Rural advocacy (Questions 1 to 3)

Promoting the interests of rural communities and businesses at the heart of government

1. The government is committed to sustainable growth in rural areas, so that people who live in the countryside have the same opportunities as those who live in our towns and cities. Much of what government does has an impact in rural areas, with responsibilities for social and economic policies, including business growth, education, health, transport and digital connectivity, to name a few, falling to different departments.

2. Defra’s role is to champion ‘rural proofing’ and support departments across government, so that policies take account of specific challenges and opportunities for rural business and communities, and that those who live, work and travel in rural areas are not disadvantaged.

3. “A rural economy that works for everyone contributing to national productivity, prosperity and wellbeing” is one of four priorities set out in the Defra Strategy to 2020. It includes specific objectives:
   - Increased productivity and prosperity in rural areas with a countryside that works for everyone
   - Rural areas are fully connected to the wider economy
   - A highly skilled rural workforce
   - Strong conditions for rural business growth
   - Living and working in rural areas made easier
   - Greater local control of decisions affecting rural areas
   - Improved life opportunities for those in rural areas

4. In April 2017, reflecting the high priority Defra Ministers attach to rural issues, the need to work closely across government and with external organisations, and the additional scope arising from EU Exit, two teams - Rural Policy and Rural Development Programme - were created, each led by a senior civil servant at Deputy Director level. This provides Defra Ministers with clear oversight of policy shaping and delivery, and accountability to Parliament.

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1 Conservative manifesto stated: “We will bring sustainable growth to the rural economy and boost our rural areas, so that people who live in the countryside have the same opportunities as those who live in our towns and cities”.
5. The Secretary of State has overall responsibility for the delivery of Defra’s strategy and Lord Gardiner is the Minister for Rural Affairs. Lord Gardiner is also the government’s Rural Ambassador, a role created in response to Lord Cameron’s Review on Rural Proofing. As such, he works with ministerial colleagues across government, both bilaterally and through participation in Implementation Task Forces such as those focused on housing and digital infrastructure, to ensure rural issues are reflected as core policy considerations.

6. Ministers and officials use research evidence as well as insight from direct engagement with people and organisations to help ensure that rural interests are reflected in policy-making. Ministers and officials engage regularly with a wide range of organisations representing rural interests, for example, the National Farmers Union, the Countryside Alliance, the Rural Coalition, the Country Land and Business Association (CLA), Local Government Association, Action for Communities in Rural England (ACRE) and local economic partnerships. These bodies help Defra understand rural challenges, opportunities and what works at a local level. This provides essential perspectives, advice and views on the development and delivery of policies.

7. Defra also provides funding to support ACRE and its network of 38 Rural Community Councils. The Councils lead, support and enable community initiatives from running community transport schemes and oil-buying clubs, to assessing housing needs and supporting older people to stay in their homes. Each pound of grant from Defra helps bring in nearly five pounds of funding from other sources.

8. Defra funds rural development through the Rural Development Programme for England (RDPE) 2014-2020, part of the European Union’s Common Agricultural Policy. The RDPE provides funding (£3.5bn for 2014 to 2020) to farmers, land managers, growers, foresters, business owners and rural communities for projects to improve the environment, increase the productivity of farming and forestry and grow rural economies.

Embedding ‘rural-proofing’ across government

9. Defra has taken significant action to embed rural proofing. In March 2017, Defra published analytical guidance on rural proofing and co-hosted with Cabinet Office a cross-Whitehall workshop for policy makers. The refreshed guidance sets out a clear four stage process which includes: i) identifying the impact of policy options; ii) assessing the scale of the impact; iii) tailoring the policy to address rural needs; and iv) evaluation, and incorporates a practical case study on the Department of Education’s 30 hours childcare initiative.

10. In addition, the Green Book (H M Treasury’s guidance for appraising policy proposals) requires policy makers to assess whether proposals are likely to have a different impact in rural areas from elsewhere.

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4 There are separate rural development programmes for Scotland, Wales and Northern Ireland.
11. Defra takes a multi-disciplinary approach to evidence. There is a dedicated team of statisticians, economists and social research staff within the Rural Policy team. Their work includes the provision, analysis and mapping of rural statistical evidence and the maintenance and development of the rural statistics pages on gov.uk. Defra has developed and disseminated a ‘step-by-step guide to applying the rural-urban classification’\(^5\). Defra will continue to work closely with government departments and others to expand the evidence available, to improve the understanding of rural issues through statistics, economic and social research.

Current Priorities

12. Rural areas and the needs of communities and businesses remain a high priority. Since the abolition of the Commission for Rural Communities and the Rural Communities Policy Unit, Defra has continued to take action to protect the interests of rural areas. For example, in August 2015, it published the Rural Productivity Plan, a coordinated set of actions across government to boost productivity of rural businesses. It has also worked closely with the Department for Culture, Media and Sport to improve broadband and mobile coverage, including the introduction of a universal service obligation and the provision of funding from the RDPE.

13. Defra’s Rural Policy team does not operate in a silo. The work of many other teams in the Defra group helps ensure rurality is at the heart of the department. Creating a healthy natural environment and building natural capital also make a contribution to rural economies, particularly in remote areas with fewer alternative employment options, such as the potential of the coast path to remote coastal communities. The farming sector shapes rural areas, preserving the heritage and landscape, which helps support tourism and recreation, well-being and other cultural benefits.

14. The government has said it will continue to commit the same cash total in funds for farm support until the end of the parliament. It will devise a new agri-environment system, to be introduced in the following parliament. The government has also said it will use the structural fund money that comes back to the UK following EU Exit to create a United Kingdom Shared Prosperity Fund. The interests of rural communities and businesses will be addressed in any future plans and rural stakeholders will be involved in discussions on what might replace current arrangements.

Sustainability and Biodiversity (Questions 7 to 9)

15. The government is committed to protecting and improving the environment, committing to be the first generation to leave the environment in a better condition than it found it. The government’s plan to do this will be set out in the 25 Year Environment Plan.

Understanding and awareness of duty to ‘have regard’ to biodiversity and any further work required to raise awareness of duty

16. The duty is widely understood across the sector, as evidenced by the range of actions undertaken by public bodies in response to its provisions.

17. In 2010 government published an independent review of the duty which demonstrated high levels of awareness and a whole range of actions in response to the duty amongst public body respondents. The review was commissioned to test awareness and extent of action taken by public bodies in England, Scotland and Wales. It concluded that of over 90 local authorities who responded to an on-line survey, 66% were aware of the duty and 57% reported a beneficial impact on biodiversity through the delivery of their functions.

18. Of over 180 ‘other’ public bodies (i.e. other than Local Authorities), the response was more variable. Awareness was very high amongst Government bodies, and by National Parks and Areas of Outstanding Natural Beauty authorities (up to 100%). However fewer than half of the other public bodies that responded reported taking action as a result of the duty. To some extent this result is likely to have been impacted by the fact that many ‘other public body’ respondents had biodiversity conservation as a key objective for their organisation, and so action they took was not seen as ‘in response to the duty’. The results reflect the views of respondents and are not necessarily representative of all public bodies, although response rates for local authorities were higher than for other public bodies.

19. The review also found that many public bodies could not be definitive about the extent to which their actions were a direct and specific response to the duty as this was just one of many drivers influencing action for biodiversity (other actions included planning guidance and local partnership working on biodiversity). This is, in Defra’s view, an important point, especially in the light of subsequent policy initiatives to increase awareness of and action for biodiversity.

20. Whilst it is likely that further work may be required to raise awareness of the importance and value of accounting for biodiversity or for other forms of natural capital more widely in decision making, government would not assert that the duty, or awareness of it, is necessarily a key mechanism for achieving this end.

21. The review suggested that levels of awareness of the duty were reasonably high amongst respondents in 2010 and that there were a broad range of positive actions initiated, partly in response to the duty. These actions reflect the range of suggested examples covered in guidance issued by the government in 2014.

22. The duty makes specific reference to the United Nations Convention on Biological Diversity and was clearly seen at the time as a means of implementing commitments required by the Convention including commitments on biodiversity ‘mainstreaming’; action to ensure others take account of biodiversity in decision making, particularly in sectors where biodiversity is not a primary goal.

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7 https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity
8 https://www.cbd.int/convention/text/
23. Since the duty was introduced in 2006, government has published a more detailed strategy for England’s Wildlife and Ecosystem Services, Biodiversity 2020. This contained a number of new targeted actions on biodiversity mainstreaming across a range of sectors – agriculture, planning, forestry and marine management.

24. Subsequent publication of the UK National Ecosystem Assessment and the work of the Natural Capital Committee has improved our understanding of the economic, social and health benefits derived from our species and ecosystems. These benefits are increasingly seen as key drivers for greater protection of biodiversity.

25. Partly in response to Biodiversity 2020, but also reflecting Ministerial priorities for biodiversity and biosecurity, as well as the development of the natural capital approach, the department has introduced a range of other mainstreaming measures to protect biodiversity.

26. For example, we have continuously improved our agri-environment schemes, introduced new protections in the marine environment, taken action to reduce risks from invasive species and supported the development of the new Planning Policy Framework.

27. We have also promoted voluntary approaches to conserving insect pollinators and protecting biodiversity from invasive non-native species. Working with the Wildlife Trusts, we have launched a ‘Bees Needs’ website which sets out five simple actions that farmers, gardeners and managers of urban or amenity spaces can take to help pollinators and make sure their populations are sustained. We coordinate an annual ‘Bees Needs week’ to help raise awareness of bees and other pollinators amongst the public, private sector and the general public. We also promote an annual invasive non-native species awareness week and encourage voluntary action to prevent the spread of these species, through the ‘Check, Clean, Dry’ and ‘Be Plant Wise campaigns’.

28. Further examples of measures Defra has introduced are listed in Annex A. These measures sit alongside a range of statutory provisions for protected sites and species that provide a key safeguard for England’s most threatened species and habitats.

29. The department views the duty as a first step in implementing mainstreaming commitments. The 2006 duty was not intended to be prescriptive. The guidance gives examples of how public authorities might fulfil the duties, for example by developing plans and strategies, managing their land or undertaking procurement. Any future mainstreaming or awareness raising for biodiversity is likely to build on the success of

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11 https://www.gov.uk/government/groups/natural-capital-committee
12 http://www.wildlifetrusts.org/bees-needs
13 http://www.nonnativespecies.org/checkcleandry/index.cfm
14 http://www.nonnativespecies.org/beplantwise/
existing approaches for valuing natural capital which government will set out in the 25 Year Environment Plan.

Practical impact of the 2006 duty and any modifications required

30. Defra has not quantified the overall impact of the duty on biodiversity and it would be extremely difficult to do so given that the duty is one of several drivers for action. The evidence from the review and the availability of additional examples cited here suggests a broadly positive effect across the outcomes set out in the guidance by a wide range of organisations. These include changes to estate management, action on training and awareness and integration into wider plans and strategies.

31. The 2010 review gives a number of examples of the practical impact reported by local authorities and other public bodies. See Annex A for details.

32. A number of specific examples of action are set out in Annex A. These include the production of a Ministry of Justice (MoJ) Biodiversity Strategy which references the biodiversity duty (as well as Biodiversity 2020) and includes a requirement for all MoJ contractors to have a biodiversity policy themselves and fulfil the biodiversity duty on the MoJ estate.

33. Whilst future policy ambitions, for example under the 25 Year Environment Plan, may require further action on mainstreaming biodiversity or wider consideration of natural capital in public sector decision making, there is a range of measures available to take forward these ambitions, and the department does not see any immediate requirement to modify the duty itself.

34. As policy develops and moves forward, the department will continue to focus on strengthening the economic, social and health case for taking account of biodiversity, as well as providing the tools and information that allow others to take account of this value.

Comparison with Scottish duty and enhanced Welsh duty

35. The 2010 review of the duty found no evidence that the enhanced duty in Scotland to ‘further biodiversity’ had a differential impact. Defra does not have any evidence of the changes to the duty introduced in Wales in 2016. Whilst it is plausible that additional provisions, such as a reporting requirement, might strengthen the duty, Defra would want to take a broad perspective and assess any such changes against alternative mechanisms for securing biodiversity gain.

Natural England (Questions 4 to 6)

36. A Triennial Review in 2013 concluded that the Environment Agency and Natural England (NE) should be retained as separate public bodies. This was accompanied by a Full Assessment of their compliance with the principles of good corporate governance.

In response to the review, a Joint Action Plan\textsuperscript{17} was implemented and a Progress Report\textsuperscript{18} was published in 2014.

37. NE is required by law to lay its Annual Report and Accounts annually in the Houses of Parliament. The National Audit Office audits NE’s accounts and the Annual Report is cleared by Ministers. The Annual Report and Accounts for 2016/17\textsuperscript{19} contain a statement by the Chief Executive on NE’s performance over the year along with key achievements and issues.

38. The Framework Document for Natural England, which sets out roles and responsibilities between Defra and NE and accountabilities in line with HMT guidance, was updated and published at the end of August 2017\textsuperscript{20}.

39. Ministerial Performance Reviews between the Secretary of State and the Chair and Chief Executive of Natural England are held bi-annually. These are a formal means for the Secretary of State to review NE’s performance, its delivery of agreed objectives for Defra, and any forthcoming issues. The latest review was held on 13 March 2017.

40. The Secretary of State also reviews the Chair’s performance against agreed objectives annually. The Chair was re-appointed to serve a second term in January 2017 and his performance was appraised in July 2017.

41. Natural England provide valuable expert and independent advice to Ministers on how to protect better and enhance England’s nature and landscape. They are committed to establishing and delivering long term solutions to environmental improvements, which has been demonstrated in their commitment and contribution towards the development of the government’s 25 Year Environment Plan.

**The changing context since 2006 (Questions 10 & 11)**

42. Defra and NE have assessed the impact of EU Exit for the role and responsibilities of NE in performing its duties in protecting nature and environmental standards. No changes are currently required to fulfil obligations.

43. Government will ensure that NE continue to play a critical role post-EU Exit.

\begin{footnotes}
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Annex A

Examples of mainstreaming measures introduced by Defra

a. New agri-environment schemes options designed to restore or create wildlife habitats listed in section 41 of the Natural Environment and Rural Communities Act;
b. New requirements under the National Planning Policy Framework\(^\text{21}\);
c. A Marine and Coastal Access Act 2009\(^\text{22}\) to enable the sustainable management and use of marine resources;
d. Economic tools and data to support decision making that impacts on biodiversity, for example through Treasury Green Book supplementary guidance\(^\text{23}\) on valuing the environment and the development of National, Natural Capital Accounts\(^\text{24}\);
e. The 2015 GB Non-Native Species Strategy\(^\text{25}\) and the 2014 National Pollinator Strategy\(^\text{26}\) to extend action in key areas that impact on or are impacted by biodiversity change.

Examples of practical impacts reported by local authorities and other public bodies as part of the 2010 Review

a. Production and implementation of corporate plans or strategies for biodiversity, or inclusion within wider corporate or area-base plans and strategies
b. Changes to land or estate management
c. Management of public spaces
d. Initiation of biodiversity projects
e. Survey and assessment
f. Production of guidance
g. Changes to building design or operation (local authorities only)
h. Action to conserve biodiversity within new development (local authorities only)

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\(^{24}\) https://www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/methodologies/naturalcapital


Table 1 Examples of public body delivery of biodiversity action through the duty or other drivers.

<table>
<thead>
<tr>
<th>Delivery Mechanism</th>
<th>Delivery Body</th>
<th>Narrative</th>
<th>Document Link</th>
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<tbody>
<tr>
<td>LA Biodiversity Action Plans/Local Plans</td>
<td>Havant Borough Council</td>
<td>Reference to biodiversity duty: ensure national objectives are translated into local action. Example policies: 1 Ensure favourable management of borough council land; 2 Incorporate biodiversity as a key element of all relevant plans and strategies</td>
<td>Havant BC Biodiversity Action Plan</td>
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<tr>
<td>Government Body Biodiversity Strategies</td>
<td>Ministry of Justice Biodiversity Strategy</td>
<td>Reference to biodiversity duty and Biodiversity 2020. All MOJ contractors must have a biodiversity policy and must fulfil the biodiversity duty.</td>
<td>Available on request</td>
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<tr>
<td>Network Rail - Infrastructure Projects Net Biodiversity Gain</td>
<td></td>
<td>Reference to Biodiversity duty Using Defra biodiversity metric, applying the biodiversity hierarchy, with goal to enhance biodiversity and achieve measurable net gains for infrastructure projects.</td>
<td>Network Rail Biodiversity Policy</td>
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<tr>
<td>Parks and open spaces</td>
<td>Hastings Country Park - Hastings Borough Council</td>
<td>Does not reference duty, refers to Changes in management practices has resulted in significant enhancement of a range of habitats and species, prioritising biodiversity and public enjoyment</td>
<td>Hastings Country Park</td>
</tr>
</tbody>
</table>

13 September 2017