



Environmental Audit Committee

Oral evidence: [A 2010–15 progress report](#), HC 885

Tuesday 24 February 2015

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Members present: Joan Walley (Chair), Neil Carmichael, Martin Caton, Zac Goldsmith, Mrs Caroline Spelman, Dr Alan Whitehead, Simon Wright.

Questions 85–179

Witnesses: **Dan Rogerson MP**, Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs, **Colin Church**, Director, Resource, Atmosphere and Sustainability, Department for Environment, Food and Rural Affairs, and **Shirley Trundle**, Director, Sustainable Land Management and Livestock Farming, Department for Environment, Food and Rural Affairs, gave evidence.

Q85 Chair: May I welcome you back again as a member of the Committee, Minister? We appreciate your coming on so many return visits and we are very happy to see you on every single occasion. Given the fact that the Secretary of State is not able to be with us for this, obviously you will be reporting back to her in full our concerns about this vital cross-cutting agenda. It is good to welcome you in her stead and your two officials. We are looking to provide a progress report—some people would call it a legacy report but we call it a progress report—for the next Parliament and for our successor committee to make sure that the importance of cross-cutting and environmental issues are flagged up for when the next Parliament sits.

We are returning to some of the themes that we have looked at over the course of this Parliament and I want to start by asking you a little bit about the circular economy. You will be aware that we took evidence from your colleague at BIS, I think just two weeks ago although time flies. One of the things we were concerned about was the Green Economy Council and the various industrial strategies, and that linked to the review we did of BIS itself. We were quite critical of the lack of cross-cutting issues from within BIS and relating to the industrial sectors and strategies as well. What discussions have you had with the Green Economy Council about getting the circular economy embedded into those industrial strategies and what progress do you think has been made?

Dan Rogerson: I think progress is being made on that basis as you quite rightly set out. I should start off by responding to your earlier remarks. It is a pleasure to be here as a member of the Committee in perhaps a slightly different capacity from the other members of the Committee. I am pleased that my attendance record has been fairly high recently.

Chair: If your attendance record matched all our meetings we would be much higher in the league in terms of the Liaison Committee.

Dan Rogerson: On the subject of the Green Economy Council, I think it is a good piece of work to raise these issues across a range of sectors and to embed the idea of sustainable development and questions of sustainability in a wider context than just economic growth or the economic growth aspects of it. For the various sector industrial councils now to have members who focus on that, working with their colleagues, I think is a good development and a good step in the right direction. I am sure you would press me to go further on that.

You quite rightly said this is a report on progress not legacy, because this work is continuing and will have to continue because there are so many big questions that you have tackled in your reports and that we are tackling as a Government and as a department. What we look to now is how those sector-based councils mainstream—to use a word we have used a lot in our previous discussions—that work around sustainability and the work they do.

Q86 Chair: I think we did have the sense that the Green Economy Council had not met recently. Is there a sense of your pressing this and pushing it forward? I get the sense that it has been acting a little in isolation and it has not been embedded across government departments and it has perhaps not been as active in the latter months as it was at the beginning.

Dan Rogerson: The idea behind it, with the three Secretaries of State who are involved in getting it established, was to start that work and create a debate. What has happened now is that the process has moved into the work that the industrial councils are doing on particular areas of business, which have been the priorities. You have already spoken to Mr Hancock about the business approach and the support they are giving. We are very keen to see the question of sustainable development at the heart of what they are doing.

Q87 Chair: But can you not see my concerns, given that there has been a change of Secretary of State from when it was first proceeding? I would like to know what leadership or momentum the current Secretary of State is offering to make sure it does not lose its focus and does not lose its direction. It has not met recently, has it?

Dan Rogerson: It has not met recently. You are quite right.

Q88 Chair: No. When was the last time it met? I did not quite get that clear from your colleague at BIS.

Dan Rogerson: January 2013 was the last time it met.

Q89 Chair: January 2013? I think that speaks volumes, because we are now in 2015. Has that been a matter of concern to you?

Dan Rogerson: As I say, I think the process has moved on from the councils beginning this work, starting it and then mainstreaming it into the work that is going on around those sectors.

Q90 Chair: But how can you keep tabs on it? How can you be sure that the vision that was there to embed sustainable environmental issues in terms of BIS industrial strategies—we are coming back to the circular economy, which is critical? It links into what my next question was going to be. When we were doing our report on the circular economy we were expecting that developments within the European Union would be a very strong, robust, circular economy programme of work going forward but then we were in a situation where we learn that it is going to be dropped or we are not quite sure what its status is. It just strikes me that if we do not have a robust way of going forward within our own domestic Parliament or from within our own Government, with leadership there, that seems to reflect on attempts going forward inside Europe, with the result that they are watered down. What was the line that the UK Government took in Europe if it did not have the experience of the Green Economy Council to propel it forward?

Dan Rogerson: Obviously, there are two linked issues. I can understand the link you are making and I am quite happy to deal with it. First, our initial response to discussion about what the new Commission's approach would be to—

Q91 Chair: Sure, but based on the experience domestically.

Dan Rogerson: Yes, absolutely. As I have said, the work we have set out has probably not happened in a number of other jurisdictions in the European Union and now it is about giving those industry councils the opportunity to react to the report and the agenda that has been set for them and then to check it. It is not saying that the Green Economy Council does not exist, that it is has been wound up, but we are allowing those industrial councils or those groups to do their work and begin to make a difference on that.

Q92 Chair: I cannot help thinking that, in terms of the industrial sector, which is going to be vital in terms of having its own strategies for its own industry going forward, I hope there is not a perception that there is not that leadership from the top and that it is something that is not being given all that much importance from Government.

Dan Rogerson: As I say, I hope they would not feel that because this is a process that has begun under this Government. I think it was a good approach. If you look at my colleague Ed Davey, Secretary of State at DECC, who is leading the Green Growth for the European level as well, he has reached out to other governments and got them to focus on what can be delivered through Green Growth and those meetings at the European level are very helpful, too. I think we have been at the heart of—

Chair: I am not quite clear.

Q93 Mrs Spelman: The lack of a meeting since January 2013, two years, does that not diminish the influence of DEFRA across Government in that the concept behind the Green Economy Council was for three Secretaries of State to interface with a huge range of businesses across the economy showing interest in Green Growth? What has DEFRA done to make sure that its influence remains as strong across the other two departments that are natural allies, BIS and DECC?

Dan Rogerson: We are making progress in a number of areas, for example, the bio economy, where Matt Hancock has ministerial responsibility for that. DEFRA and BIS work very closely on the potential that is there.

Q94 Chair: I just listened to Caroline Spelman's question and I would like an answer to her question rather than an account of what we are doing or what Government is doing.

Dan Rogerson: Sorry, I took the question to be: has DEFRA given up on engagement with the Parliament on these issues or are we still engaging—

Mrs Spelman: No, I asked what DEFRA had done to put in place the opportunity to have influence across government and specifically with those two departments, BIS and DECC, given that the Green Economy Council has not met for two years.

Dan Rogerson: We work with them very closely on a number of issues. Last time I was in front of you we were talking about the opportunities on the connections between adaptation and mitigation in what we deliver in the policy context but also in communications and how we keep that in the public eye and encourage other people to take account of adaptation, which is our remit, and using the opportunities with DECC to highlight that. We obviously have an important opportunity coming up with Paris to do some of that work when media attention is on it.

I was mentioning in terms of the relationship with BIS the work we are taking forward on the potential exploitation of resources that were previously deemed as waste and I think that is an exciting area of work. In terms of sustainable development more broadly, of course at the official level as well it is a responsibility of ours to make sure other departments understand what we are trying to achieve. I do not know if my colleagues want to say a little bit about the work that has gone on there.

Colin Church: We have done a number of things to help get departments to understand what they need to do, as the Minister says. We have done some work to assess how well that is going. There is the work that is being done around business plans across government to ensure they are taking account of sustainable development and that is something the Minister for Government Policy has taken a close personal interest in, as well as Ministers in DEFRA. There is work that we have done to look at how effective the existing impact assessment system has been at picking up sustainable development issues and what we need to improve in that space.

This may sound small beer but it is one of those things that does add up over time. We have put in place a learning opportunity on the civil service learning portal for officials to look at what sustainable development means for them and how they need to think about it. There is a whole range of different activities: improvements to sustainability reporting and annual reports and accounts, working with Treasury as the lead on that and so on; so a whole range of things on sustainable development and a number of other issues. For example, I chair a group that is internal to Government with one or two external people, the LGA and WRAP, which brings together DECC, BIS, ourselves, Treasury, HMRC and DCLG because we all have interest in the circular economy and it is a place where we talk about some of the issues that we need to address and how we are going to address them. At official level I would say there are excellent working relations between those departments.

Q95 Mrs Spelman: That is at official level. How do you think the industrial members of the Green Economy Council construe the failure of the Green Economy Council to meet for two years? What do they read into that?

Chair: Also, have you had any representations from them about the fact that—

Dan Rogerson: No.

Chair: Not from any members of the—

Dan Rogerson: No. I suppose it is a question you would have to ask them. It would be unfair of me to ascribe views to them, although one would hope that if they were feeling that the work they have undertaken is not being valued or is not being taken forward they would raise that. Certainly in other areas of policy that is the approach that other sectors take if they feel Ministers have moved on from a subject or are not continuing to deliver on it.

Q96 Chair: I must move on. Can I ask you very quickly: when it was known that the European Union had dropped the proposed directive on the circular economy, what was your response to that?

Dan Rogerson: I was at the Environment Council following that and a number of member states suddenly, without contacting me or talking to me, because I would have been interested to hear what they had to say prior to that meeting, had written to Commissioner Vella, I think, at the time to urge the new Commission not to drop that. My response, both in meetings of the council but also informally in discussions with Commissioner Vella and colleagues across Europe, was to say, “I think this is an opportunity for us to look at how we could go further”. There had been concerns in some member states that some of the targets might not be practical and deliverable, given the different rates of recycling, for example, across the European Union, but I do think it is an opportunity for us also to look at other aspects of the circular economy in terms of waste minimisation and remanufacture, which is something that is moving up the agenda as well.

While I understand the frustration among some and certainly in my discussions with the sector the feeling of, “Does this mean we are not going to get anywhere?” my devout wish—and we have another meeting next week with the council, so it will be a good opportunity to talk to colleagues—is that we come back to the issue, that the Commission does take this work forward, but we can now add in the bits that perhaps were missing.

Q97 Chair: Was it the UK’s position? Were you fighting for the package to be dropped in the programme in that form?

Dan Rogerson: No, not at all, although with the new Commission coming in, I assume that they are. I was just saying I would not ascribe motives to people but I am about to do it, because I think there was a willingness to set the agenda and say, “Right, we are not just going to continue with the work that the previous Commission was doing. We want to look at this and decide whether this is where we want to be”. From all the discussions I have had, and I think officials have had, our understanding is that we will return to this and hopefully deliver a package that will be ambitious as well because we want to see that level of ambition in there.

Q98 Chair: Just talking about that ambitious package, just looking at the interregnum there is between now and when the next European directive is going to come forward or the next working programme is going to come forward, given that Wales and Scotland have recycling targets of 70% by 2025, do you envisage England following suit?

Dan Rogerson: It has not been a policy of the coalition Government to do that. We will have to see what comes forward from the European Union and then the next Government will take a decision as to what the best way to respond to that is.

Q99 Chair: Can I go back to our previous report and our recommendation that it was important that the Government should be looking at fiscal incentives in order to promote the circular economy?

Dan Rogerson: I know in particular VAT was a question you raised. Obviously this is the refrain of anyone.

Chair: Subsidies and taxes as well.

Dan Rogerson: That will be a matter for the Treasury. I cannot make announcements on behalf of the Treasury here, but we think there are other tools in place. Obviously landfill tax and so on, which are—

Q100 Chair: Which are those tools?

Dan Rogerson: Landfill tax has continued to be a powerful driver to stop material going into landfill and we have seen recycling and the reuse of materials going up across a number of sectors.

Q101 Chair: It is very difficult to see what the incentives or the levers will be to get us to where we need to be to meet the required targets

Dan Rogerson: With different sectors, for example, the quartile commitment has also driven a great deal of good work there. We are improving but I accept that there is the potential to look for other tools in the future. We are talking about what this Government have done in their period in office and I think there are areas of work, which I am delighted to see, taken forward on food and hospitality and so on, which I think are in the right direction. Some of the questions about what might be the right response to whatever targets we agree at the European level will have to flow from that for the future Government.

Q102 Zac Goldsmith: You rightly say it is the Treasury that would need to decide in relation to any kind of fiscal incentives, but the Treasury would not be the organisation that would originate those ideas. That would more likely be DEFRA, so I think the question still stands. From your point of view and from the point of view of DEFRA, have you explored the possibility of using fiscal incentives to try to move us towards a circular economy and have you had those discussions with the Treasury? They are clearly not going to have those discussions with you unprompted.

Dan Rogerson: We have a feeling of where we want to go next in terms of the levels we are seeking to achieve, based upon what is agreed at the European level. If we feel that the voluntary approaches and the existing trends are not going to get us there, then of course any future Government would have to look at that, but that is not a discussion I have had with the Treasury. Of course, the work of this report is available to the Treasury, just as it is available to DEFRA. If the Treasury feels this is an area that will be good for the economy and deliver on that sustainability they can respond in just the same way that I can.

Q103 Chair: But how will you know whether it is or is not working?

Dan Rogerson: How will I know—

Chair: How will you know? You said if it is the case that the voluntary approach is not working. How will you know? What do you have in place to make the assessment that that is not working?

Dan Rogerson: There are a number of waste and resource streams we could be talking about here, whether we are looking at municipal waste or whether we are talking about commercial industrial construction. In various of those sectors things have moved on a long way. I do know if you want to point to some of the work there.

Colin Church: In terms of things that WRAP is leading for us in the voluntary action, one of the things it always tries to do is to put in place a baseline measurement to start off with, with the signatories, and then measures and announces publicly the progress in doing that. We have reasonably good evidence about the reductions in food waste and packaging use that have come out of the retail sector through the quartile commitments, for example. The Minister mentioned the hospitality and food service sector agreement and we are taking a broadly similar approach there. We also have work on clothing and non-electricals, which again we are looking to baseline, first of all, and then collect the data on progress and make that data publicly available. There are other examples.

Q104 Mrs Spelman: The new Commissions used the criteria of jobs and growth being key when they came in. Were you surprised that Commissioner Timmermans has put the circular economy package on to the list of regulation for reform or repeal, given the Chartered Institution of Wastes Management's assessment that it would increase significantly opportunities in the UK and make a significant contribution to GDP and create up to 20,000 jobs? Have you made an appointment to see Commissioner Timmermans to point this out?

Dan Rogerson: My understanding is that work is going on to a new package that can take account of this. As I mentioned earlier, there are other aspects.

Q105 Chair: But do you not want to influence that?

Dan Rogerson: Yes, absolutely. Yes, we have and officials are involved in that. I have discussed this with Commissioner Vella, for example, and we are looking to get him to come over and visit and there are opportunities to go to members of the Commission to make the case for what can be delivered in terms of Green Growth. We have recently published our own growth prospectus, which has been well received by the sector and others, setting out what we think is the potential for a great deal of economic growth in this area that would also be sustainable and allow us to use expertise in this country to look at markets elsewhere as well. I think that is a positive contribution we are making to that work to make the case for the circular economy.

Q106 Zac Goldsmith: I want to talk about natural capital. Given the emphasis that you and other Ministers, including Oliver Letwin, have put on the importance of natural capital over the years when we have been taking evidence, I am interesting in knowing why the Natural Capital Committee has not been given any kind of proper statutory footing by Government. Can you explain why that is?

Dan Rogerson: First of all, we have continued its remit into the next Parliament, so the next Government can take a decision as to how responsive—

Q107 Chair: If you look at the budget and so on, it does not stop the Government making decisions two or three years down the line. Why not in this case?

Dan Rogerson: We have extended it into the term of the next Government and then it will be up to that future Government to respond to that. The position of the Government has been to do something that had not been done before. As you rightly say, this is ground-breaking work, so we are very pleased that it has been so well received. A future Government will then have to take the decision on how things move forward.

Q108 Zac Goldsmith: By kicking it beyond the election, that is pretty close to being an active decision to not give it a statutory footing. Obviously no one knows what is going to happen at the election or who is going to be in charge. It is hard to reconcile that decision with the emphasis that we have heard over and over again, right from the beginning of this parliamentary term, on natural capital. Is there a reason why you think it should not have been put on to a statutory footing?

Dan Rogerson: I have never said that I do not think it should ever be put on a statutory footing and Mr Goldsmith has had the chance to look at what the party's manifestos are in the run-up to the election as to what might happen in the future.

Q109 Zac Goldsmith: No, I am talking about you in the plural sense, you the Government have decided not to do this.

Dan Rogerson: As a Government we want to get it functioning, to establish the principle of accounting for natural capital, to change the ways in which the Treasury bring—

Q110 Zac Goldsmith: Without a Natural Capital Committee, which theoretically is possible pretty soon, who should have the responsibility of advising government departments on the sustainable use of resources? Who would occupy that role?

Dan Rogerson: There is a Natural Capital Committee and we have given it funding to continue into the next parliamentary term.

Q111 Zac Goldsmith: It has a very short-term contract. Given the decision that Government have taken to not give it a long-term contract, it means it will end unless the next Government, whoever it is, decides to pick up the ball and run with it.

Dan Rogerson: My hope is it will.

Zac Goldsmith: In the absence of the Natural Capital Committee, who do you think would do that job?

Dan Rogerson: As I say, it is not for me to speculate as to what a future Government may or may not do with that. What I am saying is that we have extended its remit and I welcome that. It will be a matter for that future Government as to what they—

Q112 Zac Goldsmith: But I am just trying to understand. Why would the Government leave it open, having done so much work on this? As you say, it is pioneering work and my colleague Caroline Spelman has been involved in this and responsible for it.

Dan Rogerson: Absolutely, yes.

Zac Goldsmith: Really pioneering work, but the Government have left the door open now to effectively trashing that work in just a few months' time. If you lose the Natural Capital Committee, a very great deal of the work that has been done will have been for nothing. I am interested to know why you have allowed that possibility and how to reconcile that with the commitment that we have seen right up to now to this concept of natural capital.

Dan Rogerson: Anything this Government have done is not binding on future Governments.

Zac Goldsmith: No, of course.

Dan Rogerson: In a sense it is a circular conversation. What are you doing to bind the future Government? We can't, other than passing that to Parliament, but then that undertaking can be repealed as well. What we can do and we have done, as you rightly say—and you are quite right to pay tribute and I should have done earlier on and did not to Caroline Spelman's time as Secretary of State to establishing this body and welcome the work that it has done—is make sure that it is not disappearing in the meantime and then it will be up to the future Government to decide how they take that work forward.

Q113 Zac Goldsmith: Thank you. The committee produced its third report last month. It would be useful to know how the imminence of the general election might have impacted the Government's consideration of that committee. Has it been properly considered, do you think, or is it getting lost slightly in the chaos of the general election?

Dan Rogerson: It is being considered. I hope you would not expect us to consider something overnight and not to reflect on it. It is being considered now and it feeds in and that work can continue beyond the general election, so any future Government will have the benefit of being able to respond to it and take that work forward.

Q114 Zac Goldsmith: The second report outlines seven types of natural assets that are at high risk and I am going to list them here: clean water, wildlife, carbon storage, hazard protection, recreation, clean air and marine fisheries. The recommendations were made about a year ago. It would be interesting to know how those recommendations have influenced Government decisions since then or what the Government have done in response to those recommendations. Can you give us examples of any decision that has been in any way coloured by the existence of that report?

Dan Rogerson: One example would be, as you know, moving towards the implementation of the new common agricultural policy to make sure that the work on the catchment-based approach and clean water continues. We are making provision for that work to carry on up until the new scheme begins. The other day I was speaking at a gathering of all the people involved in that work right down at the local level, all the agencies, the Rivers Trust and so on, and hearing some fantastic examples of the work that they are doing. Making a commitment to wanting to see that work continue would be an example of that on water, which is one of the things you just outlined.

Shirley Trundle: There are things that we have been taking forward. In a sense, we have not waited for the final report. We have looked at the interim reports and had continued discussion with the committee. There are various things that we are doing already to

embed their work, for example the work we have done with the Treasury about the approach to investment appraisal, which then becomes part of the infrastructure of how Government takes decisions for the long term and right across the piece. Quite a lot of policies, like the policy on the approach to planting more trees, creating more woodland, are very much in line with the committee's assessment of the importance of those as a source of natural capital and a source of growth and wellbeing.

Q115 Zac Goldsmith: Those were commitments that were made irrespective of the Natural Capital Committee recommendations.

Shirley Trundle: I think they are entirely consistent with it.

Zac Goldsmith: They are consistent with it, but things that have happened as a consequence of the committee's recommendations or decisions that have been altered as a consequence. The purpose of the committee is not just to talk about things like individual conservation projects. It is about creating a lens through which all decisions are taken in the interest in maintaining our natural capital as a nation. It would be interesting to know, practically speaking, how you think that has happened. I accept that it is a very complicated process and I am not suggesting that this is something that can happen overnight as a consequence of one policy, but it would be useful to know practically how this has impacted on Government decisions.

Shirley Trundle: Another piece of work that has flowed from this has been the work that the Office for National Statistics has been doing, in co-operation with DEFRA, to look at how we would value natural capital and include that in the framework of national accounts. They published some pilot accounts, a few months ago, that have covered some sectors and they are continuing with that work. I think there is a meeting of the steering group today to look at the next set of pilot accounts.

Q116 Zac Goldsmith: In the same report, the second report, so a year ago, the committee recommended that we should have a 25-year natural capital plan. I don't believe the Government have committed either way; they have not rejected the idea and they have not confirmed that they agree that there should be a 25-year plan. Can you tell us now what the view of the Government is? Should there be a 25-year plan?

Dan Rogerson: I am not going to announce Government policy here. I can understand the view of the committee in the long term to be implementing that but that is not something, as you say, the Government have responded to so I am not in any position to—

Q117 Zac Goldsmith: Will the Government respond to it before the election, do you think? It has been a year.

Dan Rogerson: That is a matter for the Government as a whole, not for me. I am the Minister sat here but—

Q118 Zac Goldsmith: Out of interest—I have never been a Minister—who would make that decision or who would make the pitch to the person who has to make the decision? How would that process work? Presumably you would have a role in that.

Dan Rogerson: Potentially for the Secretary of State.

Q119 Zac Goldsmith: You would pitch that to the Secretary of State and the Secretary of State would respond or would they have to pitch it to the Treasury?

Chair: Or would you drive it and how would it emerge? Where would it come from?

Zac Goldsmith: That is exactly the point I am trying to make, very clumsily. These things don't just happen. Someone has to be pushing them and I am interested to know who in the Government. You seem to be sympathetic to the idea that there should be a long-term natural capital plan, so I am interested to know what you have done with that proposal: has it been pitched to the Secretary of State; is this something that is being discussed or is it now floating around in the ether?

Dan Rogerson: It is not floating around in the ether. Of the issues I have been taking forward in the 18 months I have been in the job, the work on natural capital is something that has been happening across Government and we have received the reports, as you said. It has not been an issue that I have been able to take to a Cabinet Committee and say, "We need to reach a decision on this right now". I can understand the approach of setting out that long-term vision and I think it is a good challenge to Government to do but how we respond does have to be considered right the way across Government. I suspect in the final weeks of this Government we are not going to see any big change but there are questions in the most recent report that has just been published for us to deal with. The analysis and the response to that is something that officials are considering now and Ministers will consider in due course.

Q120 Zac Goldsmith: I am conscious of time so, in a mercenary fashion, I am going to wedge in a question about Kew Gardens, which is relevant to natural capital. We had a very good debate in Westminster Hall, to which you responded, on the issue and there was a strong consensus around the need to provide long-term certainty for Kew Gardens, not the sporadic panic cheques being written by Government on the back of protest, which is what we have seen in the last year. One of the things you said you would do is take the idea to DfID that they should shoulder some of the responsibility, some of the funding responsibility for the work conducted at Kew that is relevant to global, international poverty alleviation programmes and so on. Did you have that discussion with DfID? If you did, what was their response?

Dan Rogerson: As you will be aware, I was responding to that debate as the responsible Minister.

Chair: The acoustics are really bad, especially for the Hansard reporter.

Dan Rogerson: I think it is me in particular. I am clearly a bit of a mumbler when I appear in front of the Committee. The ministerial responsibility for Kew Gardens, as you are aware, lies with my colleague Lord de Mauley.

Chair: He is part of your department. You are here representing the Secretary of State.

Dan Rogerson: Quite. I fed back the discussion that we had there and obviously that is a question—

Q121 Zac Goldsmith: Did you specifically ask him to raise this with DfID or did you just hand him the transcript of the debate? It was a long debate. Was this point highlighted specifically, which attracted full consensus?

Dan Rogerson: I had discussions with officials immediately after the debate about that and then they take it back to Lord de Mauley.

Q122 Chair: If it had been me in your shoes, I would have followed it up and pursued it and pursued it so we knew exactly what DfID was going to do about it. Kew Gardens is in a state of crisis. It is not just the fact of it being a constituency matter; we have to find a way through this.

Dan Rogerson: The direct question was, have I had that discussion. It is not for me to have the discussion; it is for my ministerial colleague to do that. I know that he values very highly the work that goes on there and he has been closely involved in the discussions about its future and how we get it to continue to make the huge contribution it does to science and also the public benefit that there is in Kew Gardens.

Q123 Zac Goldsmith: Do you know if he had that discussion?

Dan Rogerson: I would have to check whether he has done it and write to the Committee.

Q124 Zac Goldsmith: I have to say on this issue—and it is a constituency issue but it is also a national issue—it would be really good to see a sign of proactivity as opposed to the kind of passivity that we are seeing in relation to Kew Gardens. If your department could get back to me or the Committee and let us know how those discussions with DfID have panned out, I would really appreciate that, as I know would my constituents and all the many hundreds of thousands, if not millions, of supporters of Kew Gardens.

Dan Rogerson: In terms of the approach the Government have taken, you described it as injections of money over and above what was agreed coming as a quick reaction. I think it is part of giving Kew Gardens and the management of it the ability to move from where they are now to where we hope it will be in the future and that money will help them to do that. I also know that Lord de Mauley is taking a very close interest in this personally so I am sure he has considered all the options, but on that specific point—

Q125 Chair: The Committee will be very grateful to have a response on it. Thank you. Just two very quick questions from me, while we are still on natural ecosystems. Some of us were at a meeting earlier today looking at the importance of ancient woodland, protection for ancient woodland, concerns about there not being protection in the Infrastructure Bill or the infrastructure legislation. Do you have a view on that?

Dan Rogerson: Do I have a view on whether we should protect ancient woodland?

Chair: Yes.

Dan Rogerson: Ancient woodland is one of the crucially important ecosystems we have in this country and that is why planning guidance is very clear that it should be treated, protected and valued. I had a meeting the other day on another subject with the Woodland Trust and I am very much aware of the excellent work that they do to keep the importance of ancient woodland in the public consciousness, and in the political consciousness as

well, and I welcome that. In the debate on the Infrastructure Bill, it was very clear—and we were talking about public forest estates as part of those discussions—that there was no change about how forests or woodlands would be dealt with under the Infrastructure Bill, that people required something on the face of it about public forest estates, which we are happy to do.

Q126 Chair: But isn't the key point in all of this, and it came out during the legislative stages of the Infrastructure Bill, that we were given assurances that during its passage in the Lords there would be a question of how ancient woodland could be preserved, but this did not seem to have been acted upon before it came back. It was your colleague from a different department who was leading on that Bill, but it comes back to the point that Caroline Spelman was making about how this cross-cutting agenda across different departments all comes together. We need to have that leadership role really taken from within DEFRA.

Dan Rogerson: You are quite right that forestry and woodland policy is a DEFRA lead. The Infrastructure Bill in particular was a very complex piece of legislation that touched a number of departments but I think it will make a big difference to delivering the infrastructure that we want to see to underpin that growth. I think the protection of ancient woodlands that is there has done a good job in protecting them and we have not seen a huge degradation of that environment, but we do need to keep these things under review and we need to make sure that were there to be any particular threat it would be taken on board. The rate of decline of ancient woodland that might have been accelerated in the past is—

Q127 Chair: Given that the concern is that the rate of decline will be accelerated by both the Infrastructure Bill and the means of approving the HS2 line, I put it to you that better safeguards is something that should be looked at with some urgency. We would like to know whether or not that is something that you are proactively taking forward from within DEFRA across other departments.

Dan Rogerson: HS2 is a huge project that touches on the work of a number of departments. Our concern about the ecological impact is something that feeds into that and if there is any work that our officials are doing on the passage of the Bill through—

Shirley Trundle: We do have quite close links with colleagues elsewhere who are working on HS2 and we have had quite a lot of discussions about their approach to looking at ecological impact.

Q128 Chair: How are you holding them to task?

Shirley Trundle: They have been talking to us about what approach they want to use to monitor their own impact. They are very keen to not have negative impacts and to be able to demonstrate clearly that that is the case.

Dan Rogerson: Those managing the project are well aware of the importance of ancient woodland, both locally and nationally, as something that people value very highly.

Q129 Chair: If my colleagues will allow me, I would like one very quick question in respect of marine conservation zones in overseas territories and biodiversity. Are we likely to have an announcement on that? Is DEFRA pushing for designation of marine protection in overseas territories, including Pitcairn?

Dan Rogerson: I think there is a very strong case being made for how important those environments are.

Chair: Are you making that case?

Dan Rogerson: The Committee is clearly very ambitious for the last few weeks of this Government that we will see a lot of announcements and changes.

Chair: We will watch this space.

Dan Rogerson: I think the likelihood of something being announced in the last few weeks of this Government is—

Chair: We will watch this space. Thank you very much.

Q130 Neil Carmichael: I would like to talk about air quality and in particular the fact that this Committee produced a report back in 2011 that looked at wanting to see a national framework for low emission zones. We think that that is something we would like to hear more about.

Dan Rogerson: First of all, the fact that this work is being driven locally has not prevented low emission zones coming in, so good work has been done in places like Oxford, Norwich and now—

Neil Carmichael: And indeed London.

Dan Rogerson: —the provision being made for an ultra low emission zone that the Mayor wants to see in London. So that work is taking place. However, I think the Committee made some very good points in discussions with Mr Hayes when we were talking about ways that we could help take that agenda forward. The department is now looking at ways that we could make it easier for local authorities to respond to this. If we can have some common tools, we think that could potentially make it easier for local authorities to take advantage of the opportunities that are already there. The opportunities are there but if we make it easier for them it would be helpful, so there is work going on on that.

Q131 Neil Carmichael: Picking up Caroline's point before about the influence that DEFRA has, is this perhaps an example where DEFRA could have been pushing a bit harder on the subject of air quality and emissions, given that you have just mentioned John Hayes' role as Minister of State for Transport?

Dan Rogerson: We have been pushing very hard on the discussions that our colleagues at the Department for Transport are leading on, emission standards for vehicles at the European level. It has been an easy collaborative relationship because DfT agree that they want to see real world performance of those standards that perhaps has not been delivered with previous standards. I think that is something that we work together very closely on.

With regard to the role of DEFRA and what we can do to help them, we provide sums of money but also expertise and support to local authorities to consider options at the local level. During the period of the coalition Government, the approach has been not to mandate local authorities to do that but to help give them the tools they need in order to deliver the options that work for them locally.

Q132 Neil Carmichael: That is a bit different to our aspirations for a national framework, isn't it?

Dan Rogerson: Yes.

Neil Carmichael: When do you think we will get a national framework?

Dan Rogerson: That is the approach you take: do you dictate it from the centre as to what the approach should be or do you encourage local authorities to recognise the importance of it and to work on that? I think I mentioned when I appeared before you as part of that inquiry that I had been involved with talking to a range of stakeholders about the importance in local areas and how we make the case locally for making this a priority. We are now saying that there is work we can do centrally to make it easier for them to bring in those tools locally.

Colin Church: We have an air quality grant fund that we deploy from DEFRA and we funded something around 20 separate studies and feasibility projects in local authorities looking at LEZs to help them to get into a position where they can then take a political decision locally as to whether or not they want to do it. One other thing I was going to add that the Committee might find useful in the emphasis on tackling air quality is the fact that within the investment programme on roads recently announced there was a separately identified stream of funding to go above and beyond business as usual in tackling air quality, and £100 million is initially assigned to that. That is a very significant investment in finding ways to address air quality in a number of road infrastructure projects.

Q133 Chair: Neil, may I just come in on that? One of the recommendations of our report, which was something that we took up when the Infrastructure Bill was going through, was to have a duty in respect of the newly formed successor Highways Agency to embed issues of sustainability into that, which of course would have related to new road building. That was not something that the Government actually took up, despite offering to look into it. That would have been a much more proactive way of dealing with this rather than, in relative terms, an amount of money to put up a fund to deal with some of this.

Colin Church: My understanding is that the licence for Highways England will include that kind of requirement on it to consider environmental and other sustainable development matters.

Chair: But not a duty?

Colin Church: Its licence to operate says, "You must think about these things".

Q134 Neil Carmichael: The absence of a national framework has a number of implications, one of which you have just touched on. If you are thinking about transport and the roads, there are other sources of threats to air quality that a national framework might want to consider, and should in fact. But putting that aside for one moment, one of the other things that this Committee has been thinking about is the lack of clarity over the boundaries of responsibility between central and local government on air quality. Do you have any thoughts on that?

Dan Rogerson: We have done some work to help to clarify those responsibilities. As you are aware, we have been talking about the reporting requirements on local authorities and

we think it is right to adopt a partnership approach. Some of these issues need to be set at a European level, not just in terms of regulation but also in terms of the sources of some of the air quality issues that we have at different times, depending on which way the wind is blowing. There are national questions for us to deal with and there are also some very local issues. As with all of these, one of the drivers in public health terms and local environmental quality is that those effects are being felt locally where emissions are taking place. There are clear drivers for those in local government, as there are for us in politics nationally, to address the concerns that people have in their communities about air quality.

As I mentioned earlier, in some of the stakeholder forums where I was talking to local authorities, it was interesting, now the public health function is more allied within local government, that they were looking at ways they can make that case locally to make it a priority, politically but also in communities. It is also about behaviour changes and sustainable transport and all those sorts of solutions and winning public approval for those solutions. It is a two-pronged thing. It is making the case of why this is something people need to worry about and then looking at what those solutions might be locally. As I have said, we are looking at ways in which we can help local authorities to bring some of these solutions in more quickly and to standardise some of those approaches a little bit.

Q135 Neil Carmichael: That would be the essence of any future national framework you would come up with?

Dan Rogerson: Whether it is formally a national framework, I think it is a piece of work that will help local authorities to be able to react more quickly and to have the evidence at their disposal but also a toolkit that they can use to do that. In terms of the evidence, we have experts who report to us and there is information that we make public about what the effects and sources of air pollution are, and that is evidence that can also be used by local authorities in their work for modelling locally.

Q136 Neil Carmichael: Can I move on to the question of diesel versus petrol? There is an advantage in having diesel but, given the evidence about diesel's impact on air quality, what are your thoughts about the right direction of travel on taxation of diesel and encouragement of diesel?

Dan Rogerson: We are back to taxation questions again and I refer the honourable gentleman to the answer I gave a moment ago about the Treasury. Having said that, I think the biggest problem with what we have experienced is the way that diesel engines have not delivered against the measures on which they were assessed. In real world conditions, they have not performed as well as was hoped. That is why it is important that at the European level, when we set these regulations that the manufacturers have to operate under, we get it right and that the testing regimes are right. That is the work that is going on now so that future rounds will deliver more improvement.

Also there are other opportunities. The Government have put a huge amount of money into taking forward ultra low emissions vehicles through subsidy for electrical vehicles and working closely with the industry to get those jobs and that innovation based in this country as well. We have some good success stories with manufacturing ultra low emission vehicles here. There is a lot that we can do and getting hung up on two particular fuels is not necessarily the right way forward. We need to look at the emissions of all vehicles and there is a range of solutions out there.

Q137 Neil Carmichael: Have you had a word with the Society of Motor Manufacturers, for example, on those sorts of subjects?

Dan Rogerson: We have just had a letter that I think has gone to the Department for Transport from at least one of the manufacturers, if not a range of others. We do get that input from them. I would understand the concerns of any industry that what happens is proportionate and based on evidence and delivers, and that is what we should seek to do. But I hope that in working with the industry we can come up with something that they can be proud that they are delivering improvements for the communities in which their vehicles are being used.

Q138 Neil Carmichael: In short, that is really a relationship with the Department for Transport and other actors in the field to generally aim for technical changes.

Dan Rogerson: It is. Other things like energy generation are the responsibility of the Department for Energy and Climate Change but we still have a role in that and engage with them on that with discussions about emissions from those sources.

Q139 Mrs Spelman: Can I come in on this? There was interesting evidence when we were doing our TTIP inquiry that regulation in America of diesel engines is stricter than it is in Europe. Has DEFRA thought about the impact of the mutual recognition of regulations and the way in which the stricter regime on diesel vehicles in the United States might help us tackle some of our air quality challenges here in the UK?

Dan Rogerson: I think that is an interesting question. Things may have changed, but I remember looking at this a few years ago and there were different rules in different states. California, for example, had taken very tough lines so there are far fewer diesel vehicles in California than there are in some other states. It is not just discussing it at the federal level, but I am sure there are examples that we could look at in various states across the United States. Europe itself is a big market and if we can get these things right here then in our discussions with other markets around the world we can hopefully make progress. We all know that this is also a big problem in developing countries or those countries that have developed rapidly.

Q140 Mrs Spelman: Remembering that this is a progress report—look back, look forward—do you think with hindsight we could have been spared the fines that are now being imposed on us for non-compliance with the air quality directive if government across the board had embraced the idea of expanding the number of low emission zones?

Dan Rogerson: Possibly, although if we were doing it on the basis of the vehicle standards, if the vehicle standards did not deliver it would not have materialised. The biggest problem for us has been where vehicles have been the source of these particular problems, if you designed a low emission zone on the basis of a model that then did not manifest itself in the real world we would not have been much further forward. We do have to improve that testing and make sure that our modelling is more correct in the future.

Q141 Chair: In response to Caroline's question, you said that it possibly would be good to have national emission zones, but in the Government's response to our report you have rejected that.

Dan Rogerson: We have accepted that there are things we can help to do to make it easier for local authorities to bring in low emission zones.

Q142 Chair: Making easier if they wish to in a voluntary capacity, perhaps having a template of best practice, but it is not the same as driving it and showing the European Union exactly how we are going to deal with all the breaches of air quality standards that we have. It just seems to me to be a contradictory set of responses that you are giving us.

Dan Rogerson: We were looking back across at what this Government have done and it has not been the Government's policy to drive it top-down.

Q143 Chair: Sure, but we have had frustration in our report that there has not been this policy. We came up with a recommendation that would have given an opportunity for a policy that has been rejected by the Government in its response to us, yet that could be taken forward now.

Dan Rogerson: I still think that the biggest change we can make is looking at what the source of these emissions is, which is the vehicles, and getting that right. If we tackle that issue at the European level that will make a big difference. I welcome what the Mayor of London is talking about. We can also get behind ultra low emission vehicles and we can support local authorities to bring these things forward. It is my understanding that perhaps in some other jurisdictions where they have taken a more top-down approach, because of the same problems we are talking about they have not necessarily delivered what they hoped they would deliver. It would be unfair of me at this point to start picking on other countries, but I don't think it would have been the answer that would have changed it.

Q144 Chair: The fact remains that the UK is in court over failure to comply.

Dan Rogerson: The vast majority of other member states are in the same position.

Chair: That does not make it right.

Dan Rogerson: No, it doesn't make it right, but I am just saying that the fundamental problem is not necessarily about a policy of setting what standards should be in every town centre but it is about whether the major causes of those pollutions, which are the vehicle emissions, are being dealt with.

Q145 Chair: If the Government have rejected—which they have—our recommendations for a national emission zone, how is it going to demonstrate that it is taking concerted action with determination to meet the air quality standards according to the directive? We do not have the plans in place for that.

Dan Rogerson: A lot of these issues are European-wide issues and we have said to the Commission that we want to work with them on looking at the steps that need to be taken because it will affect all the other jurisdictions as well. In some areas of policy, if a country is subject to infraction proceedings it is because everyone else is getting it right and you have just lagged behind and are not doing it. That is quite rightly what it is there to do. We are in a position here where nitrogen dioxide emissions and so on are threatening people across the European Union in terms of infractions. We are the first in the queue and so what we have said is we could work with the Commission to come up

with policies that will reassure them that we are doing our utmost to tackle this, including the negotiations at the European level to get this right.

Q146 Neil Carmichael: Do you think the exchange you have just had with the Chairman has something to do with the European Commission's reluctance to introduce new, tighter targets and directives on this subject?

Dan Rogerson: This is another thing where we have been quite clear, that we want the Commission to return to the issues of air quality. As you rightly set out, that is another package that the new Commission has said it wants to look at it. We have been very clear that we think this is an important piece of work and they need to get it done as soon as possible and, again to use that word, to be ambitious about what comes out the other end.

Q147 Neil Carmichael: How will you be articulating that ambition as the European Commission moves in that direction?

Dan Rogerson: There are formal and informal opportunities at the European Council gatherings and then at the official level where our officials have been engaged with the discussions about where we should go to make sure that what comes next does the job.

Q148 Neil Carmichael: Will you be effectively talking about the importance of local authorities and so on as opposed to a national framework or will you be thinking about some other mechanism?

Dan Rogerson: There are a range of sources of the problems that we are talking about here, and I mentioned energy as another one, so it is not necessarily all about vehicles and what local authorities can do with low emission zones. Colin Church was saying that there are other factors as well.

Colin Church: Some of the zones that are in breach for NO₂, for example, are not in a town centre or the bits that cause the zone to be in breach are not in a town centre. You could have an LEZ in the nearest town centre and it would make no difference to that exceedance because it is a motorway junction or a junction of several major roads that is causing the problem. There you have to look at something else. LEZs might well help in places like London, for the reasons that the Mayor has set out, but they would not help for all of these things. In London about 80% of nitrogen dioxide emissions come from transport. In other places there are other sources, as the Minister said. For London, you need to influence what people drive, where they drive and how they drive in order to address that kind of thing. In some other places it will be a difference balance between those different aspects.

Q149 Neil Carmichael: Is that the sort of evidence and realism that you refer to in response to our report on this subject when we say what would you want to do about the European Commission's plans?

Colin Church: We have committed publicly to revise the air quality plans for the UK, to improve the speed at which we will attain compliance, and that is a piece of work that is going on now. We have said that we will complete by the end of this calendar year and it will be publicly available and given to the Commission and so on. Exactly what goes into that will be a decision for the next Administration to take and there will be a lot of questions about exactly how we do that, but clearly local authorities will have a big role,

as will central government and, as the Minister has said often, standards at the European level. The cars that are on the road now will be on the road for several years more. We need to make sure the new cars coming on to the road meet the standards and don't have the problems we have at the moment, otherwise it will be even harder to meet those controls.

Q150 Neil Carmichael: In terms of what you would say is realistic, it would be effectively a recognition of the technology that we have and how things are moving along in connection with any further targets that the European Commission might want to set?

Colin Church: We certainly have to look at what technologies we have but also at how things develop. If you stuck a finger in the air maybe 10 years ago about the future of vehicles, would you have gone for the kind of electrical plug-in hybrid that we are seeing on the roads now? You might have but you might have gone for hydrogen fuel cell or whatever else. You have to be careful you don't shut out the possibility of other technologies and other approaches. There is a limit to how much you can count on them miraculously appearing so you have to get that balance.

Q151 Dr Whitehead: When we did our environmental scorecard report last year, which I am sure you have had a detailed look at—required reading, I would imagine, across the department—we looked at the review the Government carried out of the balance of competencies between the EU and the UK. I think it is fair to say that that report found that fairly few EU regulations were complained about. In your view, did the environment chapter of the balance of competencies review produce anything useful to DEFRA for policymaking purposes?

Dan Rogerson: One of the things it is allied to is the work we are doing at the European level with colleagues in other countries to see how the responsibilities under the different directorates-general can be brought together to make sure that those cross-cutting issues are dealt with at the European level and also that they can be simplified but not in any way watered down. We are working particularly with our Dutch colleagues on that, so that is an example of how our discussions here have helped give us the evidence to bring to those discussions as well. I think it is a good process to go through to look at that. As you might expect, as a pro-European I would say that what has happened in environmental policy at the European Union over the last several decades has helped us to make a big difference about improving environmental quality across the EU. I think it has been a good thing. Nonetheless, that does not mean that as legislation and regulation accumulates you can't look at the balance of competencies but also at how those things work together to see if they are delivering the outcome that you want to see and if they could not be done in a more efficient way.

Q152 Dr Whitehead: I assume from that, in addition to your personal position vis-a-vis the EU, that your view of the balance of competencies report is that the relation of competencies in Europe, perhaps bringing in some caveats about the flexibility of EU policy between member states, would broadly be that there is not a great deal that ought to come back to the UK from the EU in principle?

Dan Rogerson: We have just been talking about areas of policy that clearly have a big European dimension to them in how the single market operates. It makes sense to do that in terms of burdens—"burdens" is a very pejorative term—regulation conditions that are

placed on how markets operate for environmental and sustainability reasons. If you are operating in a single market, you want to make sure that everybody is doing the same things so that you are not disadvantaged by doing the right thing. I would also go further in that in many cases—and we were talking about the circular economy earlier on—by doing the right thing you can make yourself more efficient and more competitive, so it works both way. We are always cautious, whenever the Commission looks at updating its work on a certain area, to examine that for where the current balance of competencies is and to ensure that we are not seeing issues that are currently debated at a national level taken away. That is a good process to challenge as well and I think our constituents and this Parliament would expect that process to go on. That is why we have the scrutiny that we do have. But for many of the issues we are talking about on environmental policy, because they are cross-border there is a logic to those things being considered collectively.

Q153 Dr Whitehead: Conversely, bearing in mind that the Commission is certainly appearing to focus on jobs and the economy during 2015, is that an issue of perhaps a slowing up of environmental issues progress over the present period of the next two years? Have you observed that in your discussions with your EU colleagues and in EU forums?

Dan Rogerson: No, I haven't. First of all, other member states would agree with us that this remains an important area of work that we want to continue to move forward on. Returning to our discussions about the circular economy, the idea that you can deliver green growth is an important concept. Being more efficient and using the resources we have more efficiently will allow us to be more competitive on the world stage as well and we can be at the forefront of innovation. The pause that the new Commission has put in place on a couple of these areas of work allows us to update it even further and to make sure it is fit for purpose for where we are now rather than where we were when that work began.

Q154 Dr Whitehead: Have you picked up any concerns from other environmental Ministers in Europe about the potential, bearing in mind where those competencies are in the EU, for a number of the frameworks to be changed as a result of the Transatlantic Trade & Investment Partnership negotiation that is presently going on?

Dan Rogerson: That is not something that has been debated in detail when I have been there and I have been talking to other colleagues. I know that there is a determination among those who are involved in these trade discussions to ensure that the high standards we have secured on environmental issues are not in any way watered down as a result of negotiations happening with our colleagues. As we have just heard, in some cases, despite what people might think, in areas of the United States people have worked very hard to protect their own environmental quality and to take standards there. So there are real benefits for increasing understanding between us about what that experience is and how well that could work.

The experience that I have had about the new Commission's position is that there was an air of disquiet on the air quality and circular economy packages at that moment, but I think we have now moved beyond that on the basis that those areas of work are continuing and that new proposals will come forward. I think that will reassure, but when I go to the Environment Council next I will see a little bit more what people's feelings are and have the opportunity for informal chats with colleagues in other governments.

Q155 Dr Whitehead: That would be a bottom line as far as you are concerned?

Dan Rogerson: What would, sorry?

Dr Whitehead: In terms of TTIP negotiations.

Dan Rogerson: The Government have been very clear across all that we are doing that in any discussions about the environmental standards that we have put in place over many years, whether it is our own challenge to regulation and deregulatory agenda, we do not want to do that at the expense of watering down the gains that have been made on environmental quality, and similarly, therefore, in our discussions over TTIP or the European Union's discussions over TTIP. As part of that as a member state, we want to guard against that.

Q156 Dr Whitehead: I think you will be aware that when we did the scorecard report, of the 10 environmental areas we examined, we singled out three as coming up red. At the time you rejected the Committee's report for a strategy for the environment as such. Can you say in terms of the areas that we examined as red—and that was air quality, biodiversity and flooding—what specific measures in default of an overall strategy the department has been able to deliver in those areas to reduce the redness, shall we say?

Dan Rogerson: We have discussed air quality and the view that we think that there is more we can do to make it easier for local authorities to take action locally. That would be an example in that area.

In terms of flooding, we have spent more in this Parliament than was spent in the last Parliament. I would pay tribute to the Environment Agency for the way in which they have used the resources that are given to them to restore flood defences so quickly after the extreme weather events of the winter of 2013-2014. We set out, in December, the six-year pipeline of flood defence schemes for the future that will allow communities to work towards putting in flood defences that make a big difference to them. I am very pleased that the Government have been able to set out how we will invest that money in the future. On flooding, we have a strong argument to say that the Government have taken these issues very seriously and we are working with local communities to come up with the solutions that will make a difference locally.

On biodiversity, I happily have Shirley Trundle sitting next to me, who is the expert, who can talk to you about it. We gave evidence together during that inquiry, as you probably remember, about how things have moved on. It has only been a few months since the scorecard report but nonetheless we could talk about that.

Shirley Trundle: I would reiterate that the Government's strategic approach to all of this was set out in the Natural Environment White Paper. In relation specifically to biodiversity, we have the document "Biodiversity 2020" that sets out the aims and objectives for improving habitats and species. We are continuing the work, particularly crucially through the development of the new Countryside Stewardship scheme, which will be our main mechanism for creating fresh habitats. I am afraid I can't quite remember what point we were at when we last appeared in front of the Committee but we have been able to announce quite a lot more detail of the Countryside Stewardship scheme over the last few months, setting out more detail, for example, about the inclusion of a pollinators

and wildlife package that should deliver benefits across a wide range of biodiversity. The new scheme will be more targeted to make sure that we incentivise farmers to deliver the right things for the location and environment of their particular farm and therefore we expect to deliver a good deal more bang for our bucks from the new scheme.

Q157 Dr Whitehead: A final thought on the scorecard report is that at the time of the report we did put forward a suggestion that there should be an independent body, an office for environmental responsibility, which did not find favour with you or with the Government. Would you say that that rejection encompasses perhaps a disagreement with the Natural Capital Committee's recommendation for assigning institutional responsibility for monitoring the state of natural capital? Is that something different or would that be something that one would take that you would not find congenial either?

Dan Rogerson: The position of the Government has not changed since our response to you, as you might have expected. However, just again to reiterate the fact that we have delivery bodies—Natural England, the EA, the Forestry Commission—who can provide the Government with expert advice on the environmental implications of policy and also on the state of the natural environment because they are the practitioners. We have the benefit of that, so we just did not accept the recommendation on that basis and that has not changed. The scorecard report was published, what, six months ago.

Q158 Dr Whitehead: Would the same go for the Natural Capital Committee's proposal? Do you think that would be a bad idea as well?

Dan Rogerson: I think we are here to talk about what the coalition Government's view is and to look at what action we have taken. As I said earlier, we have had the Natural Capital Committee in operation giving us that advice. We have started now, across government, looking at the approach of taking account of that natural capital, what it means and how important it is to us. I think that is something the Government have achieved. We have gone a long way. In terms of what comes next, what steps it would be appropriate to take next, that would be a matter for a future Government and for the parties to set out in their respective manifestos in the run-up to the election.

Chair: I am going to try to do the impossible and change gear. We have quite a few things that we want to get through still in terms of headings so I am going to ask all of us, including myself, to be brief, including the responses, and move on to Caroline Spelman.

Q159 Mrs Spelman: Shirley Trundle has very kindly supplied the answer. I was going to ask what is the current state of play as a result of the pilots, but you have answered in relation to particularly agriculture. I would like to put one question to you on biodiversity offsetting, which is linked to our own inquiry on High Speed 2 and our concerns that the environmental assessments are flawed to some extent. The opportunities exist to do ambitious biodiversity offsetting in relation to major infrastructure projects. Has the department, given a sustainable land management scale, some thought as to how to get the best biodiversity offsetting from a project, if it happens, of the scale of High Speed 2?

Dan Rogerson: The position really is that we have had the work done, we have had the pilots and we are looking at the evidence that can come from that as to what is the best way forward, what the benefits or potential pitfalls, like any new policy, might be of that offsetting. We have all heard from a range of sectors the pros and cons from both sides. If

you look at the NGOs, for example, some see the possibilities here; others are very concerned about offsetting being seen as a way of watering down the protections there are around planning. It is a piece of work that we will have to continue to work on and we will not be able to conclude that by the end of this Government's period of office.

Q160 Chair: Just for the record, so that I am absolutely clear, is it the case that the biodiversity offsetting is really being pushed into the long grass by the current Secretary of State?

Dan Rogerson: No. The pilots are concluded and we are now looking at the evidence that comes from those and that work continues.

Q161 Chair: Okay. Just a few quick questions in respect of pollinators and pesticides. We were very much in support of a ban of neonicotinoid pesticides. Is the Government still open to the possibility of challenging the EU ban on neonicotinoids? What is the Government's position on that?

Dan Rogerson: The Commission has said that it will undertake a review by May, as I am sure you are aware. They have not yet set out how that review will be conducted. It is likely to begin with a technical review of the scientific data by the European Food Safety Authority and the results will then be considered by the Commission.

Q162 Chair: In respect of the Government getting involved in that review, are they going to be doing their own independent research or is it going to be left to the pesticide industry to make the running on that?

Dan Rogerson: There are some opportunities for us to be involved in what the Commission does as well. There will be national experts included in that technical assessment that I was just describing; experts from our regulator, the Health and Safety Executive, can participate.

Q163 Chair: The concerns remain, don't they, that that research is not really being done objectively or independently?

Dan Rogerson: We set out that that research will be scoped and overseen by the Centre for Ecology and Hydrology, so there is an independent body involved in what that research looks like. If I remember rightly, the Committee's concern was about the functioning of that.

Q164 Chair: When you say "independent", can you describe what you mean by that?

Dan Rogerson: That it is not the industry designing something.

Chair: The industry is paying for it.

Dan Rogerson: To be honest, there are a lot of things that we do across government where it is quite right that we get a contribution from those who are involved in that sector, but what is important is that we have the centre doing the work on making sure that that research is appropriate.

Q165 Chair: To be clear, is that because you prefer industry to do it or you would have preferred DEFRA or whoever within the other agencies to do it were funds available to do it?

Shirley Trundle: As I understand it, the EU rules require that the companies come forward with evidence to support the authorisation of products.

Q166 Chair: My understanding was that the EU is funding research that we chose not to take forward because the UK preferred the industry to do the research instead.

Dan Rogerson: I think that is two different questions. One is about funding and one is who is doing the research, who is overseeing. Is the industry effectively designing its own project, funding it and saying, “There you go” or if they fund something that it is then overseen separately? An analogy would be pharmaceutical companies that invest money in making a case for a product. That is probably a bad analogy, but I am just saying that the scope of the study is being set by a respected body but, yes, it is being funded by the industry. What I was also setting out there is the opportunity for us to engage at the European level in making sure that whatever decision is taken it is evidence-based. I think that is what we would all support.

Q167 Chair: Just finally on the national pollinator strategy, there are many who welcomed the fact that it had wide public engagement, NGO engagement. Has that provided lessons in other areas of policymaking for DEFRA?

Dan Rogerson: Yes, and we do have also our civil society partnership that is doing some good work for us and citizen science, which I think is also another subject you are interested in, as part of their work programme for us will be looking at ways that we can take that forward so that it delivers what we want it to do: evidence that is robust and useful and engages people and encourages them to be involved in those projects. Hopefully, if that work moves forward in the way we want it to, it would be something that other departments could learn from as well.

Q168 Simon Wright: I have a few questions on the objective of embedding sustainable development across government. What is your latest assessment of the progress of getting SD embedded in departments’ policymaking and operations? Would you say that there are actions that still need to happen?

Dan Rogerson: I am sure there are actions that still need to happen, but the important thing is to make the case and increase the capability of the people who are doing that on the ground. That is where we have focused on leading with workshops and information to help the other departments understand what their responsibilities are. Colin, you sort of set it out earlier on but maybe just another word on it.

Colin Church: Things like the online training for officials to understand what sustainable development means for them, looking at the impact assessment system, working with Treasury on the reporting system for government departments, working with the Minister for Government Policy, looking at the business planning process and making sure that sustainable development is integral to that so that what emerges is as sustainable a package of proposals as it can be.

Q169 Simon Wright: Are DEFRA and the Cabinet Office still reviewing departments’ business plans to ensure that they adequately address sustainability or are the departments themselves reviewing their own work?

Dan Rogerson: Business plans are reviewed through the Cabinet Office and, as Colin set out earlier, the Minister for Government Policy is taking a close interest in that. The element of sustainability is integrated into those plans and I have had the opportunity to have discussions with him across a number of areas. If there is a feeling that we are not seeing what we want to see delivered, then I am sure that is something we raise so that we can address it and seek to provide further tools, training and information to make that point.

Q170 Simon Wright: Are you able to point to any changes to departments' policies as a result of the reviews of business plans that have taken place so far?

Colin Church: Part of the problem with answering that question is that it can quite often be a very iterative process. They can say this kind of thing and we might say, "Have you thought about that?" At what point did a decision go from option A to option B because of sustainable development considerations is almost impossible to pin down if the process is working well, because they are thinking about it already and asking themselves those kinds of questions. It is a really hard question to answer specifically, I am afraid.

Q171 Simon Wright: But it is in an iterative way leading to changes to departments' policies?

Colin Church: Yes.

Q172 Simon Wright: When will the 2013-14 Greening Government Commitment annual report be published and are you expecting all targets to be met by all departments?

Dan Rogerson: It will be Thursday. In civil service language, I think "imminently" is the word that is used. It has been a very positive process. I came into it, having been appointed to the Government later on in the coalition's term of office, but I will pay tribute to the work that Oliver Letwin and Norman Baker did to drive this process forward. I know they spent a lot of time talking to permanent secretaries and really drilling down into how these things were or were not being driven with the pace that they wanted to see across all departments. There are some departments that have found this a lot more challenging than others.

In terms of the targets across government, we have made a great deal of progress and you will see on Thursday in certain of those, for example, in paper consumption there was a 10% target and it will be a 31% reduction. On others such as domestic flights, we have two good years where we are within the target and unfortunately now we may have slipped a little bit. It is not a piece of work that you finish. You have to continue to do it and with that in mind we have set out where we want to see that work going now to hand over to the Administration that comes next. It will be a matter for them to see whether they want to carry on that process in the way that we have done or change how these sorts of assessments are taken forward.

Q173 Simon Wright: Could I ask a final question about the wellbeing metrics that the ONS have been developing? Is the business plan review process now taking account of those wellbeing issues?

Colin Church: The Cabinet Office leads on wellbeing issues. Hopefully they are having that internal conversation but because they lead on both aspects—

Simon Wright: It is not something where you have direct involvement. Thank you.

Q174 Chair: Can I ask a question in relation to our fracking report? We had a recommendation for a moratorium on fracking and subsequently in the debate that followed and the amendments that came back from the House of Lords, following on from the Government's acceptance of the Opposition's amendments to introduce safeguards, there is concern in some quarters that the changes that were made to I think it is section 50 of the legislation has introduced for the first time a formal definition, a statutory definition of what constitutes fracking. As I understand it, it amounts to a certain level of cubic metres of fracking fluids that will determine whether or not something is or is not fracking. Can I have your response on the amendment that has been introduced by the Government, what the implications of it are for the cumulative effects of exploratory operations or full operations over time? What effect, if any, will that changed definition have?

Dan Rogerson: I understand the views of the Committee. The position of the Government has always been that there are safeguards in place so I think the important thing for Parliament was to see some of those set out and so the Government accepted the amendment that the Opposition made.

Q175 Chair: Sure, but my question is will those safeguards apply where the amount of fracking fluid relating to the water content is less than a certain threshold? In other words, I think there are fears that some of the safeguards that do apply—although not all were introduced and the Government reneged on that—would relate, for example, to the current operations underway or proposed for Lancashire? Would they be under the threshold under this new legal definition of fracking that the Government have now introduced?

Dan Rogerson: I don't have the information about specific things in Lancashire, so I would have to get back to you as to which particular applications will be covered by this. In terms of the principle, the environmental permitting regime and the work of the Environment Agency oversee all aspects of this process whether it is at the exploratory stage or at the stage of exploiting any resource.

Q176 Chair: It would be very helpful if you could clarify where the environmental safeguards would be.

Dan Rogerson: I will obviously have to liaise with my colleagues in DECC and ensure that we get that information. It is led by DECC.

Chair: Sure, but DEFRA is responsible surely for the framework, for the environmental safeguards, particularly relating to water.

Dan Rogerson: Certainly there are aspects of the regulation of it that are down to us. One of the issues that they were keen to clarify, and you were talking about setting out the definition of fracking, was that, for example, with the possibility for exploiting geothermal energy that—

Chair: I am not talking about geothermal. I am talking about fracking.

Dan Rogerson: Absolutely, but some of the issues that were being set out under the original Opposition amendment could have involved geothermal as well, so it is important to set out the definitions of fracking so that—

Chair: My specific question relates to shale gas fracturing or whatever the official definition would be.

Dan Rogerson: As I have said, I will be happy to get back on that.

Q177 Dr Whitehead: When you are doing that, would it be possible to be clear about what the definition of fracking fluid actually is in the new legislation? Is it a fluid that contains water, chemicals, sand, the whole lot, or is it the fluid that is added to the water, not the whole lot? If it is the former, then that clearly, it seems to me, can be monitored in terms of the total that has gone into the well, as the legislation suggests. I would suggest it would be either the Environment Agency or the department itself that would monitor that.

Dan Rogerson: One thing that we have been clear on is that the information as to what chemicals are being used in fracking would be public so that is known. Again, on that point I will get back to you about how the different fluids are treated.

Chair: Finally, Alan, do you want to raise any issues about the NAO? I will leave it entirely with you.

Q178 Dr Whitehead: Just very briefly, I appreciate we have run out of time effectively.

Dan Rogerson: And possibly members, I think.

Dr Whitehead: Yes, indeed. I think the time and members are roughly going at the same rate.

Chair: But those of us who are members of the Committee are still here.

Dr Whitehead: When the NAO reported recently on sustainability reporting of individual departments it did suggest that departments are not referencing their performance to relevant sustainable development indicators. Is that something that concerns the department and does the department have a positive role to play in making sure that the position on sustainability reporting in the individual departments is consistent between departments and also consistent against indicators?

Dan Rogerson: In terms of how we account for that and how we assess it, I am happy to—

Colin Church: The first thing to say is that we don't consider the sustainable development indicators as a set of targets. They are indicators to suggest how things are going. Certainly we encourage departments to be clear about what are their relevant indicators but it is not something that we would expect them to report separately. As you may already know, the Office for National Statistics is now responsible for putting together and publishing the SDIs so there is an independent way of putting them out there in the public domain.

Q179 Chair: I think I do need to bring the session to a close. Thank you, Minister, and your two officials, Ms Trundle and Mr Church, for coming along. We hope to be in a position to launch our final inquiry, this one, before the end of the Parliament.

Dan Rogerson: Could I intervene very briefly, because I know you have the final word, just to thank the Committee for the work that you have done over the course of this Parliament, because it may be the last opportunity I have to say that. While we may not

always agree on all the recommendations the Committee has made, it is an important job the Committee does, so thank you for that.

Chair: That is very kind and generous. Thank you. I very much hope that you will be able to join us on the occasion of the launch of our progress report in the Speaker's House before the end of the session. Thank you very much indeed.