

# THE ROYAL TOWN PLANNING INSTITUTE

## NATURAL ENVIRONMENT AND RURAL COMMUNITIES BILL

A response to DEFRA  
on pre-legislative scrutiny of the draft Bill

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### INTRODUCTION

1. Defra is seeking views on a draft Natural Environment and Rural Communities Bill, [www.defra.gov.uk/rural/ruraldelivery/bill](http://www.defra.gov.uk/rural/ruraldelivery/bill). The Bill aims to implement major institutional changes required by the Government's Rural Strategy for England (July 2004). These will involve the dissolution of English Nature and the Countryside Agency and the creation of an "Integrated Agency" (IA) and a Commission for Rural Communities (CRC). The remit of the IA will be to champion the protection, management, enhancement and public enjoyment of the natural environment and landscape. The CRC will be a small, national-level watchdog, with particular responsibility for monitoring delivery to rural communities by the Regional Development Agencies (RDAs) and Government Offices.
2. Consultation is aimed at ensuring that the Bill supports effective implementation, rather than revisiting the policy framework as set out in the Rural Strategy. The draft Bill is accompanied by a "policy statement" which elaborates on the roles of the new bodies and the context in which they will be expected to operate.

### DETAILED COMMENTS

#### *The Integrated Agency and National Development Policy*

3. The Bill represents an important contribution to the delivery of an overall national strategy for the development of sustainable communities. While the rural dimension has not been fully acknowledged in current debates on national development policy, there is a growing awareness that the sustainable communities agenda is not simply an urban agenda. At the same time, it also has been repeatedly criticised for the lack of a strong environmental framework. Currently, visions for the development of environmental strategy at the national level and the protection and delivery of environmental goods at the local level are inadequate. The Bill needs to lay the foundation for the IA, alongside the Environment Agency, to take a central role in developing a national environmental framework that integrates urban and rural environments, addressing, in particular, strategic issues of climate change and biodiversity within international and national commitments. Its role of championing, at the national level, the maintenance and creation of high-level functioning ecosystems is one that needs urgent development. The main focus for integrating rural – urban issues, and the increasingly recognised issue of the urban/rural fringe, should be explicitly recognised to be spatial planning frameworks and the strategies that these coordinate.
4. The Government argues that the EA and IA are distinct, with the former focused on regulation and the improvement of soil, air and water. The latter however will have important regulatory

roles in relation to the designation and management of protected sites and landscapes and the protection and management of wildlife. The increasingly holistic approach to environmental protection/management further blurs the boundaries between the two organisations' remits. Without a clear strategic framework for cooperation, there is a serious risk that their role will not be effectively filled, undermined by confusion, duplication and uncertainty. The Sustainable Communities Plan and the UK Sustainable Development Strategy should be explicitly acknowledged as providing the context for the development of an **integrated natural resource management strategy** at the national level.

5. This framework would bring together, for instance, work on implementing the Water Framework Directive, the Habitats Directive and the Biodiversity Strategy for England and national strategies for landscape protection and enhancement. It would underpin the clear requirement of the Bill for the IA to provide strategic guidance on protection, management, enhancement and public enjoyment of the natural environment and landscape. The accompanying "policy statement" highlights the important role of the IA in delivering national priorities for strategic growth and regeneration areas. This would be supported by the strategic approach advocated here.

#### *Sustainability and the Commission for Rural Communities*

6. The national research and monitoring role of the new Commission for Rural Communities is welcomed. It is important that this enables and supports regional and local processes of monitoring, rather than replacing or replicating them. It is appropriate to ask whether such responsibilities should be part of a more strongly tasked and wider-reaching Commission for Sustainable Communities. In the context of the recently revised UK Sustainable Development Strategy, the Government has announced the strengthening of the Sustainable Development Commission. Certainly, the Bill could specify that the two Commissions will work closely together in the context of the UK Sustainable Development Strategy and the commitment to addressing disadvantage.

#### *Regional Delivery*

7. Ongoing development of cross-sectoral working at regional levels, although still impoverished from the point of view of accountability, demonstrates the processes and the frameworks of openness that are required for delivery. This is underpinned by the development of Regional Delivery Frameworks. The relationship between the Integrated Agency, the RDAs and the Regional Assemblies should be more clearly set out in the Bill. Currently, Regional Assemblies scrutinise the performance of RDAs, in the context of the Regional Economic Strategies and Corporate Plans. They also take the lead in joining up the economic strategy with the spatial planning and transport strategies. There is a strong argument that they should also be scrutinising the drawing up of strategies for integrated natural resource management in their regions, in the context of Regional Sustainable Development Plans and Integrated Regional Frameworks/Strategies.
8. At the regional level, a number of regional bodies, co-ordinated by the Government Offices, will take the lead in delivering priorities such as
  - Economic development.
  - The provision of affordable homes.
  - Transport, social and environmental infrastructure.
  - Development quality to highest design and environmental standards.

Regional Spatial Strategies should be the co-ordinating focus of this work, supported by the Regional Delivery Frameworks, which are the prime responsibility of the GO. However the

latter should be developed on a partnership basis and the IA should play a central role.

9. Key issues for the relationship of the IA and regional bodies include:
- rural skills
  - enterprise/business support
  - regional/local data and intelligence
  - social enterprise
  - innovation (R&D)
  - HE-SME links and knowledge-transfer partnerships;
  - Rural Centres of Excellence
  - Tourism (RDAs developing and implementing Sustainable Tourism Strategies).
10. It is not clear to what extent the RDAs are taking over the social and economic work of the Countryside Agency and Rural Delivery Service. There remain deep concerns about the capacity of Regional Development Agencies to deliver integrated rural projects, because of their economic and urban focus to date.

#### *Local Delivery*

11. It should be explicitly stated within the Bill that a core purpose of the IA lies in supporting local authorities, RDAs and local strategic partnerships in enabling/delivering sustainable development. The policy statement (para. 10) notes the role of local authorities as “key community leaders and service deliverers”. The local rural pathfinders, announced last year, should demonstrate new ways of working that coordinate action at the most appropriate local scales. IA strategies must be robust and flexible enough to accommodate this. Again the focus should be that of the local development framework and the local sustainable community strategy.
12. Planning authorities and regional and local partnerships need the right system of environmental information, advice and monitoring, coordinated at national, regional and local (possibly river basin) levels. They also need their delivery and risk management capacities to be supported by effective, specialised, technical regulatory inputs. It is still not clear that the proposed IA, as set out in the draft Bill, will represent a sufficiently rigorous step towards meeting these needs.
13. The proposed removal of expenditure constraint on National Park Authorities’ activities in pursuit of their socio-economic duty is welcomed. This highlights that experience has demonstrated the critical need for economic, social and environmental objectives to be pursued together.

#### *Skills and Education*

14. The Integrated Agency has a critical role to play in the skills and education agenda through championing skills in the natural environment through, for example, Regional Skills Partnerships. Innovation in environmental industries and in tourism/leisure management must be recognised as key. The role of the IA in supporting sustainable tourism should be adequately recognised in the Bill, possibly as part of its “general purpose”.