

Lords Committee Briefing: The English Devolution and Community Empowerment Bill – Nature & Climate Duty

16 January 2026

This briefing is on behalf of nature and animal welfare coalition Wildlife and Countryside Link and Climate Emergency UK ([Link](#)).

Executive summary

The English Devolution and Community Empowerment Bill will create powerful new strategic authorities whose decisions on planning, housing, transport and infrastructure will shape England's carbon emissions, climate resilience and natural environment for decades. Despite this, the Bill contains no clear mechanism to ensure these authorities consistently contribute to the UK's legally binding climate and nature targets.

A strengthened Climate and Nature Duty is needed to close this gap. National oversight bodies have made clear that meeting carbon budgets and nature recovery targets depends on effective local and regional action, yet existing duties are weak, inconsistently applied and often outweighed. Without a clear statutory duty, there is a real risk of policy misalignment, legal uncertainty and backsliding on climate and nature ambition, undermining national objectives and the Government's long-term legacy.

The Duty is strongly supported by local authorities and businesses alike as it would simply consolidate existing obligations and align local action with national targets, providing clarity, consistency and legal certainty. This would give businesses, local authorities and investors the long-term confidence needed to support sustainable growth and sustainable investment projects from the outset.

There are strong precedents for this approach, including existing duties on the Greater London Authority, NHS bodies, the Crown Estate and Ofwat. Likewise public support for environmental action also remains high. Including a strengthened Climate and Nature Duty is a proportionate, common-sense amendment that would ensure devolution becomes a driver of climate-ready, nature-positive growth rather than a source of risk and inconsistency.

Introduction:

The English Devolution and Community Empowerment Bill seeks to create a more consistent system of devolution in England by establishing ‘London-style’ strategic authorities with responsibility for housing, planning, land use, and transport across regions of around 1.5 million people. These bodies would prepare regional growth plans, set frameworks for local planning, have revenue raising powers, take on development, planning and land assembly functions, and influence long-term patterns of infrastructure and economic development.

These decisions will directly influence carbon emissions, land-use change and ecological outcomes. The Bill marks one of the most significant governance shifts in decades in terms of its long-term impact on the UK’s climate and nature commitments.

Yet, despite the scale of these new powers, the Bill currently contains no provisions to ensure that climate mitigation, climate adaptation and nature recovery are robustly embedded in the decisions of the new authorities. It acknowledges Strategic Authorities will play a crucial role in preparing for the future and tackling climate change and nature emergencies at the local and regional level, but it does not deliver the mechanics needed to make this a firm reality. This risks a structural gap between national environmental ambition and the new local decision-making architecture.

Introducing a new, clear climate and nature duty for these authorities would ensure that they contribute meaningfully to statutory goals under the Environment Act 2021, the Climate Change Act 2008 and the Air Quality Standards Regulations 2010, delivering the integration required for cohesive national progress.

Why a strengthened Climate and Nature Duty is needed:

(Amendment 192 – Baroness Bennett; Amendment 241B Baroness Willis)¹

National oversight bodies have already made clear that the current framework of environmental duties is insufficient. The Office for Environmental Protection has warned that progress on nature recovery is far too slow to meet legal commitments, while the Climate Change Committee has repeatedly stressed that meeting carbon budgets will depend heavily on effective local and regional action. Despite this, many strategic local decisions continue to be taken without meaningful reference to national climate, nature or air quality targets.

Current duties are not enough:

Existing duties rely heavily on weak “have regard” language, which lack clear links to measurable outcomes, and are routinely outweighed by stronger, more explicit growth-focused obligations. This

¹ This amendment is supported by a range of stakeholders including Climate Emergency UK, UK100, The Better Planning Coalition, Friends of the Earth, The Wildlife Trusts, South East Climate Alliance, Hampshire Climate Action Network, Association of Directors of Environment, Economy, Planning & Transport (ADEPT).

creates a structural imbalance in decision-making, allowing environmental considerations to be deprioritised and enabling backsliding on ambition in some areas. Given the range of views held by regionally and locally elected representatives on securing the benefits of the transition, this issue is too important to rely solely on local political will. Far from empowering local leadership, the absence of a clearer duty risks curtailing progressive local ambition and locking in higher emissions, environmental degradation and future costs.

The legal implications of not addressing this gap are significant. Without a clear duty, local authorities may interpret their responsibilities inconsistently, creating misalignment with central Government policy and legal targets, exposing decisions to legal challenge. This ambiguity also undermines confidence, delays delivery, and weakens the coherence of the overall policy framework. Introducing a strengthened Climate and Nature Duty would avoid this confusion by consolidating existing legislation and obligations into a clear, consistent expectation for strategic authorities and, through effective coordination with strategic authorities and constituent local authorities, ensure this mandate supports climate delivery across all tiers of local government.

While the UK's national commitment to climate and nature targets is strong and clear, the legal frameworks governing local authority climate action remain weak and inconsistently applied. This leaves trailblazing local authorities pursuing ambitious climate action without the clear mandate and powers needed to deliver at scale. These councils support new statutory obligations, and their efforts demonstrate what could be achieved across England if all local authorities had a strengthened duty, supported by the necessary powers and resources. Local authorities have influence over a significant proportion of emissions, yet the absence of a direct statutory duty means climate action is often deprioritised amidst competing statutory pressures. Local government needs stable long-term funding to be able to deliver on a climate duty.²

A strengthened Climate and Nature Duty would also support the effective delivery of Local Nature Recovery Strategies (LNRSs) and help reinforce existing laws and duties. LNRSs are intended to guide where nature protection and recovery should take place, in connection with the Nature Recovery targets from the Environment Act 2021, but without a clear duty on strategic authorities they risk being treated as advisory. Embedding a clear Climate and Nature Duty would help strengthen the impetus for regional growth plans and strategic, devolved land-use decisions to align with LNRSs and Environment Act priorities.

The Duty would simply reinforce and consolidate existing obligations, ensuring they are applied consistently and transparently across all new devolved authorities. By embedding alignment with national targets and carbon budgets at the point of decision-making, rather than retrofitting or correcting misaligned plans later, the Duty would help avoid costly delays, legal challenges and policy

² Recent research by UK100 found that 88% of local authorities in their network support a statutory climate duty provided it comes with necessary powers and funding. See UK100, *Local Net Zero 2.0: The moment to deliver* (2024)

reversals. Greater consistency would also provide vital long-term certainty for investors, developers, businesses and local partners, supporting sustainable private investment in the transition and helping authorities deliver better value for money over time.

There are good precedents for this Duty. The Greater London Authority was set up with climate and biodiversity duties.³ However, as it currently stands the English Devolution Bill will create a two-tier system where one strategic regional authority will have climate and nature duties, and the rest will not. This shift has direct and profound implications for climate action and nature recovery. Likewise, the Health and Care Act 2022 placed new duties on integrated care boards, NHS trusts and foundation trusts to consider statutory emissions and environmental targets in their decisions. More recently, the Government has updated statutory duties for the Crown Estate and Ofwat to consider nature and climate targets.

There is also a broader strategic risk. Without a statutory duty, new devolved bodies could, inadvertently or deliberately, undermine national climate policy and the Government's long-term legacy, by approving developments and policies that conflict with carbon budgets, adaptation goals or nature recovery targets. This would not hinder policy progress and initiatives championed nationally but could erode public trust at a time when climate action remains popular and widely supported.⁴

The benefits of a stronger duty: for people, prosperity, and protecting communities

Without a strong duty, there is a real risk that climate and nature ambitions will be neglected, with direct consequences for communities. It risks the loss of green jobs, weakens local economic resilience, increases exposure to flooding and heat, worsens air pollution and accelerates the loss of valued green spaces. More in Common polling shows that concern about green space is shared across political and demographic divides. Parks and green spaces are the single biggest source of local pride for voters of every political party and for six of More in Common's seven public segments including Red Wall voter groups. One in three Britons (32%) said parks and green spaces were the thing they are most proud of in their local area, rising to over half (51%) when local nature was included, underlining that protection of nature and the environment is not a niche concern, but a widely shared public priority.⁵

A strengthened Climate and Nature Duty would help ensure that devolution supports, rather than undermines, these priorities. By embedding climate mitigation, adaptation and nature recovery into strategic decision-making from the outset, the Duty would reduce long-term costs, support high-quality development, and deliver more resilient, healthier communities.

³ <https://www.legislation.gov.uk/ukpga/1999/29/contents>

⁴ <https://www.gov.uk/government/statistics/desnz-public-attitudes-tracker-spring-2025/desnz-public-attitudes-tracker-headline-findings-spring-2025>

⁵ <https://www.moreincommon.org.uk/media/gjodfdg5/green-spaces-report-for-uploading.pdf>

Crucially, this is not about adding new burdens. Authorities are already bound by national climate and environmental law. The duty simply ensures that these obligations are applied consistently and coherently at the strategic level, avoiding the inefficiency and risk of retrofitting or correcting poor decisions later.

Strong cross-sector support:

The proposal is simple common-sense move to bring clear, and welcome alignment with existing legislation, a move that is strongly supported by businesses across relevant sectors. *Twice* more than [100 businesses](#), as well as the [Local Government Association](#), the [District Council Network](#), London Councils, ADEPT and the [vast majority of UK100 members](#), have called for a statutory duty to ensure effective climate action at local level.⁶

Recently, [over 500 councillors](#) from across England and from almost every major party recently signed an open letter in support of a stronger Duty. The councillors that signed the letter including more than 20 leaders or deputy leaders of councils, 70 council cabinet members, Labour London Assembly Member Leonie Cooper and Labour Mayoral candidate for Hampshire & Solent, Lorna Fielker. This broad consensus shows that the Duty is not only necessary, but widely recognised as essential to deliver coherent, future-proofed devolution and sustainable growth.

The Bill represents a once-in-a-generation opportunity to align devolution effectively with the UK's climate and nature goals. Without a statutory duty, strategic authorities will lack the clarity, mandate, and consistency needed to deliver on national commitments, perpetuating the systemic issues that have hindered progress for more than a decade. There are good precedents for this change. The Health and Care Act 2022 placed new duties on integrated care boards, NHS trusts and foundation trusts to consider statutory emissions and environmental targets in their decisions. More recently, the Government has updated statutory duties for the Crown Estate and Ofwat to consider nature and climate targets.

A climate and nature duty is therefore necessary, proportionate, and strongly supported. Including it in the Bill would ensure that devolution becomes a powerful driver of climate-ready, nature-positive, resilient communities across England.

Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 90 organisations to use their joint voice for the protection of the natural world and animals.

⁶ <https://climateemergency.uk/climate-emergency-uk-produce-joint-briefing-for-planning-infrastructure-bill/>

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The following organisations have inputted into this response and support the points made :

Friends of the Earth

UK100

South East Climate Alliance (SECA)

The Wildlife Trusts

The Mammal Society

Buglife

PTES

Woodland Trust

Association of Directors of Environment, Economy, Planning & Transport
(ADEPT)

Rights Community Action

Healthy Air Coalition

Zero Hour

Better Planning Coalition

IFM

Rewilding Britain