality, partners and the wider public must be inspired to champion and deliver the vision of *The Natural Choice*. The Cabinet Office must maintain an overview of environmental policy commitments, and fully hold departments to account for their implementation.

### **3. Reinvigorate the message of *The Natural Choice*, using it to drive policy-making across Government**

*The Natural Choice* is the Government's strongest lever to drive policy change and implementation of positive programmes across government: from protecting threatened species, habitats and landscapes, to enabling people everywhere to engage with the natural world and restore ecosystems at a landscape scale. It rightly recognises that the environment is not a block to economic growth, but rather that a healthy natural environment is fundamental to a thriving economy. Departments across government need to drive its implementation, including through the planning system, and it must be championed at the highest level in government. Ultimately, the Prime Minister and the Deputy Prime Minister must step forward to realise the pledge they made to lead the 'greenest Government ever.'

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