



Transforming the world
to sustainability

Risks - Validating, Claiming & Communicating Biodiversity Net Gain (BNG)

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Biodiversity Net Gain - 2019 Milestones

Biodiversity Net Gain
– Principles and
Guidance for UK
Construction and
Developments



[Find out more](#)

Biodiversity Net Gain-
Good Practice
Principles for
Development. A
Practical Guide



[Find out more](#)

Biodiversity Net Gain-
Good Practice
Principles for
Development. Case
Studies



[Find out more](#)

- Govt Consultation
- New 2019 Guidance (*IEMA, CIEEM, CIRIA*)
- BNG Events
- BSi - Standard
- Further developments

IEMA and CIEEM replied to BNG Consultation (Jan 2019)

IEMA welcomes Government biodiversity proposals to improve the planning system



environmentanalyst
business news & market intelligence

IEMA has submitted a positive response to the Government's proposals to make the Biodiversity Net Gain mandatory for new developments.

Posted on Feb 11, 2019

Following publication of the UK Government's Biodiversity Net Gain Proposal, the global environment and sustainability body IEMA has welcomed the proposal.

IEMA Policy & Engagement Lead, Mick Blyth, commented:

"We support the overall thrust of the Government's proposals to require developers and planning authorities to leave a positive impact on the environment as part of any new development. Without a requirement in law it will be very difficult for the Government to achieve its 25 Year Plan vision of improving the state of the environment.

However, there are a number of issues that need to be worked through to ensure that the scheme is successful. A mandatory requirement cannot succeed without investment in supporting tools, guidance and resources and without the necessary environmental expertise available to local authorities. IEMA will continue to lead the way in pioneering good practice principles, guidance and advice. We will shortly be releasing a comprehensive guidance document with our partners CIEEM and CIRIA on biodiversity net gain."

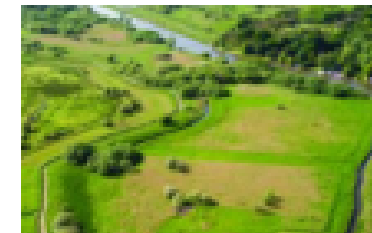
"The Government's Biodiversity Net Gain proposals form part of a wider suite of measures that the Government has made a commitment to deliver as part of the 25 Year Plan. As we prepare to leave the EU, it is more important than ever that the 25 Year Plan be put on a statutory footing, with mandatory requirements to improve the environment widened to include other areas such as water, air, soils and pollution."

[Download IEMA's consultation response HERE](#)

Biodiversity net gain proposals scrutinised

5 February 2019 / UK

Professional trade bodies IEMA and the Chartered Institute of Ecology and Environmental Management (CIEEM) have highlighted some of their main concerns surrounding the environment department's proposals to mandate biodiversity net gain (BNG).



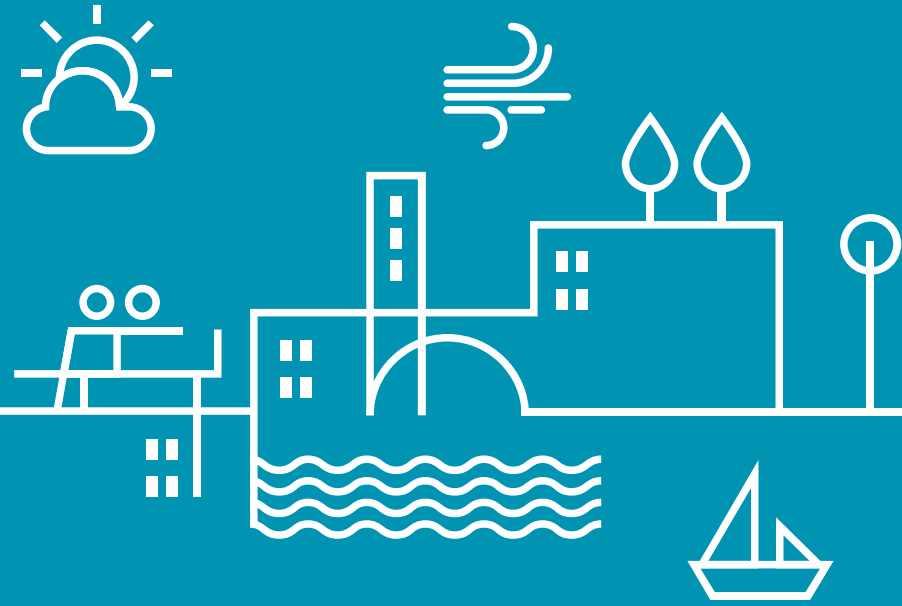
Defra is consulting on proposals which suggest developments should deliver a minimum BNG of 10% (EA 06-Dec-18). Should the proposals be implemented, they could result in a significant uptick in activity for environmental service firms boasting ecological expertise.

In a webinar earlier this month, IEMA reviewed the proposals and called on delegates to input into its response to the consultation. The webinar also saw CIEEM policy and communications manager, Jason Reeves, summarise feedback on the proposals provided by a range of industry representatives during a series of workshops held in January.

Several IEMA responses – Some relevant to validation

“Importance of auditing, validation and verification of the BNG process and results cannot be overstated. Must be central to the final policy proposals”

- Capacity and resources – Local Authorities and NE
- Baseline data. Monitoring and evaluation essential
- Innovation and improvement in data collection / mapping
- Support principle of an accreditation scheme (offset delivery)
- Support for development of British Standard
- Continued use of 2016 principles



Validation

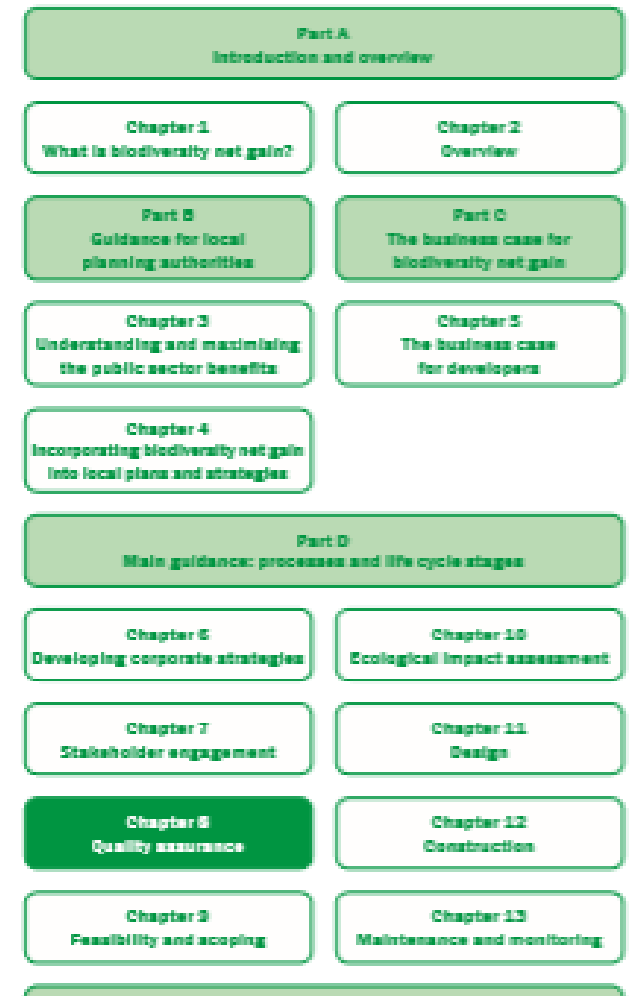
See Guidance Chapter 8 (QA)

BNG Guidance (chapter 8)

- Embed BNG into QA
- Strategic Audits and Project Level assurance
- Overarching themes for QA
- QA and project lifecycle
- Strategic level BNG auditing
- Planning authorities

Summary

This chapter provides advice for preparing and undertaking quality assurance as part of BNG, and highlights good practice for auditing BNG across a geographical area.



Key actions for QA – Project lifecycle

- Feasibility and scoping
- EcIA and EIA
- Design
- Construction
- Maintenance & monitoring



Figure 5.1 Key actions for quality assurance of the implementation of biodiversity net gain through the project life cycle

Quality Assurance – Overarching Themes

BNG Guide – QA Themes

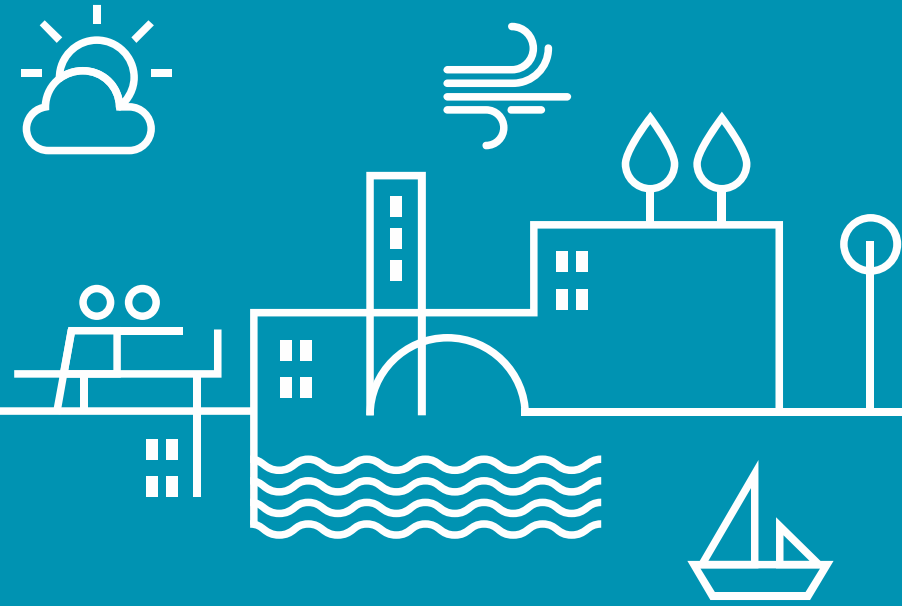
- Consistency
- Independence
- Proportionality
- Transparency
- Accuracy

GHG Protocol - Principles

- Consistency
- Relevance
- Completeness
- Transparency
- Accuracy

Members have suggested IEMA should:

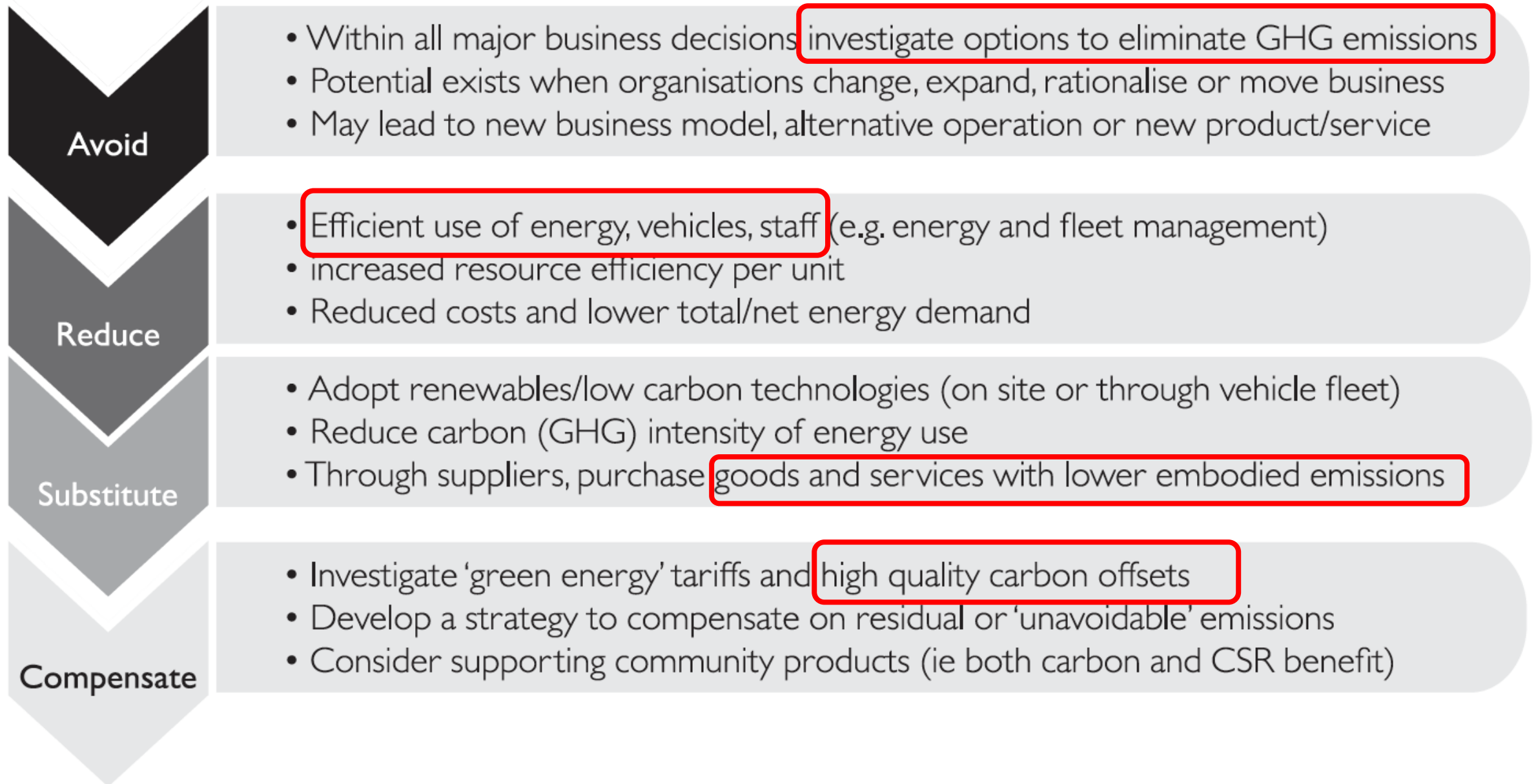
- develop useful audit tools
- refresh its approach for auditor CPD
- encourage participation in networking events
- communicate the benefits of auditing and auditor registration
- establish a working group to develop a plan for addressing these practitioner needs
- Collaborate with other professional bodies and share the study findings



Communicating & Claims
See Guidance chapter

- Approach and Scope
- Quantifiable evidence demonstrating net gains
- Irreplaceable habitats and statutory designated sites
- Mitigation hierarchy
- Reference scenarios
- Measuring BNG / Describing biodiversity
- Additionality / Timescales
- Predictions and Achievement transparency

As with Carbon Neutral - Avoid the 'jump' to offset solution



Issues from guidance – CIRIA, CIEEM, IEMA (2019)

- Be consistent in communications - “Designs are a prediction of BNG (not actual achievements). Activities have NOT yet been undertaken”
- Transparently recorded – No project wide claims of BNG where there are impacts on irreplaceable habitats

Communicating BNG - Key points from 2019 guidance..

- Clarity on scope & approach
- Mitigation hierarchy
- Transparency on predictions vs actual achievements
- Describe all BNG – not just a number
- Irreplaceable habitats (BNG not possible)
- Timescales, additionality.... *more in Technical Note 10*



Brief word on the developing New Environment Act

Context for the new Environment Act

- Environmental policymaking has been driven by the EU for 45 years
- Securing the environmental improvements that have been made
- Facing up to significant environmental challenges

Environment Bill

Government developing draft Bill in 2 parts
– which will be combined into a single Bill

- 1) Draft Environment (Principles and Governance) Bill published 19th December 2018
- 2) Draft Environment Bill – greater ambition (~May/June 2019)



Draft Environment (Principles and Governance) Bill

Presented to Parliament by the Secretary of State for Environment, Food
and Rural Affairs by Command of Her Majesty
December 2018

Cm 9751

[Available here](#)

iema.net

In this Act “environmental principles” means.....

- a) the **precautionary principle**, so far as relating to the environment
- b) the **principle of preventative action** to avert environmental damage
- c) the principle that **environmental damage** should **as a priority be rectified at source**
- d) the **polluter pays** principle
- e) the principle of **sustainable development**
- f) the principle that **environmental protection** requirements must be **integrated** into the definition and implementation of **policies and activities**
- g) the principle of **public access to environmental information**
- h) the principle of **public participation in environmental decision-making**, and
- i) the principle of **access to justice** in relation to environmental matters.

Draft Environment (Principles and Governance) Bill

Environmental Improvement Plans (EIP)

- i. “make provision for imposing duties on the Secretary of State for the purpose of seeking to improve the natural environment”
- ii. Adopts 25yr Plan on a statutory basis as the first plan with 5 yearly reviews, annual reporting and Parliamentary oversight

The ‘natural environment’ is defined in clause 30 of the draft Bill as meaning:

- a) wild animals, plants and other living organisms.
- b) their habitats
- c) land, water and air (except buildings or other structures and water or air inside them) and the natural systems, cycles and processes through which they interact

Draft Environment (Principles and Governance) Bill

Office for Environmental Protection (OEP)

- i. Monitoring and reporting on Environmental Improvement Plans (IEPs) and implementation of environmental law
- ii. Advising on changes to environmental law
- iii. Enforcement of failure of public authorities to comply with environmental law
- iv. Receive complaints where a person believes that a public authority has failed to comply with environmental law and evaluate, in accordance with a procedure to be defined, whether to investigate and take action if necessary
- v. Take action through issuing information notices, decision notices or enforcement action through the courts
- vi. Doesn't meet independence test!

A “public authority failing to comply with environmental law means:

- a) Unlawfully failing to take proper account of environmental law when exercising its functions
- b) Unlawfully exercising, or failing to exercise, any function it has under environmental law

Thank You

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Biodiversity Net Gain

Good practice principles for development

