

Nature 2030: Habitats

2022 progress report on
30x30
in England



Wildlife and
Countryside





Foreword

The new Prime Minister, the Rt Hon Elizabeth Truss MP, inherits a crucial promise: to protect and manage 30% of land and sea for nature by 2030. This is a pledge we hope will help inspire socially responsible environmental action around the world.

But what does 30x30 really mean?

A lazy interpretation would be to take an “anything goes” approach to 30x30, searching for sites to add up to the target no matter how well managed or protected they are. This would become an exercise in accounting, as well as wasting time and money. It is good news that the Government has moved beyond its initial claim to have almost met 30x30 on the day it was announced. We welcomed the Government’s statement earlier this spring in its Nature Recovery Green Paper that the 30% must be focused on “our most valuable places for biodiversity” and that to contribute, areas “need to be effectively managed and deliver positive outcomes for biodiversity”.

To make 30x30 meaningful, the key is rigour and additionality – driving environmental action that wouldn’t have happened anyway. Of course, some of our best nature sites will already be suitable to contribute. But the real benefits lie in three kinds of improvement: strengthening policy so that more kinds of designation “make the grade”; designating more land and sea for protection; and investing in protected sites to ensure that they thrive and contribute to nature’s recovery.

Over the next eight years, we will come together to report annually on the Government’s progress toward its 2030 nature targets: 30x30 and the species abundance target. In this first update on 30x30, we find that progress has been very limited. Just 3.22% of the land and a maximum of 8% of the sea are well protected and managed, compared with 3% and 4% respectively in 2021.

But the new Prime Minister, Liz Truss, should be confident that the target can be met. By investing in restoring existing protected sites, by designating new sites that have already been identified, by strengthening environmental management in Areas of Outstanding Natural Beauty (AONBs) and National Parks and by identifying and supporting Other Effective Area-based Conservation Measures (OECMs) to “meet the grade”, the new Government can take quick and considerable strides toward meeting their 30x30 commitment.

Why should the new Prime Minister make the effort?

Because the real meaning of 30x30 isn’t the mathematical exercise of meeting a target. It is the chance to safeguard a precious environmental inheritance: woodlands, wetlands, meadows, rivers, coastlines and seas. It is the chance to grow “critical natural infrastructure” that supports food production, protects from fire and flood, provides vital health and wellbeing benefits to everyone, and locks away carbon to help avert the worst of climate change. It is the chance to support a thriving network of recovering nature that can lift our hearts, and save billions of pounds in healthcare up and down the country.

The 30x30 target sits alongside and will be critical to achieving the 2030 target to halt the decline of species as a centrepiece for the future of our economy and society. We hope that Liz Truss will make delivery a priority, before time runs out. Success would form the basis of a world-class sustainable economy, happier and healthier communities, and finally begin to heal our natural world.

Dr Richard Benwell
CEO of Wildlife and Countryside Link





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Two years on from the Government's 30x30 commitment, this 30x30 progress report finds that the Government has made limited progress towards protecting and managing at least 30% of land and sea in England for nature.



Introduction

The Government has pledged to protect at least 30% of land and sea for nature by 2030 – the ‘30x30’ target.

This is an important promise, with the potential to help turn round the decline of nature and meet legally-binding biodiversity targets under the Environment Act 2021. A thriving ecological network on land and at sea will play a crucial role in halting the decline of biodiversity, mitigating and adapting to climate change and sustaining a healthy economy and environment, with healthy air, clean water, and natural spaces for everyone to enjoy.

The domestic target is also an important sign of international commitment and leadership. In December 2022, global nature talks will take place in Montreal. The 15th Conference of the Parties to the Convention on Biological Diversity (COP15) will aim to agree a deal to halt and begin to reverse nature’s decline by 2030, including a commitment for 30% of global lands and waters to be effectively managed, equitably governed and delivering for nature by 2030. Influential parties to the Convention, like the UK, must play a leading role, including by demonstrating credible domestic action to achieve the 30x30 goal in the UK.

Limited progress on the ground

In the first Wildlife and Countryside Link report, ‘Achieving 30x30 in England on land and at sea’, we set out criteria for areas to be included in 30x30 and took stock of the starting point for 30x30.¹ We found that the extent of land and sea in England that meets reasonable standards to count towards the 30x30 target is limited – just 3% on land and 4% at sea. Two years on from the Government’s 30x30 commitment on 28 September 2020, we find that the Government has made limited progress. Very little additional land has been designated. Things are a little better at sea, but overall not enough marine sites have been properly protected. Insufficient investment has been made in restoring existing protected sites to good condition.

In the last year, the Government has added 0.22% on land, for a total of 3.22% towards 30x30, and a maximum of 4% at sea, to reach at maximum 8% of the 30% target.

Going backwards on policy

The framework for 30x30 is still in the early stages of development, two whole years on from the commitment.

We welcome the Government’s commitment to support National Parks and AONBs to fulfil their potential for nature. It was right to acknowledge that these protected landscapes should not count towards 30x30 in their entirety.² Unfortunately, the statutory changes and resources required to enable protected landscapes to contribute more to the 30% target have not yet been taken forward.

At sea, we welcome the Government’s programme for Highly Protected Marine Areas (HPMAs), which represent an important new “gold standard” marine designation, but so far the proposed sites represent just a tiny fraction of our seas.³

In other parts of Government, a deregulatory agenda is being pursued that puts the very heart of the 30x30 commitment at risk. The Government’s Nature Recovery Green Paper, which stated that “we have just 8 years left to halt nature’s decline,” missed the opportunity to extend and strengthen protected areas; instead, it was preoccupied with reforming EU-derived conservation laws in ways that would reduce protections for nature.⁴ It is inaccurate to suggest that the protection afforded by SSSI status is equivalent to the protection provided by the Habitats Regulations, and to characterise those regulations as an unnecessary burden on business.

The Habitats Regulations remain England’s most effective protection for nature and ought to be the backbone of 30x30, but the Regulations are facing assault on multiple fronts: the Nature Recovery Green Paper, the Levelling Up and Regeneration Bill, the Energy Security Bill and the Retained EU Law (Revocation and Reform) Bill all include proposals that could weaken these vital laws. The Government’s proposals for Investment Zones with ‘liberalised’ planning laws could also weaken environmental protections in protected sites, protected landscapes, and across the countryside. If the Government proceeds with this course, it is likely to undermine the 30x30 agenda, weakening the entire protected sites network, the core of 30x30, and accelerating the degradation of our natural world.

The Government was right to identify that existing protected areas are not yet sufficient to restore nature, but wrong to suggest that reforming, and potentially weakening, conservation law is the best way to solve the problem. A better solution is to expand, strengthen and invest in protected areas.

Unfortunately, the Government’s proposed targets under the Environment Act 2021 do not include a target for the condition of protected sites on land, or any other target for measuring habitat quality, despite this being critical to restoring nature and fighting climate change.⁵ The proposed targets are not sufficiently ambitious to start to reverse the decline of nature by 2030.⁶ This gives little confidence that the condition of existing protected sites will be improved and certainly not within the timescale needed for the Government to fulfill its pledge.⁷

Time for concerted action

As things stand, the UK Government risks a lacklustre approach to 30x30 that will undermine its international leadership and scupper its chances of halting the decline of biodiversity by 2030. The UK will be expected to deliver 30x30 as a single party, but each of the four UK countries must take swift and ambitious action to ensure 30x30 is met in each nation.⁸

In Westminster, there is still time to take credible action to achieve 30x30 in England, creating thriving nature across the land and sea, contributing to tackling climate change and supporting the health and wellbeing benefits of a healthy natural environment. There are clear opportunities to create a pipeline of new nature improvement areas that can eventually form part of 30x30, if supporting policies such as planning reform and farming reform are designed well and reinforce and improve protections for nature, not undermine them. As a first step, however, the Government should stop treating the Habitats Regulations as a barrier and ditch its focus on removing these fundamental protections for nature. Instead, it should build on the strong but far from sufficient foundation of the Habitats Regulations and expand, strengthen and restore the existing protected area network. With a strong core of protected areas at its heart, there is still an opportunity for the Government to set a leading example of protecting and managing at least 30% of land and sea for nature in England and to reverse the poor state of nature across the wider country.



Priorities for action in 2022 – 2023:

- 1. Bring existing terrestrial protected sites into good condition** by implementing and investing in Protected Site Strategies, delivering the actions in Site Improvement Plans, and implementing a programme of regular monitoring and condition assessments, with a legally binding Environment Act target to restore at least 75% of Sites of Special Scientific Interest (SSSIs) to favourable condition by 2042.
- 2. Extend the protected sites network on land** by publishing and delivering an urgent action plan for completing the protected sites network, including by implementing Natural England's review of SSSIs and the UK SPA Reviews.
- 3. Legislate to strengthen National Parks and AONBs for nature**, as committed to in the Government's response to the Glover Landscapes Review, and provide greater resources to support nature's recovery in these protected landscapes.
- 4. Deliver the initial five HPMA pilot sites and designate further HPMA sites** to contribute to achieving at least 10% of England's seas in HPMA's by 2030.
- 5. Enact improved management of marine protected areas** by implementing the MMO bylaw programme and bringing forward protection for the remaining 36 offshore MPAs.

To deliver these actions towards 30x30, the Habitats Regulations, the strongest protections for the most significant and vulnerable sites and species, must be retained and their implementation strengthened.

To ensure accountability and rigour, DEFRA should publish detailed criteria for inclusion in 30x30. These criteria should underpin a new, official 30x30 accreditation, which will provide transparency, promote public awareness, and give confidence for private investment.

What should count towards 30x30?

Clear and objective criteria are needed to assess progress toward 30x30.

The 30% network should set a gold standard for nature in the most important terrestrial and marine habitats in England to create a resilient and connected thriving ecological network, connected and buffered by the wider Nature Recovery Network, and supported by the integration of nature across all of England's land and sea.

For an area to be included in the 30% target, it must be both:

1. Protected for nature in the long-term.

The entirety of the 30% should be afforded long-term protection for nature and long-term protection against damage such as pollution, overexploitation, invasive non-native species, habitat destruction and harmful development.

2. Effectively managed for nature.

As well as protection from harm, all areas counted towards the 30% target should be well-managed for nature's recovery and regularly monitored at appropriate intervals as part of a programme of investment, monitoring and enforcement to ensure these areas are in good or recovering condition.

The wording of the Nature Recovery Green Paper suggested that sites could be included in the 30% that are just protected for nature (with no management measures in place) or just managed for nature (with no long-term protection in place). **Areas must be both protected for nature in the long-term and well-managed for nature, whether through legal requirements (in the case of protected areas) or through other effective means (in the case of OECMs), to contribute to the 30% target.**

The Government should publish clear and detailed criteria and guidance by which to assess sites for inclusion in 30x30. A transparent and public accreditation mechanism should be established to recognise sites which meet the standards and are therefore included in 30x30.



Connectivity

The 30x30 commitment should support biodiversity across the country by protecting the most important habitats and species across land and sea and providing connectivity between these sites. Connectivity between suitable habitats is important to support species, especially in the context of significant habitat fragmentation and climate change. The current terrestrial protected sites network in England does not add up to a functional or resilient ecological network, often because it is so disjointed.⁹ Connectivity should be considered when designating new protected areas and OEEMs to deliver 30x30.

To allow species to move between terrestrial 30x30 sites, Local Nature Recovery Strategies (LNRSSs) and the Nature Recovery Network (NRN) should play a key role in creating these spaces for nature across the country.

Better management for nature across the countryside, including through Environmental Land Management schemes, will also increase connectivity and play a crucial role in reducing negative impacts on protected areas and supporting habitats and species across the country.

Current progress towards 30x30 on land

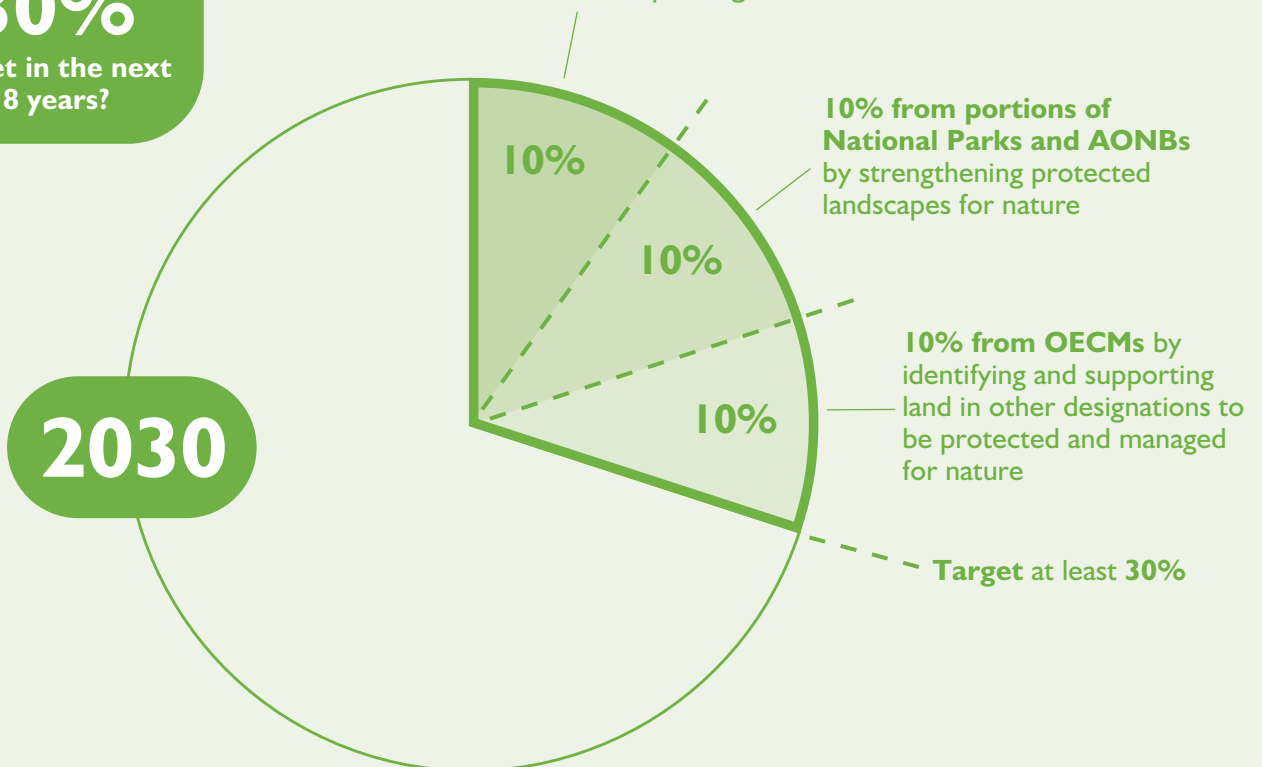


Just **3.22%** of England is in protected sites in good or recovering condition



How can the Government make up the gap and meet the **30%** target in the next 8 years?

10% protected sites by bringing existing sites into good condition and expanding the network



10% from portions of National Parks and AONBs by strengthening protected landscapes for nature

10% from OECMs by identifying and supporting land in other designations to be protected and managed for nature

The reality on land – one year on

Still only 3.22% of England’s land is effectively protected and well managed for nature as of September 2022, only slightly increased from 3% in 2021.¹⁰

Even where there are designations for wildlife in place, many sites are poorly-managed, they are not in good ecological condition and have not been monitored for many years. Although 8% of England’s land is statutorily designated for nature conservation in Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites,¹¹ fewer than 40% of SSSIs are in favourable condition for nature.¹² Even fewer (only 22%) have been monitored in the past six years.¹³

Progress on designation

The Government has designated three new SSSIs since our last report, Swanscombe Peninsula, Dearne Valley Wetlands, and Cotswold Water Park, which are all in favourable condition and therefore contribute a combined 2831 hectares of land to the 30x30 commitment.

We welcome these new sites and acknowledge the years of work from Natural England to identify, consult on and secure these designations. This lengthy process is another indication that the Government must act now to designate protected sites to contribute to 30x30, building on existing reviews and work, and that the Government should set out an expedited process for designating sites to complete the protected sites network.

The recommendations from the UK SPA Review in 2016 have still not been published or implemented. To make matters worse, many of the recommendations from the previous review in 2011 have also not been implemented. These reviews, carried out by a working group of leading experts, have found critical gaps in England’s protected sites network for many of our most vulnerable species including curlews, hen harriers and puffins. Expanding the SPA network by implementing these expert reviews should be an early step towards delivering 30x30.

In November 2021 the Government stated that it has ‘developed an England implementation plan in liaison with Natural England’ for these reviews but this plan does not appear to have been published or implemented.¹⁴

Since our last report, the Government also proposed two new AONBs and extensions of two existing AONBs, covering 160,000 hectares.¹⁵ This is an important step, but these areas will not count towards 30x30 simply because they are designated as an AONB. As the Government accepts, only the parts of protected landscapes that are protected and well-managed for nature will count. With the right reforms to better equip National Parks and AONBs to restore nature, there is potential for large portions of land in protected landscapes to be secured for 30x30.

We welcome the new Somerset Wetlands National Nature Reserve, but National Nature Reserves (NNRs) lack legal protection from damaging activities and statutory management requirements and so do not meet the 30x30 conditions on their own. In fact, Fyfield and Overton Downs National Nature Reserve was de-listed this year.¹⁶

Progress on management

No significant improvements have been made to monitoring or management of existing protected areas.

On monitoring, only 27% of SSSIs have been visited for monitoring purposes in the last six years. This means 73% of SSSIs have not had a condition assessment in the last six years. This is an improvement from last year, when 78% of SSSIs had not been monitored in the last six years, but there is a long way to go to ensure that all SSSIs are monitored regularly to assess their condition.¹⁷

On management, only 38% of SSSIs are in favourable condition, the same as in 2021. 51% of SSSIs are in unfavourable recovering condition, 2% lower than last year.¹⁸ The area of SSSIs in unfavourable recovering condition has been falling steadily since 2011 when it was 60%, but unfortunately these sites are not improving but moving to unfavourable no-change or unfavourable declining condition.

In fact, by omitting a protected site condition target from its proposals for statutory targets under the Environment Act, the Government has signaled a lack of meaningful commitment to management. **To provide certainty, the Government should include a legally-binding target that at least 75% of the SSSI network should be in favourable condition by 2042.**¹⁹ The Government must invest in monitoring in order to have a more reliable and updated understanding of the condition of SSSIs and to demonstrate that sites are in good or recovering condition to count these sites towards the 30%.

Progress on policy

To achieve 30x30 on the land, the Government will need to make use of a number of different kinds of designation and protection. There are several regulatory reform processes underway that make this year (2022 – 2023) crucial for the design of an effective policy framework to support 30x30.

Protected areas

At the heart of 30x30 should be the protected sites network of SSSIs, SACs, SPAs and Ramsar Sites. Policy in this area has taken a turn for the worse, with numerous proposals that could weaken this core network.

Since the passing of its Environment Act last year, the Government this year published a Nature Recovery Green Paper.²⁰ While the Green Paper included a short section on 30x30 criteria and delivery, the 30x30 agenda was undermined by other proposals. Instead of strengthening and quickly expanding the terrestrial protected sites network, the Green Paper proposals risked weakening existing protections for sites and failed to bring forward proposals to support effective management of protected sites to get them into good ecological condition. Removing Natural England's power to notify SSSIs would also potentially undermine the science-led approach to site designation. We are also concerned by the proposals in the Levelling Up and Regeneration Bill, the Energy Security Bill, the Retained EU Law (Revocation and Reform) Bill and the Growth Plan proposals for Investment Zones with 'liberalised' planning laws, which all include proposals that could weaken the Habitats Regulations, which offer the strongest level of protection to protected sites.²¹



Instead, the Government should strengthen and complete the protected sites network.

The Government should strengthen the terrestrial protected sites network so that these sites have the highest levels of legal protection, giving them greater protection from harm, including from off-site and cumulative impacts, ruling out damaging activities and development that will prevent the attainment of favourable condition. Existing site protection rules, including case law and Habitats Regulations Assessment, should be retained and more effectively applied to protected sites with increased funding and expertise so that they deliver stronger protections. If there were to be consolidation into a single designation, the level of protection should be consistent with or stronger than the protection that SACs and SPAs currently enjoy.

The Government should expand the protected sites network to include at least 10% to 16% or more of the land,²² utilising a science-led approach to spatial planning to target priority sites that increase coverage of the best places for nature and improve the resilience and connectivity of the network.²³ The Government should set out an expedited process for completing the protected sites network, complete, publish and implement Natural England's review of SSSIs, implement the UK SPA Reviews, and designate important remnants of natural habitats such as ancient woodland, important wetlands sites, including potential new Ramsar sites, Important Invertebrate Areas and Important Plant Areas.

Achieving 30x30 on land will also need a number of other kinds of designation to deliver much more for nature.

Protected landscapes

England's protected landscapes (National Parks and AONBs), which cover 25% of England's land, should not be counted towards the 30% target in their entirety because they do not meet the Government's own conditions for contributing to the 30%. Only those parts of protected landscapes that are protected and managed for nature (currently, only the parts of these landscapes that are also designated as SSSIs and that are in good or recovering condition) should count towards 30x30.²⁴ This is because these are primarily landscape designations which were not set up specifically for the protection of wildlife, so nature benefits from no additional protection simply because it is inside a National Park or AONB.²⁵

The Government should as a matter of urgency bring forward legislation to strengthen National Parks and AONBs for nature by:

1. Updating the statutory purposes of protected landscapes to give them a strong focus on recovering nature and ensuring other purposes cannot be used to justify environmentally damaging activities;
2. Giving all relevant bodies strengthened duties to 'further' the purposes of protected landscapes;
3. Strengthening Management Plans with clear targets and priorities for nature's recovery;
4. Establishing duties on all relevant bodies – including bodies exercising public functions – to contribute to and report on the delivery of Management Plans; and,
5. Reforming the governance of National Park Authority boards to include more expertise in and commitment to nature's recovery and to better represent society.

While protected landscapes have the potential to be extraordinary places for nature and efforts are being made to improve National Parks and AONBs for biodiversity, currently, in many cases, nature in conservation sites within protected landscapes is in poorer condition than nature in sites outside them.²⁶ **With the right reforms and the right tools, duties and resources in place, there is potential to deliver the changes needed to support large portions of National Parks and AONBs to meet the 30x30 criteria.**

We welcomed the Government's commitment in its response to the Glover Landscapes Review earlier this year that National Parks and AONBs should be driving nature's recovery and the acknowledgment that these protected landscapes in their entirety could not be included in the 30% target.²⁷ However, the Government has yet to bring forward the legislative changes, other policy changes and additional resources required to put nature on a path to recovery within these protected landscapes.

Crucially, National Parks and AONBs should be supported by greater resources to deliver nature recovery. Implementing these reforms quickly would allow the bodies responsible for protected landscapes to deliver a step change in action to restore nature, with the potential to substantially increase the portions of protected landscapes which contribute to achieving 30x30. Based on scientific evidence that suggests that 40% of National Parks and AONBs should be covered by high quality semi-natural habitats, we estimate that they could contribute at least 10% to the overall target.²⁸



Other potential tools

A number of other site protection and conservation tools, including Local Wildlife Sites, conservation covenants, Local Nature Reserves, National Nature Reserves (NNRs), and land owned by conservation NGOs, could be layered together or strengthened to meet the criteria of protected for nature in the long-term and effectively managed and regularly monitored to ensure good condition or recovering condition for nature in order to count towards the 30x30 target.

The Government's Nature Recovery Green Paper identified the potential of Other Effective Area-based Conservation Measures (OECMs) and set out some criteria that OECMs would have to meet to be included in the 30% target. **We welcome the Government's ambition in this area but have yet to see specific proposals on how the internationally-agreed International Union for Conservation of Nature (IUCN) guidance on OECMs will be applied in England, the identification of areas that could meet the OECM criteria, or an analysis of how OECMs or combinations of OECMs and protected areas contribute to 30x30.**

In particular, Local Wildlife Sites have the potential to make a large and important contribution to 30x30, with strengthened protection and a programme for management, monitoring and investment. Defra also committed to improve planning protections for ancient woodland, a positive step which should be brought in without delay.

NNRs should not count towards 30x30 in themselves but could work in combination with other designations that include protection and management requirements, such as SSSIs or conservation covenants, in order to secure land for 30x30 (the majority of NNRs are already underpinned by other designations). An NNR designation on a particular site could also be seen as a first step towards a full nature conservation designation.

While a targeted, robust and well-funded Environmental Land Management (ELM) scheme could play an important role in contributing to the positive management of land for nature, the recent rollback of the scheme, the reduced funding pot for the higher tier schemes, and the lack of long-term contracts means that land under ELM in itself is unlikely to meet the 30x30 target nor make a significant contribution to managing land for nature's recovery in combination with other site designations.



The Government should set out existing site designation options and how they would need to be bolstered or layered to meet the two conditions for inclusion in 30x30.

The Government could improve legal and planning protection and commit to a programme of monitoring and investment for the 5% of England’s land already in Local Wildlife Sites to contribute towards the 30% target. Those Local Wildlife Sites that are of SSSI quality should be designated as SSSIs. The Government should also bring forward the improved planning protections for ancient woodland that were committed to last year and assess whether and how certain ancient woodland sites might meet the criteria for inclusion in 30x30. The Government must go further and faster with the agricultural transition, to ensure Environment Land Management fulfils its potential to contribute to the recovery of nature within protected areas, reduces external pressures on protected areas, and supports habitats and species across the countryside, including by linking Local Nature Recovery Strategies with the Local Nature Recovery component of ELM.

The Green Paper also included initial ideas for a new nature recovery designation to support nature’s recovery but failed to set out specific proposals.

To safeguard land for nature’s recovery, the Government should bring forward proposals for a new planning protection which identifies priority sites through Local Nature Recovery Strategies that can most contribute to the recovery of nature – a “Wildbelt”. It should introduce a presumption against land use change that would hinder the recovery of nature in those areas. This additional planning protection could help put sites into recovery for nature and on a journey towards 30x30. When in good condition and if given long-term protection and good management for nature, these sites could then count towards the 30%.

Recommendations

To make genuine and urgent progress towards delivering 30x30 on land, the Government must take rapid steps to strengthen, extend and improve the management of protected areas, including protected sites and protected landscapes, and consider other potential tools to effectively protect and manage land for nature.

To strengthen the protected sites network the Government should:

- Strengthen existing rules to afford terrestrial protected sites greater protection from harm.
- Retain and effectively apply existing site protection rules, including the Habitats Regulations.

To improve the management of the protected sites network the Government should:

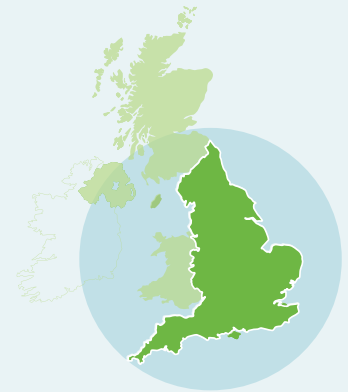
- Set a legally binding target to restore at least 75% of SSSIs to favourable condition by 2042 and interim five-year targets to track progress. To support this outcome-based target, an action-based target should be also set to monitor progress on implementing the actions necessary to achieve favourable condition.
- Resource and require Natural England to undertake robust and regular monitoring of protected sites to assess progress throughout the decade, and to effectively use its full toolkit of powers – from advice to enforcement – to secure significant improvements in site condition. Ecological condition takes time to improve so this action must not be delayed.
- Require public authorities to report annually on how they are delivering their legal duty under the Wildlife and Countryside Act 1981 to further the conservation and enhancement of SSSIs.

To extend the protected sites network and increase the land that could contribute to 30x30, the Government should:

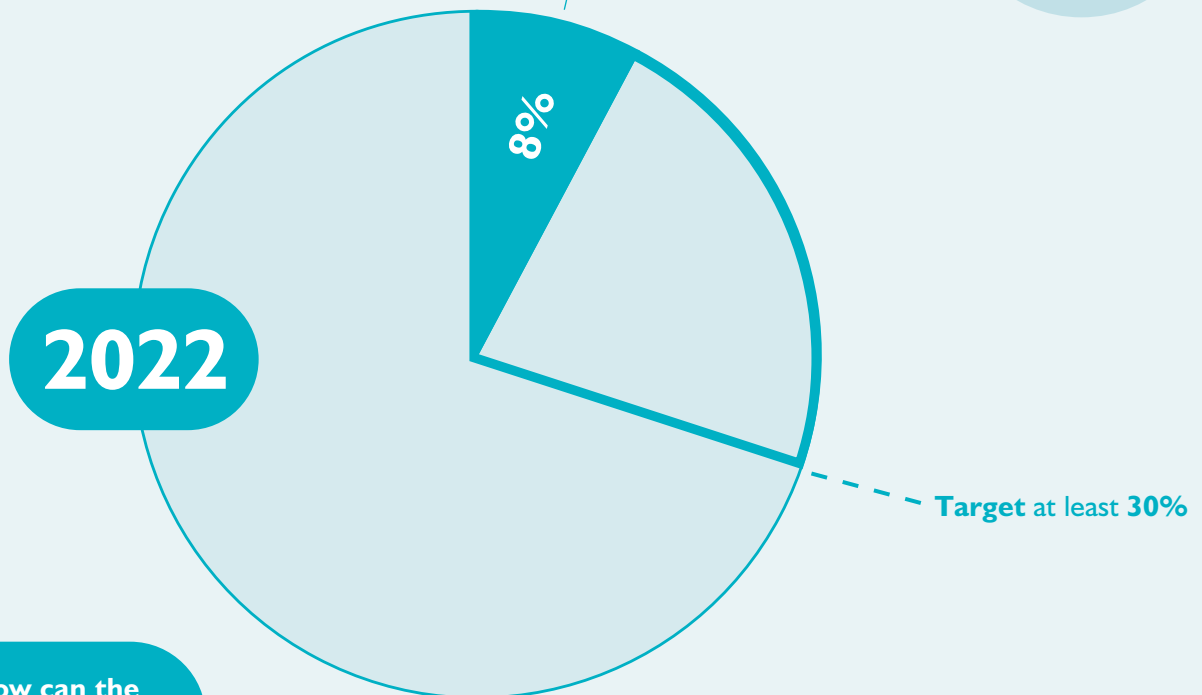
- Publish and implement an urgent action plan for completing the protected sites network. This should include implementing Natural England’s review of SSSIs and the UK SPA Reviews. It should also include further sites such as ancient woodland, important wetlands sites, including new potential Ramsar sites, Important Invertebrate Areas and Important Plant Areas. These protected areas should cover at least 10% to 16% or more of land to make up the core of the 30x30 commitment. Streamline the process for designating new wildlife sites so that they can be created more quickly and cost effectively.
- Legislate to strengthen National Parks and AONBs for nature with (a) explicit purposes for nature’s recovery, (b) stronger Management Plans and duties on all relevant bodies to deliver the purposes and Management Plans, and (c) governance reforms. These changes should be supported by greater resources for nature’s recovery in these protected landscapes.
- Publish proposals on how the internationally-agreed OECM definition will be applied in England and an analysis of how OECMs could contribute to 30x30.
- Introduce a new planning designation – a “Wildbelt” – to safeguard land for nature’s recovery. Sites should be identified through Local Nature Recovery Strategies and managed for recovery to eventually contribute to 30x30.

The Levelling Up and Regeneration Bill, the only major piece of planning legislation currently before Parliament, provides a suitable vehicle for the planning and wider legislative changes need to deliver many of the above recommendations. We continue to urge the Government to amend the Bill to ensure it delivers for nature and contributes towards the achievement of 30x30 in the required timeframe.

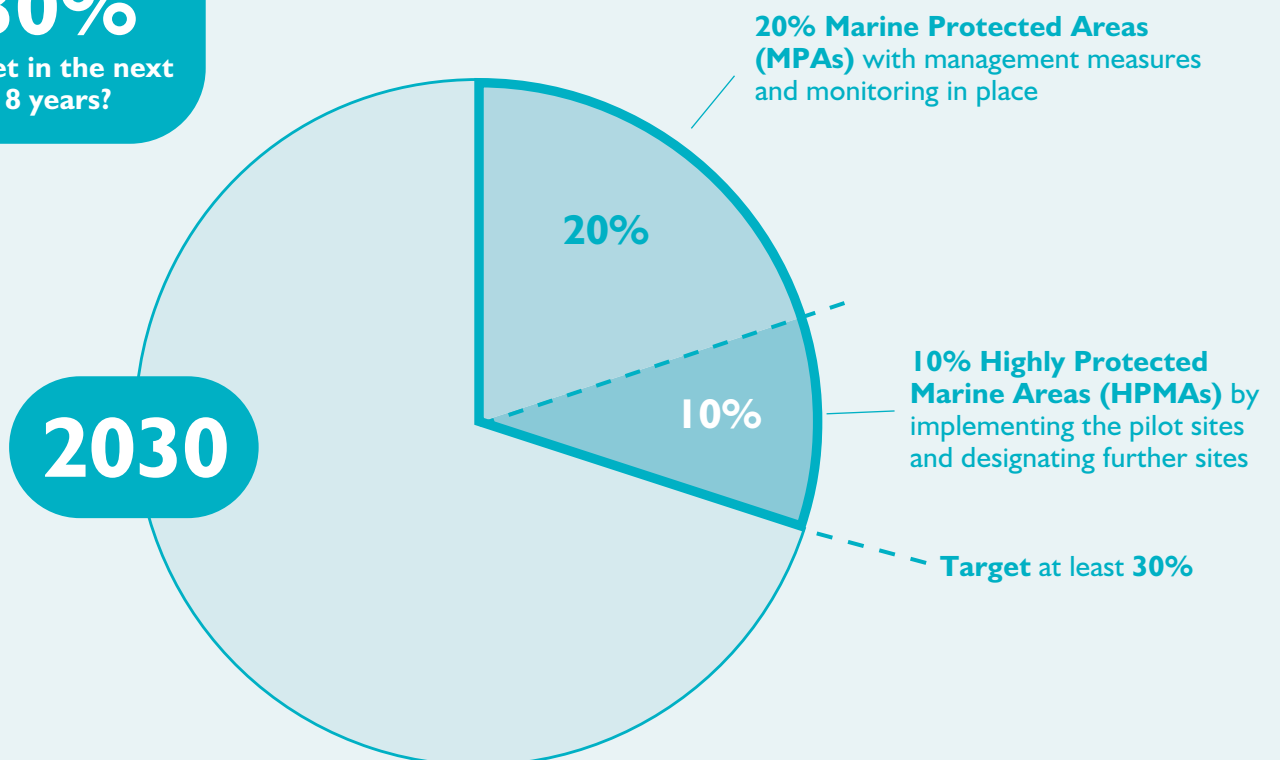
Current progress towards 30x30 at sea



The Government has gone from 4% to 8%, an increase of 4%, from 2021 to 2022



How can the Government make up the gap and meet the **30%** target in the next 8 years?



The reality at sea – one year on

A maximum of 8% of England's seas are effectively protected for nature as of September 2022, up from a maximum of 4% in 2021.²⁹

With only a small proportion of English Marine Protected Areas (MPAs) having implemented management measures and monitoring, a maximum of 8% of our marine environment could be classed as protected for nature. Poor monitoring makes it impossible for us to adequately assess nature's recovery in MPAs, so this figure could be much lower. Further, we remain concerned that many MPAs are not effectively protected from offshore developments such as cabling and pipelines, meaning that these ecosystems could be threatened in the future.

In addition, none of our marine spaces are yet protected to the highest levels necessary for nature to fully recover and flourish, which requires the marine sanctuaries that would be provided by Highly Protected Marine Areas (HPMAs) designated at significant scale and number.

Progress on designation

No additional Marine Protected Areas have been designated since our last report. Although 40% of English waters are designated as Marine Protected Areas, only a maximum of 8% of English seas are effectively protected for nature.

Since our last report, the Government has been progressing its programme of Highly Protected Marine Areas. The Government has now consulted on pilot HPMAs, which include the coast of Lindisfarne in Northumberland, Allonby Bay, Cumbria, and three offshore sites – two in the North Sea and one at Dolphin Head in the English Channel.

It is positive to see the progress of this programme which represents an important new “gold standard” designation. However, it is not yet clear how many of the proposed sites will be designated. Even including the current area of all five proposed sites, **this represents 1230.4km², just 0.53% of English waters; far short of our call for, as an absolute minimum, at least a third of the area protected for nature at sea to be in HPMAs.**³⁰

Progress on management

Environmental management remains poor in the majority of the Marine Protected Area (MPA) network, but a process is now underway to make improvements in certain sites, albeit slowly.

Since our last report, the Marine Management Organisation (MMO) has developed a welcome programme for assessing sites and implementing byelaws, where necessary, to manage fishing activity in all English offshore MPAs by 2024.

Our figure for protection has increased since last year as welcome progress has been made to deliver byelaws for some offshore MPAs, banning bottom towed fishing across the whole site of:

- Dogger Bank Special Area of Conservation (SAC) where a byelaw will prohibit bottom towed fishing across the whole site, covering 12,331 km².
- South Dorset Marine Conservation Zone (MCZ) where a byelaw will prohibit the use of bottom towed fishing gear throughout the whole site, covering 193 km².

Together these equate to 5.4% of English seas.

In 2 other sites, more limited byelaws will protect designated features:

- Inner Dowsing, Race Bank and North Ridge Special Area of Conservation (SAC) where a byelaw will prohibit bottom towed fishing and the use of pots and anchored nets and lines over sensitive habitats within the SAC, with 32% of the 845km² SAC protected.
- The Canyons Marine Conservation Zone (MCZ) where a byelaw will prohibit bottom towed fishing and the use of anchored nets and lines over sensitive habitats within the MCZ, with 87% of the 661 km² MCZ protected.

Together, the protected area of these sites equates to 0.4% of English seas

With inshore waters, 4,730km² of English seas are both in an MPA and protected by a byelaw restricting bottom towed fishing gear. This equates to 2% of English seas.

Taking these figures together, a maximum of 8% of English seas could be said to be protected for nature. This is likely an overestimate given concerns with a lack of data on management, the inadequacy of certain protections and the poor quality of monitoring.

Further, even in protected areas nature may continue to be left vulnerable from the weak enforcement capabilities of the current regulators, combined with the threat of development and external impacts from outside the sites, such as poor water quality.

In addition to management measures, effective enforcement is necessary to ensure that MPAs provide real protection for nature. At present, fines are not an effective deterrent for unauthorised and harmful activities and can be cheaper than the cost of fuel to fish further offshore.

Progress on policy

The powers and structures needed to achieve 30x30 at sea are in place, but the programme of measures to implement 30x30 has not yet begun in earnest.

By 2030, at least 30% of English waters should be fully or highly protected³¹ and managed for nature's recovery. This means being within fully protected MPAs or licensed to allow only extremely limited activity, within the context of wider ecologically coherent networks. As an absolute minimum, a third of this area should be in HPMAs where all human pressures and impacts are removed. This status would provide permanent protection for nature and permanent prohibitions against all extractive or destructive activities.

Across the wider MPA network, expectations should be reversed. Rather than permitting activities until they are prohibited, all environmentally harmful activities should be restricted by default unless they are licensed. Utilising scientific assessments based on enhanced monitoring, licensing decisions should be made on a case by case and site by site basis by relevant authorities, with only light extractive activities considered for consent, restricting all heavy extractive activities. Activities should only be permitted if it can be proven that they neither prevent ecosystem recovery nor inhibit progress towards conservation objectives. All other impacts should be minimised.

In addition, as the connectivity of areas of habitat is a key criterion in nature's recovery, there should be a connected network across England's seas. While these areas may not always themselves contribute towards the 30%, the Government must set targets and introduce policies that will increase the connectivity of areas of habitat and following its own guidance ensure, where possible, sites of similar features are not separated by more than 40 – 80km. Key gaps in the network remain, such as the lack of protection of any of the feeding grounds of cliff-nesting seabirds.

The last UK SPA Review published by JNCC highlights that ‘review of SPA provision in the marine environment is needed for at least 49 species.’ This is particularly urgent given the continued failure to achieve Good Environmental Status for seabird populations and the catastrophic impacts of avian flu. With the MPA network continuing to fail for seabirds, and with no progress in terms of SPA sufficiency review, protected sites for critically endangered species are lacking protection in UK waters and there is still no development of MPAs for forage fish.

The Government should complete the MMO byelaw programme by quickly bringing forward protection for the remaining 36 offshore MPAs, with protections being fully implemented by 2024. Protections for the initial four sites were delayed, which raises fears that the 2024 date for protecting the whole offshore network will be missed. To complete the required strengthening of the network and associated protection of marine blue carbon, the Government needs to speedily bring forward full-site closure protections for the remaining offshore English MPAs protected for the seabed and explore all other options to secure urgent protections.

An alternative and complementary approach to byelaws would be to use licensing powers and the ability to place conditions on them. The 2020 Fisheries Act gives the Government additional post-Brexit powers to impose limits on fishing vessel licences of all flags in UK seas. Without going through lengthy consultation processes, placing conditions on licences could be implemented by the end of 2022, revoking permissions to fish in offshore MPAs and offering speedy protection.

Recognising that delivering 30x30 at sea will require significant funding, the Government must provide the resources required for effective management and monitoring and also properly fund enforcement agencies to deliver conservation goals.

Recommendations

To make genuine and urgent progress towards delivering 30x30 at sea, the Government should:

1. Implement the initial five HPMAs pilot sites and designate further HPMAs sites, in order to achieve, as an absolute minimum, at least 10% of our seas in HPMAs by 2030.
2. Complete the MMO byelaw programme and bring forward protection for the remaining 36 offshore MPAs to be fully implemented by 2024.
3. Further strengthen the MPA network by using licensing powers to place conditions on licenses to revoke permissions to fish in offshore MPAs by the end of 2022.
4. Address displacement, where protection measures simply push fishing activity elsewhere. This requires new assessments of overall fleet capacity and addressing these issues holistically.
5. Urgently deliver the seabird SPA review in light of the current avian flu crisis.
6. Provide the resources required for effective management of the MPA network and properly fund enforcement agencies to deliver conservation goals.

The Habitats Regulations – under threat

The Habitats Regulations remain England's most effective protection for nature and ought to be the backbone of 30x30, but the Regulations are facing assault on multiple fronts: the Nature Recovery Green Paper, the Levelling Up and Regeneration Bill, the Energy Security Bill and the Retained EU Law (Revocation and Reform) Bill all include proposals that could weaken these vital laws. The Government's proposals for Investment Zones with 'liberalised' planning laws could also weaken environmental protections in protected sites, protected landscapes, and across the countryside.

If the Government proceeds with this course, it is a political choice that is likely to undermine the whole 30x30 agenda, weakening the very core of the protected sites network.

Defra's own review in 2012 found the Habitats Regulations fit-for-purpose. The essential aspects of the Habitats Regulations, including the precautionary principle, existing site protection rules, case law, a robust legal assessment framework like the Habitats Regulations Assessment, and obligations for site management, must be retained.

There are opportunities to strengthen aspects of the existing Habitats Regulations and they should remain additional to Strategic and Environmental Assessment and Environmental Impact Assessment or any new arrangements that may be introduced through the Levelling up and Regeneration Bill.

We recommend that:

1. There should be better application of (a) checks for combined effects to assess whether combinations of proposed plans and/or projects would together have a significant effect on nature; and (b) of the precautionary principle.
2. The Government should set out specific thresholds for environmental harm that must not be exceeded in or around a protected site, such as levels of nutrient pollution, as a result of new developments. This would help to limit the number of inappropriate proposals that come forward and help reduce the need for costly assessment of plans that are clearly damaging.
3. There should be strict limits on the types of development that can qualify for an exemption through the derogation process for 'imperative reasons of overriding public interest' (IROPI). Where a project would have adverse effects on a site it would normally not be permitted, but some exemptions are allowed. For example, while flood defence or port developments might need to be considered, housing, transportation and leisure developments should not.
4. The mitigation hierarchy should be reinforced in law to support its early consideration and the highest standard of implementation to ensure nature's recovery.



There should continue to be a test of significant effects on sites and site features, including species, based on adverse effects on integrity. A broad sustainability test as proposed in the Nature Recovery Green Paper would not meet the non-regression clause in S.I 12(7) of the Environment Act 2021, as it would reduce levels of protection. These essential aspects of the Habitats Regulations should be retained, strengthened, and more effectively applied to protected sites so that they deliver stronger protections.

Providing more certain and consistent protection for important nature sites will result in better environmental outcomes and provide more certainty, consistency and resource efficiency for those involved in the system, including developers, public authorities and statutory agencies.

Conclusion

The pledge to achieve 30% of land and sea effectively managed and equitably governed for nature (30x30) is gathering momentum across the world.

Done well, it could form the backbone of a Nature Recovery Network in England and play a significant role in halting the decline of nature by 2030. Swift action and significant progress this year would demonstrate commitment ahead of last-chance nature talks at COP15 in December 2022.

Unfortunately, the Government has made little progress in the past year. This is extremely concerning as the Government has a long way to go to achieve 30x30 with only 3.22% of England's land and a maximum of 8% of England's seas currently protected and effectively managed for nature. **At this rate of progress, 30x30 will remain an empty promise that does not change the state of nature.**

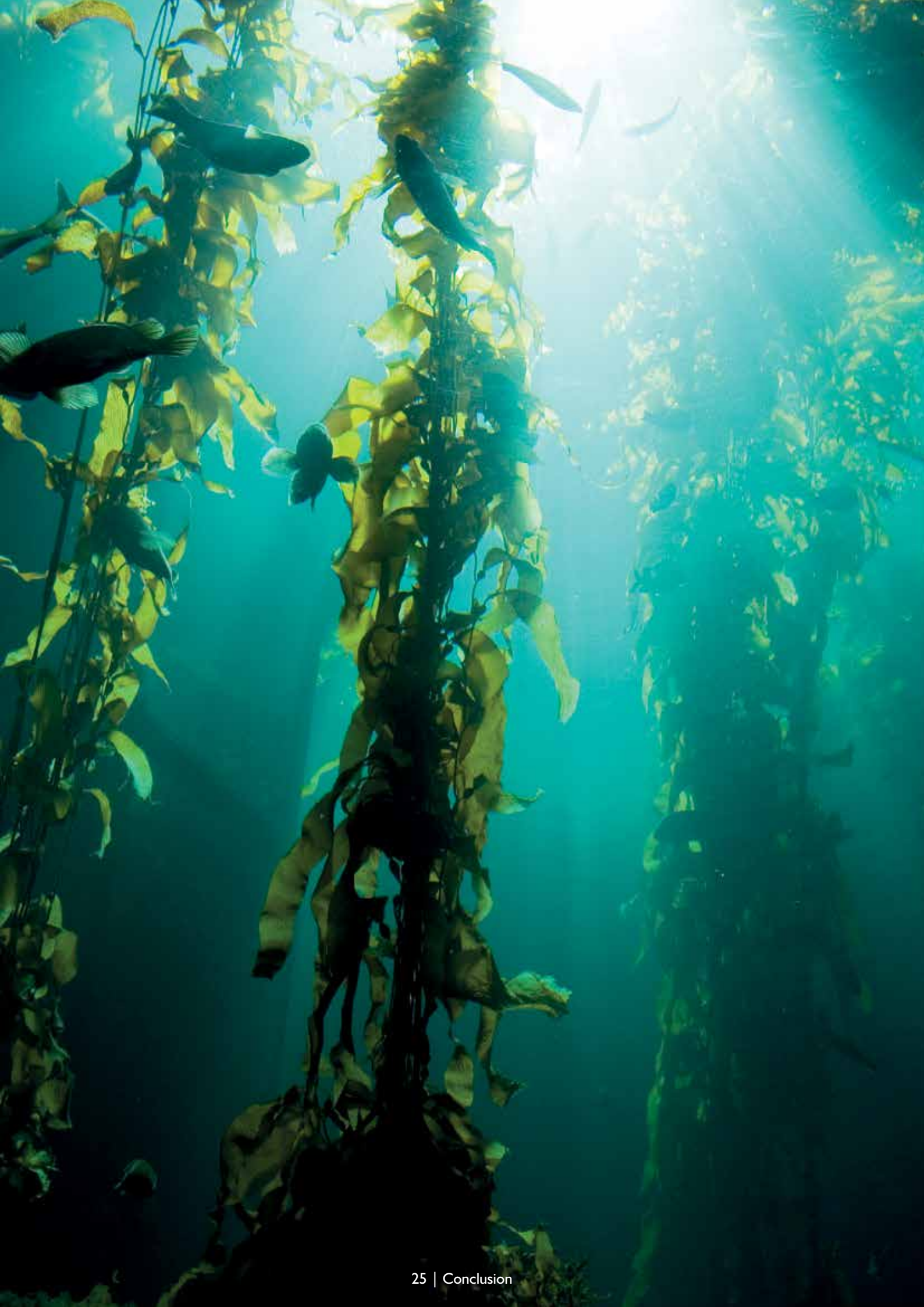
In terms of increasing the area of land and sea that is protected for nature, few additional sites have been protected. No new additional sites were designated at sea, although the Government has consulted on five Highly Protected Marine Areas.

In terms of improving management for nature, there have been some welcome but limited improvements at sea, implementing management measures and enabling more sites to meet the criteria to contribute to the 30%. There has been minimal progress on improving management and monitoring on land, and overall little has been done to reduce pressures on nature and invest in its recovery.

In terms of the policy to support 30x30, the main momentum is in the wrong direction, with effort focused on dismantling rather than strengthening the Habitats Regulations, the protections for the most important sites for nature. The main mechanisms that could support "candidate" sites for the future of 30x30 – such as Environmental Land Management, Local Nature Recovery Strategies, and reform of protected landscapes – are not yet sufficiently developed to contribute to the target. These policies, legislative reforms and other tools, such as Species Conservation Strategies, must be swiftly and meaningfully implemented in order to support the recovery of habitats and species within the 30% and across England and to achieve the Government's legally-binding targets under the Environment Act.

Better, bigger, more and connected spaces for nature on land and at sea – as advocated in the Government's 2011 Natural Environment White Paper – are needed for nature to recover and thrive by 2030. **The Government must act now to strengthen, improve and expand protected areas to ensure that England enjoys a nature-positive economy by 2030.**

Another year closer to 2030 and with COP15 swiftly approaching in December 2022, the Government must take urgent and ambitious action to deliver 30x30 in England. So far, it is not on track to meet this headline commitment, which has been relied on so often as evidence of the Government's commitment to nature.



Our supporters







End notes

- 1 https://www.wcl.org.uk/docs/WCL_Achieving_30x30_Land_and_Sea_Report.pdf
- 2 <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response>
- 3 <https://www.gov.uk/government/publications/highly-protected-marine-areas/highly-protected-marine-areas-hpmas>
- 4 <https://consult.defra.gov.uk/nature-recovery-green-paper/nature-recovery-green-paper/>
- 5 <https://www.gov.uk/government/consultations/environment-act-2021-environmental-targets>
- 6 https://www.wcl.org.uk/docs/Environment_Act_targets_consultation_response.pdf
- 7 Urgent action on 30x30 and on implementing policies such as Environmental Land Management, Local Nature Recovery Strategies, Species Conservation Strategies and reform of protected landscapes, supported by sufficient statutory funding, is needed to meet the Government's legally-binding targets under the Environment Act 2021, including the species abundance target, and to support the recovery of habitats and species across the country.
- 8 https://www.wcl.org.uk/docs/ELUK_briefing_30x30_land_and_sea_for_nature's_recovery_01092021.pdf
- 9 <https://www.britishecologicalsociety.org/protected-areas-achieving-the-30x30-target/>
- 10 Calculation: 419,499.61 hectares of SSSIs in favourable condition, divided by total England land area (to mean high water mark) 13,046,154 hectares = 3.22%.
- 11 Biodiversity indicators 2021: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1025282/1_Extent_and_condition_of_protected_areas.pdf
- 12 <https://designatedsites.naturalengland.org.uk/ReportConditionSummary.aspx?SiteType=ALL>
- 13 <https://www.theyworkforyou.com/wrans/?id=2021-02-09.151834.h&s=%27SSSI%27#g151834.r0>
- 14 <https://www.theyworkforyou.com/wrans/?id=2021-11-23.80440.h&s=migratory+birds#g80440.q0>
- 15 Calculated by: $40\% \times 4000\text{km}^2 = 1600\text{km}^2 = 160,000$ hectares, from figures in <https://www.gov.uk/government/news/ambitious-proposals-to-create-and-improve-protected-landscapes-across-england>
- 16 <https://www.gov.uk/government/publications/fyfield-down-national-nature-reserve/public-notice-fyfield-down-nnr>
- 17 Total number of SSSIs in England = 4117
Number of sites with a condition assessment between 19/08/2016 to 19/08/2022 = 1118
Which is 27.16% of the total number of SSSIs in England.
- 18 <https://designatedsites.naturalengland.org.uk/ReportConditionSummary.aspx?SiteType=ALL>
- 19 https://www.wcl.org.uk/docs/Environment_Act_targets_consultation_response.pdf
- 20 <https://consult.defra.gov.uk/nature-recovery-green-paper/nature-recovery-green-paper/>
- 21 https://www.wcl.org.uk/docs/WCL_NatureRecoveryGP_Response_May2022.pdf
- 22 <https://besjournals.onlinelibrary.wiley.com/doi/full/10.1111/1365-2664.13196>
- 23 <https://www.britishecologicalsociety.org/protected-areas-achieving-the-30x30-target/>
- 24 <https://consult.defra.gov.uk/nature-recovery-green-paper/nature-recovery-green-paper/>
- 25 https://www.wcl.org.uk/docs/WCL_Achieving_30x30_Land_and_Sea_Report.pdf
- 26 <https://www.cnp.org.uk/news/raising-the-bar>
- 27 <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response>
- 28 <https://besjournals.onlinelibrary.wiley.com/doi/full/10.1111/1365-2664.13196>
- 29 In 2021, although the Government claimed 40% of English seas are protected, only 10% of MPAs in English waters had evidence of fully implemented management measures. (See Developing an ecologically-coherent and well-managed Marine Protected Area network in the United Kingdom: 10 years of reflection from the Joint Nature Conservation Committee: Biodiversity: Vol 19, No 1-2. Since this assessment by the Joint Nature Conservation Committee (JNCC) was made in 2018, some improvements could have been made and the Government has since gained powers to improve management in offshore sites following withdrawal from the European Union. However, considerable change is needed putting the new powers to use across the MPA network.) In other words, a maximum of 4% of our marine environment could have been judged to be protected for nature, rather than the 40% suggested by the Government (this figure could have been even lower as poor monitoring makes it impossible to adequately assess nature's recovery in MPAs).
- 30 The ambition in Scotland is for HMPAs to cover 10% Scottish seas. See: <https://www.gov.scot/publications/scottish-government-scottish-green-party-shared-policy-programme/pages/7/>
- 31 Based on IUCN definitions, for full definitions see the Protected Planet Marine Protected Areas Guide <https://www.protectedplanet.net/en/resources/mpa-guide>. Note: The Government's proposed Highly Protected Marine Areas (HPMAs) could deliver the first designations in English seas which meet the criteria for 'fully protected' areas.



Wildlife and Countryside Link is the largest environment and wildlife coalition in England, bringing together 66 organisations to use their strong joint voice for the protection of nature, animals and people.



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October 2022