

LGA submission to the Environmental Audit Committee's inquiry into Biodiversity and Ecosystems

1. About the Local Government Association (LGA)

- 1.1. The Local Government Association (LGA) is the national voice of local government. We are a politically-led, cross-party membership organisation, representing councils from England and Wales.
- 1.2. Our role is to support, promote and improve local government, and raise national awareness of the work of councils. Our ultimate ambition is to support councils to deliver local solutions to national problems.

2. Summary

- 2.1. COVID-19 has redefined how we all think about where and how we live. It has changed our experience of the environment, with noticeably cleaner air, especially in our big cities. There is less traffic, wildlife is more abundant and wildflowers bloom on verges and in parks. As we emerge from the crisis, we cannot afford to make this a choice between the economy and the environment.
- 2.2. Councillors and their councils have been true leaders during the coronavirus pandemic. Local government has shown what is possible when leadership is rooted in local communities. When rapid action was needed, councils delivered for residents. In the next phase, local government will be seeking to build on the public's new sense of ownership of the environment and local green recovery.
- 2.3. Government needs to work with councils and business to establish a national framework for addressing the climate emergency, including tackling biodiversity loss. This must set out a clear articulation of the national role and local roles, and an assessment of funding and financing opportunities through public and private sector means.
- 2.4. We welcome the reintroduction of the Environment Bill as an opportunity to help tackle the climate emergency and protect our natural environment by enabling the setting of ambitious targets to improve air quality, protect against flooding, and ensure our transport, waste and energy policies are environmentally sustainable. We would like to see more detail about how certain provisions within the Bill will be implemented, and the potential associated new burdens that will be imposed on councils as a result.
- 2.5. We support the principle of biodiversity net gain in new development as part of the Environment Bill. Any unspent financial credits from developers should be retained by local authorities, so that funding stays in the area where development has taken place.

The state of biodiversity:

3. Where should the four nations prioritise resources to tackle biodiversity loss?

3.1. The legacy of the COVID-19 pandemic must be that we grasp the opportunity to protect and enhance our natural environment. Local government is already prioritising environmental goals, including leading the way towards achieving net zero carbon, increasingly with ambitious plans to achieve this before the Government's 2050 target. Around 230 councils have declared a climate emergency, and nearly two-thirds of councils in England are aiming to be carbon neutral by 2030. There are also a number of examples of councils prioritising resources to tackle biodiversity loss:

3.1.1. Oxford City Council's Waterways Project, launched in 2019, works with partners and local residents to improve the waterways and make the most of the benefits to those who live in and visit Oxford. The project so far has seen volunteers and local boaters plant bulbs, trees and shrubs, including 5,000 snowdrop and bluebell bulbs, as well as plans to install new bird-nesting boxes, insect-hotels, hedgehog and toad habitats and kingfisher-posts. The project arose from recommendations from the Oxford Citizens Assembly on Climate Change, that enhanced biodiversity was seen as central to the overall 'net zero' vision of Oxford and it was recognised that tackling climate change and ecological breakdown together was important.ⁱ

3.1.2. On 9 July 2019 Surrey County Council declared a climate emergency and committed to work with partners to agree Surrey's collective response, which will include a strategy for becoming carbon neutral as early as possible. As part of this, the council has committed to facilitate the planting of 1.2 million trees – one for every Surrey resident – by 2030. The county council needed to formulate a robust, evidence-based strategy and action plan to deliver the new trees and ensure that they survive to maturity and deliver the intended benefits. Working with partners including residents, boroughs, districts, parishes, businesses and other organisations is crucial to ensure they have the land, funding and support available to deliver the programme. The impact of the programme will be realised over a number of years, with the first batch of trees to be planted this year, and the remaining trees to be planted over the ten years to 2030, and with benefits increasing as the trees mature.ⁱⁱ

3.1.3. In London, the Mayor of London has recently announced plans to create two new woodlands spanning over 84 hectares in the Boroughs of Havering and Enfield, with close to 140,000 trees to be planted in the newly acquired areas, which were previously inaccessible to the public. Tree-planting is set to start in November 2020 and will play a role in enhancing London's green belt. New woodland is intended to help address the climate and ecological emergencies through storing carbon, reducing flood risk and enhancing biodiversity. More than 600 local volunteers are expected to plant trees at the sites on community planting days, encouraging a connection and sense of ownership. The projects will also create new jobs and opportunities in woodland management.ⁱⁱⁱ

3.2. In order to support the role of local government in leading places and a greener future, the Government needs to work with councils and business to establish a national framework for addressing the climate emergency, including tackling biodiversity loss. This must set out a clear articulation of the national role and local roles together with a commitment to cooperation from local public sector bodies.

Evaluating measures to conserve and enhance biodiversity:

4. How should the Environmental Land Management scheme maintain and improve biodiversity? What role might alternative land use play in delivering improvements to biodiversity under the ELM scheme?

- 4.1. The design of the Government's Environmental Land Management (ELM) Scheme will have an instrumental effect on future environmental outcomes and natural landscapes of local places. As with the Government's wider 25 Year Environment Plan, to meet our carbon neutral and environmental restoration goals the ELM must work seamlessly with other national and local recovery strategies.
- 4.2. At this stage it is not clear how the ELM Scheme will interact with the new nature and biodiversity duties placed on local authorities through the Environment Bill. Councils are well placed to make the links at a local level, provided they have the skills and resources to do so. This must be taken into account in the assessment of new burdens. The new duties conferred on councils through the Environment Bill represent an opportunity for Government to appropriately fund local government to build capacity and expertise across an area which has been constrained by budget cuts. It will be essential that during the formation of ELM, the Government adopts an approach to design which is open, collaborative and appropriately considers the role of local government in delivery.
- 4.3. If the Environmental Land Management Scheme and local nature recovery strategies are properly aligned, this could provide a significant opportunity to conserve and enhance biodiversity. We welcome further clarity on the implementation of these schemes and would be pleased to work with Defra to ensure that learning from the nature recovery strategy pilot areas is shared widely.

5. How effective are the new measures to enhance biodiversity within the Environment Bill, particularly biodiversity net gain and Nature Recovery Networks? Do these measures complement existing regulatory frameworks and address issues surrounding how to value nature?

- 5.1. The Environment Bill includes provisions to strengthen and improve the duty on public bodies to conserve and enhance biodiversity, including mandating a biodiversity net gain through the planning system. We support the principle of increasing biodiversity net gain through the planning process, but we have concerns about the implementation of these proposals and the new burdens for councils.
- 5.2. Planning departments will need to be supported with the right skills and resources to make this work. We do not support a mandatory national percentage target. Local site variation will affect the appropriateness of a single target.
- 5.3. A "credit" system will allow the sale of proposed statutory biodiversity units where improvements on site are not possible. Credits should be retained by local authorities so that funding stays in the area where development takes place, and local people can have a say in how this funding can be used to

improve the natural environment. The Bill would need to be amended to allow this to happen.

- 5.4. Any additional policy requirements relating to biodiversity net gain should be taken into account by developments alongside any other costs including their own profit expectations and risks, to ensure that proposals for development are compliant with Local Plans. Consideration should be given as to whether the current national planning practice guidance on viability could benefit from further strengthening in this regard.
- 5.5. The recent Planning White Paper proposes substantial changes to the planning system. It is unclear at this stage what the implications for the system of biodiversity net gain will be. Whitehall will need to work in a coordinated way to ensure that the system of biodiversity net gain can work in practice in any reformed planning system.
- 5.6. The Bill also requires the preparation and publication of Local Nature Recovery Strategies. Further work will need to be done with councils to establish what the impact of these will be on conservation covenants.
- 5.7. The Bill provides greater enforcement powers to the Forestry Commission to reduce illegal tree felling and will require local authorities to consult residents. Decisions on the felling of street trees should remain a matter of local determination. Tree preservation orders provide an established route for protecting trees as part of the local environment, whilst trees in conservation areas also benefit from protection in law. There is no evidence to suggest that removing street trees without good reason is a widespread practice in local government. Councils are already accountable to residents for their actions and it is right that they decide locally how best to engage residents on tree felling. Should the proposal go ahead, it would be a new burden and must be fully funded.

6. How should Nature Recovery Networks be planned, funded and delivered?

- 6.1. The LGA are happy to work with Defra on the proposals for local Nature Recovery Networks. This is an opportunity to build on the work that councils have already done locally, such as developing biodiversity strategies and plans (for example in Sutton Council, where the biodiversity strategy and action plan has been developed with local partners and community groups, and sets out the link with planning and new development).^{iv} Councils are well placed to provide local leadership on nature recovery, and it will be important for structures to work with, rather than against existing structures and partnerships. The wording of the Environment Bill allows either local authorities or Natural England to be designated with the statutory duty to produce a nature recovery strategy. Where responsibility falls to local government, this is a new burden and must be properly funded.
- 6.2. It may be helpful to draw on models being tested in local areas. For example, Greater Manchester is the first city region to draw up a Natural Capital Investment Plan^v. This came about due to problems with the narrow focus and fragility of existing funding mechanisms for natural capital projects. It will develop a pipeline of projects and identify different funding sources.

Co-ordination of UK environmental policy:

7. How can policy be better integrated to address biodiversity, climate change and sustainable development?

- 7.1. The Government should work with councils and businesses to establish a national fiscal and policy framework for addressing the climate emergency. This framework should outline responsibilities for the Government nationally – for example, aligning the regulatory system, including the planning system and national tax incentives – and the local responsibilities, together with a commitment to cooperate with local public sector bodies. There should be a process of engagement between central and local government to enable councils to fulfil their role to translate a national framework into transformative local plans that deliver on this agenda and invest in solutions for a green recovery and future.
- 7.2. The UN sustainable development goals provide councils with a framework to plan and prioritise decisions, work with their local stakeholders and engage their citizens so we can work together across the whole of society to create a just and sustainable future. The LGA and UKSSD ‘UN Sustainable Development Goals: Guide for Councils’^{vi} can be viewed online.

ⁱ https://www.oxford.gov.uk/news/article/1344/volunteers_give_big_boost_for_oxford_canal_wildlife_corridor

ⁱⁱ <https://www.local.gov.uk/surrey-county-council-facilitating-planting-12-million-new-trees-2030>

ⁱⁱⁱ <https://www.london.gov.uk/press-releases/mayoral/two-new-woodland-areas-set-for-london>

^{iv}

https://www.sutton.gov.uk/info/200453/parks_trees_and_open_spaces/1145/biodiversity_and_wildlife/2#:~:text=Sutton's%20Biodiversity%20Strategy%20is%20a,Woodland%20and%20Scrub&text=Green%20Infrastructure%20and%20Biodiversity%20Net%20Gain

^v <https://naturegreatermanchester.co.uk/project/greater-manchester-natural-capital-investment-plan/>

^{vi} <https://local.gov.uk/un-sustainable-development-goals-guide-councils>

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