

Natural England Board

Meeting 7
10 October 2007



Paper No: **NEB P07 26**

Title: **Memorandum of Understanding between Natural England, the Environment Agency and the Forestry Commission**

Sponsor: **Andrew Wood, Executive Director Evidence and Policy**

1. Purpose

1.1 The purpose of the paper is to secure the Board's endorsement of the terms of the MoU agreed with the Environment Agency and the Forestry Commission (attached at Annex 1).

2. Recommendations

2.1 It is recommended that the Board:

- Note the terms of the MoU and note the Chief Executive's intention, in consultation with the Chair, to sign on behalf of Natural England
- Note the areas where co-operation is already bearing fruit

3. Background

3.1 The founding bodies agreed the terms of an MoU with Environment Agency and Forestry Commission during 2005. This was not formally endorsed by Natural England after the passage of the Bill but we have continued to work within the spirit of the original agreement, whilst seeking to negotiate one fit for purpose for the relationship between statutory bodies.

3.2 This new MoU outlines our respective responsibilities, our shared aspirations for the environment and outcomes we will seek in partnership, and how we will work together to achieve these.

3.3 The terms of the current MoU were agreed by Chief Executives in June. Natural England's non-financial scheme of delegation permits the Chief Executive to sign in consultation with the Chair, but the Chief Executive has chosen to bring the MoU to the attention of the Board in view of the importance of this partnership.

3.4 The absence of a formal agreement has not prevented the three agencies from actually working together on a number of projects and issues. Some examples include:

- Catchment sensitive farming

- PR09
- Achievement of the SSSI PSA target
- Permitting power stations
- HLS targeting
- Development of respective Corporate Plans

3.5 We have established formal liaison arrangement at Chair, Chief Executive, Executive Director and Regional Director level in addition to a wide range of routine engagement at officer level.

4. Issues

4.1 It is noted that the relationship will continue to evolve and that a formal review should take place in three years, or earlier as required. The formal liaison arrangements above should periodically review progress in implementing the MoU.

4.2 Additionally, Board will wish to consider what follow up action they want to take after the joint Board meeting with EA (a suggestion of a joint field trip was floated at the joint Board); and if they wish to take a similar initiative with Forestry Commission.

Annex 1

Memorandum of Understanding

Between

NATURAL ENGLAND

THE ENVIRONMENT AGENCY

and THE FORESTRY COMMISSION

1. This Memorandum of Understanding is between Natural England, the Environment Agency and the Forestry Commission. It is about how we will work together to protect and enhance the natural environment and promote its understanding and appreciation.
2. Each body has its own distinctive roles and responsibilities, based on its statutory remit, which it needs to pursue. However, we all recognise the benefits of working together to achieve our common goals. The purpose of this Memorandum is to agree those areas where we recognise we can achieve more for the environment by working together, to appreciate where we have separate objectives and to effectively manage the boundaries, including potential overlaps, between these interests. In many cases we are delivering our respective responsibilities to the same customers and partners. By working in partnership we can achieve more effective delivery of outcomes, improve service to our customers and avoid duplication.
3. This Memorandum sets out:
 - our respective roles and responsibilities;
 - the outcomes we will achieve by working together;
 - the working practices we will use to achieve them.

OUR ROLES AND RESPONSIBILITIES

4. Our roles are defined in statute (principally the Environment Act 1995, the Forestry Act 1967 and the Natural Environment and Rural Communities Act 2006).
 - Natural England leads on the conservation enhancement and management of the natural environment by:
 - conserving the natural environment today;
 - encouraging more people to enjoy, understand and act to improve the natural environment;
 - ensuring the sustainable use of the natural environment;
 - influencing decisions which securing the natural environment for the future.
 - The Environment Agency leads on the integrated protection and enhancement of natural resources (air, land and water), the sustainable use of resources, flood risk management and water-based recreation, fisheries and navigation.

- The Forestry Commission leads on delivery of woodland policy including timber production, biodiversity, recreation, environmental protection and greeninfrastructure.
- In addition to the respective lead responsibilities outlined above, each organisation also has a responsibility to contribute to the fulfillment of the others objectives. For example the Agency leads on air, land and water and also contributes towards Natural England's biodiversity, landscape and access objectives. Similarly Natural England leads on biodiversity, landscape and access and helps the Agency deliver its objectives for the protection of air, land and water.
- All three bodies have a interest in land use and management which is fundamental to the delivery of our respective roles and responsibilities. In working together we will seek land management policies and delivery activities that secure the range of benefits we are seeking collectively.

Our shared vision and outcomes

5. We share a common vision of conserving, enhancing and managing the environment thereby contributing to sustainable development and quality of life. We will achieve this vision through: -
 - Conserving, enhancing and managing land, flora and fauna, freshwater and marine environments, landscapes and geology,
 - Promoting access, recreation and public well-being;
 - Delivering environmental protection and improved air, soil and water;
 - Contributing directly and indirectly to social and economic wellbeing.
6. The strategic environmental outcomes we will seek in partnership are:
 - Sustainable land use policy which provides a sound framework of advice, incentives and regulation to deliver integrated natural resource management including air, soil and water quality, biodiversity, landscapes, woods and natural features.
 - An increased resilience of the environment to climate change and adaptation to unavoidable change.
 - Integrated catchment management to deliver the conservation enhancement and management of landscapes and biodiversity reduce diffuse pollution and flood risk, deliver sustainable water supplies and deliver good ecological status for river basins.
 - The conservation, enhancement and management of the marine environment including its biodiversity and natural resources.
 - Conservation, enhancement and management of protected areas including SSSIs and sites, which contribute to the delivery of UK Biodiversity Action Plan targets.
 - Enhanced opportunities for outdoor recreation and improved access to land, water, coasts and the sea.
 - Sustainable agriculture and forestry that meets regulated standards of environmental protection and delivers a range of public goods including biodiversity and landscape conservation, resilience and adaptation of the environment to climate change, carbon storage, flood management, access and recreation in exchange for tax payer incentives.
 - International, national, regional and local strategies and policies which secure the protection of the environment and contribute to sustainable development;

Joint working practices and joint working areas

7. We will look to work jointly wherever we can achieve more for the environment by doing so. To underpin this we shall apply some principles and practices to all our work. We will:
 - Build towards a shared evidence base by exchanging information, collaborating on research, data and evidence gathering at national and regional levels and alert each other to environmental issues and intelligence;
 - Pool our expertise and resources when working jointly to avoid duplication;
 - Ensure consistent and coordinated messages when working with customers and join up our respective advice, incentive and regulatory activities so as to improve customer service and deliver the Better Regulation agenda;
 - Share information on events, promotions and media activity so as to demonstrate shared messages and avoid competing over separate initiatives, and to communicate our collaborative work together to government, partners and the public, sharing the credit for joint work;
 - Share our positions and consult each other at the earliest opportunity on a) our own policies, b) our strategies and corporate plans c) responses to policies and consultations of others, to enable joint messages to be crafted where possible, or to agree presentation of different views;
 - Create a powerful joint voice for the environment in local, regional and national fora particularly through collaboration on environmental influencing strategies;
 - Ensure regular and routine contact throughout the three organisations at all levels to build relationships and facilitate honest and open dialogue.

8. **There are a number of areas where partnership working and opportunities for collaboration will be particularly important. These will be delivered according to the principles defined in paragraph 7 above.**

Governance of this Memorandum, liaison and review

10. The relationship between our organisations will evolve over time and we will keep this Memorandum under review. A formal review should take place in three years, or earlier as required. The following liaison arrangements are proposed:
 - The CEO's of each of the organisations will own and sign off this Memorandum, and progress reviews should be included periodically at CEO meetings.
 - Relevant Directors and Regional Directors, will meet regularly to put this Memorandum into operation and monitor outcomes, staff at all levels will also meet either individually or collectively with their counterparts as a regular part of normal business activity.
 - Chairs will meet as necessary to discuss specific national issues and the overall progress on collaboration, largely as an agenda item at their routine meetings

Barbara Young
CEO Environment Agency

Helen Phillips
CEO Natural England

Paul Hill Tout
CEO Forestry Commission