



The work of the Environment Agency: Link Briefing Note Ahead of question in House of Lords on 07.03.24

Baroness Jones of Moulsecoomb has secured an oral question in the House of Lords on 7th March 2024 on what assessment the Government has made of the work of the Environment Agency in protecting public health and the environment. Ahead of the oral question, Wildlife and Countryside Link highlights the following points:

The Environment Agency’s workload is increasing

UK nature is experiencing devastating declines, with nearly one in six species currently threatened with extinction.¹ Only 7% of woodlands and 25% of peatlands are in a good ecological state, and not a single English waterbody is in ‘good’ overall health.² The State of Nature Report 2023 concludes that pollution remains a significant driver of these declines.³

As the regulator for environmental pollution the Environment Agency has a vital role to play, and much work to do to reduce the pollution partially driving biodiversity decline. The need to adapt regulation to the continuing Agricultural Transition and to respond to new freshwater pollution pressures create further work demands, along with the need to upscale activity to contribute to the achievement of targets set under the Environment Act 2021. As the Office for Environmental Protection reported in January 2024, progress towards these targets is currently ‘off track’, requiring further Environment Agency work to secure forward movement.⁴

Budgets have not kept up with this increased workload

Despite increasing duties, the Environment Agency remains under-funded and under-resourced, undermining its ability to fulfill its statutory functions, deliver a robust and comprehensive monitoring and enforcement regime and to respond to increased workload.

¹ State of Nature report 2023: <https://stateofnature.org.uk/>

² <https://www.data.gov.uk/dataset/41cb73a1-91b7-4a36-80f4-b4c6e102651a/wfd-classification-status-cycle-2>

³ State of Nature report 2023: <https://nbn.org.uk/news/state-of-nature-2023/>

⁴ <https://www.theoep.org.uk/report/government-remains-largely-track-meet-its-environmental-ambitions-finds-oep-annual-progress>



The overall Environment Agency budget was kept pegged around the £1.2 billion mark from 2008⁵ for well into the 2010's⁶, before slowly rising to 1.75 billion in 22/23.⁷ This is still around 5% less in real terms than £1.2 billion was worth in 2008.⁸

Within these overall budgets, revenue funding – the source for essential monitoring and enforcement work – was cut considerably, with Government funded expenditure on revenue falling from £292 million in 2010 to £251 million in 2013.⁹ Analysis by Prospect has highlighted that the Government grant for environmental protection (a crucial revenue element) was cut by 50% between 2010 and 2022 in real terms.¹⁰

The consequences of this long and lingering spell of Environment Agency austerity can be felt across the full range of its work areas:

- The Agency's enforcement action has declined by 84% from 2012-2022. Of the 4,074 enforcement actions taken against companies by the Agency during the 2012-2022 period, 60% did not result in a fine.¹¹
- In 2022, Agency staff were instructed to ignore 'low impact' pollution incidents due to lack of capacity.¹²
- FOI requests from WWF and ClientEarth have shown that in 2022-2023, the Environment Agency conducted 4,137 inspections in relation to farming regulations, with 37% of those inspected found to be in breach. However, these inspections only accounted for only 4% of total farms in England, meaning many infringements are not being caught by the current enforcement regime.¹³

⁵ <https://assets.publishing.service.gov.uk/media/5a7c6f7c40f0b62aff6c1a6d/0782.pdf>

⁶ https://webarchive.nationalarchives.gov.uk/ukgwa/20230909213905mp_/https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/442886/LIT_10133.pdf

⁷ <https://assets.publishing.service.gov.uk/media/653a337380884d0013f71b7c/EA-Annual-Report-2022-23.pdf>

⁸ <https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>

⁹ <https://www.gov.uk/government/publications/spend-information-for-flood-and-coastal-erosion-risk-management-environment-agency/environment-agency-actual-spend-figures-2005-2006-to-2017-2018-england-only>

¹⁰ <https://www.independent.co.uk/climate-change/news/water-pollution-sewage-environment-agency-funding-b2154848.html>

¹¹ <https://bylinetimes.com/2022/11/09/uk-environment-agency-prosecutions-6-of-the-level-they-were-a-decade-ago/>

¹² Reported here: <https://www.theguardian.com/environment/2022/aug/29/environment-agency-tells-staff-to-ignore-river-pollution-complaints-age-of-extinction>

¹³ <https://www.standard.co.uk/news/environment/environment-agency-clientearth-wwf-watchdog-defra-b1128304.html>



- Unchecked analysis suggests that 60% fly tips in 2021 resulted in no enforcement action.¹⁴ As the OEP has observed “*data gaps also limit the Environment Agency’s understanding of the overall scale of waste crime.*”¹⁵
- Water pollution monitoring has been reduced to such an extent that few pollutants are monitored and reported in ways that allow preventative action to be taken. Whistleblowing reports suggest significant cuts to water pollution enforcement.¹⁶
- There are reports that sustained pay freezes and cuts have damaged staff morale.¹⁷

The Environment Agency needs a pay rise

The Agency is full of hard-working, talented individuals, who achieve remarkable results for the environment despite the pressures the Agency faces. The above shortfalls are the result of sustained funding restrictions rather than any organisational or personnel issue.

To realise the full potential of the Environment Agency, to reduce pollution, tackle waste and play a leading role in achieving Environment Act targets, the Agency’s budget should be increased to at least £2 billion. Government funding to support revenue expenditure should form the bulk of the increase, to allow for increased monitoring and enforcement. This funding should be sustained over multi-year spending cycles, with automatic uprating for inflation, to both address the lingering consequences of historic funding restrictions and to allow for forward strategic planning, as opposed to one-off (but still welcome) funding increase announcements seen recently.¹⁸

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¹⁴ <https://unchecked.uk/wp-content/uploads/2022/10/Fly-tipping-in-England-briefing.pdf>

¹⁵ <https://www.theoep.org.uk/report/government-remains-largely-track-meet-its-environmental-ambitions-finds-oep-annual-progress>

¹⁶ <https://www.theguardian.com/environment/2022/jan/20/environment-agency-cuts-staff-blow-whistle>

¹⁷ <https://prospect.org.uk/news/i-have-never-known-morale-in-the-environment-agency-fall-so-low>

¹⁸ For example, see <https://www.gov.uk/government/news/inspection-surge-to-crack-down-on-water-sector-pollution>. This is a welcome funding increase, but the scale of *additional* funding and its duration remains unclear.