

The Rt. Hon. Steve Reed
Secretary of State for the Environment, Food and Rural Affairs
2 Marsham Street
LONDON
SW1P 4DF

12 September 2024

Dear Secretary of State,

EIP Rapid Review

Thank you for your letter of 22 August requesting our advice on reviewing and updating the Environmental Improvement Plan (EIP). In launching this review, you stated that without nature there is no economy, no food, no health or society. We wholeheartedly agree. Investment in improving the environment will deliver benefits that go far beyond Defra's five priorities, underpinning Government's wider objectives of securing economic growth, clean energy infrastructure, and housing as well as delivering a healthier, fairer and more prosperous society.

The review is an opportunity to make the EIP this Government's central strategic plan to raise environmental ambition and momentum and ensure that actions match the real and significant challenges we now face.

As I know you appreciate, the EIP should set out how the steps government intends to take 'stack up' towards achieving Environment Act targets and other commitments. Transparent delivery planning is fundamental to the accountability Parliament intended in providing for an EIP and targets. It can clarify risks and inter-dependencies and make your priorities clear and certain for all.

I know you are already considering the recommendations from our January 2024 EIP progress report, including those relating to delivery planning. Those recommendations remain highly pertinent and form the context within which the OEP provides its independent advice.

Advice on prioritising actions within a revised EIP

You asked for our recommendations on prioritising actions that have the biggest impact on significantly improving the natural environment. You have already set five priorities for Defra that, alongside the Government's continuing commitment to Net Zero, address important areas for environmental improvement. In our view, government should focus on the right *actions* to deliver against those priorities, as well as statutory environmental targets.

Ideally, prioritisation should be underpinned by sound analysis of the main drivers and pressures and an assessment of the impact of proposed policy actions, individually and collectively. The evidence base published by government falls short, but in our work, we

regularly analyse the evidence that is available and from that we propose five priority actions.

In our view, these actions will deliver benefits **across** EIP goals and your priority areas and contribute to meeting several targets. Greater scale and pace is needed with respect to each of these actions if government is to secure the long-term improvements it has committed to.

- 1. Get nature friendly farming right.** The engagement of farmers and landowners is essential to government achieving Environment Act targets and its other environmental ambitions. Our analysis shows the latest Environmental Land Management schemes (ELMs) are promising with respect to landscape recovery and halting the decline in species abundance on land. However, we identify limited capacity for reducing water pollution, supporting your priority of cleaning up rivers and lakes, without both changes to the current schemes and changes to the regulatory approach (see point 7 below).
- 2. Maximise the contribution of protected sites for nature.** Protected wildlife sites contribute towards achieving the suite of national biodiversity targets and international commitments such as 30 by 30, as well as providing wider environmental, economic and social benefits. However, the current framework is not working well enough. Levels of legal protection not only need to be maintained but enhanced and enforced. Further steps should be taken urgently to correct underinvestment in site designation and management (including via ELMs) and improve overall governance and engagement with partners.
- 3. Speed up action in the marine environment.** Government is unlikely even to meet its limited commitment this year to ban all damaging activities in Marine Protected Areas. The latest data from OSPAR confirm the UK will more than likely not have met marine good environmental status, a legal requirement. This lack of progress highlights the need to more rapidly deliver current steps to achieve targets and commitments. Remaining Marine Protected Area byelaws need to be urgently put in place. Government needs to implement a new UK Marine Strategy that focuses action on those descriptors not at good environmental status to maximise progress and minimise the delay in achieving that overall objective.
- 4. Set out clear mechanisms for reconciling competing demands for use of land and sea.** The way land and sea are used is one of the biggest drivers of biodiversity loss. Environmental pressures will become more acute with the need to develop clean energy infrastructure and housing, while delivering your priorities of food security and protecting communities from flooding. We await further progress on mechanisms such as Local Nature Recovery Strategies, a Land Use Framework, and detailed catchment and marine spatial plans. These can secure coherence between environmental and other priorities but need to be expedited and effectively integrated in practice into planning decisions. The Prime Minister has made plain the prospect of difficult decisions. We encourage you to be bold. These tools can do so much if drafted with purpose and real intent.
- 5. Develop a circular economy framework.** Progress in this area has been too slow. Government has an opportunity through an update of the Resources and Waste Strategy to establish the framework for a circular economy. This would deliver economic benefits and improve environmental outcomes across many areas, including nature recovery, but it requires the efforts to go beyond waste. This includes the acceleration of a new UK policy and regulatory framework for chemicals, since clean material cycles and products being sustainable by design are crucial steps to

achieving residual waste targets and progress towards your priority of a zero-waste economy.

In addition, there are three cross-cutting areas where government can take steps to enable progress and secure effective implementation of the EIP:

- 6. Mobilise investment at the scale needed.** Government's target of private investment for nature recovery will be challenging to deliver but is a key enabling step, alongside continued and well targeted public investment. Biodiversity net gain makes a good start, but more private investment is required. Government needs to provide strong incentives, oversight and regulation to create the market confidence to deliver rapid, substantial growth in investment and the capability and capacity of the environmental sector to make the most of that investment.
- 7. Regulate more effectively.** We welcome the commitment you made to Parliament this morning to review regulation to ensure that it is fit for purpose across Defra. In my view, both harder-edged regulatory tools and incentives will be crucial in achieving Defra's priorities, including for clean rivers, lakes and seas. Regulation is all about knowing in sufficient detail how things stand and then using regulatory tools and approaches in a considered way to get people to act in ways they would not otherwise choose, for the purpose of addressing root causes. I (rather than the OEP) have advised previously on effective regulation in this sphere. To create and restore wildlife habitats, such as through tree-planting, more certain and generous incentives may help to overcome known barriers, but I suspect more radical solutions are also required if both tree planting and nature recovery are to happen at the scale needed.
- 8. Harness the support needed to achieve ambitions.** Clear leadership is needed at the highest level to ensure cross-government delivery and wider stakeholder buy-in. A revised EIP should be far more transparent and better communicated. It should explicitly state who will do what, how much and by when and detail what the intended outcomes of actions are. This should be coupled with engagement with non-government bodies and the public to harness their willingness to contribute. Steps in the EIP to enhance engagement are important in building public support for action. The Environmental Principles Policy Statement could also be linked directly to the EIP as a tool for you to use to secure cross-government delivery of environmental ambitions alongside government's other priorities.

You asked for our recommendations on re-prioritising actions with less significant impact. We have always taken the view that, although government needs to respond to all environmental pressures, some pressures are more urgent, more harmful and more widespread than others. We have long advocated prioritisation.

No doubt you will give precedence to steps to deliver statutory targets. Good prioritisation criteria and good analysis can help but there will inevitably be judgement to be exercised, taking into account, for example, where environmental tipping points may be reached. We hope that the advice we have provided here will assist. In addition, we recommend you are transparent about the basis of any prioritisation decisions.

We also recommend that you consider prioritisation over the right timescales. While government will need to focus resources over the short term (i.e. the next five years), the 18-year period remaining for the EIP enables re-prioritisation and the phasing of activities over a longer horizon to maximise impact and secure timely progress. A revised EIP should set out steps with a view to their phasing within this longer-term context i.e. up until January 2043.

Phasing and re-prioritisation should be supported by the assessment of the likely impact of steps, their timeframes and feasibility. This assessment will need to factor in the often considerable time lag between interventions and improvements in environmental outcomes. Given the pace and scale of improvements needed, some significant frontloading of actions and investments will be essential.

Advice on highlighting risks and inter-dependencies within a revised EIP

Our advice here is to focus on the big risks and the most critical inter-dependencies, to be sufficiently clear and precise about them in a revised EIP, then to actively manage them through delivery. Greatest attention should be paid to those actions prioritised for the significance of their contribution.

An essential part of addressing risks and inter-dependencies is a monitoring, evaluation and learning framework to identify and react to risks and opportunities as they materialise or change over time. Defra's Annual Progress Reports should play an important part in monitoring and evaluating progress and enabling timely course correction where needed. Our 2023/24 EIP progress report provides recommendations on how this could be achieved.

Inter-dependencies across government are also deserving of particular attention. More could be done to press this home and actively manage these. True cross government working will be needed to ensure the opportunity to enhance nature is taken, for example between Mission Control for clean energy and Defra. The EIP identifies cross cutting themes which are intended to cover inter-dependencies and increase coherence by tying together delivery across policy areas. However, there is insufficient action in areas such as enabling green choices. Society can be made greener by design, the public better engaged, and businesses, communities and citizens empowered by removing practical barriers to action.

In reviewing the EIP, Defra will of course have due regard to the Environmental Principles Policy Statement. The environmental principles (such as the integration and precautionary principles) can be a means of identifying and managing risks and inter-dependencies, with the EIP explaining how government has done so.

The risks and interdependencies between statutory targets and domestic implementation of other commitments should be clearly set out in a collated form in a revised EIP. This facilitates better alignment in environmental outcomes. The value of this is illustrated by government's recent submission to the Clearing-House Mechanism of the Convention on Biological Diversity. Our review of the submission shows that the domestic commitments and actions submitted for England fall short of what would be required to achieve many of the associated targets, including 30 by 30 targets. Hence, the submission clearly shows inter-dependencies and lays bare the gaps, which should facilitate them being addressed.

Streamlining EIP content

We recommend that the ten over-arching goal areas set out in the current EIP are retained. They provide a useful framework covering the main aspects of environmental protection and improvement.

However, the EIP's focus needs to be on the steps government intends to take, when, and how those steps 'stack up' to achieving targets and other commitments. The EIP needs to clearly identify the intended steps and explain the improvement each is expected to achieve. If the EIP is to act as a transparent delivery plan, each step needs to be linked explicitly, and in quantified terms wherever possible, to progress against specific

Environment Act targets, interim targets and/or other commitments. Our last EIP progress report identified 40 important targets and commitments that we believe are most relevant.

Fewer than half the measures mentioned in the current EIP are unambiguously linked to delivering Environment Act targets, and very few indeed are quantified. This makes it challenging to understand whether or how measures create a pathway towards meeting government's targets, albeit they may well do so. The 700 plus statements in the current EIP about actions are duplicative and there is scope for consolidation. This could reduce the number by over half, making it easier for readers to navigate the EIP and identify the priority actions.

Implementing commitments effectively

We very much welcome your recent announcement of a fundamental and comprehensive review of water in the round and confirmation that our recommendations will inform it.

Much rides on getting the approach to water right for the longer term. Meanwhile, we have produced relevant reports on how key regulations governing water quality are working in practice, with specific recommendations on improving this.

We are also finalising studies into the effective implementation of laws relating to bathing waters, and (more broadly) on protected wildlife sites and environmental inspections. We will be publishing reports on these issues in the coming months. We would be happy to discuss our findings from these studies with your officials in advance of publication, where it would be feasible and helpful to the EIP review.

Government will need to act quickly to make up lost ground and meet its Environment Act targets and other environmental commitments. In recent years progress on both nature recovery and tackling climate change has been slow. The EIP review presents an opportunity to improve EIP delivery and integration with climate and wider policies. This will help ensure that EIP steps take a changing climate into account and demonstrate that this is a government not only for Net Zero but also for nature.

The OEP stands ready to provide further independent advice or expand on any of the points above in discussion with your officials. We look forward to working with you further on the EIP review.

Yours sincerely,



Dame Glenys Stacey
Chair, Office for Environmental Protection