

Response ID ANON-JVC4-2ZVS-C

Submitted to **Consultation on the Draft Policy Statement on Environmental Principles**

Submitted on **2021-06-02 12:17:05**

Foreword

You and Your Organisation

1 Would you like your response to be confidential?

No

If you answered Yes to this question please give your reason:

2 What is your name?

What is your name?:

Dr Sue Roberts

3 Are you responding:

On behalf of an organisation

4 What type of organisation are you responding on behalf of? [Please note this question only applies if you are responding on behalf of an organisation]

Non-governmental organisation

If responding on behalf of an organisation, please provide the name here. :

Bioabundance Community Interest Company

Background

Policy Statement on Environmental Principles

5 Do you think the overview section provides an adequate foundation for policy makers to apply the environmental principles in policy-making?

No

Please provide any additional information in support of your answer:

Catastrophic collapse of the natural environment, and climate breakdown, mean that these five principles and this interpretation Statement, do not go far enough.

No vision is provided of the abundant flourishing ecosystems that we must get to. Positive outcomes for the environment should be clearly defined. We need more than enhancement of the environment at this stage of ecological collapse. We need widespread restoration at the landscape level with no strings attached (cf Professor Lawton's governmental report of 2010: 'Making Space for Nature'). Currently this statement does not meet Clause 16(4) of the Environment Bill: to "contribute to the improvement of environmental protection and sustainable development." Point c) of this section declares 'restoration' to be required but does not define it.

Commitment to the application of the principles is inadequate. It is not enough to expect ministers and policy-makers to "use the principles to enable and encourage innovation" guiding them "towards opportunities to prevent environmental damage and enhance the environment, where relevant and appropriate" and stating that "the principles are not rules and they cannot dictate policy decisions by Ministers."

The statement is too limited in scope. The exemptions laid out in clause 18(3) of the Environment Bill should be removed. It should include policy decisions by ministers on taxation, spending, and resource allocation within government (follow the money); and it must include the armed forces. Military action can create extraordinary and disproportionate damage to ecosystems and policies could and should surely take account of environmental principles (follow the power). Ministry of Defence land and the Crown Estate make up extensive tracts of our country and it is vital that military policy should be included.

Specifically, the integration policy speaks of an 'overarching objective, to 'embed environmental protection in other fields of policy that have impacts on the environment', and it should not therefore exclude these two fundamental fields of policy (finance and the armed forces).

We know from the studies of countless holistic, wellbeing economists such as Kate Raworth with Doughnut Economics and Tim Jackson on Prosperity without Growth, that economic growth is not a necessary requisite for the wellbeing of current and future populations. Why is it constantly brought into this policy statement? The Environment Bill is our only chance to bring the life-support system of our planet back within safe limits.

It should not be deemed necessary to justify ecological policy on the basis of economic growth. This is old-school thinking. Economic considerations are scattered throughout the document and indeed throughout the Environment Bill as though GDP growth were the main aim of the policy statement.

Process for Applying the Policy Statement

6 Do you think step one allows policy-makers to correctly assess the potential environmental effects of their policy?

No

Please provide any additional information in support of your answer:

There should be detailed guidance for policy makers about how to apply the principles in practice. A set formula, a precise menu or decision-tree to show policymakers how to apply the principles should be provided. Otherwise we have a drifting statement that simply describes the 5 principles, and then hedges them about with strong statements about proportionality.

So, for example, how is proportionality to be weighed?

We contend that all policy proposals should assess likely environmental impact. The investigation of environmental consequences is discouraged. There is no "obligation on policy-makers to commission detailed research to inform an assessment" nor to "carry out a "deep-dive" assessment into all environmental impacts as these may not be known."

Policies relating to international impacts should be included and assessed against the principles. This is for two reasons: the offsetting of environmental damage is often done abroad, and the export of much of our manufacturing and other activities means that we export much of carbon emissions and our environmental degradation.

Step 1 refers to positive environmental impacts but then drops any mention of them. We can only restore if we make positive impact.

7 Do you think step one ensures that policy-making will address the most important environmental effects?

No

Please provide any additional information in support of your answer:

This statement should provide detailed guidance and algorithms for policy makers on how to apply the principles.

The most important environmental impacts should be outlined here, with a vision for restoration to functioning ecosystems, so that policy-makers can know where we are headed.

There is a whole section on proportionality and then proportionality appears in most sections.

There is no instruction on how to weigh the environment in this proportionality balance.

Clearly all policy-making automatically balances risks and probabilities. It is unhelpful constantly to re-iterate proportionality without showing how proportionality should be applied. Statements on proportionality should be removed. The constant repetition of it looks like a get-out clause.

Step 2: Understanding Which Principles are Relevant

8 Will step two assist policy-makers in selecting the appropriate environmental principles?

No

Please provide any additional information in support of your answer:

We have not found this elucidation of the principles helpful, in fact they have been muddled together in a way which significantly weakens and alters their meaning relative to the Environment Bill.

For example, why of 'Prevention' is it said that "Equally, the proportionality requirement means that where the impacts can be successfully mitigated, this may be an appropriate tool." Why would mitigation be 'equally' as good as prevention, and why is this advertised in the prevention section, when mitigation has its own principle?

Thus, the prevention and polluter pays principles have been changed to bring in the words 'reduce', 'mitigate' and 'compensate'. This alters the intent of the Bill from prevention of environmental damage to mere reduction of harm or compensation for it.

The integration and polluter pays principles should look for opportunities to restore the environment to flourishing, abundant, viable ecosystems.

Step 3: Applying The Principles

9 Do you think step three provide a robust and sufficient framework for the application of each individual environmental principle?

Q10 - Integration:

No

Q10 - Prevention:

No

Q10 - Rectification:

No

Q10 - Polluter pays:

No

Q10 - Precautionary:

No

Integration Principle - Please provide any additional information in support of your answer:

It is only the Integration Principle that offers a place to require ecosystem improvement. The other principles are to prevent harm. And yet, there is nothing stated within the policy on this principle that ensures that nature restoration will be required in policy-making. Indeed, it says: "The integration principle is the principle that policy-makers should look for opportunities to embed environmental protection". This should say "environmental recovery".

"Ministers may decide that the public interest is best served by taking forward a policy option that includes associated environmental impacts." We presume this refers to negative impacts. A statement like this should not be made in this policy statement; it is an open door to ignoring the environmental principles.

Prevention Principle - Please provide any additional information in support of your answer:

The meaning of Prevention has been watered down. It should mean exactly what it says: prevention. This guidance contradicts the Precautionary Principle (uncertain but severe consequences should produce action) by stating that "prevention requires reasonable certainty that an action will cause harm to the environment". This is a dangerous alteration when put alongside the lack of requirement in Step 1 for in-depth investigation of likely harm.

Existing damage should not be 'contained' but 'stopped'. Nor is it helpful to put in caveats such as "It is not expected that every single piece of environmental harm is prevented through this approach but is instead an overall driver".

Clear guidance is required for policy-makers to "have particular regard for habitats/species that are endangered or vulnerable, and national environmental priorities". There should be methodology for assessing this, or detailed lists of endangered and vulnerable habitats such as ancient woodlands, meadows, lowland heath, peatlands.

The distinction between "temporary or permanent" damage should be made clear too. It should be noted that damage that looks temporary can exterminate local species and be impossible to restore. This should be pointed out.

The natural capital approach should be approached with great caution. We are back to the issue of how to assess proportionality. Financial values cannot simply be equated: environment value versus profit from industry. An example of how this does not work, is the Oxford-Cambridge Industrialisation Arc which values nature at around £3bn. One million houses is proposed which would outweigh this value by orders of magnitude (ie starting at £200bn). Assessed on such a simplistic measure, nature becomes apparently valueless.

Prevention should specifically protect existing undesignated habitats of local and environmental significance from destruction, that is those that are not SSSIs or nature reserves. This is regardless of the Environment Impact Assessment requirements elsewhere.

Rectification Principle - Please provide any additional information in support of your answer:

Only under Rectification is passing reference made to the economic benefit of protecting the environment. Everywhere else the environment is set against the economy with considerations of proportionality as though nature protection were simply a financial burden. The necessity of the restoration of the natural world for our future survival and economic wellbeing should imbue every part of this document, especially in consideration of "proportionality".

There should be clear guidance on how to judge whether rectification at source is or is not feasible; bearing in mind the principals of fairness and equity to all of our country's residents.

Polluter Pays - Please provide any additional information in support of your answer:

The Polluter Pays principle should be just that. Policy-makers should not be delving into the nitty-gritty of how the polluter should pay. The polluter might pass costs on to the consumer, or recover them from other sources. This is not the job of the policy-maker.

Similarly, the "ability" of the polluter to pay should not be a constraint. Charging the consumer is suggested and has worked well in terms of the plastic bag tax. This could be a principle in its own right but it should not be here, under the Polluter Pays principle. Indeed it is correct to say that "the costs of environmental damage...would be reflected in the cost of goods and services", and that is as it should be: the polluter should pay, and then they themselves will recoup the costs through goods and services.

The wording is weak with a lack of guidance. For example, full cost recovery "may not be possible or proportionate"; "efforts should be made to pursue solutions at source, where proportionate" (two qualifying words in this phrase) and "the amount the polluter pays should be proportionate to... the wider costs and benefits to society". This proportionality discussion muddies the water. The environmental damage that has been created by the polluter must be rectified if we are to restore nature to a viable state. If indeed great benefit is brought to society by the polluter, they will probably have profits to show for it. We want the polluter to find a non-polluting way to produce benefit, and that would be by rigorous application of the principle with regard to negative environmental impacts.

Finally here as with every other principal, we must restore nature to a viable state and not only rectify harm, in accordance with the Environment Bill.

Precautionary Principle - Please provide any additional information in support of your answer:

There is a focus on innovation in this section: "The precautionary principle should incentivise innovation by encouraging development of alternative policy options that reduce risk and uncertainty" and "New or innovative technologies should not be held to a higher standard of safety than existing ones where the level of risk is comparable". New technologies should focus on restoring the environment rather than reducing uncertainty; and should indeed be green and clean and not create comparable risks to early technologies.

"The principle should not unnecessarily hinder innovation due to novelty, without plausible evidence of a risk of serious or irreversible harm". All harm from new technologies should be considered, as they should be held to a higher standard than old tech.

Where the likelihood of damage is uncertain, the precautionary principle would avert only serious and irreversible damage (in accordance with the Rio declaration). How has the government applied this principle in the past? To protect against little-known but lesser damage, and to enhance nature, there should be obligations to obtain the best possible knowledge.

There should be clear guidance on how to measure the cost-effectiveness of restoring the environment "where choices are considered to prevent or reduce the environmental degradation in question they should be cost-effective". As it stands, this phrase undoes the precautionary principle.

10 Do you think the process for applying the policy statement (the three steps) provides a robust and sufficient framework for the application of the environmental principles as a whole?

No

Please provide any additional information in support of your answer:

We do not believe this to be a framework for applying policies but more a restating of the principles (hedged about with qualifications that are not in the original Bill). There are no algorithms or decision-trees or methodologies or examples of what to protect and restore in this statement.

Final Thoughts on the Policy Statement on Environmental Principles

11 Do you have any other comments on the draft policy statement which are not covered by the previous questions?

Yes

Please provide any additional information in support of your answer:

Bioabundance Community Interest Company has signed up with the Climate and Ecological Emergency Bill Alliance.

The current Environment Bill, although ground-breaking when it was first conceived is now very out-of-date. Degradation of our environment has moved with breathtaking speed and ours is one of the very worst countries in the world for this. Awareness of citizens of the collapse of the natural world is far far higher. We have to move with certainty, with rigour, and with vigour. It is woefully inadequate to talk about building "resilience to biodiversity loss".

Most worrying in the Environment Bill is that, in contrast to the recommendations in the Lawton Report (2010), protections afforded to nature are only given out with one hand when taken away with another to promote pure economic gain; invariably from development of the built environment. This development itself is far out of proportion to the benefits it brings to our people in terms of wellbeing and the fulfillment of 'needs'. Nature restoration must be provided with no strings attached.

We need new, sixth, seventh and eighth principles, a Restoration principle to restore natural processes to a viable state; a Carbon principle to reduce carbon emissions to zero and stabilise the climate; and an Equity principle to ensure that nature restoration is available across all sectors of our community. Restoration fits with the Rio Declaration 1992 "to conserve, protect and restore the health and integrity of the Earth's ecosystem."

Bioabundance recommends a clear target for the Restoration principle, just as we have for carbon emissions. We cannot guarantee that "net gain" or "a better state" creates viable ecosystems. We suggest that ecosystems and habitats in Britain be restored to the best state that each has been in, since 1950 (the start of the so-called Greening Revolution).

Others may have better ideas for absolute rather than relative targets. What we do know is that 10% gain in biodiversity on a dead rubble-strewn chalk hill, is zero.

Consultee Feedback on the Online Survey

12 Overall, how satisfied are you with our online consultation tool?

Satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it.:

As ever, it would be good to know what value is placed on the days of work that we put into responding to consultations of this nature. Feedback on what points have been taken on, and which discarded would be informative.

We would be very pleased to speak directly with ministers and civil servants on these matters. I, Sue Roberts, can be reached at 07913 896 874; email bioabundance@gmail.com. www.bioabundance.org.uk