

25 Year Environment Plan

Written evidence for the House of Commons Environmental Audit Committee by Wildlife & Countryside Link

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Wildlife and Countryside Link (Link) brings together 47 environment and animal protection organisations to advocate for the conservation and protection of wildlife, countryside and the marine environment. Link is the biggest coalition of environmental and animal protection organisations in England. Our members practice and advocate environmentally sensitive land management, and encourage respect for and enjoyment of natural landscapes and features, the historic and marine environment and biodiversity. Taken together we have the support of over eight million people in the UK and manage over 750,000 hectares of land.

This response is supported by the following organisations:

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1. The 25-year environment plan has the makings of an effective programme to restore nature. However, the challenge is great. The state of nature is in decline, previous strategies to reverse the decline have failed, and many of the most important protections in place today are at risk during Brexit. The plan will need substantial elaboration and improvement to be commensurate with the challenge.

1.1. Its overall ambition is high, but the detailed objectives require further strength and elaboration. We recommend:

- A set of headline targets and milestones are set in statute, in a new Environment Act.
 - A transparent and time-bound process for determining further metrics.
 - Clear “deliverables” for years leading up to 2042, with a specific programme of actions and objectives for the first three years, and at five-year intervals beyond that.
 - Stronger goals for some areas, including water quality and a wider variety of habitats.
- 1.2. Brexit has completely changed the basic requirements for the plan. Before the Brexit decision, the plan could focus on enhancement measures available in the context of established frameworks for environmental protection. Now, an effective environment plan is inseparable from the work of ensuring that the environmental acquis that we inherit from the EU remains functional as well as providing for new laws and policies to turn round the state of nature.
- 1.3. Its detailed policies have potential, but poor policy design could lead to counterproductive measures in several areas. In particular:
- **Net environmental gain:** could improve development standards and provide new sources of capital, but must not undermine the mitigation hierarchy or replace environmental planning protections, such as the strict sites and species protection derived from the Nature Directives.
 - **Natural capital and market approaches:** could deliver new investment in nature and promote greener decision-making, but market approaches must be additional to strong regulations, proper nature conservation and public funding, rather than a means to replace or weaken these.
 - **New land management payments:** could incentivise improved management, but must be offered in addition to a well-enforced regulatory baseline of green standards, such as a successor to the cross-compliance rules of the Common Agricultural Policy, not as a substitute for strong regulation.
- 1.4. **New public funding in the plan is welcome, but far from sufficient** to achieve the goals, unless supported by further funding commitments. Frontline DEFRA services have been compromised by a lack of funding for a number of years and local government cuts have hampered the ability of local authorities to take a strong, informed view on environmental decisions, such as planning applications. We recommend:
- Long-term guarantees of public money for environmental land-management, based on a scientific assessment of investment needed to achieve environmental improvement, with new land management payments dedicated to environmental public goods.
 - Clarity on the future of finance currently provided by the EU (including LIFE fund and BEST instrument) and a commitment from Government to at least match the level of current funding for scientific work and practical conservation action through the plan period.
 - Stronger polluter pays mechanisms to channel private capital to environmental goods and create an incentive to clean up polluting activities.
 - Increased and consistent funding for environmental services in the DEFRA agencies and local authorities. Clarity about how the government and its bodies will be organised and resourced to make up for where there has been inadequate progress on previous plans and strategies and to properly address the state of nature and decline in ecosystems
 - More systematic approaches to cross-funding for environmental improvement with the NHS, where enhancements to green and blue spaces or air quality and other environmental services can be has been proven to lead to direct and cost-efficient savings for health services, through quicker patient recovery, for example.

- Increased cross-funding from Environment Agency flood risk management capital programme, building on the £15 million currently available by taking a more forward-looking and multi-benefit approach to funding allocations.
- Dedicated funding for the new Nature Recovery Network and targeted species recovery and reintroduction programmes.

1.5. Institutional change will be needed to support the plan, giving cross-government credibility and ensuring that the plan is not a flash in the pan, but endures from parliament to parliament. In particular:

- A new statutory environment body will need powers, independence, expertise and funding commensurate with the task of advising and holding government to account for delivery, across all departments.
- Existing agencies and local authorities must be adequately resourced and empowered to guide greener decision-making.
- A new statutory framework for applying the environmental principles should be established in law and applied across government and public bodies.
- Processes for public and parliamentary reporting should be transparent, regular and consistent.

1.6. The plan should contribute to Government action to support UK-wide and worldwide environmental improvement. The Government should:

- commit to a new Environment Act to establish the main elements of the plan in law, aiming to take to the table a world-leading offer for the post-2020 biodiversity strategy under the Convention on Biological Diversity, recognising that 2020 will be a critical year for the global community to address climate change, biodiversity loss and sustainable land use.
- work collaboratively with the devolved governments to address the UK-wide governance gap that will emerge across all four nations as a result of Brexit enabling devolved action while ensuring high UK standards overall.

2. Implementation of the plan must begin straight away, with coordinated action across Government.

2.1. While there are some strong new promises in the plan, we note that many of the “actions” in the plan are non-specific (such as the many commitments to “explore” important work like green prescriptions) or only go as far as to continue with current commitments.

2.2. We appreciate the breadth of the plan—with a good integrated view on air, water, waste, wildlife and other matters—and that more detailed plans are to come in each area. Those details are needed as a matter of urgency.

2.3. However, we would expect the plan to provide the essential architecture for those details to be provided in due course. That architecture includes clear targets and milestones, funding commensurate with the challenge, and powerful institutions to offer advice and hold government to account. Each of these essential elements requires further development and clearer commitments to be effective.

2.4. Crucial decisions that will influence the chances of achieving the Government's environmental ambitions will be taken in the months ahead. These include:

- the review of the National Planning Policy Framework,
- the design of post-Brexit agriculture and fisheries policies,
- the negotiation of trade deals,
- the future of chemicals regulation,
- the government's Clean Air Strategy,
- decisions relating to the control and management of invasive species,
- plans for water abstraction reform.

2.5. In each of these areas, other social and economic objectives will influence policy design. For the environment and landscape character to be taken into account properly in each of these decisions, the essential elements of the plan must be developed and put in place in time to inform wider policy.

2.6. Effective implementation is likely to require substantial contributions and partnership working with communities and civil society, including funding, site-management and scientific and practical expertise. We recommend a dedicated point of engagement within the government and civil service for partnership delivery of the plan, with a clear process for engagement.

3. **A strong plan needs long-term, legally-binding objectives** to guide Government action, to give confidence to the private sector to invest in environmental improvement and to enable accountability. We welcome the commitment in the plan for metrics to measure progress. However:

3.1. **Some objectives are unambitious:** for example, the target for water quality appears to be weaker than the current target in the Water Framework Directive because it does not set a date for achieving good ecological condition (compared with the WFD target of 2027). The plan simply aims for good water quality "as soon as practicable". All targets should include realistic delivery dates, with milestones for delivery.

3.2. **Many of the objectives are weak:** without statutory force, targets remain aspirational. The Government has already missed non-binding objectives for halting biodiversity decline (2010), phasing out horticultural peat (2010), achieving good ecological status for water (2015), completing an ecologically coherent network of well-managed marine protected areas (MPAs) (2012) and others. To make a difference, the plan's objectives should be binding across Government. The plan refers to legally-binding targets in the context of air pollution, but is non-committal in other respects.

3.3. **Other metrics are under-developed:** the plan includes a commitment to publish further metrics. It is not clear what status these metrics will have, whether accompanying targets will be set, and how they will be developed. Nor are there milestones for delivery of long-term targets. A successful plan will require a transparent and expeditious process for elaborating on the metrics of success.

- 3.4. **The plan is largely focussed on England:** the plan should form part of a new collaborative approach to addressing shared environmental challenges across the four nations of the United Kingdom. We recommend that the UK Government develops a collaborative process with the devolved countries for agreeing common frameworks for environmental protection across the UK (minimum standards), as well as shared ambitions for environmental improvement, while allowing flexibility for each country to be more environmentally ambitious. In the short term, the Government should clarify exactly which elements of the plan and which implementation measures will apply to which jurisdictions.
4. **A strong plan needs site and species protection.** Despite strong protection for Natura 2000 sites under the Birds and Habitats Directives, UK biodiversity is in long term decline. Only a third of sites of special scientific interest are in good condition and loss and damage to Local Wildlife Sites continues unabated.
- 4.1. The plan includes some welcome measures with potential to restore habitats, including restoring 75% of one million hectares of protected sites to favourable condition and creating or restoring 500,000 hectares of wildlife-rich habitat outside the existing protected site network. Further detail will be needed to confirm that this is additional to current commitments.
- 4.2. We welcome plans for increasing tree cover and to appoint a tree champion. However, we note that the 12% tree cover remains an “aspiration” and that it is less than the 15% proposed by the Independent Panel on Forestry. Moreover, we recommend that the plan be developed with a wider view of different habitat types. Restoring nature will require a more diverse and comprehensive approach to habitat restoration and creation. Successful implementation will require improved spatial planning for nature to ensure that ecological networks are functioning and coherent on land and at sea.
- 4.3. There is no mention in the plan of a targeted funding programme for species recovery and reintroductions. This is particularly concerning in the Brexit context, in which UK access to important EU funding streams will be restricted. In recent decades, government funding has significantly decreased and the EU has become one of the main sources of funding for targeted species conservation. A species recovery programme should be a core component of the proposed Nature Recovery Network.
- 4.4. To complement its work on new environmental land management payments, and to set the context for new development, the Government should use environmental spatial planning (e.g. mapping a national Nature Recovery Network) instigate a national trial of ecological network planning to identify the most important opportunities for restoring nature. This should involve communities and local stakeholders in catchment/landscape scale planning and be used to inform (a) new environmental payments, (b) location of development that respects environmental capacity, (c) targeting of environmental enhancements such as natural flood mitigation and (d) new programmes for habitat and species protection and recovery.
5. **Sectoral policies have good potential, but until details are finalised, they could be positive or seriously counterproductive.**

- 5.1. The principle of net environmental gain in planning could be extremely beneficial if it (a) generates substantial new investment in nature and (b) improves the provision of high-quality green and blue infrastructure in developments.
- 5.2. However, a poorly designed net gain policy could be seriously damaging if it subverts the normal planning protections for the environment and rewards actions which should be taken anyway. The principle must not sidestep the current mitigation hierarchy, or weaken protection for sites and species.
- 5.3. Improved access to independent ecological expertise for local planning authorities is essential to underpin an effective environmental net gain approach. A successful policy should be mandatory for all new developments and underpinned by law.
- 5.4. There must be clear separation between different aspects of the natural environment, so that it is absolutely unacceptable for biodiversity loss to be “offset” or “netted off” by improvements in other environmental goods. Instead, there could be a requirement for net gain to be achieved for each environmental asset separately—such as flood relief, access to greenspace, and biodiversity.
- 5.5. Other environmental features, such as noise and light pollution, are extremely important and not given due attention in the plan, but they must remain separate from biodiversity and habitat protection in any assessment of environmental net gain.
- 5.6. An effective net gain approach should be additional to strengthened planning policy and building regulations around the sustainability of buildings, including (a) access to high quality greenspace; (b) water efficiency standards; (c) zero-carbon standards; (d) enhancement of landscape character and (e) stronger rules relating to new and retrofit sustainable drainage. It should also be additional to, and not an alternative to, establishing a robust SSSI series.
- 5.7. If the concept of net environmental gain is developed with the safeguards and features above, it should also apply equally to the marine environment (through the delivery of marine planning) as to the terrestrial environment.
- 5.8. The review of the NPPF will be a first test of government-wide commitment to the plan. It should include clearer requirements for ecological network mapping, stronger protection for ancient woodland, wildflower meadows and other important habitats, higher environmental standards for build quality, and new clarity on requirements for high-quality greenspace and multi-benefit sustainable drainage systems in developments.
- 5.9. The commitment to a new agricultural policy based on public money for public goods has the potential to improve farmland wildlife and natural capital benefits like soil quality and flood relief.
- 5.10. However, clarity will be needed about the future of public funding after the Brexit transition period and how that will be allocated across the UK. This should link future funding to

periodic scientific review of the scale of investment needed to achieve the goals of the new policy.

- 5.11. Any new environmental land management policy must also include a strong regulatory baseline of environmental standards that apply across the board, with a strong and effective system for inspection and enforcement, including penalties linked to payments.
- 5.12. The forthcoming Agriculture Bill will be an important opportunity to lay the groundwork for an effective policy. Conversely, a narrow treatment of environmental investment in the bill could constrain delivery of the plan. A broad purpose should be included on the face of the bill to justify and provide the parameters for public intervention and set clear, long-term, overarching and ambitious environmental targets specific to agriculture and land management.
- 5.13. To inform farming policy, clear commitments should be set out for pesticide regulation after leaving the EU, including continuing adherence to the Precautionary Principle. For example, regulations should be strengthened to ensure that after neonicotinoids are banned they are not simply replaced with other harmful pesticides.
- 5.14. The new National Action Plan for the sustainable use of pesticides should include an ambitious overall target for pesticide reduction; specific targets where appropriate such as cutting pesticide pollution in water bodies; definitions of Integrated Pest Management focused on minimising chemical pest control and a monitoring process to measure IPM take up by farmers.
- 5.15. Land use: the government acknowledges that an average of 17,000 hectares of undeveloped land is developed each year. The amount of greenfield land being developed is growing, despite the number of housing completions being lower now than it was in 2007. Taken over the 25-year life of the plan, this means 3-4% of our remaining undeveloped land becoming urbanised in some way. This rate of development of greenfield land poses a risk to habitats and species, the connectivity of ecosystems, and the resilience natural services like flood mitigation. Currently, development is taking place with almost no strategic view of these potential impacts. We recommend a more strategic approach to land use. One way to do this would be to develop a Land Use Strategy for England, following the successful example of Scotland's Land Use Strategy.
- 5.16. The review of National Parks and AONBs is an important opportunity to take particular regard for strategic spatial planning in protected environments. Major development continues to erode designated landscapes, despite their high level of planning protection in national policy. A review of how they deliver their responsibilities and are financed is welcome and should focus on reinforcing environmental protection and strategic planning for environmental enhancement.
- 5.17. Marine policy: We welcome the commitment to a complete ecologically coherent network of Marine Protected Areas (MPAs) and the move to managing these more effectively through a whole site approach. A UK assessment of the ecological coherence of the MPA network will be necessary to support this goal.

- 5.18. The goal of recovering fish stocks to sustainable levels in the shortest time is good, but we would urge the Government to be more ambitious and look to manage fishing below maximum sustainable yield (MSY) at ecologically optimal levels.
- 5.19. Clarification is needed as to whether the ambition to implement a 'science-based plan' to manage fisheries sustainably includes including fisheries in the marine planning process, which is currently a major omission.
- 5.20. The completion of a full series of UK marine plans by 2021 needs to be supplemented by a commitment to regional seas planning, which takes a spatial approach and includes fisheries, alongside all other industry.
- 5.21. Water: The 25-year environment plan lacks robust policy for protecting aquatic environments. Abstraction, wastewater and water quality are serious issues which the Government are not managing sustainably. Many of the aims and actions proposed by Government are little more than what was already in the pipeline and have already committed to through international obligations. For example, the Government is relying on voluntary long term waste water planning and a large tunnel in London to solve waste water problems. Development of a voluntary waste water planning framework has been in place for a number of months, but mandatory standards will be necessary to achieve consistent levels of environmental protection around the country.
- 5.22. For years the Government has promised significant reform of an outdated and unsustainable abstraction regime. Despite much stakeholder engagement it has rolled back plans for a new system which can buffer climate change, protect the environment and protect our water supply and instead has proposed plans which do little to modernise a process which results in significant over abstraction. The plan should be the basis for a systematic change.
- 5.23. Only 17% of our surface water bodies are currently in good ecological condition. We support an aim to reach 75%, but the target of "as soon as practicable" is too loose. This aim must be supported by shorter term ambitious yet achievable milestones along with resources and clear lines of responsibility. There is also a very strong reliance on voluntary measures. It is important that targeted regulatory action such as restrictions in water protection zones and standards for existing and emerging priority chemicals are implemented and updated post Brexit.
6. **A strong plan needs strong accountability.** The new statutory environment body must have the independence, expertise, powers and resources to oversee the implementation, compliance and enforcement of environmental law and policy by governments and all relevant public bodies.
- 6.1. The new statutory body should ensure an effective and affordable complaints mechanism for civil society and citizens and access to effective remedies. In order to hold government and public bodies to account the new body must be:

- fully independent from government but accountable to parliament(s)
- established by primary legislation
- adequately resourced with a technically qualified staff
- responsible for a range of compliance checking, monitoring, supervisory and information provision roles
- safeguard access to environmental justice, information and participation in decisions
- equipped with powers to initiate action, including through the courts if necessary, as well as other enforcement remedies.

6.2. Reporting to the relevant legislatures must be clear and consistent. Annual reports must not be a “pick and mix” of metrics, overly complex, or published quietly. Reports should be:

- delivered to each legislature at the same time each year (e.g. alongside the annual budget)
- in the same format each year
- clearly accessible, with “headline” indicators for progress on air, water and wildlife
- made publically available and scrutinised by the new independent environment body.

6.3. If the remit of the new statutory body is focused entirely on enforcement, a Brexit governance gap will remain. The EU institutions fulfil a wide range of functions which are unlikely all to be fulfilled by a single body: advice, reporting, enforcement, judicial actions, target-setting, administration.

6.4. Many of these functions may be appropriately taken up by existing bodies or by third-party collaboration with EU institutions, but to give confidence in successful delivery of the plan, we recommend that the Government sets out its analysis of (a) the full range of functions relating to the environment that EU institutions currently perform and (b) how each specific function will be carried out post-Brexit.

6.5. The new governance arrangements must be in place by exit day. Given the ongoing uncertainty over whether there will be a transition period and how long this would be, day 1 operability must be a key cross-government goal.

7. Delivery will require the principles of environmental law to be set in statute and applied rigorously in policy across all the UK’s jurisdictions.

7.1. A single environmental principles national policy statement, in or underpinned by law, should be co-designed and co-owned by the UK government and devolved administrations. This should set out how the governments intend the principles to be implemented in practice. The new watchdog should monitor compliance with the principles and the statement and take action against any government or public body that fails to act in accordance with them.

7.2. The UK and devolved governments must urgently commit to a firm timetable on the legislation needed to establish the new governance arrangements and enshrine the environmental principles in law. This bill is an essential part of the ‘Brexit package’ of

legislation and must be passed before the UK, and its civil society, lose access to the EU's governance arrangements. The consultation on governance and principles has slipped and must also be published urgently.

7.3. There is a need to enshrine more ambitious environmental protections in law. The Conservative manifesto pledges to “leave the environment in a better state”, and the government has repeatedly committed to doing so. As such, the government should also commit to setting out plans for new, ambitious legislation, which aims not just to maintain but restore our natural commonwealth.

8. **A strong plan needs to take account of international impacts.** The 25 year plan is focussed on England but it does set out the government's commitment on nature, biodiversity and climate change internationally. According to the Natural Capital Committee's findings, England has been gradually transferring the degradation of its own natural assets to those abroad. Taking account of the extent to which we deplete the natural capital of other countries can radically alter assessments of sustainable use.

8.1. In addition to addressing domestic matters, the 25 year plan should account for the impact the UK has on nature overseas through its imports. Otherwise we might simply “export” more environmental damage to other countries undermining the UK's global leadership role. That would be neither ethically acceptable, nor in the UK's interests. The UK economy is enormously dependent on natural resources embedded in the products we import from other countries: for example, an estimated 70% of all the water consumed in the UK is embedded in imports and approximately one third of the biomass used by the UK comes from overseas. The UK's “land footprint” is one and a half times the size of the nation.

8.2. If these natural resources are not managed sustainably, there is a fundamental and growing risk of increasing global competition and conflict over natural resources, posing serious challenges to the achievement of the sustainable development goals, and threatening access to these resources.

- We welcome the commitments in the plan on protecting and improving the global environment. It will be particularly important that the Government:
- Retains high standards and encourages sustainable management of natural resources abroad through the environmental provisions included within UK trade deals;
- Supports improved resource governance and natural capital management through UK aid spending and cooperation to improve the sustainability of international supply chains;
- Takes a leading role in developing an ambitious post-2020 international biodiversity strategy; and,
- Incentivises business to manage and reduce their environmental impacts throughout the supply chain.

9. **In conclusion, we support the ambition of the plan and welcome the breadth of its coverage.** Nevertheless, stronger, legally underpinned milestones, more money, and improved monitoring will need to be put in place with haste to ensure that the plan's intentions are not eclipsed by other agendas.

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