Shropshire Council – written evidence (NER0055)

1.0 Shropshire: Contributions to National Policy and Local Context

1.1 Shropshire Council seeks timely opportunities to respond proactively to national calls for evidence from Parliamentary Select Committees, Government Departments, and national bodies such as the National Infrastructure Commission and the Office of National Statistics. Our aim is always to share our local perspective and to help to shape national and local policy to achieve mutual outcomes for communities.

1.2 We welcome this opportunity to submit evidence to the Lords Select Committee, and to highlight the importance of equity and fairness to ensure that rural communities receive a fair deal on a par with urban communities. We also seek to ensure that our natural assets are clearly accounted for, and that their related ecosystem services are fully assessed. We believe this will result in better protection of these assets and the ability to maximise the societal benefits these resources provide. In so doing, we wish to advise that in our view the potential of rural proofing and ecosystems accounting tools to assist in policy and strategy has been under used. We also perceive there to be gaps around objective and up-to-date research and evidence into the needs of rural communities and businesses and their experiences of access to goods and services and household and family pursuits. Our contention would be that these gaps are not adequately acknowledged at present in national policy approaches including towards encouraging social inclusion.

1.3 Most recently, the Council made a detailed response to Government with regard to the Industrial Strategy Green Paper, in which we made specific commentary with regard to the natural environment and to rural communities. We linked this to strategic activity underway in Shropshire and the wider Marches LEP subregion to facilitate economic growth whilst protecting and enhancing natural assets of the area, including development of our Economic Growth Strategy. In our commentary, we articulated concerns that natural capital was neither mentioned nor accounted for within the Industrial Strategy in current form, or indeed within the companion Midlands Engine Strategy, and that rural evidence did not appear adequately factored in to proposed policy intentions, eg assumptions made about broadband and mobile connectivity do not account for current realities for rural communities.

1.4 We have accordingly recommended that the Industrial Strategy be adequately rural proofed. We previously contributed to development of local rural proofing guidance that Defra issued in 2012, and as a large rural authority remain acutely aware of the impact of rural realities on service commissioning and provision, as well as on creating the right conditions for economic growth.

1.5 Rural proofing will in our view provide opportunity for demonstrable utilisation of evidence about rural realities in developing national policies such as the Industrial
Strategy, including use of ecosystems accounting and biodiversity data. It will also enable gaps in evidence to be identified and steps taken to update existing datasets, such as through timely research into specific topics, and effective use of longitudinal surveys including the ONS Census. The proviso is that it involve liaison between all Government Departments, coordinated by Defra and supported by the Treasury.

1.6 We would additionally want to see more funding opportunities through further and higher education for exploratory research to be commissioned into likely impacts of national policy on rural communities. Scanning of such evidence as may emerge from academia, to which Shirley Trundle of Defra has referred in oral evidence to the Committee, is not the same as commissioning said research. We see this as enabling recognition of rural and urban interdependencies as well as linking to topics of particular resonance for rural communities, such as demographical trends and impact on adult social care costs and access to services.

1.7 By way of context, Shropshire is a predominantly rural large county, with just under one person per hectare (0.98 persons; 313,400 population; source ONS mid year estimates 2016), for a terrain covering 319,736 hectares. The county size is approximately ten times that of all Inner London Boroughs (31,929 hectares; source ONS Census 2011). Around 34% of Shropshire’s population lives in villages, hamlets and dwellings dispersed throughout the countryside. The remainder live in one of the 17 market towns and key centres of varying size, including Ludlow in the south and Oswestry in the north, or in Shrewsbury, the central county town.

**Evidence Table to show Shropshire Population Dispersal**

<table>
<thead>
<tr>
<th>Rural Classification</th>
<th>Population All Ages MYE 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural town and fringe</td>
<td>74,307</td>
</tr>
<tr>
<td>Rural town and fringe in a sparse setting</td>
<td>4,449</td>
</tr>
<tr>
<td>Rural village and dispersed</td>
<td>87,083</td>
</tr>
<tr>
<td>Rural village and dispersed in a sparse setting</td>
<td>12,796</td>
</tr>
<tr>
<td>Urban city and town in a sparse setting</td>
<td>10,979</td>
</tr>
<tr>
<td>Urban city and town</td>
<td>12,1766</td>
</tr>
<tr>
<td><strong>Total Population Shropshire MYE 2015</strong></td>
<td><strong>311,380</strong></td>
</tr>
<tr>
<td><strong>% living in rural - highlighted yellow</strong></td>
<td><strong>34%</strong></td>
</tr>
</tbody>
</table>


1.8 Shropshire Council liaises on policy lines across local institutions as well as with Government agencies and departments and with the devolved Welsh administration and Welsh authorities across our borders to the west, and with authorities across
the Midlands and to the north. We work within the Marches LEP and with neighbouring authorities for mutual benefit, and continue to exploit opportunities to do so, including those that arise around transport, housing and digital infrastructure, and around land assets and natural capital, including water quality and supply.

1.9 Given the policy ramifications of Brexit around devolution of powers, and the challenge to ensure that UK legislation is appropriately updated to protect our country’s biodiversity, fulfil our international obligations and achieve Government commitments to halt biodiversity loss, we would like to place on record our offer to contribute further in these matters at national level. In so doing, we would also recommend a formal recognition by Government of the role of the Rural Services Network (RSN) as a primary channel to inform national rural policy development.

2.0 **Key Line of Enquiry: Rural advocacy and the Commission for Rural Communities (CRC)**

2.1 **Question Area**

Q1. Since the closure of the CRC, and subsequent winding up of the Defra Rural Communities Policy Unit, how – if at all - are the CRC’s original functions of advocate, adviser and watchdog being fulfilled?

2.2 **Shropshire Council response**

2.2.1 We see a clear imperative for a comprehensive and up-to-date rural policy brief to be fulfilled at national level, and an equally clear paucity of robust and up-to-date evidence at the present time, which in our view is hindering such efforts. This is notwithstanding recognition of the efforts that Defra rural policy colleagues continue to make at operational level, and the benefits to be accrued from usage of the Defra Statistical Digest of Rural England report, which is updated on a fairly regular basis.

2.2.2 This Council’s response is about successor bodies that may pick up on CRC functions as adviser and advocate, looking in particular at activity by Defra, and at use made of organisations including the Rural Services Network (RSN), in order to complement such activity. The RSN offers advice to Government about a range of rural issues, including usage of a range of consultation channels to obtain evidence and share such advice. It also campaigns in an advocacy role for rural communities in liaison with bodies such as Action with Communities in Rural England (ACRE); the Country Land and Business Association (CLA); and the National Farmers Union (NFU), as well as through the SPARSE Special Interest Group of the LGA and the All Party Parliamentary Group (APPG) on Rural Services.

2.2.3 We would recommend a formal recognition by Government of the role of the RSN as a primary channel to inform national rural policy development, given the extensive and inclusive membership of the RSN and its representation of rural interests, along
with the research, intelligence and knowledge sharing that the RSN undertakes. This includes statistical profiles of local authority members, policy briefings, and robust evidence gathered for campaigns such as around fairer funding for rural authorities.

2.2.4 In so doing, we would wish noted that the strategic reach of the RSN includes involvement with Rural England, an independent policy think tank. We are aware that Rural England has a Stakeholders Group, which informs its work programme and priorities, and that this Group includes not only the CLA and the NFU, amongst other organisations, but also some former Commissioners of the Commission for Rural Communities (CRC), including Lord Cameron of Dillington.

2.2.5 We concur with the views expressed by Rural England in its “State Of Rural Services (SORS) Report 2016”, published January 2017, about the widening gaps discerned in the rural evidence base, notably in terms of access to service outlets and facilities. We also share concerns about an apparent lack of solid evidence about the take up of online services amongst rural communities. We understand that Rural England is making its views known via this call for evidence, including concerns that Defra does not appear to undertake or commission rural affairs research i.e. about social and economic issues affecting rural communities and rural economies.

2.2.6 For Defra, Shirley Trundle has already told the Committee that: “We do not as a department commission very large amounts of research these days. There has been quite a shift in the way government approaches research and certainly the way Defra approaches research, which is much more about working in partnership with people outside the organisation”. The Shropshire Council view would be that, whilst this partnership approach is welcomed, a more strategic approach that not only involves partners such as Rural England and the RSN and ACRE, but also activates Lord Cameron recommendations to work closely with other Government Departments at Cabinet level, would facilitate a comprehensive high-level approach towards commissioning of research into needs of rural communities and businesses. This would mitigate against the risks of such evidence gaps extending or new gaps appearing, as well as providing for local evidence to also feed through. For example, our recently gathered evidence on Accessible Natural Greenspace provision also indicates that rural areas are, perhaps counter intuitively, less well provided for than urban areas. This could have significant impacts on mental and physical health of rural residents.

2.2.7 We would additionally want to see more funding opportunities through further and higher education for exploratory research to be commissioned into likely impacts of national policy on rural communities. Scanning of such evidence as may emerge from academia, to which Shirley Trundle has referred, is not the same as commissioning said research. We see this as enabling recognition of rural and urban interdependencies as well as linking to topics of particular resonance for rural communities, such as demographical trends and impact on adult social care costs and access to services. It also complements the ongoing need for environmental and land management research eg agri-tech innovation: evidence garnered will be
equally vital for use in long term planning around infrastructure and land use needs of rural communities and businesses.

2.2.8 We noted that the Earl of Arran asked Shirley Trundle via oral evidence if Defra is: “suffering from a lack of research”. The response was: “I am not aware of anything that has been problematic in the near past, no.” However, we would recommend that what is being experienced by our rural communities warrants a consistent and transparent methodology for feeding issues through to senior Defra officials and ministers to then raise awareness across Whitehall, in order for objectivity to be applied rather than a subjective view of what may be seen as problematic, and for whom. This would then sit alongside a rural research approach that considers social, environmental and economic matters.

2.2.9 By way of illustration, in relation to benefits and the needs of low income households, the Shropshire view is that intelligence gathering needs to be ongoing into issues such as fuel poverty and lack of internet access, which affect opportunities to access health and leisure as well as education and skills and employment. The Voluntary and Community Sector Assembly (VCSA) here can be a useful vehicle for feeding through changing demand and community concerns. For example, there are real concerns about the impact of welfare reform at the moment among the VCS. The impact on individuals and then, as a result of that rising demand for support, then impacts on VCSE organisations. In Shropshire, this is something that the local authority is trying to encourage a closer look at through an information sharing event for the VCSA.

2.3 Question Areas

Q2. Are sufficient measures being taken to ensure that policies are rural-proofed at national and local levels? Who is taking the lead on policy for rural areas – and who should be taking the lead on such matters?
Q3. What role should Defra – or other Government departments – play in coordinating policy for rural areas? How effectively are the interests – including social and economic interests - of rural communities being represented within the current structures of Government, and how could representation and coordination be improved?

2.4 Shropshire Council response

2.4.1 We do not believe that sufficient measures are currently being taken at national level to rural proof national policy, either at development stage or at impact and review stage. This is despite our own efforts and those of others to influence this, for example through active membership of the Defra LEP Round Table, to which the Lord Cameron of Dillington review was brought, and through the rural perspectives
we and others seek to highlight to Government. We utilise means such as responses to parliamentary committees inquiries eg on the Digital Economy, and calls for evidence by Government Departments, eg the CLG/Defra Rural Planning Review, as well as mechanisms such as the Round Table, and briefings for local MPs. We also hosted Greg Clark MP in 2016 in order to really visibly illustrate the challenges faced by a rural local authority such as ourselves, as well as our own local initiatives, but we are not clear how for example this involvement with a then-minister within CLG was shared with Defra ministerial colleagues.

2.4.2 The 2012 Rural Statement does not appear to have extended further in reality than a statement of policy intent by a now departed administration. The recommendations made by Lord Cameron of Dillington in his subsequent review, published January 2015, were ones that we very much welcomed, as was the statement by then Secretary of State Liz Truss that: “For rural proofing to work effectively, it is for all government departments to make rural issues a routine policy consideration.”

2.4.3 We particularly welcomed the recommendation for Defra to run rural proofing workshops with other Government departments, in order to provide a very practical steer and to share what evidence was available that could be analysed on an urban/rural basis to help and inform policy development. [Lord Cameron Review Recommendation 1: Defra Ministers should work with Cabinet Office to strengthen and improve rural proofing guidance when the impact of policies is being assessed, to ensure that rural policy impacts are given clear and robust attention. Rural proofing must be applied more systematically in Departments and described more openly and transparently.] Lord Cameron had found that take up of the offer of workshops was “patchy”. It is therefore disappointing to discern from the evidence given by Shirley Trundle of Defra to this Committee for this Inquiry that this may remain the case.

2.4.4 We noted the further comments made by Shirley Trundle in relation to the Defra rural policy team that: “The rural policy team has a big network of contacts across government, so it works with other departments that are developing policy to bring the rural perspective into those discussions. A large part of the way it does that is drawing on the data and evidence that we have access to. We have done a lot of work to develop our ability to use and analyse statistical information right across government.” We know anecdotally from Defra officials that genuine efforts have been made by civil servants to alert those in other departments to rural realities. However, without implementation of something akin to the other recommendations that Lord Cameron made about Cabinet level commitment to rural proofing, we rather fear that we will continue to see critical policy commitments such as the Industrial Strategy looking more than light on recognition of rural/urban interdependencies and on demonstrable use of evidence about rural need.

2.4.5 By way of example with regard to digital connectivity, the full fibre networks terminology currently used as Government parlance is very unhelpful. It suggests that this is the way forward, when for rural counties it oversets expectations and
raises hopes that all premises can be connected by fibre cables. Mobile signals continues to lag behind. There are statistics that show us well behind the curve on this. Whilst our view, and that of the Marches LEP, is that 5G is only realistic in urbanised environments, we would still be saying to Government, show us how this can work in a rural county. The willingness is there at this local level to pilot, depend upon willingness of Government to likewise work with us on the challenge, given the rural geographies and the sparsity of the population.

2.4.6 We also made comments to Defra in contribution to a rural stakeholder event held on 21st March 2017, which involved some 30 people including LEP and local authority representation, community councils, and the CLA and NFU. The substance of our comments, regarding lack of reference in the Industrial Strategy Green Paper to natural capital, to land use and to land supply, were strengthened by others at the event. We agreed with the tenor of the overall points made, and said as much in our response to the Green Paper, including the following:

- All ten existing pillars of the Industrial Strategy have to be effectively rural proofed, notably support for start-ups and growth, given high percentage of SMEs in rural areas, as otherwise organisations at the local level are playing catch-up.
- Natural Capital not mentioned or accounted for within the strategy. Rural asset base includes natural assets.

2.4.7 The following case study on our Local Plan sets out to explain how we look to make use of rural proofing at local level.

i.) Shropshire Council has worked hard to deliver a distinctive planning approach which complies with national planning policy objectives whilst also responding positively to the principles of Localism. Shropshire Council is one of the first authorities nationally to have completed both the strategic and site related elements of its Local Plan (2016-2026). This provides for 27,500 houses to be built, of which 35% has already been delivered.

ii.) The Shropshire Core Strategy, adopted back in February 2011, was itself rural proofed as well as undergoing a complementary equality impact assessment. The Council has since contributed at national level to the production through Defra of local level rural proofing resources, introduced in 2012, which resulted from research commissioned by Defra and featured our approach towards place-based planning policy. This research study by Defra, together with its outputs, was in our opinion a piece of work that demonstrates the usefulness of national research and has helped in the coordinated and structured collation of evidence about likely rural impacts of service policy changes and decisions at local level.
iii.) The learning from it led us to overhaul our own equality impact assessment resources. We now use a Equality and Social Inclusion Impact Assessment (ESIIA) approach, in which as well as the nine Protected Characteristics groupings under the Equality Act 2010 we also consider a tenth grouping, identified as social inclusion, where we consider likely policy impacts upon rural communities and those who may be considered as vulnerable eg low income households.

iv.) The Council has just completed consultation on Issues and Strategic Options for the Local Plan Review, continuing to hold to the principles of developing and implementing planning policy that is grounded in rural reality, robust evidence, and feedback from engagement with as a wide a range of stakeholders as possible. Existing and future resourcing issues may challenge our ability to continue with such approaches. We have for example contended in response to Local Plans Expert Group (LPEG) in 2016 that the LPEG’s recommendations do not adequately provide for our situation and that we may therefore be inappropriately disadvantaged if the Government adopts these recommendations as drafted. We look forward to the further considerations of the LPEG in the light of commentary from ourselves and others.

3.0 Key Line of Enquiry: Natural England (NE)

3.1 Question Areas

Q4. How well has Natural England fulfilled the mandate that it currently has? How well do its wide-ranging functions fit together, and does it have the appropriate powers and resources to perform these functions?
Q5. Are any changes to the remit and responsibilities of Natural England required, either as a result of Brexit or of other significant developments in the period since 2006?
Q6. Do the arrangements and provisions for enabling and managing access to the countryside remain appropriate? How effective have Natural England – and other partners – been in promoting better access?

3.2 Shropshire Council overall response

3.2.1 Shropshire Council has greatly valued the advice, both standing advice and bespoke responses on difficult issues, and guidance, based on sound research, that has been provided by Natural England (NE) over the years. This has provided a benchmark of best practice for LAs and the private sector, reducing disputes, providing a level playing field for considering and discussing ecological issues and hence reducing the number of planning appeals on ecological grounds. This has given clarity to the public and private sector, as well as individual members of the public, and saved expense, delays and staff resources by reducing challenges.
3.2.2 The apparent pressure on NE to no longer provide this role, despite what is set out in the NERC Act 2006, sections 3 and 4, is very much a matter of regret. Existing guidance is not keeping pace with NE policy changes and technological advances. The resulting contradictions are causing confusion amongst consultants, developers and the Local Planning Authorities (LPAs), causing delays to planning applications.

3.2.3 Natural England appears to be increasingly under-resourced, causing delays to European Protected Species (EPS) licence applications and planning consultations with individual NE officers covering several counties. We sometimes recommend that developers seek paid Discretionary Advice Service (DAS) advice from NE, but NE are now saying that they have insufficient staff to provide DAS at present. In our experience, this is causing delays to sustainable development, and the blame for this delay should not be laid at the door of protected species legislation. Appropriate staffing levels would speed up licence applications and consultation responses (particularly on complex cases), thus speeding up processes for development. The NERC Act chapter 1 frequently states that NE ‘may’ do things to further their functions, but if it continues to be under-resourced to this extent it will be unable to carry out these functions and fulfil its general purpose in Section 2 of the Act.

3.2.4 As a local authority, we liaise with all three of the arms-length agencies of Defra, eg through the Shropshire and Telford and Wrekin Local Nature Partnership, as well as with constituent bodies and organisations such as the local Wildlife Trust. We would wish to make particular reference to the usefulness of the Local Environment and Economic Development (LEED) Toolkit that Natural England (NE) developed along with the Environment Agency (EA) and the Forestry Commission (FC) and four LEPs. NE ran with before it unfortunately ceased to be an offer to LEPs. We organised a LEED Stage One Workshop in July 2014, and found it a good partnership and evidence-gathering tool, and a Marches Ecosystems Assessment was subsequently produced last year.

4.0 Key Line of Enquiry: Sustainability and biodiversity

4.1 Question Area

Q7. 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?

4.2 Shropshire Council response

4.2.1 Our County Ecologist, Dan Wrench, advises that, shortly after the Act was enacted, Shropshire Council led an event involving representatives from a range of public bodies. The implication of the duty were discussed and a selection of public bodies given an opportunity to discuss how they were already considering biodiversity in
their day to day operations. Since this event there has been almost no mention of the duty or questions raised.

4.2.2 The duty is seen as serving little function as there are no guidelines on how this should be enacted and no legal comeback for any public body when challenged about their responsibilities under the Act. There seems little point in raising awareness of this Act when any public body can simply say that they have had ‘regard to biodiversity’ but they have chosen not to undertake any work to enhance biodiversity.

4.2.3 The Council has also noted the new regulations increasing the scope of Environmental Impact Assessments (EIAs). The term ‘human beings’ has been replaced with ‘population and human health’ and ‘flora and fauna’ has been replaced by the term ‘biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC’ (i.e. the Habitats Directive and Wild Birds Directive). There are also additional requirements to consider the vulnerability of projects to risks of major accidents and/or disasters, as well as explicit references to greenhouse gases and hydromorphological changes.

4.2.4 The EIA is a process that should still only focus on the likely significant environmental effects of a project, so these topics will only be relevant in certain circumstances. However, we would suggest that the EIAs may usefully be considered as a complementary assessment strand to rural proofing and to equality impact assessments; that work to raise awareness of the extant 2006 duty to ‘have regard’ to biodiversity should present these as three clearly linked threads; and that Defra should lead on such work as part of developing the 25 year environmental plan.

4.3 Question area

Q8. 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?

4.4 Shropshire Council response

4.4.1 Dan Wrench, County Ecologist, advises as follows:

i.) “I know of no discernible or measurable impact of the biodiversity duty of the Act. If some form of annual reporting were required by public bodies which was posted on the Government web site and publicised appropriately this may generate more interest in the biodiversity duty under the Act, and perhaps even generate some action.”
ii.) “With the developing science of natural capital accounting the Act should be modified to include reference to enhancements of natural capital and the ecosystem services they provide. Public Bodies should be required (and adequately funded) to report on enhancements to biodiversity in addition to the other ecosystem services that are now commonly described.

iii.) “One potential issue is that the ability to measure gains or losses to biodiversity or ecosystem services, in response to this Act or via other mechanisms, is being eroded due to Local Ecological Records Centres being lost or their capacity reduced by an almost complete lack of central government funding. Data regarding local biodiversity and ecosystem services requires collection, collation, management and interpretation and funding for this should not be piecemeal but resourced centrally (perhaps from national infrastructure funding) for the benefit of public bodies, as well as housing developers, NGOs, academia, etc.”

4.4.2 We reinforce points made in response to the Industrial Strategy Green Paper about natural capital and the particular relevance of this in rural geographies and for those where the urban/rural interdependencies can be most marked, such as in the West Midlands. Local Nature Partnerships (LNPs) are missing from the Strategy Green Paper but are potentially key partnerships on this, and they need re-energising, funding and given a clear role in the LEPs to ensure growth plans are enhanced by consideration of the benefits of natural capital as part of an Industrial Strategy.

4.4.3 Here in the sub-region, we are actively seeking to address this by seeking closer ties to the Marches LEP and act as their environmental advisory panel. Part of this process involves the aligning of our geographies with the formation of a single LNP covering Shropshire, Telford & Wrekin, and Herefordshire. We hope this alliance will minimise negative environmental impacts of economic development while maximising the clear economic gains and risk mitigation supported by natural capital and ecosystem services – such as tourism.

4.4.4 The following case study sets out to explain how we look to make use of ecosystems assessment at local level.

i.) Shropshire Council led on production of a Marches Ecosystem Assessment in 2016. This established some indicative monetary figures for a selection of ecosystem services for around half of the land area of the Marches LEP area.

ii.) Summary figures include a total for those ecosystem services measured, of:
• £14.7 billion (capitalised over 25 years)
• The effect of the existence of greenspace on people’s exercise levels in The Marches is valued at £146.9 million pounds annually.
• The value of carbon stored in soil and vegetation in The Marches: £7.2 billion
iii.) The full document is available here: http://bit.ly/MEA-report


v.) A linked study has helped assess the number of households in the Marches that have adequate access to Accessible Natural Greenspace. This has clear links for both biodiversity and for public health. It is a measure that can be relatively easily generated from existing data sources on greenspace and could be considered as another option for assessing ecosystem services. Details on how these figures and maps were generated are available here: http://bit.ly/ANGST-detail

vi.) Our online map is available here: http://bit.ly/ANGSt-Shrewsbury

4.4.5 Our Ecologist has also indicated that it would be interesting to know from Defra, as the Government Department through which LNPs were established, whether other LEPs are taking this approach or perhaps have other arrangements that work. We have for example heard good things about the Gloucestershire LNP / LEP relations.

4.4.6 We would also be interested in any national investigations into the links between access to natural greenspace and increased staff productivity plus reduced staff absenteeism, and anything around how LEPs may be working with LNPs to save business costs, and would suggest this as a timely area of research that could be commissioned through Defra.

4.5 Question Area

Q9. How does the English duty to ‘have regard’ to biodiversity compare to the Scottish duty to ‘further’ biodiversity and the enhanced biodiversity duty introduced in Wales in 2016?

4.6 Shropshire Council response

4.6.1 We will work with the devolved administration in Wales with a particular focus upon working with the Welsh authorities across the borders of the Marches and Staffordshire in recognition of ramifications upon efforts to improve water quality and water supply linked to river and tributary watercourses, notably the Severn.

4.6.2 Under the Nature Conservation (Scotland) Act (2004), all public bodies in Scotland are required to ‘further’ the conservation of biodiversity when carrying out their responsibilities. The Wildlife and Natural Environment (Scotland) Act (2011) requires public bodies in Scotland to provide a publicly available report, every three years, on the actions which they have taken to meet this biodiversity duty. Under Section 6 of
the Environment Act (Wales) the duty to ‘have regard’ in the NERC Act has been superseded requiring a public authority to ‘seek to maintain and enhance biodiversity’ and ‘promote the resilience of ecosystems’ as well as publicly reporting on achievements every 3 years.

4.6.3 We feel that similar requirements should be placed on English public bodies, to take a more active role and to report at regular intervals on how they have done so. This would lead to a consistent approach across the UK countries, would focus attention on the Duty and allow monitoring of its effectiveness. As it stands, there is no way of quantifying the effect of the Duty in England and whether or not it is contributing to the Government’s commitment to halt the overall decline in biodiversity.

5.0 Key Line of Enquiry: the changing context since 2006

5.1 Question Area

Q10. 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?

Q11. Are there any further parts of the Act which are currently in force that need to be re-considered as a result of developments since 2006?

5.2 Shropshire Council response

5.2.1 Natural England should have a key role in ensuring that the ‘General Purpose’ Section 2 is upheld throughout and after Brexit negotiations, ensuring that UK legislation is appropriately updated to protect our country’s biodiversity, fulfil our international obligations and achieve the Government’s commitment to halt biodiversity loss. Until more information unfolds about the Brexit negotiations and their implications we would not be able to comment further.

5.2.2 We recommend that this policy area be considered further in depth by the Committee, drawing upon recent Select Committee inquiry reports including into agriculture and public goods and likely impacts of Brexit. We reiterate our offer made in opening commentary to this response, as per our final paragraph below.

5.2.3 Given the implications to yet be fully identified of Brexit, including upon policy ramifications around devolution of powers to local areas, and around funding arrangements, as well as on communities themselves in terms of personal incomes and life chances, we would like to place on record our offer to contribute further on policy development in this matter at national level. In so doing, we would also recommend a formal recognition by Government of the role of the Rural Services Network (RSN) as a primary channel to inform national rural policy development.
Sign off

Mr George Candler, Director of Place and Enterprise, Shropshire Council

11 September 2017