

Wildlife and Countryside Link Briefing on the Natural Environment and Rural Communities Bill & the establishment of Natural England

1. Wildlife and Countryside Link (Link) brings together voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management and food production and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together, our members have the support of seven million people in the UK and manage over 398,000 hectares of land. This statement is supported by:
 - Bat Conservation Trust
 - British Mountaineering Council
 - Buglife – The Invertebrate Conservation Trust
 - Butterfly Conservation
 - Campaign to Protect Rural England
 - Council for British Archaeology
 - Council for National Parks
 - Friends of the Earth England
 - Herpetological Conservation Trust
 - National Federation of Badger Groups
 - Open Spaces Society
 - Ponds Conservation: The Water Habitats Trust
 - Ramblers' Association
 - Royal Society for the Protection of Birds
 - The Wildlife Trusts
 - Wildfowl and Wetlands Trust
 - Woodland Trust
2. Wildlife and Countryside Link welcomes the publication of the Natural Environment and Rural Communities Bill and participated in the Bill's pre-legislative scrutiny. Link's interest is in the strengthening and renewal of both policy and delivery, bringing about real improvements in achieving environmental enhancement, public engagement and leadership, and as a result this briefing focuses on the establishment of Natural England – the agency established by the Bill by merging English Nature, parts of the Countryside Agency and most of Defra's Rural Development Service.

Natural England as an Environmental Champion

3. Link supports the establishment of Natural England as a powerful champion for our natural environment. Link welcomes the Government's comments that Natural England should be an "independent and powerful guardian of our natural heritage that will be responsible for conserving and enhancing England's rich and diverse natural environment"¹.
4. **Natural England's general purpose:** Link is particularly pleased that the focus of Natural England remains on the natural environment, as reiterated by the Government in the Bill's second reading. Link strongly supports clause 2(1) and believes it crucial for Natural England to retain this prime focus on the natural

¹ Extract of quote from Rt Hon Margaret Beckett MP's opening remarks during the Second Reading of the NERC Bill, 6th June 2005 (Official Report, 6/6/05; col 1007).

environment, and in so doing ensure that the agency 'contributes' to sustainable development. In this way, Natural England will contribute to social and economic well-being in ways which support the protection and enhancement of the natural environment. Thus, sustainable development will be achieved through the sum of Government policy as a whole. Link therefore believes that it is vital that Natural England retains its purpose as set out in clause 2(1).

5. The maintenance of Natural England's purpose, as set out in clause 2(1), is especially important given the number of statutory bodies which already hold statutory responsibility for the delivery of social and economic pillars of sustainable development. A leading example is the Regional Development Agencies (RDAs)², which state one of their five purposes as being "to contribute to sustainable development". Maintaining clause 2(1) will ensure that legislation for Natural England complements that which established the RDAs. This, read together with the mission of England's RDAs³, which focus only on "sustainable economic development" provides a rationale for Natural England to focus primarily on the environmental pillar of sustainable development. Any trade offs that need to be made between environmental, social and economic benefits should be made openly by Government, with full consideration of all relevant parties and not by an NDPB.
6. Link welcomes the duty that Natural England will have to protect biodiversity. Link considers that a duty to protect should be applied to the landscape in clause 2(2)(b) as it will ensure that the current statutory duties of the Countryside Agency to "preserve the natural beauty in England" will be transferred to Natural England.
7. Natural England's independence is crucial to ensure its credibility amongst stakeholders and Link is pleased to see that as a result of the pre-legislative scrutiny the Bill has been amended in a number of areas to improve this accountability. In particular, the additional detail on the membership and composition of the Board (Schedule 1, clauses 3 and 4) and the requirement that any guidance given to Natural England by the Secretary of State must be in consultation with relevant parties (clause 15 (3)) and published.
8. **Review and Research functions:** Link is encouraged that research will be an important component of Natural England's functions and is particularly pleased to see the inclusion of clause 3(4) in the Bill, retaining English Nature's current role with regard to the gathering, management and dissemination of information.

Wildlife and Countryside Link is also producing detailed separate briefings on Part 3 (Wildlife etc) and Part 6 (Rights of Way) of the NERC Bill. Please contact Alexia Wellbelove (alexia@wcl.org.uk or 020 7820 8600) for more information.

² Regional Development Agencies Act 1998 - Section 4 of the Act gives the Regional Development Agency (RDA) a statutory purpose "to contribute to sustainable development in the United Kingdom".

³ The mission of England's RDA's is: "Transforming England's regions through sustainable economic development" (<http://www.englishrdas.com/home.aspx>).