

Debate on report from Select Committee report on the Natural Environment and Rural Communities Act 2006, House of Lords, 2 July 2018.

Briefing from the Open Spaces Society

Introduction

The Open Spaces Society is Britain's oldest national conservation body, founded in 1865. It campaigns for the protection and management of common land, town and village greens, open spaces and public paths, and people's rights to enjoy them, throughout England and Wales.

The society submitted written evidence to the House of Lords Select Committee on the NERC Act, focusing in particular on the role of Natural England.

Comments on the committee report

The OSS considers that Natural England has an extremely important role in holding government to account on landscape and access issues, as well as on wildlife and biodiversity. However, it has become far too close to Defra and appears to have lost its independence. We are therefore delighted that the committee has recommended greater independence and resources for Natural England.

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The Open Spaces Society has staff with exhaustive experience in handling matters related to our charitable purposes. While every endeavour has been made to give our considered opinion, the law in these matters is complex and subject to differing interpretations. Such opinion is offered to help members, but does not constitute formal legal advice.



We argued that ‘Natural England has regrettably been sucked in to the Department for Environment, Food and Rural Affairs (Defra). It no longer has its own website, nor does it issue its own press releases. It has no independent voice as the government’s adviser ... This lack of independence causes us deep concern; government needs a critical friend.’

The committee recommended that government should *take steps to enable Natural England to operate with the appropriate degree of independence. As a minimum requirement, we recommend that government should allow Natural England to re-establish its own, independent press and communications function* (para 94).

Natural England does not put sufficient resources into public access. It is doing a really excellent job in creating the coastal path and adjoining access land, but it only devotes about one member of staff to public rights of way, which are crucial in enabling people to enjoy the countryside and green spaces close to home, and which contribute to people’s health and well-being, and to local economies.

We are therefore delighted that the committee has recommended that Natural England *should have sufficient resources to deliver against all elements of its general purpose. It must also have the capacity to undertake effective promotional work and awareness-raising activity* (para 174), and that *public access to the countryside ... should be appropriately prioritised by Natural England* (para 175).

We are also delighted that the committee advocates that, following our withdrawal from the EU, the government *should include payments for maintenance and enhancement of public access within this new system of public funding* (para 167).

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Natural England's Conservation Strategy, Conservation 21, has as one of its three guiding principles 'putting people at the heart of the environment'. We have little evidence that this is being achieved, and we note that the board has only had one brief discussion about public access, in January 2018, and that the paper did not even mention the opportunities provided by post-Brexit funding. This is indicative of the limited resources Natural England is able to put into public access.

In the debate on Monday we ask that you press the minister on the following:

- Will he adopt the committee's recommendation to give Natural England its own independent press and communications function?
- Will he ensure that Natural England has sufficient resources to work effectively across its whole remit, including public access?

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29 June 2018
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