



CIEEM, THE ENVIRONMENT AND BREXIT

The Chartered Institute of Ecology and Environmental Management (CIEEM) is the leading professional body representing ecologists and environmental managers in the UK. Our members work across the private, voluntary and public sectors.



Brexit represents both opportunities and challenges for environmental protection across the UK. Much of the legislation currently protecting our biodiversity and ecosystems (our natural capital) comes from the EU so will need to be transferred effectively and efficiently into UK law. Beyond this, CIEEM hopes that the Government grasps Brexit as an opportunity to address some of the weaknesses in the implementation of EU environmental legislation and to establish the UK as a global leader in environmental protection for the benefit of current and future generations.

The Government should:

1. A new Environment Act

Introduce a new Environment Act, envisioned jointly by all countries of the UK, to provide the legislative framework for a new, bold, shared ambition for the environment.



ENVIRONMENT ACT
2021

2. Reverse biodiversity loss and rebuild our stocks of natural capital

Transform land and marine management policies by using 'biodiversity net gain' as the driver to halt biodiversity loss and rebuild our stocks of natural capital.



3. OfEnv – a strong enforcement body

Establish a new, independent scrutiny body – OfEnv – to provide appropriate enforcement of environmental legislation after we leave the EU.

OfENV



ENVIRONMENT ACT 2021



1. A new Environment Act

A YouGov poll has indicated that over 80% of respondents do not want to see environmental protection weakened when the UK leaves the EU. A new Environment Act, building on the relevant provisions of the EU Directives as well as elements of the Common Fisheries and Common Agricultural Policies, is needed to ensure environmental protection is not weakened but is enhanced to deliver better outcomes for nature and society.

The Act should draw on the lessons learnt in developing recent far-sighted environmental legislation in Wales and Scotland. It must set out an ambitious framework for protecting the rarest and most vulnerable habitats and species through designations that follow the principles set out in the 2010 independent review of England's wildlife sites led by Professor Sir John Lawton (his report said that England's network of wildlife sites needed to grow and be bigger, better and more joined up). The Act must demand improved delivery of land and marine management through more effective, integrated planning. It must set high environmental management standards. Not least, it must recognise the importance of connecting people and nature.

Defra's development of a 25-Year Environment Plan for England provides an opportunity to establish the framework for this new Act, provided its scope is widened to engage with the devolved administrations and it is opened up to proper consultation and stakeholder engagement.

2. Reverse biodiversity loss and rebuild our stocks of natural capital

Central to securing a better natural environment for future generations is taking a transformative approach to land and marine management that utilises the Biodiversity Net Gain principles we jointly published in 2016¹. Whilst currently gaining traction in infrastructure development, embedding this approach in agriculture and fisheries management will not only drive forward sustainable food production but will also restore damaged ecosystems.

For example, with the need to replace farm subsidies, net gain principles can be incorporated into long-term contracts with landowners to deliver targeted environmental outcomes (i.e. public money for public benefit) alongside food production, and provide some financial certainty as a buffer against market volatility.

¹ Jointly with the Institute of Environmental Management and Assessment (IEMA) and the Construction Industry Research and Information Association (CIRIA)

3. OfEnv – a strong enforcement body

We will need a new UK body to oversee environmental standards, protection and enforcement.

The EU (Withdrawal) Bill suggests that Parliament or Ministers can hold public bodies, including the Government, to account. This is unrealistic and runs contrary to the principle of the separation of powers. In the run up to Brexit and beyond there will be a need to build trust between the Government, NGOs and the public. Effective arrangements for genuine accountability and independent scrutiny are essential components to achieving this.

Establishing an independent scrutiny and enforcement institution with 'teeth' should be achieved by consensus between the UK, devolved governments and the UK Overseas Territories. OfEnv would hold all governments to account and provide citizens with the means to challenge those who are not delivering high standards of environmental protection.