

Welcome to Landmark Chambers, RSK Biocensus and Walker Morris LLP's "A Green Brexit? Removing Red Tape or Increasing Environmental Protections?" webinar

The recording may be accessed [here](#).

Your speakers today are...



Topic:
Assessing the Impacts of
Forthcoming Legislation
and Policy Changes on
the Environment

Stephanie Wray (Chair)
Managing Director, RSK Biocensus



Topic:
Brexit and the Environment
Bill: an opportunity for the
rolling back of EU
environmental laws?

James Maurici QC
Barrister, Landmark Chambers



Alison Ogley
Partner, Walker Morris LLP

Topic:
Biodiversity net gain –
current legal issues

Brexit and the Environment Bill: an opportunity for the rolling back of EU environmental laws?



James Maurici QC
Barrister, Landmark Chambers

Introduction (1)

- Since 1973 the provisions of the EU Treaties and the vast amount of EU legislation (in the form of Directives, Regulations, Decisions and other soft-law measures) on the environment have been a constant in UK environmental law;
- EIA Directive since 1985; Habitats since 1992; Birds since 1979; Waste since 1975; SEA since 2001 ... all constants ...
- Whatever the legal claims brought relying on such law (including those brought by “*activist lawyers*”) and however much such the requirements of the Treaty or legislation derailed schemes the Government supported they were stuck with it;
- The need to adhere to the jurisprudence of the CJEU has also been a constant;
- However lacking in common-sense or wrong-headed these decisions were thought to be by our Government and/or our Courts they could not be departed from;
- **That all about to change ...**

Introduction (2)

- Lord Denning MR once famously characterised EU law as “*like an incoming tide. It flows into the estuaries and up the rivers. It cannot be held back, Parliament has decreed that the Treaty is henceforward to be part of our law. It is equal in force to any statute*”: **HP Bulmer Ltd v J Bollinger SA** [1974] Ch 401, 418.
- Denning later expressed himself more forcibly: “*No longer is European law an incoming tide flowing up the estuaries of England. It is now like a tidal wave bringing down our sea walls and flowing inland over our fields and houses—to the dismay of all.*”
- With Brexit the attempt will now be made to reverse the tide ...

Introduction (3)

Following the Implementation Period, so as from 1 January 2021:

- (i) Environmental principles derived from Treaties – (e.g. the precautionary principle, the preventative principle, the polluter pays principle etc.) no longer binding and applicable via EU law;
- (ii) The UK Government (and devolved Governments) can: (i) legislate to depart from pre-exit EU environmental legislation, and (ii) are not required to transpose and adhere to any post-exit amendments to existing EU legislation or any new EU legislation;
- (iii) No role for the EU Commission in overall enforcement of EU environmental law; and
- (iv) No role for CJEU in determining the law, domestic courts not bound by post-exit case-law, and at least some ability to depart from pre-exit case-law.

Introduction (4)

- So really three things in play:
 1. The loss of established environmental principles (the precautionary principles etc) and EU governance mechanisms following Brexit;
 2. Government's new ability to repeal or amend environmental legislation derived from EU environmental legislation in a way impossible up to now;
 3. The ability of our Courts to take a different line to that taken by the CJEU on environmental law derived from EU law.

Look at each of these in turn ...

(1) Principles and governance: the Environment Bill

- “*The Bill sets out the measures needed to ensure that there is no environmental governance gap on withdrawal from the EU. The Bill will require the setting of long-term, legally binding and joined-up targets tailored to England, embed consideration of environmental principles in future policy making and establish the independent Office for Environmental Protection.*” (para. 17 Explanatory Notes)
- “*The Bill legislates for environmental principles to protect the environment from damage by making environmental considerations central to the policy development process across government. The principles work together to legally oblige policy-makers to consider choosing policy options which cause the least environmental harm. The Statement on Environmental Principles will set out how the principles should be interpreted and applied by policy makers.*” (para. 19 ibid.)
- “*The Bill also creates a new public body – the Office for Environmental Protection (OEP) – as a domestic independent watchdog who will be responsible for taking action in relation to breaches of environmental law....*” (para. 20 ibid.)

(1) Principles and governance: the Environment Bill

- Mixed messages:
- (1) Under the earlier Withdrawal Agreement the principle of “non-regression” was applied by the draft Protocol i.e. that environmental controls post-Brexit would be at least as rigorous as those applicable in the EU, but this was removed from the final Withdrawal Agreement and Protocol;
- (2) NB though <https://www.gov.uk/government/publications/environment-bill-2020/30-january-2020-environment-bill-2020-policy-statement>: *“The Environment Bill will help deliver the government’s manifesto commitment to delivering the most ambitious environmental programme of any country on earth. It is part of the wider government response to the clear and scientific case, and growing public demand, for a step-change in environmental protection and recovery.”*

(1) Principles and governance: the Environment Bill

- (3) More recently:
 - a. PM speech 30 June “*... time is money, and the newt-counting delays in our system are a massive drag on the productivity and the prosperity of this country and so we will build better and build greener but we will also build faster and that is why the Chancellor and I have set up Project Speed to scythe through red tape ...*” “*we will build, build, build ...*”
 - b. Environment Secretary speech July 2020 “*Later this autumn we will be launching a new consultation on changing our approach to environmental assessment and mitigation in the planning system. If we can front-load ecological considerations in the planning development process, we can protect more of what is precious. We can set out which habitats and species will always be off-limit, so everyone knows where they stand ...*”
 - c. The Planning White Paper ...

(1) Principles and governance: the Environment Bill

What can we make of all these very mixed messages?

Matt Lucas might say the approach was:

"So we are saying we will fully maintain EU environmental protection, this will be a Green Brexit, but as all this EU derived newt counting causes such huge delays we will be slashing the red tape and allowing people to build, build, build as they like ...".



(1) Principles and governance: the Environment Bill

- Back to the Bill
- 2 key things in terms of governance:
 - (1) Requirement for a policy statement on Environmental Principles to which due regard is to be had by Minister of the Crown when making policy;
 - (2) Creation of Office for Environmental Protection
- Do these achieve equivalence with what we are losing from EU? No. See <https://www.landmarkchambers.co.uk/wp-content/uploads/2020/05/The-Environment-Bill-2020-%E2%80%93-environmental-principles-and-transparency-of-environmental-protection.pdf>

(2) Repeal/amendment of environmental laws

- So by way of introduction only ...
- (i) much of our environmental legislation enacted under s. 2(2) of the EC Act 1972 and so “retained EU law” as EU-derived domestic legislation;
- (ii) This includes our regulations on EIA, SEA and Habitats for example;
- (iii) Under the Withdrawal Agreement as signed – there is no non-regression provision re environmental protection;
- (iv) Some EU environmental law required to be retained in NI under the Protocol but not EIA, SEA and Habitats ... BUT in any event will the UK comply?
- (v) Post the IP the Government free to repeal or amend “retained EU law”
- (vi) And under no obligation to transpose amends to such law at EU level or new EU legislation on the environment ...

(2) Repeal/amendment of environmental laws

- Example:
- 1. The Conservation of Habitats and Species Regulations 2017
- 2. The Conservation of Offshore Marine Habitats and Species Regulations 2017

Transpose, inter alia, the Habitats Directive ... been with us since 1992 .. First Regulations back in 1994 ...

Already amended both these Regulations – see the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which come into force after the IP

Changes minor to reflect leaving EU, e.g. remove references to Natura 2000 and replace with UK network, replace references to Commission in Article 6(4)

But open to make any changes Government sees fit ...

(3) The Courts

- What is the legal regime governing the Courts?
 1. During the implementation period (“IP”), decisions of the CJEU continue to apply to the UK as if it were still a member.
 2. After the IP, s. 6(1) of the EUWA 2018 as amended provides that a court or tribunal is not bound “any principles laid down, or any decisions, made on or after IP Completion day” by the CJEU and cannot refer questions to it.
 3. In relation to the interpretation of EU derived law in the UK after the IP, the EUWA 2018 s.6(2) as it currently stands provides that a court or tribunal “may have regard” to anything done by the CJEU or other EU institution on or after exit day so far as relevant to any matter before it but subject to subsections (3)-(6);

(3) The Courts

- Before turning to s. 6(3) – (6) ...
- S. 6 introduces “retained case law” means
 1. retained domestic case law, and
 2. retained EU case law;
- “retained domestic case law” means any principles laid down by, and any decisions of, a court or tribunal in the United Kingdom, as they have effect immediately before exit day and so far as they - (a) relate to anything to which section 2, 3 or 4 applies, and (b) are not excluded by section 5 or Schedule 1, (as those principles and decisions are modified by or under this Act or by other domestic law from time to time);
- “retained EU case law” means any principles laid down by, and any decisions of, the European Court, as they have effect in EU law immediately before exit day and so far as they (a) relate to anything to which section 2, 3 or 4 applies, and (b) are not excluded by section 5 or Schedule 1

(3) The Courts

“(3) Any question as to the validity, meaning or effect of any retained EU law is to be decided, so far as that law is unmodified on or after IP completion day and so far as they are relevant to it—

- (a) in accordance with any retained case law and any retained general principles of EU law, and
- (b) having regard (among other things) to the limits, immediately before IP completion day, of EU competences.

(4) But—

- (a) the Supreme Court is not bound by any retained EU case law,...
- (b) (c) no court or tribunal is bound by any retained domestic case law that it would not otherwise be bound by.

(5) In deciding whether to depart from any retained EU case law, the Supreme Court ... must apply the same test as it would apply in deciding whether to depart from its own case law.

(6) Subsection (3) does not prevent the validity, meaning or effect of any retained EU law which has been modified on or after IP completion day from being decided as provided for in that subsection if doing so is consistent with the intention of the modifications.”

(3) The Courts

- To depart from it in which process the Supreme Court will apply the same test as if departing from its own case law.
- The Supreme Court follows the approach previously established by the House of Lords that “*while treating [its] former decisions ... as normally binding, [it will] depart from a previous decision when it appears right to do so*”: *Practice Statement (Judicial Precedent)* [1966] 1 WLR 1234. In general, the Justices have been reticent in exercise this power: ‘this Court should be very circumspect before accepting an invitation to [do so]’ see ***Knauer v Ministry of Justice*** [2016] AC 908, [23]).
- However, as Lord Bingham said in ***Horton v Sadler*** [2007] 1 AC 307 [29], while “*former decisions of the House are normally binding ... too rigid adherence to precedent may lead to injustice in a particular case and unduly restrict the development of the law*”.

(3) The Courts

- However, section 26 of the European Union (Withdrawal Agreement) Act 2020 (“the EUWAA 2020”), provides for further amendments to these provisions which are not yet fully in force amend s. 6 of the EUWA 2018 so that:
 - A relevant court or relevant tribunal is not bound by any retained EU case law so far as is provided for by regulations;
 - Confers significant powers enabling the Government to make regulations to:
 1. Expand the range of courts which can decide to depart from retained EU case law;
 2. Change the test which the courts would be required to apply; and
 3. Differentiate between the approach courts take to decisions of the CJEU and decisions of the domestic courts which were themselves founded on CJEU jurisprudence.

(3) The Courts

- Government consulted earlier this year on extending ability of Courts to depart: see
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896830/retained-eu-case-law-consultation.pdf
- Response:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/926812/departure-eu-case-law-uk-courts-tribunals-consultation-response-print.pdf published last week ...
- Will extend this to Court of Appeal;
- Court of Appeal to apply the same test as the Supreme Court on whether to depart;
- So CA able to depart from CJEU case-law and SC case-law if that based on EU law ...!!??

(3) The Courts

- Why does this matter?
- Many people think that some CJEU case-law went too far and/or was wrongly decided ...
- Until now nothing that could be done about such decisions ... but that has changed.
- Going to look at 3 examples:
- (1) Habitats: Case C-323/17 ***People Over Wind v. Coillte Teoranta*** [2018] PTSR 1668
- (2) Habitats: the certainty test;
- (3) SEA: Case C-567/10 ***Inter-Environnement Bruxelles ASBL v Région de Bruxelles-Capitale*** [2012] 2 CMLR 909

(3) The Courts

(1) People Over Wind:

- Prior to this decision very well-established in domestic case-law that in undertaking the trigger or “screening” stage assessment – e.g. deciding if LSE - it was legitimate for the decision-maker to take into account “mitigation” which would prevent LSE arising, e.g. SANG see: **R (Hart DC) v SSCLG** [2008] 2 P&CR 16 and **Smyth v SSCLG** [2015] PTSR 1417.
- *Hart* “it would have been “ludicrous” ... to disaggregate the different elements of the package and require an appropriate assessment on the basis that the residential component of the package, considered without the SANGS, would be likely, in combination with other residential proposals, to have a significant effect on the SPA, only for her to have to reassemble the package when carrying out the appropriate assessment”. **Hart** - “common sense” result;
- Courts trying to wrestle with this see e.g. **R (Langton) v Secretary of State for Environment, Food and Rural Affairs** [2018] EWHC 2190 (Admin) and **Canterbury City Council v Secretary of State for Housing, Communities and Local Government** [2019] J.P.L. 1321

(3) The Courts

(2) The certainty test;

- Concerns that in recent cases like **Dutch Nitrogen** CJEU applying a requirement for certainty that is too high and impractical;
- If that is what this case-law is doing vs domestic law approach as per **R (Champion) v North Norfolk** [2015] UKSC 52;
- Courts been navigating around this see **Compton Parish Council & others v Guildford Borough Council & Secretary of State for Housing, Communities and Local Government** [2020] J.P.L. 661;
- CA and SC free to depart from this line of cases extolling ever impossible level of certainty ...

(3) The Courts

(3) *Inter-Environnement Bruxelles*:

1. SEA Directive clear SEA only applies of the plan/programme “required by legislative, regulatory or administrative provisions”;
2. Clear from the words used and from travaux (as A-G explained in her opinion) this was a deliberate limitation in scope by the EU legislator;
3. CJEU hold “required” does not mean required, but merely “regulated”;

4.R. (*Buckinghamshire CC*) v *SST* [2014] 1 W.L.R. 324 per Lord Neuberger and Lord Mance (and with whom rest of the Court agreed) “*national court is faced with a clear legislative provision, to which the Fourth Chamber of the European Court of Justice has, in the interests of a more complete regulation of environmental developments, given a meaning which the European legislature clearly did not intend. For this reason, we would, had it been necessary, have wished to have the matter referred back to the European Court of Justice for it to reconsider, hopefully in a fully reasoned judgment of the Grand Chamber, the correctness of its previous decision.*”

Conclusions (1)

1. Many of the old certainties we have had since 1973 gone;
2. EU derived legislation can be amended by the Government;
3. Amended or new EU legislation will not apply in the UK;
4. The overarching environmental principles are gone, and the Environment Bill does not adequately replace them;
5. No more EU Commission;
6. SC and CA allowed to depart from pre-exit EU case-law;
7. All Courts free to depart from post-exit CJEU case-law.

Conclusions (2)

- Two other issues:
- (1) What might limit departure? International law. E.g. in Environment Secretary's July 2020 speech said "*So while the environmental legislation we currently have is often credited to flagship EU directives like the Habitats Directive or the Birds Directive, these directives themselves were often principally about implementing at an EU level things that had already been agreed internationally through other international conventions like the Bern Convention*". Bigger role for international law: see **Plan B v Secretary of State for Transport** [2020] P.T.S.R. 1446 but must read in the light of **R (Packham) v Secretary of State for Transport** [2020] EWCA Civ 1004 plus **Plan B** under appeal;
- (2) Divergence on environmental law within UK devolved administrations: see my presentation at <https://www.youtube.com/watch?v=PwaxDxvFxml>

Thank you for listening

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Biodiversity Net Gain



October 2020

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Planning and Environment

The origins of ‘biodiversity net gain’

- **Legal Framework:** The Natural Environment and Rural Communities Act 2006 places a duty on decision-makers to have regard to the purpose of conserving biodiversity. (Part 3, Section 40(1))
- The Environment Bill 2019-2020 proposes to take the existing general duty in 2006 Act to have regard to conserving biodiversity further – the duty would be to conserve and enhance (more on the EB later...)
- **Policy Framework:** NPPF Para 175(a) – refusal, if development impacts on biodiversity cannot be avoided, mitigated or (as a last resort) compensated for
- BNG has grown out of the requirement for compensation approach for biodiversity.
- *Will there be an amendment to the NPPF? Will mandatory BNG detract from compensation being ‘a last resort’?*

How offsetting was previously used..

- ‘Biodiversity net gain’ - Secretary of State appeal decision at Whitehouse Farm, West Moor, Newcastle for Bellway (2013)
- Condition imposed to provide *offsetting* for biodiversity and creation of ecosystems. These would be off-site, but land would be reasonably in the control of the Appellant.
- Offsite land in ‘reasonable control’ of Appellant - potential deliverability issue if land cannot be secured to provide biodiversity offsets
- Although offsetting is part of BNG it will be possible to provide BNG ‘on site’





Current Local Plan approaches to net gain



Warwickshire:

- Policy requires use of Warwickshire Biodiversity Impact Assessment Tool (a local metric) to establish the biodiversity value of a site before and after development
- Where metric = residual biodiversity loss BNG is required and the developer can choose to:
 - secure an agreement with a third party to achieve a net gain outcome through an offset agreement (directly or via their broker); or
 - by making a financial contribution to Warwickshire County Council or who will find an appropriate offset scheme.



Local Plan approaches to net gain (2)

Barnsley

- Local Plan (2019) contains a biodiversity policy which lists ways in which development will be ‘expected to conserve and enhance the biodiversity and geological features of the borough’
- includes an expectation that development proposals will follow the national mitigation hierarchy (avoid, mitigate, compensate)
- Development which may harm a biodiversity feature will not be permitted without effective mitigation or compensation measures



Local Plan approaches to net gain (3)

Plymouth and South West Devon



- The Joint Local Plan (2019) contains a policy which seeks proportional biodiversity net gain from all major developments
- The level of biodiversity net gain required will be proportionate to the type, scale and impact of development. Enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.
- net gains will be expected to support local schemes for improving biodiversity, identified in the local action plan
- Development will also be expected to provide for the long term management of biodiversity features



The Environment Plan

- The Government's 25 Year Environment Plan includes a commitment to create a Nature Recovery Network
- The Environment Bill will establish Local Nature Recovery Strategies to create or connect habitat for wildlife putting spatial planning for nature on a statutory footing.
- Five pilot studies are underway to identify valuable sites for wildlife and restoration of nature.



The Environment Bill (1)

- The Environment Bill 2019 - 20 contains new proposals in relation to net gain.
- The Bill is currently at the Committee Stage of consideration in the House of Commons
- As previously mentioned, the Bill proposes an amendment to the existing general duty in 2006 Act to have regard to conserving biodiversity – the duty will be to conserve and enhance
- The Bill (once enacted) will impose new requirements for ‘mandatory biodiversity net gains’ - every development will be required to deliver a 10% net gain





The Environment Bill (2)

- Proposes compensatory habitat creation with a 30 year maintenance requirement. This provides a structure to establish a ‘market’ for offsetting with accredited providers selling ‘credits’ for developers to buy.
- likely to lead to more ‘offsetting’?
- The 30 year requirement could equate to funding for 30 years in some cases, but details on implementation not yet clear.
- Proposed *two year transition* to ‘mandatory net gains’ (further detail on transitional arrangements awaited)
- Published guidance will also be required in relation to the new measures: for example, should some methods of calculating or achieving net gain be preferred over others?
- delivering BNG does not preclude developers from complying with their separate duties regarding protected sites and protected species

Biodiversity net gain: application

- Schemes where a biodiversity *net-gain* is inherent in the proposals should be promoted as such to LPAs; this can be a real benefit ahead of mandatory requirement
- Longer-term sites (going through Local Plan allocation at the moment) – plan ahead for BNG if they are likely to have an impact on habitats (consider on site mitigation and/or offsetting); collect evidence!
- Consider the impacts of net gain before option agreements are entered into; collect evidence!
- There are a number of mechanisms to deliver net gain. These currently include delivering net gain on land owned by developers through Section 106 agreements.
- It will also be possible to purchase ‘credits’ towards net gain projects off site: some local authorities are putting this service into place (such as Warwickshire CC), and Natural England is running a pilot to identify projects which may be suitable for credit investment in the future. The cost of each credit is currently expected to be between £9,000 and £15,000
- Conservation covenants, also introduced by the Environment Bill, could be used to deliver off-site net gain. Covenants are private, voluntary agreements between a landowner and a 'responsible body' to achieve a conservation purpose. They will be able to bind successors in title to both positive and negative covenants.



Planning for the Future

- The recent White Paper ‘Planning for the Future’ includes net gains for biodiversity as a key ambition of planning reform.
- Proposals are included in the White Paper to replace Section 106 agreements with a new Infrastructure Levy – detail is very light! However the White Paper only really details the effects on affordable housing and similar financial obligations. It does not fully consider the effects on securing non-financial obligations or off-site mitigation.
- It is difficult to see how the IL will be capable of securing 30 year management plans; the proposals do not suggest the IL will run with the land (unlike S 106)



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EXPERTS IN ECOLOGY



The Practitioner's View...



Greener UK Risk Tracker



Air pollution



Rating: High Risk, increasing

- EU AQ Directive implemented through the Air Quality Standards Regs
- EU infraction proceedings, JR
- Delays to introductions of Clean Air Zones
- Office for Environmental Protection
- No target in line with WHO for PM2.5
- Enforcement in Wales and Scotland

Chemicals

Rating: High Risk, increasing

- Not participating in ECHA or REACH
- Protection will be weaker post-Brexit
- Risk of becoming a dumping ground for hazardous chemicals, particularly in next two years
- Risk of trade deal with US



Water

Rating: High risk, slightly improving

- Environment Bill a key vehicle for securing improvements to water and wetland habitats, promising amendments.
- ELMS – could support restoration of freshwater habitats and nature based solutions
- Water Framework Directive – delays
- Plans from the government for repeal and reform?



Waste and Resources

Rating: High Risk, increasing

- Govt committed to match or exceed EU, but..
- EU circular economy not transposed into UK law
- Waste Prevention Plan not consulted on yet
- Single use plastics



Fisheries



Rating: High risk, stable

Sustainable fisheries depend on a healthy marine environment, but the fate of environmental legislation has played surprisingly little part in the fisheries and Brexit debate so far. Of particular relevance to the health of the marine environment are the European Marine Strategy Framework Directive, the Birds Directive, the Habitats Directive, the Bathing Waters Directive and the Water Framework Directive.

Fisheries Bill regresses from EU CFP

Climate



Rating: High risk, stable

- Green economic recovery
- CoP26
- No co-operation on Paris agreement
- Cross-border energy trading
- Supply-chain issues for low carbon manufacturing

Farming and Land Use

Rating: High risk, stable

- Agriculture Bill – public money for public goods
- ELMS – seven year transition, funding and monitoring
- Import standards, dual tariff plan
- Effect of no deal



Nature protection

Rating: High Risk, increasing

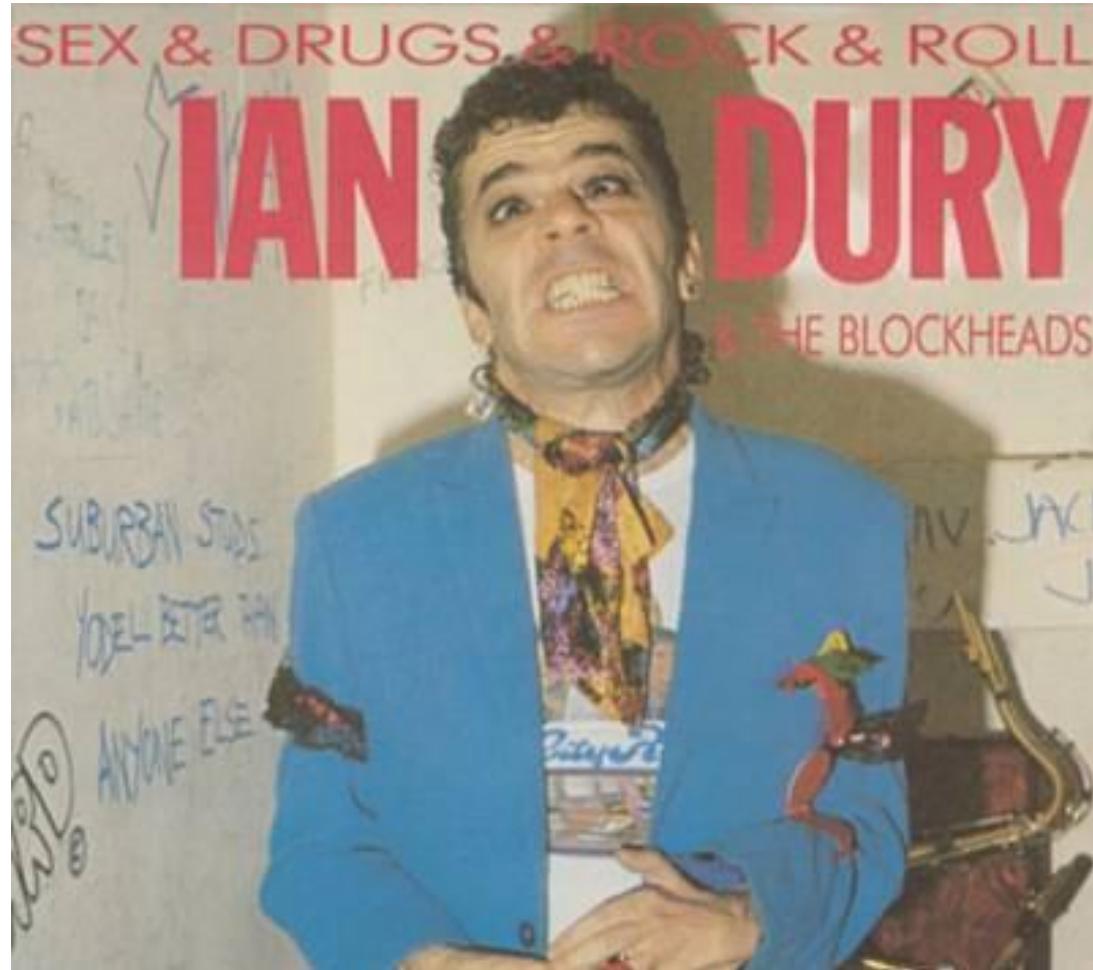
- Lack of non-regression agreement
- Environment Bill weak areas
- OEP – will it have teeth?
- Reforming Regulation Initiative consultations
- Funding



J'Accuse...!



Reasons to be Cheerful...



- Biodiversity Net Gain
- Environmental Net Gain
- Rewilding
- ELMS
- Post 2020 Global Biodiversity Framework

Biodiversity Net Gain, Offsetting and Rewilding

- The forthcoming Environment Bill will mandate Biodiversity Net Gain (BNG) of 10% for developments under TCPA in England
- Likely that it will require off-site works (and offsite can be cheaper)
- Options to combine natural capital benefits
- Rewilding seeks to allow natural ecosystems to recover with minimal intervention



(Paul Sawer, 2019)

Environmental Net Gain

“In short, this means improving all aspects of environmental quality through a scheme or project. Achieving environmental net gain means achieving biodiversity net gain first and going further to achieve increases in the capacity of affected natural capital to deliver ecosystem services and make a scheme’s wider impacts on natural capital positive.” – Defra, 2018 .

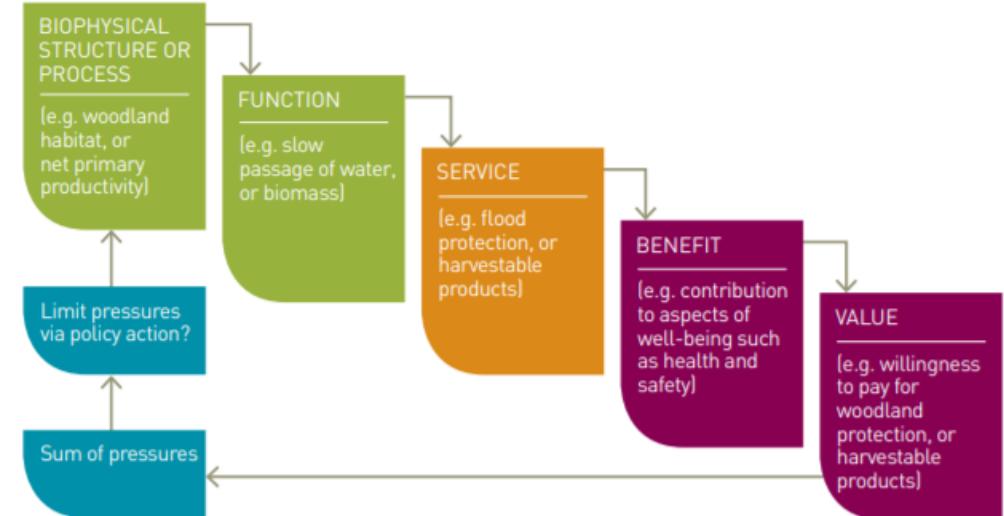


FIGURE 2
THE RELATIONSHIP BETWEEN BIODIVERSITY, ECOSYSTEM FUNCTION AND HUMAN WELL-BEING⁹



Cornerstone of land management policy

Underpinned by natural capital principles and delivering, through land managers, the 25 YEP goals for:

- Clean and plentiful water
- Clean air
- Thriving plants and wildlife
- Reduction in and protection from environmental hazards
- Adaptation to and mitigation of climate change
- Beauty, heritage and engagement with the environment

CoP15 and the Post 2020 Global Biodiversity Framework

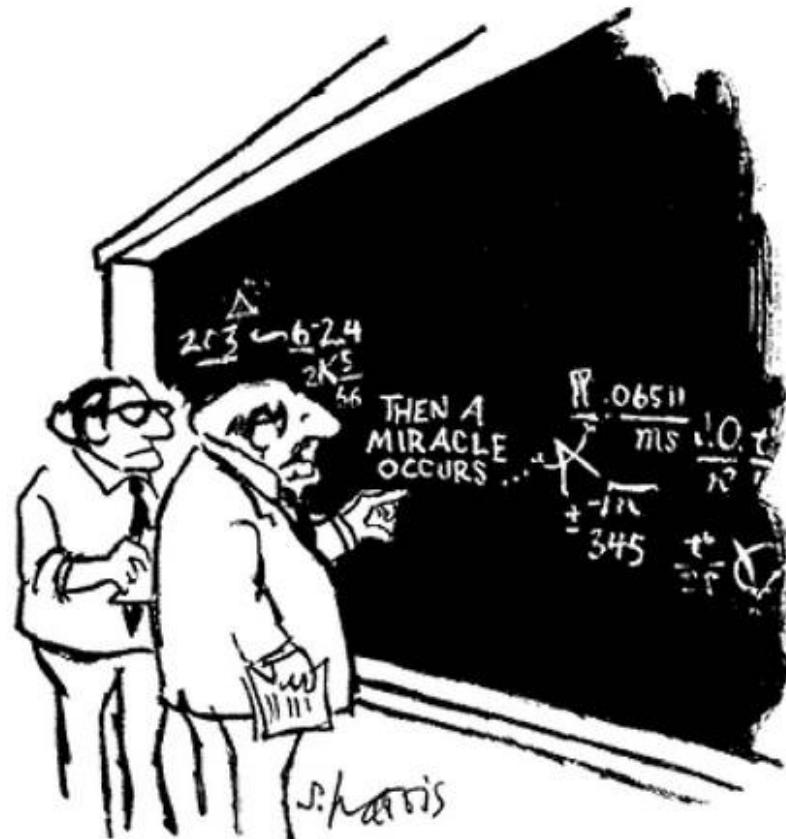
The **vision** of the Framework is a world of living in harmony with nature where:

“By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people.”

A Theory of Change for the Decade of Ecosystem Restoration



So what might a ToC for a world living in harmony with nature look like?



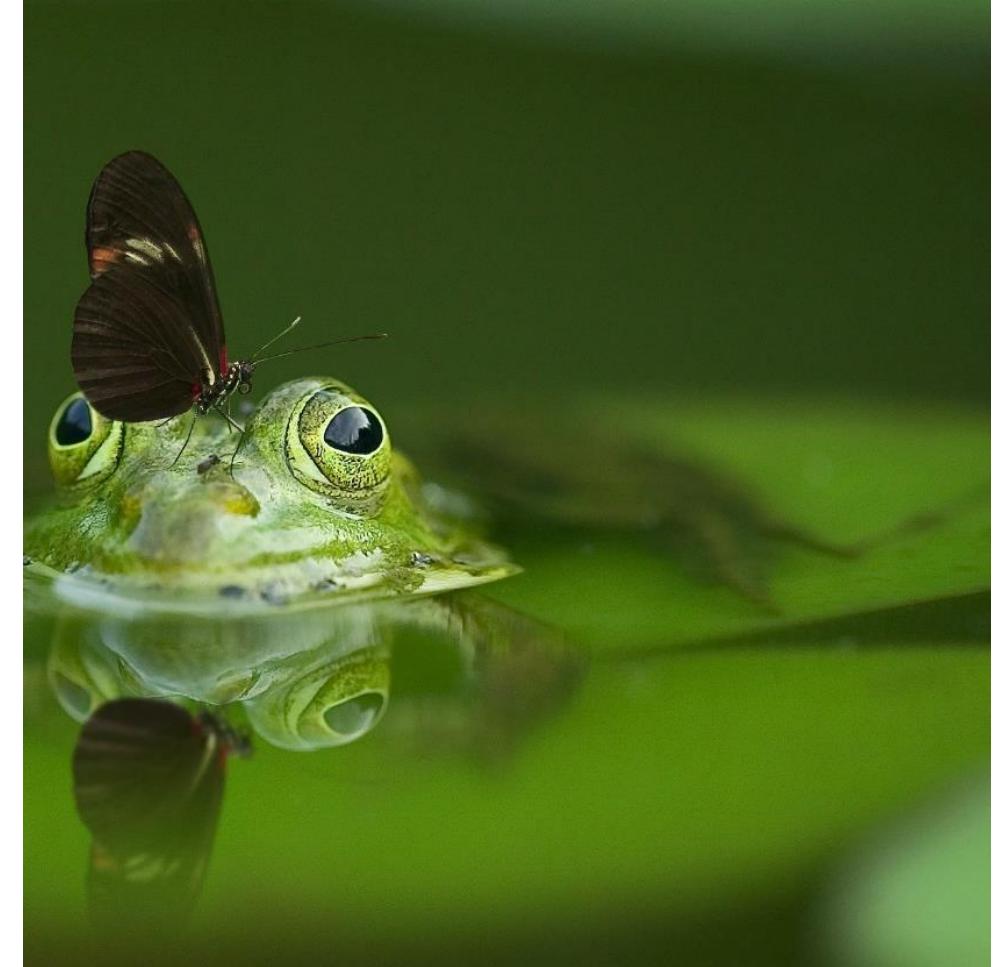
"I think you should be more explicit here in step two."

Mainstreaming of biodiversity assessment and protection

- ALL land use and policy decisions – rethinking food production
- Reform incentives
- Integrate biodiversity into all spatial planning
- Reform economic sectors towards sustainable practices
- Capacity building

Biodiversity First

- Make reporting on biodiversity and ESS impacts mandatory
- Combine policy on climate change and biodiversity through the CoPs
- Governments to appoint Chief Ecologists and to test all policies for their effects on nature
- Mainstream biodiversity assessment across all land use decisions (a natural infrastructure plan)
- 30% of land and sea area under conservation measures; 10% strictly protected
- Rethink the economic system as though the environment mattered





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Q&A

We will now answer as many questions as possible.

Please feel free to continue sending any questions you may have via the Q&A section which can be found along the top or bottom of your screen.

Thank you for listening

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