

Natural England Board



Meeting: 9
Date: 13 February 2008

Paper No: **NEB PU09 05**

Title: **Advocacy Priorities for 2008/09**

Sponsor: **Guy Thompson, Executive Director, External Affairs**

1. Purpose

- 1.1. The purpose of this paper is to outline the proposed advocacy priorities for Natural England's advocacy programme in 2008/09.

2. Recommendation

- 2.1. That the Board agrees the proposed advocacy priorities for 2008/09.

3. Background

- 3.1. Advocacy is identified in the Strategic Direction as one of the five levers available to Natural England to deliver our core purpose. Our advocacy aims to secure Natural England's outcomes and reputation by being influential and to establish Natural England as a thought leader on broad themes aligned with our strategic outcomes. The advocacy process is described in Annex 1.
- 3.2. Our policy process aims to deliver robust, coherent, evidence-based policies on the range of issues affecting the natural environment. Our advocacy process aims to ensure that we make the most of any opportunities to explain and promote our position in order to protect and enhance the natural environment. Once a policy is agreed, a policy position statement is prepared, which summarises our views and states clearly what we are asking of others. In essence they provide a hymn sheet to promote consistent communication with a range of stakeholders. Our policy position statements on coastal access, Marine Protected Areas (MPAs), and CAP reform (the Natural England position was established through papers to the Board in 06/07) are attached at Annex 1. A draft position statement on landscape is attached at Annex 2. This is subject to the Board signing off the landscape policy on 13 February 2008. Further position statements on bioenergy, health, and climate change will be available before the April Board meeting.
- 3.3. An analysis has been undertaken of the needs for our advocacy in 2008/09, informed by horizon-scanning of forthcoming policy influencing opportunities in Whitehall, Westminster and the EU.
- 3.4. Whilst the advocacy priorities are focused on specific policy influencing opportunities, they will inform the direction of our work to build awareness and understanding of the natural environment. This will be given expression in an external affairs plan for 2008/09.

4. Issues

Proposed advocacy priorities

4.1. We propose the following advocacy priorities for 2008/09:

4.1.1. Outcome 1:

- Marine Bill.

4.1.2. Outcome 2:

- working with local authorities to secure a more proactive approach to delivering our outcomes through Rights of Way Improvement Plans;
- promoting access to the natural environment as a preventative health solution.

4.1.3. Outcome 3:

- CAP Health Check;
- EU Budget Review;
- shaping national Planning Policy Statements.

4.1.4. Outcome 4:

- practical action on climate change;
- implementation of the climate change adaptation framework;
- EU Climate Change Adaptation White Paper;
- securing a fair deal for the natural environment through PR09;
- green infrastructure strategies in the eco-towns and new growth points.

4.2. Most of these priorities represent a direct carry forward from our advocacy in 2007/08, on the basis that these areas continue to be pivotal to our strategic outcomes. Two priorities (Planning Policy Statements and climate change adaptation framework) focus on influencing the implementation of important legislation (the Planning Bill and the Climate Change Bill, both of which are likely to be on the Statute Book by the beginning of the new year). Coastal access has dropped off the list, on the basis that our focus will be on influencing the Marine Bill before it is published in draft and, depending on the Government's legislative priorities, introduced to Parliament in the next session. Coastal access will of course continue to be the focus of considerable activity in influencing the design of the legislative provisions and preparing for implementation of our advice through targeted advocacy with landowners and stakeholders, as well as the public.

- 4.3. Each of these priorities is either already subject to an established Natural England policy position or the Board is due to agree a policy position at one of its next two meetings.

Policy influencing opportunities

- 4.4. The advocacy priority for Outcome 1 centres on the marine environment, particularly on making the case for a network of MPAs in the draft Marine Bill and strengthening its proposed coastal access provisions. Alongside this, we will step up our advocacy of the need for MPAs to the fisheries sector and will start to make the case for MPAs to the public. At an EU level, our focus on the marine environment will be on influencing the implementation of the EU's Maritime Action Plan and the proposals expected from the European Commission in the summer for introducing systems of marine spatial planning, and for taking forward an eco-systems approach in the Common Fisheries Policy.
- 4.5. The advocacy priority for Outcome 2 centres on the health agenda, where we will step up our work to promote the natural environment as a preventative health solution to the public health sector and the public, with an increased focus on the benefits for children in particular. Our advocacy to the Department of Health will have a particular focus on the mechanism by which GPs' performance-related pay criteria are determined.
- 4.6. Under Outcome 3, our short term focus will be on securing the environmental legacy of set-aside, future cross-compliance obligations and the future of voluntary modulation in the CAP Health Check. However, influencing the overall direction of EU funding through the budget review is the more important immediate opportunity to deliver our long term objectives for CAP reform. The next milestone in this two year process will come in the spring, when the Commission and the European Parliament will jointly host a stakeholder conference to review the results of the Commission's consultation on the structure and direction of the EU's spending priorities and its sources of revenue. Alongside these priorities, we will continue to raise public awareness of environmental goods and services that are delivered through public funding of more sustainable land management practices and establish our credentials with the land management industry. We will also seek to make the case for integrating climate change adaptation considerations into the CAP and influence future CAP responses to bioenergy.
- 4.7. The main priority under Outcome 4 is climate change adaptation and mitigation. Having got climate change adaptation into the Climate Change Bill and worked on strengthening its provisions in 2007/08, our focus in 2008 will be on influencing the implementation of the government's adaptation framework, which is expected to be published before summer 2008. At an EU level, we will focus on strengthening the Commission's Climate Change Adaptation White Paper, which is expected in June 2008 but is likely to slip until the autumn. Influencing the government's feasibility study for a Severn Barrage will be the primary focus for our advocacy on energy policy. Building on the debate we initiated last October on the housing growth agenda, we will continue to promote the case for better provision of green infrastructure alongside new development. Once we have an established policy position, we will work with CLG, the RDAs and local authorities with respect to the next funding round for the new growth points and eco-towns, when the

assessment process has concluded in February. Finally, our work on the next water price review process PR09 will focus on influencing water company strategic plans at a regional level, whilst working with the Environment Agency, other regulators and partners to make the case for a move away from end-of-pipe solutions.

Annex 1

Policy Position Statements

1.

Natural England Policy Position Statement: Coastal Access

1.0 Key Issues

- There are currently no general rights for people to use the coast, despite its enormous public popularity.
- Current use is through a mixture of legal rights, other long term arrangements, short term permissions, and in many cases people just walking along sections of coast in places where they know this has been possible in the past.
- Some sections of coast are rich in, but others poor in, wildlife interest. There is huge potential to improve the coastal environment – and people’s enjoyment of it - by providing incentives for rolling back intensive farming from the coast, in particular from cliff edges.

2.0 We believe

- People should be able to arrive at the coast anywhere in England confident in the knowledge that:
 - a. There will be **clear, certain, well-managed** access on foot around the coast in either direction from that point.
 - b. They will have access to appropriate areas of ‘**spreading room**’ – such as headlands and uncultivated land – en route.
 - c. They will be able to enjoy a **rich and varied natural environment** as they go.
- Our work to deliver better access around the coast should concentrate on filling existing gaps, providing a better quality experience (including through extra ‘spreading room’ en route), and improving the ‘fit’ with other land uses.
- As part of this work, public access rights over the vast majority of beaches should be formalised, in order to provide certainty for the future.
- The new rights should, where possible, be capable of ‘rolling back’ automatically with any future erosion.
- A special low-liability regime to benefit occupiers is needed, based on the model under the Countryside and Rights of Way Act 2000.
- A new Coastal Access Code will have an important role in promoting responsible behaviour on the coast.
- There should be a working presumption against paying compensation, as locally sensitive alignment of the access corridor will minimise any adverse impacts on property owners or land managers.
- Improved provision for horse riding and cycling, circular walks, new routes to the coast from inland, and access for all trails could all be prioritised at the local level.
- Natural England should invest an average of £5million per year during a 10 year initial implementation programme. This would include direct grant aid to local access authorities, as key partners in this venture.
-

3.0 We want

- Government to legislate along the lines recommended by Natural England, giving Natural England new powers to improve coastal access at a national scale in ways that take account of the unique coastal situation. Existing powers are inadequate for this purpose.
- To be able to realign any section of coastal access if this proves necessary because things have changed, for example as a result of coastal erosion.
- Statutory methodology and a national framework approved by the Secretary of State to provide local delivery.
- To use local targeting of measures such as agri-environment agreements to improve the environmental interest of land within coastal parishes.
- To work with a full range of partners - including regional development agencies, the Environment Agency, the National Trust, and Lottery distributors – to explore how to maximise the contribution they can make to the same objectives.
- Local interests (including land managers, parish councils, local access forums and wildlife and user groups) to be involved in discussions to agree collaborative approaches

Key contact: paul.johnson@naturalengland.org.uk

18 January 2008

2.

Natural England Policy Position Statement: *Marine Protected Areas*

1.0 Key Issues

- England's seas are some of the most highly productive in the world, and yet recent scientific and Government reports indicate a significant decline in the quality of our marine environment, mainly through damaging human activities.
- Marine Protected Areas (MPAs) are recognised as a key tool to recover biodiversity and improve ecosystem health.
- The UK is committed to meeting various international agreements such as OSPAR and WSSD to implement a coherent network of MPAs in our seas, but this is still some way off.
- Existing MPA provisions, even if fully implemented, are inadequate to bring about the necessary recovery of our marine ecosystems.
- The proposed Marine Bill is intending to address this deficit in action and capability, and by proposing a new mechanism for selecting, designating and managing a national network of MPAs.
- Progressing MPAs needs to be done on a network basis and not in a piecemeal fashion by proposing sites individually.

2.0 We believe

- A well managed MPA network is fundamental to the recovery and conservation of both biodiversity and ecological processes, and will make an essential contribution to sustaining wider marine ecosystem health. An MPA network is essential to ensure that healthy ecosystems have the capacity and resilience to adapt to ongoing climate change.
- There will be benefits to intrinsic biodiversity *and* the range of goods and services that the marine environment provides, through providing this level of protection to the wider marine ecosystem.
- MPAs can provide opportunities for people to experience and enjoy a healthy marine environment and ultimately instil a sense of stewardship.
- An effective MPA network will contribute to the protection of national and international rare and threatened habitats and species, as well as protecting the full range of biodiversity.
- Highly Protected Marine Reserves should be part of the MPA 'family'; they are essential including for long-term monitoring, benchmarking, and to act as control areas that remain unaffected by direct human activities.
- Stakeholders should be involved throughout the process of MPA selection and management. Their involvement is key to securing effective ownership, integrating socio-economic interests and facilitating subsequent management and enforcement.
- For the network and individual MPAs to deliver their objectives, this will require clear conservation objectives, and comprehensive monitoring of activities and site condition; the results of which may require subsequent changes in management practice.
- For the MPA network to be effective it needs to be representative, replicated, connected, permanent and of sufficient size to meet the ecological requirements of species. Decision-making should be based on the best available information, but where such information is lacking, the network should be designed and managed using the precautionary approach, taking

into account successful policies and practices adopted elsewhere.

3.0 We want

- A fit-for-purpose Marine Act that facilitates the delivery of an ecologically coherent network of well-managed MPAs.
- The Marine Act to have effective nature conservation mechanisms, that provide for Marine Conservation Zones that have various levels of protection afforded including some at the highest level i.e., Highly Protected Marine Reserves.
- The Marine Act to contain meaningful and appropriate duties for Natural England and others, supported by appropriate compliance mechanisms.
- The Marine Act to have efficient and timely processes for taking account of socio-economics in Marine Conservation Zone designation which ensure that socio-economic factors do not outweigh environmental considerations.
- The Marine Act to contain a streamlined designation process with Natural England responsible for the confirmation of Marine Conservation Zones.
- Recognised MPA network design principles coupled with a clear vision for the network to be adopted by Government.
- Marine stakeholders at local, regional and national levels to work together throughout the MPA process, starting now with the collation of evidence and designing elements of the network at a regional level.
- The best available evidence to be utilised in the identification of marine protected areas, at both the local level and with regard to how networks function.
- Stakeholders to believe that MPAs are an essential contribution to the recovery and protection of the marine environment.

Key contact: mark.duffy@naturalengland.org.uk

18 January 2008

3.

Natural England Policy Position Statement: *Common Agricultural Policy Reform*

1.0 Key Issues

- The Common Agricultural Policy (CAP) is fundamentally important to rural land use and management and, through rural development regulations, provides support for agri-environment, forestry and other rural development schemes. It is therefore critically important to Natural England and our delivery of related schemes.
- Approximately three quarters of the annual £2bn of payments to farmers and land managers in England are in the form of general income support payments through the Single Payment Scheme. These payments deliver little more than basic compliance with environmental regulations and, as such, do not present good value for public money.
- The remaining quarter of the annual CAP funding is devoted to the delivery of environmental public goods through the Rural Development Programme for England (RDPE). Over 80% of this RDPE funding is for Axis 2, within which agri-environment schemes are by far the largest component. These schemes deliver a range of defined environmental good and services including: climate change adaptation and mitigation, biodiversity and landscape conservation and protection of natural resources. The European Commission has indicated that the 'direction of travel' for CAP should involve the progressive expansion of Pillar 2, but England's heavy reliance on Voluntary Modulation makes our Pillar 2 funding vulnerable, as the Commission is also determined to phase out this funding mechanism.

2.0 We believe

- There is a need for a large-scale transfer of funds from income support to support for sustainable rural development, including securing environmental goods and services that would not otherwise be provided by functioning markets, thus ensuring that public funds are contributing to improved social welfare.
- In the medium term, the CAP needs to develop into a policy that maintains multi-functional land use and helps to build and maintain a new social contract between farmers and the rest of society.
- In the longer term, alternative mechanisms need to be developed to safeguard the natural environment. These need to include approaches that are less reliant on continual annual payments and approaches that can work in areas where multifunctional land use is breaking down.
- That further simplification of CAP is necessary, including: simplifying cross compliance conditions (without diluting standards); completion of decoupling across EU; transition to a flat-rate Single Payment Scheme model by 2013 for all Member States.
- That adjustments to ELS that retain simplicity whilst delivering greater environmental benefits by encouraging the most appropriate local options are required.
- That Upland ELS must also be rolled out as a more environmentally useful successor to the Hill Farm Allowance Scheme.

3.0 We want

- The political agreement achieved on the CAP Health Check to include a

package of measures to secure the environmental legacy of set-aside to include both financial incentives and cross compliance conditions.

- Acknowledgement from the EU Agriculture Council, in agreeing the CAP Health Check reform package, that the 'direction of travel' of the reform process is away from income support and towards support for sustainable rural development (including securing environmental goods and services that would not otherwise be provided by functioning markets).
- The UK Government to resolutely protect the ability to voluntarily modulate funds, while successfully negotiating for an increase in the rate of compulsory modulation to fund an expanding agri-environment programme.
- EU Finance Ministers and Heads of State to secure adequate funding for environmental land management as part of a settlement on the EU Budget Review. This is in the context of a declining share of EU budgetary spending on agriculture and is required in order to meet the challenge of climate change.
- The outcome of the Budget Review to reflect a substantial reduction in income support, combined with an increase in RDP funding (especially for Axis 2). It should also reflect a fairer allocation of RDP funds between Member States, based on an objective assessment of need rather than historical accident.
- The development of the architecture for the Financial Perspective 2014–2020 to result in a further reduction in income support, with residual support targeted at maintaining environmentally beneficial farming systems.
- Continued large-scale funding for environmental land management with progressive development of mechanisms that secure environmental benefits long term, rather than on an annual basis (towards buying not renting).
- A Map-based, data-driven approach to targeting and prioritisation of both ELS (Entry Level Stewardship) and HLS (Higher Level Stewardship).
- Farmers to see managing the natural environment as one of their primary roles and the public would see them as guardians of the environment and be willing to pay for these 'public goods' through general taxation.
- Farmers to also move towards more environmentally sustainable production of food that consumers want to buy.

Key contact: geoff.radley@naturalengland.org.uk

18 January 2008

Annex 2

Natural England Policy Position Statement: *Landscape*

1.0 Key Issues

- Our landscapes are key resources for Natural England, providing the physical settings for everyday life. In addition our best loved, iconic landscapes are protected by statutory designations. All our landscapes matter and Natural England has a huge opportunity to demonstrate what this means in different places and at different geographic scales
- England's landscapes are already being affected by major challenges such as climate change. We need to ensure that, as they change, our landscapes continue to evolve in distinctive, diverse and special ways
- People perceive and react to landscapes in different ways: we need to find ways of tapping into their concerns and values as part of our commitment to strengthening the relationship between people and place.

2.0 We believe

- Landscape is 'an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors' (European Landscape Convention)
- All landscapes matter: landscapes in towns and cities are as important as those in the countryside and on the coast
- Protected landscapes play a key role in the conservation, enhancement and delivery of sustainable use and management of our natural environment, exemplifying and demonstrating best practice
- Landscape is a key aspect of the natural environment and a vital resource: this means that we will engage in landscape at many scales, from international, through national and regional, to local
- An understanding of landscape character, aesthetics, systems and dynamics is essential in delivering the government's commitment to an ecosystem goods and services approach to resource management and planning, and visioning future landscapes
- Landscape character and cultural heritage are key contributors to regional and local identity, influencing sense of place, shaping the settings of people's lives and providing a critical stimulus to their engagement with the natural environment

3.0 We want

- All levels of government to recognise the positive contribution played by England's landscapes to local, regional and national prosperity and quality of life
- To inspire our stakeholders and partners to create their own action plans for the implementation of the European Landscape Convention
- To demonstrate what conservation at the landscape scale, in a time of climate change, really means
- A system of protected landscapes that responds to major drivers such

as climate change and continues to ensure the best care for our most loved places

- A national park for the South Downs
- To close the gap between the Lake District and Yorkshire Dales National Parks
- To demonstrate the benefits to the natural environment of integrating the conservation of both natural and cultural heritage
- To engage many more people in learning about and doing things in and for their landscapes
- To produce practical guidance showing how people can work with landscapes in our towns, cities and growth areas as well as the countryside and the coast, making a difference for England's natural environment
- To influence relevant legislation and government guidance, so that it endorses an holistic, landscape approach
- To engage our partners in visions for a secure environmental future, where our changing landscapes are managed sustainably, highly valued, distinctive expressions of local identity.

Key contact: val.kirby@naturalengland.org.uk

18 January 2008