

## E-bulletin October 2013

Welcome to Link's October 2013 e-bulletin. See below for this month's top stories and updates from each of our working groups. If you would like to subscribe to our e-bulletin or submit news items, please contact [Louise](#).



### **CAP consultation launched**

On 31 October Defra launched a [consultation](#) on CAP implementation in England for 2015 to 2020. The consultation covers: rural economy growth; improving farm competitiveness; protecting the natural environment; and protecting pollinators. The deadline for responses is 28 November and there will be a series of regional workshops taking place during this period.

Link will respond to the consultation and will call on Defra to:

- Modulate 15% from Pillar I into Pillar II;
- Prioritise agri-environment schemes in the next Rural Development Programme for England;
- Take an ambitious approach to Pillar I greening requirements, via a National Certification Scheme.

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### **Review of Wildlife Guidance**

This month Link submitted a response to Defra's Review of Wildlife Guidance. The response expresses concern over the tone, accuracy and legality of the drafted guidance, and notes that current proposals may result in some useful guidance being removed. Link is also concerned that Defra is consulting on guidance upon which it has previously consulted, and it provides no information on how the legislation covering protected species interacts with the planning system. Link will continue to engage with Defra officials on this issue.

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### **Water Bill briefing**

The Blueprint for Water coalition has sent a [Water Bill briefing](#) to MPs highlighting the need for the Bill to introduce reforms that ensure: sustainability and resilience of the water industry; protection of the freshwater environment; and fairness for customers. In order to achieve this, the

Blueprint seeks the following amendments to the Bill:

- Create a framework for a sustainable abstraction regime;
- Regulate for a sustainable water sector;
- Broaden the proposed resilience duty on Ofwat;
- Give customers the right to choose universal metering in their area;
- Introduce a consistent, risk-based approach to regulating watercourse management and modification.

### **Draft Aarhus National Implementation Report**

Link has [responded](#) to Defra's [consultation](#) on its Draft Aarhus National Implementation Report (NIR). The Aarhus Convention is a United Nations Economic Commission for Europe (UNECE) treaty which provides access to information, public participation in decision making and access to justice in environmental matters. The UK is required to produce a NIR every three years, outlining the procedures and mechanisms facilitating the implementation of the Aarhus Convention, and providing examples of the practical steps being taken to implement the requirements of the Convention in the UK.

Link's response, supported by 14 members, points out that the NIR fails to provide an accurate reflection of the implementation of the Aarhus Convention in the UK, and urges the Government to amend the NIR accordingly.

Link's overarching concern is the unprecedented scale and pace of legislative and policy change in the UK and the fact that the NIR fails to reflect concerns raised by individuals and organisations struggling to keep abreast of the proposed changes or to submit properly considered responses to them. Link also points out that the NIR fails to refer to a number of both actual and proposed changes, many of which will undermine the UK's ability to comply with the Aarhus Convention. Such changes include: developments in the field of access to information; changes to public engagement in the planning regime; and proposals to reform Judicial Review.

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### **Annual General Meeting and Annual Debate**

Link's 2013 AGM and Annual Debate will take place on Wednesday 4 December at the Zoological Society of London.

While the AGM is open only to Link member organisations, the Annual Debate is free to both Link members and other interested individuals, and will address the often complex relationship between policy formulation and evidence.

The debate will be chaired by Professor David Macdonald, Director of the Wildlife Conservation Research Unit, Department of Zoology at Oxford University and our expert panel will be asked to address the question: UK natural environment: evidence-based policy or policy-based evidence? The debate will take place from 4.00pm to 5.30pm and will be followed by a drinks reception sponsored by the British Ecological Society.

To book your place or for more information click [here](#) or contact Louise Hartley on [louise@wcl.org.uk](mailto:louise@wcl.org.uk). Please register by 22 November, as places are limited.

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### **Changes in the Link team**

We are very sad to be saying goodbye to Louise Hartley, Link's Information and Office Coordinator (IOC), who will be leaving in December. In the two years that Louise has worked for Link, she has been hugely efficient in the IOC role, while also making a significant contribution to Link's policy work, especially in providing secretariat support to the Wildlife Trade Working Group and developing Link's work on animal welfare, bovine TB and forests.

Louise will be staying in the Link family, in her new role as Projects Coordinator in the Conservation Technology Unit at the Zoological Society of London. We thank Louise for the huge contribution she has made at Link, and wish her every success for the future.

We are pleased to announce that Link has welcomed two new volunteers this month. Rose Wakeham has joined Link as the new Invasive Non-Native Species intern and Morwenna Mckenzie will be providing policy support on the Blueprint for Water 2015 and Local Enterprise Partnerships.



### **Select Committee inquiry on CAP implementation**

This month Link submitted written evidence to the Environment, Food and Rural Affairs Select Committee inquiry on CAP implementation 2014-2020. Issues addressed in Link's response included fairness, bureaucracy, greening and lessons learnt.

### **Meeting with Defra**

On 22 October Link held a useful meeting with Lindsay Harris (Deputy Director of Food Security and Food Standards) and Tim Mordan (Deputy Director of Sustainable and Competitive Farming Strategy) both from Defra. The meeting provided an opportunity to outline Link's work, hear about Defra's work on food security and discuss Link's position paper on sustainable food - [\*Sustainable and Secure, 10 steps for the future of food.\*](#)

### **Balance of competences review**

On 21 October Defra launched a [Call for Evidence](#) on the impact of EU competence for agriculture and plant health on the UK. This is part of the Government's wider cross-cutting [Review of the Balance of Competences](#), which is intended to provide an informed and objective analysis of what EU membership means for the UK and our national interest. The deadline for responses is 13 January 2014.



### **Local Enterprise Partnerships**

Link has been invited to represent the natural environment on Defra's Sustainability Advisory Group. The group is reviewing the 39 draft European Structural and Investment Funds (ESIFs) strategies for 2014-20, prepared by Local Enterprise Partnerships (LEPs). Link has been working to ensure that the natural environment and biodiversity are properly integrated into the ESIF strategies, which must reflect the interests of a broad range of economic, social and environmental partners. On 11 October Mike Birkin from Friends of the Earth represented Link at a meeting to analyse all 39 strategies and prepare feedback for the National Growth Board meeting on 6 November.

For more information on ESIF strategies, and the role of LEPs, click [here](#).

### **Monitoring Strategy Group**

On 22 October Tony Gent from Amphibian and Reptile Conservation represented Link on a teleconference for a project group set up by Defra and Natural England to develop a surveillance and monitoring strategy for terrestrial biodiversity.



## Invasive Non-Native Species

### **Task and Finish Group intern**

We welcome Rose Wakeham as Link's new Invasive Non-Native Species intern. Rose has recently completed a degree in Biological Sciences (Zoology) at University of Birmingham and will be providing secretariat support to the INNS Task and Finish Group.

### **All Party Parliamentary Group (APPG) for Biodiversity**

In collaboration with the APPG for Biodiversity, Link organised a very successful visit on 17 October to the London Wildlife Trust site on the River Crane and to the Wildfowl & Wetlands Trust's London Wetland Centre in Barnes. The visit provided an opportunity for MPs and members of the APPG to observe the impacts of invasive species and discuss means by which they may be controlled or eradicated.

Link also joined the inaugural teleconference of the APPG Biodiversity INNS Policy Group on 22 October to discuss priority areas for the Policy Group and how to take these forward.

### **Strategy Review Workshops**

On 28 October the first of Defra's INNS GB Strategy Review Workshops took place and addressed issues including biosecurity and building awareness. The aims of the workshops are to: review progress against each theme; consider what changes could be made to improve the delivery of the Strategy's objectives; and consider the relevance of the Strategy's current objectives to help inform future priorities. The next workshops will take place on 12 and 29 November.

### **Group meeting**

On 12 December the Task and Finish Group will be meeting to discuss progress with the GB Strategy, the alignment between plant health and INNS, and the progress of the EU Regulation.



## Land Use Planning

### **National Planning Policy Guidance**

The Land Use Planning Working Group has submitted a response to the Department for Communities and Local Government consultation on the new National Planning Policy Guidance. Link believes that the guidance suite should have a clear audience and provide effective support for planning professionals on natural environment issues. As part of this, the guidance will need to include appropriate and up to date links to other government documents.

### **Biodiversity offsetting**

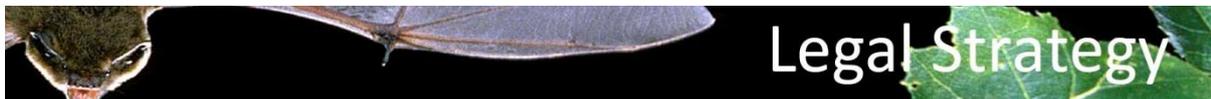
Link meeting:

On 1 October Link held a very productive joint Land Use Planning Working Group and Natural Values Task and Finish Group meeting to discuss Link's response to the Government's green paper on biodiversity offsetting. Link is now preparing its response to the consultation on the green paper, which will be submitted for the 7 November deadline.

External meetings:

On 24 October Link met with Defra officials to discuss the biodiversity offsetting consultation. Items addressed included the Government's timetable, the offsetting metric, habitat banking and enforcement across local authority boundaries.

Link also met with the Law Commission on 31 October to discuss conservation covenants in the context of the Government proposals for biodiversity offsetting and the role of conservation covenants in securing offsets.



### **Judicial Review - Proposals for Further Reform**

Link has submitted evidence to the [Ministry of Justice's consultation](#) on further reform to Judicial Review (JR), which closes on 1 November. JR provides an effective mechanism for challenging the decisions, acts or omissions of public bodies to ensure that they are lawful.

In its response Link expresses concern that the Government's proposals represent a mistaken belief that JR is nothing more than an irritant to economic growth and recovery and asserts that they are a disproportionate response to perceived problems. Link also points out that the proposals will prevent compliance with EU and international environmental law and warns that it is only a matter of time before the UK will again find itself before the Aarhus Compliance Committee and the Court of Justice of the European Union.

### **Law Commission's wildlife law project**

On 15 October the Law Commission published an [interim statement](#) outlining the key decisions it reached following its wildlife law [consultation](#). The statement also reflects the review document submitted to Ministers as part of the review process and follows Defra Ministers' decision, in September 2013, that the project should continue to the next phase.

In general the initial decisions are not as good as Link had hoped. For example, the statement contains no reference to the Convention on Biological Diversity in providing a purpose for the Bill, and the Natural Environment and Rural Communities Act Biodiversity Duties will not be incorporated. However, welcome decisions include a proposal to introduce new invasive species laws and improvements to the penalty levels for wildlife crime.

The Law Commission plans to publish its final report and proposed draft Bill, with the full consultation analysis, in late summer 2014.

Link [responded](#) in November 2012 to the Law Commission's consultation.

### **Balance of Competences Review**

In August Link coordinated a Joint Link's [response](#) to Defra's [consultation](#) on the Environment and Climate Change part of the Balance of Competences Review. The subsequent report will be published in December 2013.

Defra is also leading on Balance of Competences reports on [Agriculture](#) and [Fisheries](#). The consultation period for these reports closes on 13 January 2014.



### **Progress on PIB pollution**

We are pleased to report that the International Maritime Organisation (IMO) has acted to ban ships across the world from discharging all forms of high viscosity polyisobutylene (PIB) into the sea during tank cleaning operations.

PIB was the chemical responsible for the deaths of over 4000 seabirds on the south west coast earlier this year. At a meeting of the IMO's working group on the Evaluation of Safety and Pollution Hazards of Chemicals (ESPH), on 21 October, it was decided to change the classification of high viscosity PIBs to require full tank prewash and disposal of all residues at port and to prohibit any discharge at sea from 2014. This will also apply to new "highly-reactive" forms of PIB, which are currently being transported un-assessed.

The new recommendation had been made by the Maritime and Coastguard Agency (MCA) on behalf of the UK Government. Link highlighted the issue last month in a letter to Stephen Hammond, Parliamentary Under Secretary of State for Transport, and also raised it in [written evidence](#) to the Transport Committee's inquiry into the Government's strategy for the maritime sector.

### **Marine planning**

This month Link submitted a [response](#) to the Marine Management Organisation's (MMO) [consultation](#) on the Draft East Inshore and East Offshore Marine Plans. Overall, Link welcomed the plans but expressed concern that they do not meet the requirements of the ecosystem approach, which the MMO is committed to through the Marine Policy Statement and High Level Marine Objectives. Link also highlighted the unbalanced way in which the draft plan strategically encourages growth of many activities with no equivalent strategic consideration of the environment.

### **MMO Triennial Review**

Link submitted a [response](#) to the Government's [triennial review](#) of the MMO. In its response, Link welcomed the creation of the MMO and stated that it was keen to support the organisation as it develops. Link also stated that it is important that the MMO be adequately funded to allow it to fulfil its responsibilities effectively, ensuring that development in the marine environment is truly sustainable and biodiversity is properly protected.

### **Marine Strategy Framework Directive meeting**

Link will be meeting Defra on 7 November for an update meeting on the implementation of the Marine Strategy Framework Directive.



## Natural Values

### **Natural Values workshop**

On 2 October Link held a successful workshop for members on natural values. The workshop provided background to natural capital valuation, the economics of nature and ecosystem services and included presentations from Tim Sunderland, Environmental Economist at Natural England, and Tony Burton, independent environmental consultant and former Chair of Link. Attendees identified key messages and developed a list of priorities going forward.



## Water

### **Meeting with the National Farmers' Union (NFU)**

Members of the Blueprint for Water coalition met with members of the NFU's environment team on 22 October to discuss watercourse maintenance pilots, the Water Bill and the *Blueprint for Water 2015*. It was a useful meeting and the Blueprint will be organising a follow up meeting with NFU representatives in early 2014 to discuss the development of the *Blueprint for Water 2015* in detail, alongside other issues. The Blueprint and the NFU will be pursuing a national conversation on the development of the watercourse maintenance pilots with Government officials.

### **Meeting with Roger Williams MP and Baroness Parminter**

On 15 October Link held a productive meeting with Roger Williams MP and Baroness Parminter to discuss the Water Bill in advance of its second reading.

### **Meeting with Ofwat**

Link will be meeting with Ofwat in November to discuss the 2014 Review of Water Pricing and the Water Bill.



## Whales

### **UK Cetaceans Workshop**

Link will be running a UK Cetaceans Workshop on 21 November to discuss issues such as pile driving noise, Special Areas of Conservation for porpoises, bycatch and ship strikes. Speakers will include Peter Evans from the Sea Watch Foundation and Sarah Gregerson from ClientEarth. The workshop will also include a review of UK laws regarding cetaceans, taking into account the new recommendations from the Law Commission.

### **Whales Working Group meeting**

Link's Whales Working Group met on 8 October to discuss a range of domestic and international cetacean issues including noise from pile driving and whaling by Greenland, Iceland and Japan.

### **Meeting with Defra**

Link met with Nigel Gooding, Deputy Director of Marine at Defra, and the Defra Whales team on 8 October to discuss a range of issues including priorities for the 2014 International Whaling Commission meeting and the whaling situation in Greenland, the Faroe Islands and Iceland.



### **Westminster Hall debate**

Link submitted a briefing to Joan Walley, Chair of the Environmental Audit Committee, in advance of the Westminster Hall debate on 10 October on the Committee's 2012 report into Wildlife Crime. Link's briefing highlighted the need for: a commitment of long term funding for the National Wildlife Crime Unit; a review of the Crown Prosecution Service wildlife crime prosecutions; a comprehensive wildlife crime database to record cases and prosecutions taken under wildlife crime legislation; and a Defra Minister to Chair the Partnership for Action Against Wildlife Crime.

### **Joint NGO Liaison Group meeting**

Members of the Wildlife Trade Working Group will be attending the Joint NGO Liaison Group (JLG) meeting on 20 November. Agenda items include updates to EU Wildlife trade Regulations following CoP16, Control of Trade in Endangered Species Regulations review and a discussion on relevant meetings including Standing Committee 65 taking place in July 2014.

### **Working Group meeting**

On 30 October Link's Wildlife Trade Working Group met to prepare for the forthcoming JLG meeting and discuss developments with the UK Cross-Departmental Task Force to combat illegal wildlife trafficking, CITES communications and enforcement.

### **Wildlife crime sentencing meeting**

Also on 30 October, Link held a productive meeting specifically to address how Link and its members can best work towards ensuring that wildlife crimes are adequately prosecuted.



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