

Whither Natural England?

With Natural England's role endorsed by the Triennial Review, what can now be expected from the agency? Does Defra's intention to draw all its component bodies closer under 'one business' and apply further systematic cuts, mean NE's scope and independence is fast-eroding?

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The cost-benefit of agency merger does not stack up and Natural England (NE) and The Environment Agency (EA) will stay as separate agencies, but work more in tandem and give up functions to core Defra - so concludes Defra's Triennial Review. For around half a million pounds of staff and consultancy time this exercise has revealed little that wasn't pretty obvious, but has determined the right outcome, and those who counselled against merger deserve thanks. Will NE now be able to concentrate on its own priorities and push ahead with its mandate? If only we could be so optimistic. To my mind, only with constant vigilance and influential support for a strong, properly-resourced statutory nature conservation body will NE consolidate its legacy, meet its purpose and rise to its potential in the years ahead. There are significant factors holding it back which are outlined here.

Defra's world view and ambitions

"Enhancing the environment and biodiversity to improve Quality of Life" was one of the three Coalition priorities set for Defra in its 2012-2015 Business Plan, on a par with farming and the green economy. Since Owen Patterson took charge as Minister in September 2012 the central purpose of Defra is to boost "sustainable economic growth" with four recast priorities, of which "improving the environment" covers many subjects including flood risk.

The ongoing reduction in funding to Defra is forcing rigorous assessment of where its interventions can best achieve its priorities, and at lower cost. Defra spent 20% less in FY 2012/13 than 2010/11 and lost 12.6 % of its workforce between these dates. This downward trajectory will gather pace whilst the reach of cuts excludes the protected Departments (NHS, Education and DFID). This choice needs to be vigorously contested, unless there's a rethink on the mega future projects like HS2, Trident renewal and the like. In consequence the Defra network (core Defra, its Executive Agencies, and Non Departmental Public Bodies such as Natural England) will need to severely reduce or curtail some of its current activities to be able to live within its expected funding. Until Ministerial priorities change, state nature and landscape conservation, and countryside access, can expect even less to operate, outside of farmer payment channels. To flourish it will need to prove it fosters more economic growth than it quells.

The funding squeeze is driving the rationalisation of 'back office' services and functions for Defra network bodies, such as finance, IT, procurement and estates,

so ultimately they are only undertaken centrally. NE has already volunteered much to sacrifice in this regard, and moving to 'one size fits all' government systems is not without drawbacks, but the intention to replace NE's own website with the gov.uk channel would be a serious loss of its shop window, pushing it into obscurity.

Defra governance reflects wider Civil Service Reforms and its 'Strategic Alignment Programme', underway since June 2013, aspires to greater alignment, cohesion and consistency in forward planning and reporting of resource use across the 23 network bodies, seeking to tie together their operations as "one business". While there are certain advantages from integration, such as in environmental monitoring, the diversity of the network derives from the range and complexity of the subject matter, and it is not hard to imagine how a top down, overarching diktat could dilute the network bodies, especially the bigger operators including Natural England. This process is one to watch and shape if opportunities permit. A slow absorption and take-over of NE must be resisted.

As well as reducing running costs the aims include shifting activity wholesale outside government (e.g. more services done through charities and NGOs), more bought-in services rather than in-house, extra flexibility in all things and especially ways of working. Constantly shifting ground will be the daily work experience for Defra employees, so please bear with them, but proffer ideas and innovations that would help nature conservation and fit the above, and they may be seized upon!

Protector and regulator or facilitator?

Defra's business plan concentrates on discarding, slimming or speeding up regulation and it's to be hoped that the expectations on NE to satisfy the Defra aim to "make it simpler and quicker to comply (*as a developer*) with the Habitats and Birds Directives" does not sell the Natura 2000 sites or protected species short. Much NE effort is going into streamlining its licensing and planning advice functions, summarised in an October 2013 Improvement Plan. The regulation of potentially damaging operations on SSSIs through the notice and consent procedures underpins site condition but does not feature in this plan. Perhaps all is dandy and doesn't need improvement, but with more than 26,000 SSSI owners and occupiers, involving 8.1% of England's land surface, this is a puzzle, and cause for concern. Some information in NE's Annual Report on the regulatory performance for SSSI safeguard is overdue.

It's gratifying that Defra still uses the condition of SSSIs and the Farmland Birds index as 2 of 9 indicators for its environment work area, though both have a very big corner to turn. However, only 2 of its 29 top level actions in the 13/14 Business Plan might further nature conservation: the creation of the first English Marine Conservation Zones, and action to improve the utility and accessibility of environmental guidance, with a pilot for nature conservation guidance. The Biodiversity 2020 Strategy for England has scant prominence in corporate must do's.

Defra is formally backing processes for translating natural capital and biodiversity offsetting concepts into delivery. These are such important matters to get right for

nature conservation that NE leadership, facilitation and expertise is vital. Despite NE's recent marginalisation as a policy adviser, it must show its mettle.

The Triennial Review steer

In passing the test of independence as separate agencies, NE and EA have been asked to make their officially good governance even more robust, transparent and squared with Government's wishes, and to join up on delivery of the agencies' "related objectives".

There have been several initiatives to foster joint working models between the agencies and their predecessors, as long ago as the early 1990s. All achieved modest and patchy benefits, but did not have the continuity or top-level backing for them to stick. However, close and productive working has been the norm in specific areas such as the Asset Management Planning cycle for the Water Companies' expenditure, with big returns, albeit hidden to most. This review holds NE and EA leadership to account to come up with a plan to implement the review's conclusions and expects Defra to oversee, so perhaps the results will last longer and reach further.

It's depressing that the main message to both agencies is that they must embrace and foster the growth promotion game if they want to survive. This could entail a lot of chasing of proof that their activities generate more income, outputs, profits, jobs and thereby compete with time for their fundamental priorities. Who is speaking out to defend the agencies' relevance for the actual tasks which Parliament set them or get behind their Corporate Plans? Yes, more integration and innovation can come good, and the drive for exponential efficiency gains is both bugbear and performance incentive for ever more multi-tasking public servants, but if the agencies' top management lacks wisdom and employs the wrong criteria and measurements, these principles can become sorry ends in themselves.

Further NE and EA support services will pass to core Defra to favour "front line resources". The agencies are to business plan together, share data, skills and expertise, seek more savings everywhere and pool what can be pooled, offload what can be picked up by private and voluntary sectors, advance more light-touch regulation, reform all that's desirable in ways of working to benefit business - especially land management businesses - whose representatives' disingenuous gripes about duplication and conflicting advice have been heeded - and speak with one voice on land-use planning advice. Coverage of themes for jointly championing the state of the natural environment is conspicuously lacking. Nor is there any stocktake for how well NE has measured up to the founding rationale of the Haskins report that made the case for its creation less than 10 years ago. Evaluation of its fitness for that purpose is a missed opportunity.

This is the broad flavour of 13 conclusions from the Triennial Review (www.gov.uk/government/publications). The main topics for integration are land management services in the round, the enabling of key players' environmental practice in land-use planning, and advising as statutory consultees on planning casework. Farmers and developers have the ear of government and thus had most effect on the integration

I SUPPOSE SELLING BAT GUANO
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NEIL BENNETT

priorities, though many NGOs had a look-in. BANC members' understanding of what the agencies face is important too, so if there's a chance to comment on the delivery plan for the review, your opinions should get through.

There are hints that NE-owned National Nature Reserves won't be sold off, but the track record and professional expertise of NE Site Managers gets no credit. Tenure switches are welcomed and of course, more non- Exchequer money to run them is seen as better...

NE devotes about 37% of its net annual expenditure to the deployment of RDPE payments to landowners (£ 457m in FY 13/14, £468m in FY 12/13). The reform of UK CAP delivery from 2014-2020 is underway, which will entail *inter-alia* revisions to agri-environment schemes' administration. The review expects that the schemes will be administered yet more cheaply, notwithstanding significant savings made to date, and this could certainly compromise results on the ground, especially for sites requiring tailored solutions. Many agree there's a continuing need for critical attention to payment schemes' ecological quality outcomes, and for a consensus with NE across the nature conservation bodies and the farming sector on what

is required, but that gets no prompt here. Might innovations include bolstering high quality scheme outcomes with new funds from development planning via the Community Infrastructure Levy and biodiversity offsets? One can hope.

NE's Corporate line, achievements and positioning

Tough times as they are for Natural England, with another internal reorganisation and downsizing in train, it is galling how the latest Annual Report describes the 'success' of meeting the full resource cuts asked of it and the apparent zeal for more. The saving of £8m in FY 12/13 from the previous year (and £26m since 2010) is a report 'Highlight'. In FY 12/13 Defra gave NE £189m (93% of its gross income) for everything other than farm payments; in FY 13/14 it is £162m. Perhaps behind the scenes NE is arguing that critical standards and conservation priorities must be defended or is putting up a fight for future financial settlements ...but there's no inference here. The business will adapt and accommodate and all will be rosy.

Justifying this apparent complacency could be the FY 12/13 results that 23 of the 25 Key Performance Indicators (KPIs) from the 2012-2015 Corporate Plan were met or nearly so, whilst the budget and workforce further shrunk. On the face of it impressive, so what's to worry about cumulative cuts, with far fewer experienced senior staff and more temporary and contract positions? If NE is so successful yet with a quarter the staff of three years ago, might the perception be there's still flabby areas of work to lose? As NE influence shrinks for any element of its activities, a running tally should be on the record. Such facts would allow comparisons of current capability with what was being done in the recent past, for example the scale of NE's Local BAP inputs, the farm visit time that made sure Agreements were spot on, the scope of the Species Recovery Programme..., otherwise it's all too likely that future plans will enshrine the present embattled situation, just as each generation accepts an ecological baseline poorer than the last.

To counter this misreading of the stresses and shortcomings in NE's achievements, outcome KPIs need to feature more, and have more weight than output KPIs. Indicators of progress or failure for NE in addressing key national issues for nature conservation need to stand out more from short-term process indicators, such as SSSIs fully meeting their conservation objectives to be in favourable condition (currently only 37.5% by area and not expected to increase much anytime soon), threatened species status changes and genuine net gains in priority habitat quality and extent. In Annual Reports, along with the story of successes, we should expect hard facts and honesty about nature conservation assets and trends, and be told why Natural England is unable to play the part it should, or aspires.

KPIs that may dispel concerns around the pressures to get ever slicker and ease back on quality include things like customer feedback surveys, when an average of 91% are 'satisfied'. Such is the last year's sample result for farmers, developers and local authorities. Perhaps unsurprising when agri-environment systems and payments are as user-friendly and uncontested as they are for most (now operating on 70% of farmland), and given that 97% of NE's 28,484 formal consultations had a response to deadline, and only generated objections on environmental grounds on 0.7%.

NE's role in future CAP delivery through the Rural Development Programme (RDP) Schemes is judged to be a "key risk" to NE's operation and as such will continue to dominate the organisation's attention and resources. There's a likelihood that further functions and discretionary powers and duties may be removed or quietly dissipated, such as AONBs and science and evidence, whilst resources gravitate to the ERDP work area. In that event, ensuring the quality and rigour of agri-environment schemes' planning and delivery, and the right monitoring of their effects and results, will be even more important.

The obvious pun on my title, 'wither NE', will fit the circumstances unless the organisation's standing, means and resolve is boosted and the resource drain blocked. The £44.2 m cut in Defra grant between FY10/11 and FY 14/15 may well be rolled forward unless protest and argument is manifest. All who think the Government's essential role in conservation in England since 1949 must continue via a strong and well-resourced independent agency should let it be known to your MP and others who can best influence Defra ministers and the Cabinet. NE needs all the help it can get. Equally, NE's leaders, its new Executive Directors and muted non-Executive Board members must ensure NE's statutory mission has as much tangible support as they can muster.

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