Joint Nature Conservation Committee (JNCC) – written evidence (NER0039)

Submission by JNCC, 11th September 2017

JNCC has provided some consideration of the following questions:

Sustainability and biodiversity

7. Is the duty to ‘have regard’ to biodiversity, which is contained within the Act, well understood by those bodies to whom it applies? Is any further work required to raise awareness of the duty?

This duty has provided opportunity to build on the increasing recognition of, and interest in, natural capital to establish biodiversity as a positive contribution to sustainable development. In this way ‘have regard’ can deliver positive outcomes to the bodies applying it rather than being seen to have potential negative implications.

Business has begun to contribute to the purpose of the NERC Act because of stakeholder demands, licence to operate and opportunity to increase market share through acceptable actions etc., rather than directly because of the duty, but the fact that the duty is there underpins those other reasons.

8. What has been the practical impact of the 2006 duty? Is any modification to the duty required as a result of developments in our understanding of the value of ecosystems and biodiversity since 2006?

Developments in our understanding of the value of ecosystems and biodiversity allow us to promote the duty much more positively. In future, it will be important to create the natural partnerships between those taking action for biodiversity and the interests that receive benefits from biodiversity. These partnerships would significantly improve implementation of the duty.

The changing context since 2006

10. Will the structures established by the Act be sufficient to ensure appropriate protection for nature and environmental standards following Brexit? Are any modifications or changes to the structures established by the Act required to address the implications of Brexit?

UK-wide and international action in relation to nature conservation will continue to be needed once the UK has left the EU for the following reasons:

- UK-wide environmental standards and frameworks will be required to enable the UK to meet international obligations such as the Convention on Biological Diversity, the Convention on International Trade in Endangered Species and the OSPAR Convention.
UK-wide standards provide a level playing field for industry and support the internal UK market and international trade deals.

Coordination of activities within the UK is essential to deal effectively with issues such as climate change and air pollution that operate across national boundaries.

UK-scale coordination is often the most cost-effective way of providing each government administration within the UK with robust environmental evidence (through economies of scale, avoiding duplication of effort and leveraging funding through partnerships).

Brexit will provide new opportunities for the UK to show international leadership on environmental issues.

We therefore see a continuing need for JNCC although the organisation’s role will need to evolve to take account of post-Brexit changes, as well as other factors including new policy approaches (such as natural capital) and new technologies.

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