

# CONSULTATION

## Response Document



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**Environment Strategy for Northern Ireland**  
**(Department of Agriculture, Environment and Rural Affairs)**

**23<sup>rd</sup> December 2019**

## Introduction to CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM), as the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland, welcomes the opportunity to comment on this consultation.

CIEEM was established in 1991 and has over 6,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

CIEEM is a member of:

- Environmental Policy Forum
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network
- Greener UK
- Irish Forum on Natural Capital (working group member)
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

CIEEM has approximately 260 members in Ireland who are drawn from across the private consultancy sector, NGOs, government and semi-state agencies, local authorities, academia and industry. They are practising ecologists and environmental managers, many of whom regularly provide input to and advice on land management for the benefit of protected species and biodiversity in general.

We welcome the opportunity to participate in the consultation on developing a draft Environment Strategy for Northern Ireland and would be happy to provide further information on this topic.

Please contact Jason Reeves (CIEEM Head of Policy and Communications) at

[JasonReeves@cieem.net](mailto:JasonReeves@cieem.net) with any queries.

## Comments from CIEEM

### General Comments

Firstly, CIEEM is highly supportive of the proposals for a new Environment Strategy for Northern Ireland. A healthy environment is fundamental to protect Ireland's biodiversity and achieve sustainable development.

We welcome the recognition that the environment can contribute to many of the Programme for Government Outcomes (page 3). For the Environment Strategy to successfully achieve its outcomes, a whole of government approach is needed with buy in from all sectors.

The environmental principles outlined in the draft Environment (Principles and Governance) Bill published by the UK Government must be grounded in legislation within Northern Ireland and must be used to guide the development of the Environment Strategy. We also advocate the use of two further principles:

- a) **Non-regression Principle:** there must be no rollback of environmental legislation and commitment to international agreements. On principles and standards, there must be no rollback on what Northern Ireland accepts as best practice and minimum standards for the environment.
- b) **Environmental Net Gain Principle:** the environmental net gain principle is currently poorly defined, however, with further development of its definition, it can offer an important means to deliver genuine, evidence-based environmental equivalence and improvement at appropriate spatial and temporal scales. This principle must also include 'biodiversity net gain' which includes the enhancement of natural capital and ecosystem services, and the restoration of biodiversity. CIEEM (with the Institute of Environmental Management & Assessment, and the Construction Industry Research and Information Association) has produced principles and guidance on biodiversity net gain for development.<sup>1</sup>

We are disappointed to see such a small percentage of protected terrestrial and marine sites in Northern Ireland under favourable management and even so, the term 'favourable management' does not give any indication of environmental outcomes and state of the environment. Favourable status should be used instead.

Fast and effective action is needed, not only to halt the decline in biodiversity in both protected and unprotected areas, but to reverse it. Crucial to halting and reversing biodiversity declines is a strategic, large-scale approach to habitat and ecosystem restoration, replacement and creation, and sustainable land management.

## Responses to Consultation Questions

1. **Do you agree that the Environment Strategy should sit alongside existing Executive-endorsd strategies, such as the Sustainable Development, Public Health and Economic Strategies?**

Yes, we agree that the Environment Strategy should be given equivalent status to the Executive-endorsd strategies and must encompass a whole of government approach.

We also welcome the link of the Environment Strategy to the UN Sustainable Development Goals and other international commitments. This strategy will be essential in Northern Ireland achieving these goals.

2. **Do you agree that these broad environmental areas are appropriate for the Environment Strategy? If "No", what alternatives would you like to see included?**

In general, we agree that these broad environmental areas are appropriate for the Environmental Strategy. However, there are some key areas that are not covered in the list, notably agriculture, renewable energy, and biodiversity. Some of these are cross-cutting issues, because, for example, agriculture is subject to a separate NI Agricultural Strategy, and renewable energy would come

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<sup>1</sup> <https://cieem.net/i-am/current-projects/biodiversity-net-gain/>

under a separate NI Energy Strategy. However, it would be appropriate to include these broad environmental areas as part of the strategy, in the same manner as you have done for 'Fisheries and Aquaculture'. Therefore, we would propose the following as additional areas:

- Agriculture must be included in the suggested list of areas, because it is the predominant land use in Northern Ireland. This sector has a significant impact on the environment, and based on the key metrics in Section 5 of your report, the environmental impact remains high, with no sign of recent change. It is also important to note that certain forms of agriculture can be beneficial for the environment, for example organic agriculture or tailored agri-environment schemes. Brexit offers an opportunity to develop a new payment scheme to replace the Common Agricultural Policy, which should deliver a range of public benefits, including protection and restoration of biodiversity, and farmers should be rewarded for such benefits.
- Although renewable energy theoretically comes under the heading of climate change adaptation, it may be more appropriate to place it under a separate heading. Under the current Climate Emergency, and with record low prices for renewable energy production, it will be necessary to substantially increase the rate of renewable energy growth in Northern Ireland. It should be a priority to identify areas that are favourable for renewable energy development, provide the resources to fast-track planning applications, reconsider tariffs for industrial and domestic generation, identify opportunities for new technologies, and reduce political interference in the planning process.
- Biodiversity should be given a separate heading than The Natural Environment, as they are different subjects. Northern Ireland has lists of priority species and habitats, for which the strategy should outline measures to monitor their status, and to slow or reverse declines. Flagship species could be identified as priorities for environmental enhancement, such as the barn owl, hedgehog and 'wall brown' butterfly. The Wildlife and Natural Environment Act 2011 places a duty on all public bodies "in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions". The strategy should highlight this, and point to the Biodiversity Strategy to explain how this will happen.
- Key ecosystem services provided by the environment could also be considered under a separate heading, notably the importance of undamaged wetland habitats for flood prevention and rainwater attenuation, the value of dune habitats for the prevention of coastal erosion, and the capacity for trees and other vegetation to improve air quality.

In relation to the seven 'key environmental areas' outlined in the plan, we have some comments on the scope of some areas, as follows:

- Climate change mitigation and adaptation should focus on the use of nature-based solutions and the protection / restoration of carbon-sequestering habitats, particularly peatlands and native woodland / forestry, both with respect to reducing greenhouse gas emissions and ameliorating the impacts of climate change. These options are often lower in cost than standard mitigation approaches (e.g. retro-fitting of insulation to housing, or hard engineered flood defences). Green spaces should be highlighted to mitigate urban heating. Finally, climate change adaptation should also consider the restoration of habitat corridors to allow for the migration of species.
- The natural environment and landscapes area should focus on landscape-scale approaches which encourage the protection and enhancement of biodiversity in both protected and unprotected areas. It should be noted that protected areas only cover a small percentage of

Northern Ireland, and that most of Northern Ireland's biodiversity exists outside these areas, e.g. in agricultural and other man-made areas. Therefore, it is important that this section does not refer only to protected areas

- The built environment area has potential to deliver green infrastructure and biodiversity net gain, as had been implemented in Scotland and England, lending itself to the joined-up approach. Biodiversity Net Gain (BNG) is development that leaves biodiversity in a better state than before. It is an approach whereby developers work with local governments, landowners, wildlife organisations, and other stakeholders to minimise impacts and maximise outputs for biodiversity. The Environment Strategy should consider making Biodiversity Net Gain a requirement for all planning applications, or at least for large-scale infrastructural projects.

**3. As described below, do you agree that these are appropriate strategic themes for the Environment Strategy? If "No", what alternative or additional themes/issues would you like to see in the strategy?**

Yes, we agree that these are appropriate strategic themes for the Environment Strategy.

**4. Do you have any comments on what specific issues should be included under a proposed Environmental Engagement strategic theme?**

Yes, we agree with all of the points that are proposed. In addition to the public awareness efforts that are outlined, we would also highlight the importance of raising awareness among professionals in key industries, notably agriculture, aquaculture, commercial fishing, engineering / construction, and landscaping / gardening. Many professionals working in these disciplines have had little or no training in environmental issues, and would benefit from professional development courses, e.g. measures to prevent pollution of watercourses, or measures to enhance biodiversity in landscaped areas. Training courses could be provided for professionals in these industries, to inform them of the importance of environmental protection, their legal obligations, and to suggest approaches that they could take to protect or enhance the environment.

To improve public confidence and appreciation of environmental protection measures, it is important to provide some form of enforcement or policing service for Northern Ireland.

Environmental law is rarely if ever enforced in Northern Ireland, which reduces faith among the public that local authorities take these issues seriously. This issue is often due to a lack of resources in DAERA, and a lack of training in the Northern Irish Police Service.

**5. Do you have any comments on what specific issues should be included under a proposed Environmental Prosperity strategic theme?**

In general we agree with the approach to assign economic value to the environment and ecosystem services. However, while we recognise that there are benefits to valuing the environment in terms of ecosystem services, the intrinsic value of the natural environment, as recognised on page 19, must not be overlooked.

There are a number of strategic opportunities to increase natural capital and ecosystem services:

- A requirement for biodiversity net gain in development projects
- Green infrastructure which follows biodiversity-led development and agriculture, through payments to farmers for implementing improvements to natural capital
- The potential role of carbon-sequestering habitats (notably peatlands/wetlands and native woodlands) should be highlighted as an option for climate change adaptation

**6. Do you have any comments on what specific issues should be included under a proposed Environmental Efficiency strategic theme?**

The PfG goals will need to be brought in line with the UK Government's target for net zero carbon emissions by 2050. Northern Ireland is not on track to achieve its current target and so radical action is required to meet even stronger targets. A significant increase in renewable energy is one of the main approaches to achieve these targets, and Northern Ireland must ensure that planning policy is favourable towards such developments. There are currently a number of impediments in the planning system that are preventing new renewable energy developments, including the lack of staff and resources in planning and environmental departments, and the influence of politicians in the planning process. It should be an objective of the strategy to promote and facilitate new renewable energy developments, providing the impacts on biodiversity are properly assessed, avoided and mitigated using competent ecologists.

This section should recognise the link between biodiversity and climate change, and the potential for addressing both issues together. Climate change is one of the leading causes of biodiversity loss, however biodiversity can be used for both climate change mitigation and adaptation. The environment strategy should commit to the use of nature-based solutions for climate change.

Peatlands and native woodlands should form a key component of natural capital accounting, because these areas are very important in Northern Ireland's carbon budget. When peatlands and woodlands are in good condition, they can sequester carbon from the atmosphere, but when peatlands are degraded, they can release their stored carbon into the atmosphere, thus increasing greenhouse gas emissions. In particular, an attempt should be made to assign an economic value to Northern Ireland's peatlands, including their capacity to produce GHG emissions (through degradation), and to remove GHGs from the air (sequestration). It appears that this is not currently included in the calculations.

Regarding recycling, it should be acknowledged that most 'recycled' waste in Northern Ireland is exported long distances, formerly to China, and more recently to countries like Indonesia and Vietnam. It should be acknowledged that there are significant transport emissions from the transit of this waste, and that the treatment of materials at the receptor site is not sufficiently clear. It is not sustainable to export waste in this manner, so it should be an objective to retain as much recyclable waste as possible in Northern Ireland and treat it locally.

**7. Do you have any comments on what specific issues should be included under a proposed Environmental Quality strategic theme?**

We welcome the comments on page 25-26: *"Although the focus of biodiversity actions is often on protected species and habitats, it is not just the rare or endangered that need to be protected and enhanced - it's all of the natural world, from the commonplace to the critically endangered. The designation and management of Environment Strategy for Northern Ireland protected sites is a key tool in our efforts to halt biodiversity loss on land and sea but so too are broader initiatives in respect of the natural environment."* As mentioned above, this strategy provides an opportunity to integrate biodiversity enhancement into all areas of government.

This theme should also lay out how environmental quality will be monitored and how the gaps in data on biodiversity will be filled. An Environment Strategy cannot be properly enacted without clear monitoring of the progress towards targets and regular, ambitious milestones.

The importance of EU legislation for the protection of the environment cannot be understated, notably the Habitats and Birds Directives, the Water Framework Directive, Air Quality Directive, etc. We advocate the use of the **Non-regression Principle**, under which there must be no rollback of

environmental legislation and commitment to international agreements. On principles and standards, there must be no rollback on what Northern Ireland accepts as best practice and minimum standards for the environment.

#### **8. What do you see as the main environmental governance priorities for Northern Ireland?**

Once the UK leaves the EU, the UK will no longer be subject to the powers of the European Commission and the Court of Justice of the European Union (CJEU). Therefore, it is essential that there is an independent enforcement body that can hold government to account on environmental issues in Northern Ireland. The role of the new body must be four-fold: reporting, advising, investigating, and enforcing. The human right to environmental justice and access to environmental information must be protected.

The independent body must be adequately resourced in finance and skills to undertake the tasks given to it. It should have the ability to collect, analyse and scrutinise information trends and their causes, formulate procedures for complaints, deal with complaints, refer unresolved matters to the courts, horizon scan to identify best practice and future trends to inform its work, and comment on the resources of other bodies. An independent body would avoid potential conflicts of interest arising between different government departments and public bodies.

Another main environmental governance priority is the lack of staff and resources at DAERA. Staff working on planning applications are greatly overburdened, leading to significant delays in the processing of planning applications, and thus to the approval of key projects such as renewable energy developments.

As detailed above, the Wildlife and Natural Environment Act 2011 places a duty on all public bodies “in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions”. It should be a key governance priority to ensure that this ‘Biodiversity Duty’ is undertaken by all statutory agencies. This is likely to require clarity, beyond the 2016 Guidance for Public Bodies, on how this duty is expected to be implemented and its success monitored.

Finally, we consider that it is important to provide some form of enforcement or policing service for Northern Ireland. Environmental law is rarely if ever enforced in Northern Ireland, which reduces faith among the public and practitioners. The Police Service is not trained or equipped to deal with environmental issues, which means that environmental crimes are considered a lower priority in relation to standard policing issues. Therefore, training in environmental issues needs to be provided throughout the Police Service, or specialist representatives need to be provided in all regional offices.

#### **9. Do you agree that these are appropriate draft outcomes for the Environment Strategy? If “No”, what alternative or additional outcomes would you like to see?**

No. The outcomes need to be specific and measurable with clear targets associated.

The target to halt biodiversity loss is not ambitious enough given the ongoing declines in biodiversity and that 11% of Northern Ireland’s species assessed in the State of Nature 2019 report are threatened with extinction. A more radical approach is needed. This outcome should aim to not only halt the decline of biodiversity, but to reverse them through implementing biodiversity net gain principles.

Similarly, the target to 'reduce' greenhouse gas emissions falls very short of the strong target of net-zero by 2050 needed.<sup>2</sup>

#### **10. What are your big ideas for the future protection and enhancement of the environment?**

We would like to see the exit from the EU used as an opportunity to address some of the weaknesses in the implementation of EU environmental legislation and establish Northern Ireland and the rest of the UK as a leader in environmental protection.

There are three key needs, as already outlined in this response, that should be addressed as a matter of priority when the Northern Ireland Government is reformed:

- ❖ A new Environment Act to enshrine the environmental principles into law and provide a framework for ambitious targets for a new ambition for the environment.
- ❖ Reverse biodiversity loss and rebuild natural capital stocks using biodiversity net gain and joined up approaches throughout the protected and unprotected landscape.
- ❖ An independent enforcement body to replace the function of the CJEU and hold the Government to account.

One potential area of innovation would be to develop a flagship carbon-offsetting project designed to attract direct investment from national or international corporations that are seeking to offset their emissions. For example, the Katingan-Mentaya project (<http://katinganproject.com/impacts/1/climate>) is a private enterprise that attracts donations from international corporations, and uses the funds to restore degraded peatland forests in Indonesia. The project complies with Verified Carbon Standard (VCS), and Climate Community and Biodiversity (CCB) standards. A similar flagship project could be developed in Northern Ireland - e.g. to restore degraded raised bogs in Fermanagh or blanket bogs in the Sperrins or Mourne - and could be marketed towards international corporations with large carbon footprints. This could also attract funding to rural communities.

Similarly, Northern Ireland has one of the lowest rates of forest cover in Europe. Plantations of non-native conifers have been planted in some places, but they have very low value for wildlife, cause pollution of watercourses, and produce low-quality timber. It should be an objective of the strategy to increase the cover of native broadleaf woodland in Northern Ireland, either through carbon-offsetting projects or commercial forestry. The emphasis must be on diverse plantations of native broadleaf trees under continuous cover, rather than non-native conifers that are clear-felled. This increased planting must not be at the detriment of other habitats of importance.

Northern Ireland still does not have a National Park. Although there is controversy about additional protection for these areas, they provide a resource for local communities and tourists, support local businesses, and attract resources to remote areas. It should be an objective of the Environment Strategy to designate at least one National Park in Northern Ireland.

#### **11. Do you have any other comments or contributions?**

We would like to emphasise the need for:

- ❖ Strong, ambitious targets which are measurable
- ❖ A commitment to reverse biodiversity declines
- ❖ Proper resourcing of bodies who will be implementing the strategy

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<sup>2</sup> Committee on Climate Change (2019) *Net Zero: The UK's contribution to stopping global warming*, London: Committee on Climate Change. Available at: <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-The-UKs-contribution-to-stopping-global-warming.pdf>



- ❖ The inclusion of environmental principles in legislation
- ❖ A strong enforcement body to replace the current function of the European Commission and the CJEU
- ❖ Fast action on the climate emergency using effective nature based solutions