



Horizon Scanning: Land & Nature Policy

Policy developments and opportunities to engage



November 2023

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Policy developments and opportunities to engage, November 2023

This is a briefing paper on environmental policy relating to land and systems linked to land, including land-based habitats and ecosystems. With a number of critical policy developments in environmental governance, punctuated by the Environment Act 2021, there are multiple opportunities for positive engagement.

The paper is intended for IES members to encourage awareness of relevant policy issues, support horizon scanning for environmental professionals, and identify opportunities to engage with decision makers and the public on emerging issues linked to land and the environmental sciences. This briefing was first published in July 2022 and has been reissued for November 2023.

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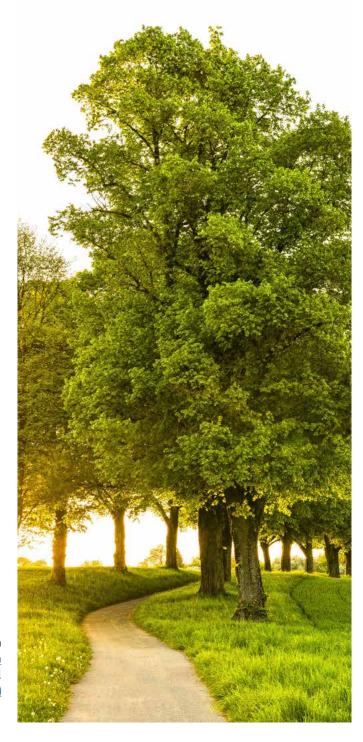
1. Specialism-specific relevance

This briefing is primarily written for an audience of environmental professionals undertaking work linked to land or nature.

Other specialisms which may be affected by the subjectmatter of the briefing include:

- Built environment
- Climatology
- Energy
- Environmental management
- Forestry & landscaping
- Impact assessment
- Sustainability
- Transport
- Waste management

For more information about the latest developments in land condition, find out more about the <u>IES Land Condition Community</u>. For more information about environmental impacts, join our <u>Environmental Impact Assessment (EIA) Community</u>.



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2. Environmental Improvement Plan

In January 2023, the UK Government published its Environmental Improvement Plan (EIP) as the first update to its 25 Year Environment Plan. The Plan covers 10 high-level goals, including Goal 1: 'Thriving plants and wildlife'. Several of the other goals also directly interact with land and nature, either through linked natural systems or through other goals with the potential for significant co-benefits.

Land condition

While the EIP references a number of areas of policy affecting land systems and land condition, significant areas of policy relating to contaminated land, brownfield land, and many other topics linked to the land condition sector are not directly addressed in the Plan.

These are instead expected to be addressed through other policy documents, including the forthcoming Land Use Framework.

Despite this, the EIP raised several important considerations for the land condition context. In particular, the EIP contains several measures relating to soils, in lieu of a Soil Health Action Plan for England, including plans to publish a baseline map of soil health for England by 2028, publish a soil health indicator through the Outcome Indicator Framework, bring 40% of England's agricultural soil into sustainable management by 2028, and improve guidance and best practice for farmers and for consistent data collection.

In the land condition context, measures include revisions to the <u>Code of Practice for the sustainable use of soil on construction</u> <u>sites</u> and the development of a <u>Soil Re-Use and Storage Depot scheme</u> to help prevent soil going to landfill, with pilots due in 2026.

The Government has also committed to supporting the development of markets for ecosystem services, including <u>soil</u> <u>carbon codes</u>, though it acknowledges that this work is likely to be led by the wider sector.

Conservation and ecology

Many of the Government's commitments on nature and ecology are covered by international commitments such as the Convention on Biological Diversity (and the 2022 Kunming-

Montreal Global Biodiversity Framework) or through legally-binding targets (and the linked interim targets).

However the EIP also outlines several key delivery mechanisms in support of achieving its goals for nature. These include:

- Reiteration of the Government's commitment to protecting 30% of land by 2030, supported by a map of progress by the end of 2023, 19 new nature recovery projects in England by 2025, and 25 new National Nature Reserves by 2027;
- Ongoing support for <u>Landscape Recovery projects</u>, including a second round of projects in 2023, as well as a commitment to implement the measures agreed in the Government's response to the <u>Glover Review on Landscapes</u>, updated <u>Protected Landscape management plan guidance</u>, and new guidance for public authorities on the <u>strengthened biodiversity duty</u>;
- Expansion of mandatory Biodiversity Net Gain to most developments (initially due by November 2023, now expected in 2024 subject to political change) and continued rollout of Local Nature Recovery Strategies throughout 2024;
- Establishing a UK Wetland Inventory to support mapping of wetlands and further measures to protect habitats;
- Delivery of existing commitments on <u>sustainable</u> <u>agriculture</u>, <u>countryside stewardship</u>, and other forms of land management, including <u>peatland</u> and <u>biodiverse</u> woodland restoration;
- Measures to restore protected sites, including updating evidence on site condition, new <u>Protected Sites</u> <u>Strategies</u> by 2025, and the continued use of existing measures such as the <u>Conservation and Enhancement</u> <u>Scheme for SSSIs;</u>
- Ongoing support for species protection through measures such as <u>Species Conservation Strategies</u>, the <u>Species Recovery Programme</u>, the <u>National Pollinator</u> <u>Strategy & Action Plan</u>, and action plans led by the <u>Non-Native Species Inspectorate</u>;
- An updated <u>Green Finance Strategy</u> (which has subsequently been supplemented with a framework for <u>scaling up private investment</u> on nature and sustainable farming and a <u>Strategic Framework for International Climate and Nature Action</u>), as part of a commitment across England to raise at least £500 million a year in private finance for nature recovery by 2027, rising to over £1billion by 2030;



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- Support for nature protection and restoration abroad, including through a <u>UK Overseas Territories Biodiversity Strategy</u> and the expanded and restructured £90million <u>Darwin Initiative</u> to address biodiversity challenges and support poverty reduction in developing countries, as well as £30million additional funding to tackle the <u>illegal</u> wildlife trade between 2022 and 2025;
- More information on the Government's plans for implementing the 2023 Plant Biosecurity Strategy, along with a commitment to revise the <u>Tree Health Resilience</u> <u>Strategy</u>.

In addition, sustainable forestry plays a significant role in a number of the EIP's objectives, particularly for Goal 1: 'Thriving plants and wildlife' and Goal 6: 'Using resources from nature sustainably'.

Landscape scale implications

The Plan recognises that there are likely to be landscape-level consequences of many of the other measures across the EIP, particularly through changes to agricultural payments, though there are also a number of measures specifically addressing forestry. Those measures include:

- Implementation of the England Trees Action Plan, the England Woodland Creation Offer, the Government's Keepers of Time Policy on ancient and native woodlands, and the expansion of England's Community Forest network through the England Woodland Creation Partnership;
- Reviewing the <u>National Planning Policy Framework</u> to ensure protections on ancient and native woodlands, introduce a new legal duty on Local Planning Authorities to consult with the <u>Secretary of State</u> before granting permission to plans affecting ancient woodlands, and to consult on new protections for long-establishment woodland;
- Direct support for agroforestry through the rollout of the agroforestry standard for the Sustainable Farming Incentive by 2024, further development of Countryside Stewardship, grants for forestry equipment through the Farming Equipment and Technology Fund, and further pilot schemes to support agroforestry;
- Guidance, funding, and updated regulatory processes for multi-functional woodland creation, developed in partnership with commercial forestry, as well as the publication of the <u>Timber in Construction Policy Roadmap</u>;
- Measures to remove barriers to tree planting, including through voluntary carbon markets, skills development and capacity building, reviewing tax guidance, reducing approval timeframes, the use of public land, and potentially through the UK Emissions Trading Scheme

- and the development of a voluntary Woodland Water Code;
- Support for the forestry skills pipeline, including the Woods into Management Forestry Innovation Funds, a new Forestry Training Fund, expansion of the Professional Forester scheme, and other measures to support apprenticeships, T-Levels, and technical education, including the potential for a digital skills hub;
- Revising the <u>Tree Health Resilience Strategy</u>, while reducing pressures on tree health through the <u>Deer</u> <u>Management Strategy</u> and <u>Grey Squirrel Action Plan</u>;
- The publication of a <u>practice guide</u> on riparian woodland creation for the <u>UK Forestry Standard</u>, alongside ongoing support for the <u>Woodlands for Water programme</u>.

Within the EIP, direct commitments on new funding for nature are broadly limited to those which have already been promised. To that end, the EIP highlights the role of other key policies in supporting biodiversity and nature, such as farming incentives, the various components of the Nature Recovery Network, and the forthcoming Land Use Framework.



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3. Environmental targets

Along with the Environmental Improvement Plan (EIP), the Government has published a framework of long-term <u>legally-binding environmental targets</u>, including those which apply to water, as required under the <u>Environment Act</u>.

Several of the proposed targets will have implications for land and nature, including four which directly address nature and biodiversity. The EIP also sets out interim targets to support progress towards the long-term targets, and to support the wider goal of thriving plants and wildlife.

The long-term targets for nature are:

- Species' extinction risk: reduce the risk of species' extinction by 2042, when compared to the risk of species' extinction in 2022.
- Restoration or creation of wildlife-rich habitat: by 31st December 2042, in excess of 500,000 hectares of a range of wildlife-rich habitats are to be restored or created.
- 2030 species abundance target: the overall relative species abundance index on 31st December 2030 indicates that the decline in the abundance of species has been halted.
- Reverse the decline of species abundance: the overall relative species abundance index by 31st December 2042 is (a) higher than the overall relative species abundance index for 31st December 2022; and (b) at least 10% higher than the overall relative species abundance index for 31st December 2030.

Outside of the specified nature targets, a number of the other targets may present the possibility of risks or co-benefits for land and nature. These include:

 Woodland and trees: by the end of 31st December 2050 at least 16.5% of all land in England is covered by woodland and trees outside woodland.

- Agriculture and water: the load of each of the following (a) total nitrogen, (b) total phosphorus, (c) sediment, entering the water environment through agricultural diffuse pollution is, by 31st December 2038, at least 40% lower than agricultural diffuse pollution in the year from 1st January 2018 to 31st December 2018.
- Waste water: the load of total phosphorus discharged into freshwaters from discharges of treated waste water ... is, by 31st December 2038, at least 80% lower than discharges in the year from 1st January 2020 to 31st December 2020.

The associated interim targets set out in the EIP are:

- Restoration or creation of wildlife-rich habitat: by 31st January 2028, 140,000 hectares of a range of wildliferich habitats outside protected sites are to be restored or created.
- Assessments for SSSIs: by 31st January 2028, all SSSIs are to have an up-to-date condition assessment.
- **Favourable condition of SSSIs**: by 31st January 2028, 50% of SSSIs are to have actions on track to achieve favourable condition.
- **Woodland and trees**: by 31st January 2028, tree canopy and woodland cover are to be increased by 0.26% of land area (equivalent to 34,000 hectares).
- Agriculture and water: by 2038, nitrogen, phosphorus and sediment pollution from agriculture into the water environment are to be reduced by at least 40%, compared to a 2018 baseline; with an interim target of 10% by 31st January 2028, and 15% in catchments containing protected sites in unfavourable condition due to nutrient pollution by 31st January 2028.
- Waste water: by 2038, phosphorus loadings from treated wastewater are to be reduced by 80% against a 2020 baseline, with an interim target of 50% by 31st January 2028.



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- **Ecological status of water bodies**: 75% of water bodies are to be restored to good ecological status.
- Adverse ecological impact of sewage discharges: water companies are to be required to have eliminated all adverse ecological impact from sewage discharges at all sensitive sites by 2035, and at all other overflows by 2050.

Although the process for setting the targets has now ended, engagement from environmental professionals remains critical. Going forward, it will be important to ensure that efforts to implement and meet the targets accurately reflect the insights and expertise that the environmental sciences have to offer.

The challenge will be to articulate the technical requirements of translating the targets into real-world measures which are able to be adopted by the government officers and politicians responsible for making decisions. For more information on implementing policy on the ground, find out more about the Environmental Policy Implementation Community (EPIC).

Land condition professionals, ecologists, and other environmental scientists will be well-positioned to identify governance gaps and potential unintended consequences.

For further commentary on the selected targets and how they might affect policy and regulation for land and nature, see the consultation responses to the environmental targets consultation from the IES and the Society for the Environment.

4. Retained EU Law Act

Following the UK's exit from the European Union, the Government passed a <u>Retained EU Law (Revocation and Reform) Act</u>, intending to address EU laws which still had effect in the UK. EU laws were either:

- Approved and retained in law going forwards, albeit with vulnerability to further revocation until 2026;
- Added to a <u>Schedule of laws</u> (or other rules) which will no longer have legal force from the end of 2023; or
- Reformed and either updated or replaced with UKcreated alternatives.

Several attempts were made to amend the legislation, including by the House of Lords. The Government also changed its initial position that laws would automatically be subject to revocation unless they were explicitly retained.

Instead, laws would be revoked if they were <u>listed in the Act's Schedule</u>, unless a Minister subsequently removed them from the Schedule. Functionally, the consequences for those laws which the Government did not intend to retain would be the same: revocation.

Currently, the Schedule contains nearly 600 laws, rules, or regulations, with consequences for an even wider body of law.

While the Government's position is that laws have been sufficiently replaced or superseded that no revocation will amount to regression on environmental commitments, questions remains about whether the same standards will apply in practice. The result has been a significant degree of uncertainty. The final position is likely to become clear in 2024, after the revocation of rules in the Schedule has taken place.

Regardless, there will be a continued need for expert engagement by land condition professionals and ecologists to determine the impacts of revoking or replacing EU laws.

Consideration of how regulations work in practice will be fundamental to determining their appropriateness in the UK context, and whether ongoing reform and the further development of environmental governance is necessary.



Policy developments and opportunities to engage

5. Land use

In the context of environmental crises such as climate change and biodiversity loss, as well as socio-economic challenges linked to land use, such as housing shortages, there has been a notable shift in attention towards solutions which address land use from a more systemic and holistic perspective.

The renewed policy focus on the ways we use land has ranged from the general, such as the <u>Climate Change Committee's report on land use</u> in the UK and the House of Lords <u>Committee on Land Use in England</u>, to much more specific interventions, including on two of the most significant drivers of land use change: agriculture and planning.

Land Use Framework

In response to the <u>National Food Strategy for England</u>, the UK Government has committed to publishing a <u>Land Use Framework by the end of 2023</u>, which will need to bring together multiple expected uses of land, including agriculture, housing, infrastructure development, energy, and nature recovery.

To ensure that the full range of environmental policy commitments for land use are achievable, the Framework will need to direct the strategic use of land, not just bringing together a list of commitments but practically identifying how land can be used for multiple benefits, uniting regulations and strategies across different geographic scales.

The publication of the Land Use Framework will be a significant opportunity for environmental scientists to engage with policy around land use, not only feeding evidence into the Framework's construction but using it as a tool to inform the public and decision makers about trade-offs around land.

Agriculture

Agricultural payments are now subject to reform in each of the devolved nations of the UK as the country moves away from the EU's <u>Common Agricultural Policy</u>. In England, there has been a degree of doubt about the opportunity presented by <u>Environmental Land Management Schemes</u> (ELMS) due to limited uptake and uncertainty about the level of commitment from the Government.

The latest guidance and funding commitments have been a positive sign for the possibility of an increased move towards regenerative agriculture, though there are still some uncertainties about the <u>potential to deliver sustainable farming</u> at the scale needed to meet England's environmental commitments.

Environmental professionals working on agricultural land will need to address the implications for delivering ELMS in

practice, while those working on nature more broadly will need to contend with the uncertainties linked to the overall delivery of ELMS and implications for conservation outside the agricultural context.

Planning and Impact Assessment

The use of land is also subject to the process of reform in the planning system, following the <u>Levelling-Up & Regeneration</u> Act, which addresses planning processes at the local level.

Those reforms also included a new approach to mandatory <u>Sustainable Drainage Systems</u> (SuDS) in new developments, supporting an increase in <u>natural flood risk management</u>.

Beyond increased local control, the Act also proposed to reform Environmental Impact Assessments (EIAs), leading to a consultation in 2023 on the proposed replacement regime: Environmental Outcomes Reports (EORs).

For more information about proposals for EORs and planning reform, read the evidence submitted by the IES on the <u>Levelling-Up Bill consultation</u> and the <u>Environmental Outcomes Reports consultation</u>. For a more detailed vision of the potential to create a positive vision for the future of impact assessment, read the latest thought piece from the IES EIA Community.

In Scotland, a draft version of the <u>fourth National Planning Framework</u> has been released, which has the potential to enhance environmental considerations in the use of Scottish land, though uncertainty remains on whether sufficient skills and resources exist to secure effective delivery of the draft Framework's ambitions.

Land restoration

As land is increasingly committed to plans for carbon storage and ecological restoration, there are also technical changes which will affect how those commitments are met in practical terms. The 5th review of the <u>UK Forestry Standard</u> has now been completed and the <u>International Union for Conservation of Nature</u> (IUCN) released an updated <u>Peatland Code</u> in 2022 as a set of voluntary guidelines for peatland projects.

The anticipated <u>Soil Health Action Plan for England</u> (SHAPE) was replaced with new commitments in the <u>Environmental Improvement Plan</u> (see above), as well as ongoing <u>work by the Joint Nature Conservation Committee (JNCC)</u> to develop the evidence base around a soil health indicator for DEFRA's Outcome Indicator Framework.

While the new commitments do not amount to the same strategic contribution that an Action Plan would have made, there is still an opportunity for soil professionals to help shape the future of soils in England, as long as policy makers retain their commitment to ambitious action on soil health.

Policy developments and opportunities to engage

Across these developments, there is significant potential to utilise insights from environmental science to support a systemic approach to how land is used, how it can secure multiple benefits, and how to avoid the unintended consequences often associated with land use change.

In particular, environmental scientists will play a crucial role in the implementation of many of the new standards and guidelines being introduced, so will be able to identify gaps in the overall approach to the use of land.

6. Landscape recovery

Following the final report of the <u>Glover Review of Landscapes</u> in 2019, the Government has set out <u>its response</u> on the future of National Parks and Areas of Outstanding Natural Beauty (AONBs) in England.

A consultation on the Government's plans was held at the start of 2022 and has now closed. As the Government reflects on the consultation, there will be further opportunities to build on existing aspirations.

Implementing the Glover Review

At the end of 2023, the Government published the outcome of its <u>consultation on implementing the Glover Review</u>, as part of an Action Plan for Protect Landscapes. The plan includes:

- An expanded role for protected landscapes in delivering Local Nature Recovery Strategies;
- Extended financial support for protected landscapes, including through the <u>Farming in Protected Landscapes</u> programme;
- Capacity-building for private finance, supported by the National Parks Partnerships and the National Landscapes Association;
- Stronger links between management plans and national targets, supporting the delivery of the <u>Environmental</u> Improvement Plan and 30x30 commitments.

Despite increased alignment with the recommendations of the Glover Review, current proposals do not yet reflect a full implementation. Positive progress continues to be made, including through the increased purpose of National Parks and AONBs to support nature recovery, as well as through proposals to increase cooperation with planning, local authorities, and the private sector.

To fully implement the Glover Review's recommendations, further steps will need to be made to embed considerations about landscapes across decision making, as the Review's proposals on governance are not yet fully realised.

In particular, the Government decided not to create a new National Landscape Service, instead focusing on new and

existing partnerships through a new National Landscape Partnership, the Government's commitment to which was reiterated in the Environmental Improvement Plan (EIP).

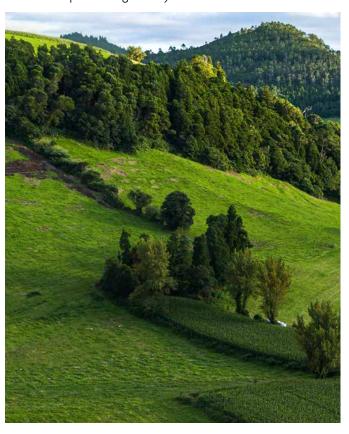
Nature Recovery Network

Ambiguity also remains on the role of national landscapes in the <u>Nature Recovery Network</u>, as well as the relationship between AONBs and other uses of land, which isn't specifically addressed in the Government's response to the Glover Review or in the EIP. The Government will need to address the latter in the forthcoming Land Use Framework.

Continued engagement on landscape recovery raises the potential for an expanded and holistic view of landscapes and the multiple benefits that could be achieved by a systems approach to restoring nature across different contexts.

If the Government fully utilises the expertise reflected in responses to the <u>consultation</u>, its approach to land has the potential to unite policy across ELMS, <u>Local Nature Recovery Strategies</u> (LNRS), and crucial protected areas.

That approach will depend on the adequacy of resourcing, data for decision-making, and effective governance. To that end, environmental scientists will have a crucial role to play in providing evidence of gaps in data and governance, as well as practical insights on how to address National Parks, AONBs, and landscapes more generally.



Policy developments and opportunities to engage

7. Nature and biodiversity on land

Following the UN's <u>COP15 Biodiversity Summit</u> in 2022, there is now a critical window for action to implement the <u>Kunming-Montreal Global Biodiversity Framework</u>, both at a national and international level.

The summit was originally scheduled to take place in 2020, but was significantly delayed, principally due to COVID-19. It produced the <u>Kunming-Montreal Global Biodiversity Framework</u> for the global governance of biodiversity loss, containing four overarching long-term goals, as well as 23 targets.

The long-term goals address a vision for biodiversity and global action with a view to 2050, whereas the majority of the targets focus on the next seven years until 2030.

The global goals address:

- The integrity, connectivity, and resilience of ecosystems, as well as the threat of human-induced extinction of species;
- 2. The **sustainable use and management of nature** and its contributions to people;
- The fair and equitable utilisation of genetic resources for monetary and non-monetary benefits; and
- 4. The **implementation of the Framework**, including funding, capacity, technical and scientific cooperation, and access to technology.

The targets address how the global community must achieve those goals, including a crucial commitment that at least 30% of terrestrial, inland water, and coastal & marine areas will be effectively conserved and managed by 2030 (known as the 30x30 initiative).

National targets must be fully aligned with the Framework to drive action on the ground. This will require effective monitoring of protected sites, as well as management plans for nature recovery at a local level. While designating appropriate sites for nature recovery is essential, it will also be necessary to ensure quality through effective governance.

IPBES reports

In 2022, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) also published its <u>Values Assessment</u>, which provides an underpinning basis of evidence on the value of nature and the benefits it can provide. The Values Assessment complements the 2019 IPBES <u>Global Assessment Report on Biodiversity and Ecosystem Services</u>. Together, they have significantly expanded the rationale for evidence-informed action on biodiversity.

Biodiversity Net Gain (BNG)

In the UK, there are also several important policy developments underway which relate to nature, habitats, and biodiversity. The majority were set out as proposals in the Government's <u>Nature</u> Recovery Green Paper.

The implementation of <u>Biodiversity Net Gain</u> has been subject to controversy, particularly on whether local authorities and other relevant organisations have the capacity, skills, and expertise necessary to deliver it across contexts.

In November 2022, the <u>IES called for all local authorities</u> to employ the necessary expertise to support nature, which will be especially vital as core issues such as Biodiversity Net Gain and Local Nature Recovery Strategies (LNRS) are implemented.

Questions also remain about <u>BNG Metric 4.0</u>, and whether it is sufficiently nuanced to capture the complexities of the natural world. At the same time, more work is needed to improve the accessibility of the metric for decision makers, particularly at a local level.

Ecologists and other environmental scientists will be well placed to support the difficult balance needed between making the metric sufficiently complex to allow for effective interventions while providing local decision makers with the skills and knowledge needed to operate it effectively.

Local Nature Recovery Strategies (LNRS)

The implementation of LNRS will support investment and targeted action on nature recovery, as part of the development of the <u>Nature Recovery Network</u>, which is expected to be in place by 2042.

The <u>launch of LNRS</u> began across England in April 2022, following pilot schemes in 2021, though local plans continue to be developed and are not expected to be fully in place until early 2025.

The reform of environmental regulations remains politically contentious. In September, the Government attempted to weaken nutrient neutrality requirements for new developments in an amendment to the Levelling-Up & Regeneration Act.

Although the amendment was not passed into law amid concerns from environmental professionals that it could amount to regression on environmental commitments, further reforms may still take place in 2024.

Regardless, there will be opportunities for scientists to engage positively in any developments, to ensure that any changes to regulations do not reflect regression on existing standards, whether in principle or in practice.

Policy developments and opportunities to engage

8. Climate change

At <u>COP27 in Egypt</u>, two negotiating days were devoted to Adaptation and Agriculture, Science, and Biodiversity. The increased focus on the role that land plays in interconnected crises did not ultimately lead to a systems approach to the use of land in addressing climate change, with action towards greater mitigation of climate change remaining somewhat limited.

At the national level, the opportunity of the forthcoming Land Use Framework will be to ensure that such a systems approach is able to unite climate considerations with a broader set of social and environmental objectives.

COP27 and COP28

Despite limitations for its overall success, COP27 saw positive progress on two fronts: progress towards adaptation and increased recognition of the need to pay for loss and damages.

Key developments on adaptation such as the <u>Sharm-El-Sheikh Adaptation Agenda</u> and the <u>Global Shield Against Climate Risks</u> have the potential to improve global resilience efforts, though those efforts are not yet in line with the scale of the adaptation challenge needed.

For the first time, meaningful progress is being made on loss and damage, with an aggrement reached to establish a Loss and Damage Fund, supported by a small but not insignificant amount of funding. Those two issues will be crucial to ensuring that the world can work to combat climate change without compromising the possibility of a just transition.

Beyond those opportunities, the <u>COP28 climate summit in Dubai</u> will need to drive forwards action on climate mitigation. The environmental impacts of agriculture are likely to be a key theme of COP28, with the potential to push for global efforts to address the <u>impact of farming on the climate</u>. Actions towards the energy transition are not expected to be as successful, but will remain a key area of focus for global decarbonisation.

The role of environmental scientists will be to bring together discussions to inform genuine decarbonisation pathways, avoiding isolated 'solutions' which do not work in practice.

That will require land scientists to scrutinise international commitments on the role of land and agriculture in climate mitigation, while integrating adaptation and environmental justice into discussions.

UK Net Zero Strategy

The Government's <u>Net Zero Strategy</u> has a number of potential ramifications for land policy. The most immediate is the potential to secure co-benefits for land and other natural systems in the expected climate transition.

The Strategy addresses the Government's plans to increase <u>sustainable land management</u>, as well as to restore peatlands and woodlands for carbon sequestration, with co-benefits identified for land, soil, and biodiversity.

On 18th July 2022, the High Court ruled that the UK's <u>Net Zero Strategy</u> was unlawful. The <u>High Court determined</u> that further details were required to meet the UK's obligations under the <u>Climate Change Act</u>, as the Strategy lacked sufficient evidence of the measures which would limit UK emissions to the levels set out in the UK's <u>Sixth Carbon Budget</u>.

In addition, a 5% shortfall was identified in the Strategy's reductions, so the Court also required the Government to give an explanation of the policies which would fill that gap.

These gaps had previously been identified in March 2022 by the IES and in June 2022 by the UK Climate Change Committee. The Government was ordered to provide further plans, which were produced in an update to the Strategy in March 2023.

Subsequent updates to the Strategy

In 2022, the independent 'Net Zero Review' run by Chris Skidmore MP was commissioned with a specific mandate to determine whether the Government's approach to net zero is sufficiently pro-growth and pro-business.

The Review <u>reported back</u> in January 2023, identifying net zero as "the economic opportunity of the 21st century". It set out 10 long-term missions to be completed by 2035 and 25 immediate actions to be completed by 2025, with a view to creating infrastructure and facilitating action by businesses and local government. Many of the recommendations were reflected in the March update to the Government's climate commitments.

That <u>update to the Strategy</u> included a number of measures focused on delivery and energy policy, somewhat addressing the requirements of the Sixth Carbon Budget but <u>not completely filling the gap</u>. Further measures are expected, but these are not likely to come before the next general election.

New announcements include:

- <u>Carbon Budget Delivery Plan</u> (quantifying expectations for delivery against the carbon budgets as a result of specific decarbonisation measures, as well as risks and timescales for delivery; the quantifications are based on a significant number of assumptions, including around the confidence of delivery in certain sectors, and do not amount to the full reductions required to meet the Sixth Carbon Budget);
- Strategic Framework for International Climate and Nature
 <u>Action</u> (identifying the need to address climate change
 and nature together and outlining the Government's
 existing measures and commitments);

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- Finance Strategies for <u>International Climate Finance</u> and <u>Green Finance</u>, as well as a framework for <u>scaling up</u> private investment on nature and sustainable farming;
- <u>Powering Up Britain</u>, a delivery plan for Government policies on energy security and net zero;
- Energy Security Plan, including policies on gas, wind, nuclear, hydrogen, infrastructure, and CCUS;
- <u>Net Zero Growth Plan</u> (providing responses to the <u>Net Zero Review</u> and the <u>Climate Change Committee's Progress Report</u>, outlining other policy measures, and highlighting the economic opportunities associated with the transition to net zero);
- <u>UK Net Zero Research & Innovation Framework Delivery</u>
 <u>Plan</u> (setting out the Government's rationale for funding, along with priorities for funding areas);
- Responses to the <u>Net Zero Review</u>, the consultation on <u>sustainable aviation fuel</u> (ahead of a newly-published second consultation), the consultation on the <u>Energy Company Obligation</u>, the consultation on <u>power Bio-Energy with Carbon Capture and Storage</u>, and the consultation on <u>consumer experience at public charge-points</u>;
- Consultations on a regulations for new cars and vans, carbon leakage, clean heat standards, hydrogen production & industrial carbon capture, emissions from aviation fuel (following the first consultation in 2021), the regulatory regime for ESG ratings providers, and community benefits for Electricity Network Transmission Infrastructure;
- Other specific policy instruments as indicated in the announcements above.

In September 2023, the Government <u>provided a further update</u> to its approach to reaching net zero, altering a number of commitments.

Many organisations, including the IES, expressed concerns that the <u>new plans could amount to regression</u> on climate commitments, creating uncertainty and reducing the likelihood of businesses and other countries taking the necessary actions to address climate change.

The new policy announcements included a <u>delay to the ban of</u> the sale of new petrol and diesel vehicles from 2030 to 2035, a reduced commitment on the phase-out of gas boilers, and an increased reliance on carbon capture, usage and storage (CCUS) without new details of how capacity will be sufficiently scaled-up. The possibility of further policy reversals on climate change ahead of a general election in 2024 remains significant.

These developments are likely to lead to significant further investigation of the potential for co-benefits for land and nature while addressing climate change, so there will be ongoing opportunities for environmental professionals to

engage with policy developments from a systems perspective, helping to promote multiple benefits for nature, the climate, and human health and wellbeing.

For more information on the Government's Net Zero Strategy and climate policy in the UK, read the IES <u>Manifesto for Transformative Change</u> and <u>Gap Analysis</u> on the 2021 version of the Strategy.



Policy developments and opportunities to engage



Policy developments and opportunities to engage



9. Find out more about influencing Government decisions

Our member briefing note: 'Influencing the UK Parliament', first published in 2011 and most recently re-issued in 2022, provides an overview of some of the ways that environmental professionals can influence Parliament and legislation.

The IES also runs training to help environmental professionals learn more about policy, how it affects them, and how they can influence policy decisions. Regular training sessions are available for sign-ups on the IES website.

In the UK, many issues of environmental policy are devolved to national administrations. If you live in Scotland, you can contact your <u>Member of Scottish Parliament</u> or learn more about <u>influencing Scottish legislation</u>.

If you live in Wales, you can contact your Member of Senedd Cymru or learn more about the business of the Senedd.

If you live in Northern Ireland, you can contact your local Member of the Legislative Assembly or learn more about the Assembly's work.

10. Other relevant laws & regulation

Find out more about existing legislation on this topic:

- Environment Act 2021
- National Planning Policy Framework
- Fourth National Planning Framework for Scotland
- Levelling-Up & Regeneration Bill
- Environmental Assessment (Scotland) Act 2005
- The Conservation of Habitats and Species Regulations 2017
- Scottish Biodiversity Strategy
- Natural Environment and Rural Communities Act 2006
- Common Agricultural Policy
- Agriculture Act 2020
- Glover Review of Landscapes

Read other relevant briefings from the IES:

- <u>Progressing or regressing: the future of environmental</u> science under new UK governance
- Reframing EIA: better design for people and planet
- Before you dig: What's beneath your feet?
- A Manifesto for Transformative Change (Climate change)

Is there a policy-related topic which you would like to see covered by the IES? Get in touch with <u>Joseph Lewis</u> (IES Policy Lead) at <u>joseph@the-ies.org</u> to let us know your thoughts on potential topics for future briefings, or with your suggestions for other content.

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