

**Select Committee on the Natural Environment and Rural Communities Act
2006 – Call for Evidence**

Report by Senior Waterways and Recreation Officer

Summary: This report provides members with details of The House of Lords Select Committee on the Natural Environment and Rural Communities Act 2006 (NERC Act 2006) call for evidence on its review of the Act. The remit of the Committee is “to consider and report on the NERC Act 2006”. The Committee will explore key issues relating to the Act in detail and would welcome views on a number of specific questions relating to the Act.

Recommendation: That members note the contents of the report and comment on the questions set out in the call for evidence document.

1 Background

- 1.1 The House of Lords Select Committee on the Natural Environment and Rural Communities Act 2006 was appointed by the House on 29 June 2017. The remit of the Committee is “to consider and report to government on the Natural Environment and Rural Communities Act 2006”. The Committee is exploring key issues relating to the Act in detail and is inviting individuals or groups with an interest to submit their views about the Act. The deadline for the submission of evidence is 4pm on Monday 11 September.

2 The call for evidence document

- 2.1 The Select Committee is asking questions relating to a number of issues dealt with by the Act. The public call for evidence document is attached to this report at Appendix 1 and sets out in detail the questions the Committee is seeking views on. These are:

- Rural advocacy since the closure of the Commission for Rural Communities;
- Natural England and its role;
- Sustainability and biodiversity;
- The changing context since 2006.

The document concludes by asking if there are any further parts of the Act which are currently in force that need to be re-considered as a result of developments since 2006.

3 Questions of interest to the Broads Local Access Forum

3.1 The questions asked about Natural England are of particular interest:

- How well has Natural England fulfilled the mandate that it currently has? How well do its wide-ranging functions fit together, and does it have the appropriate powers and resources to perform these functions?
- Are any changes to the remit and responsibilities of Natural England required, either as a result of Brexit or of other significant developments in the period since 2006?
- Do the arrangements and provisions for enabling and managing access to the countryside remain appropriate? How effective have Natural England – and other partners – been in promoting better access?

These questions are pertinent to the business of the Forum particularly given the fact that there has been a significant reduction in support for Local Access Forums from Natural England since 2006. Further, since the removal of agri-environment payments for access to the countryside the promotion and maintenance of access to the countryside by government and other partners has undeniably reduced.

4 Conclusions

4.1 This call for evidence gives an opportunity for Local Access Forums to comment about the effectiveness of the NERC Act 2006 with regard to countryside access and members' views on this part of the document are particularly welcomed. Although it is not the BLAF's responsibility to respond to the sustainability and biodiversity elements of the consultation, in the context of countryside access in the Broads biodiversity and sustainability are extremely important issues as one of the most important reasons people access the countryside in the Broads is to experience biodiversity and nature. As there is substantial evidence of biodiversity decline in the Broads amongst certain species members' views are also welcomed as to whether the duty in the Act "to have regard to biodiversity in England should be amended to reflect the Scottish duty to "further" biodiversity and the duty to enhance biodiversity in Wales.

Background papers: Nil

Author: Adrian Clarke
Date of Report: 31 August 2017

Broads Plan Objectives: 6.1

Appendices: Appendix 1: Select Committee Public Call for Evidence document



SELECT COMMITTEE ON THE NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

CALL FOR EVIDENCE

The House of Lords Select Committee on the Natural Environment and Rural Communities Act 2006 was appointed by the House on 29 June 2017. The remit of the Committee is “to consider and report on the Natural Environment and Rural Communities Act 2006”.

The Committee will explore the following key issues in detail and would welcome your views on **any or all** of the following questions. Please note that questions are not listed here in any particular order of importance.

This is a public call for written evidence to be submitted to the Committee. The deadline is 4pm on Monday 11 September 2017.

Rural advocacy and the Commission for Rural Communities

1. Since the closure of the Commission for Rural Communities (CRC), and subsequent winding up of the Defra Rural Communities Policy Unit, how – if at all - are the CRC’s original functions of advocate, adviser and watchdog being fulfilled?
2. Are sufficient measures being taken to ensure that policies are rural-proofed at national and local levels? Who is taking the lead on policy for rural areas – and who should be taking the lead on such matters?
3. What role should Defra – or other Government departments – play in co-ordinating policy for rural areas? How effectively are the interests – including social and economic interests - of rural communities being represented within the current structures of Government, and how could representation and co-ordination be improved?

Natural England

4. How well has Natural England fulfilled the mandate that it currently has? How well do its wide-ranging functions fit together, and does it have the appropriate powers and resources to perform these functions?
5. Are any changes to the remit and responsibilities of Natural England required, either as a result of Brexit or of other significant developments in the period since 2006?

6. Do the arrangements and provisions for enabling and managing access to the countryside remain appropriate? How effective have Natural England – and other partners – been in promoting better access?

Sustainability and biodiversity

7. Is the duty to ‘have regard’ to biodiversity, which is contained within the Act, well understood by those bodies to whom it applies? Is any further work required to raise awareness of the duty?
8. What has been the practical impact of the 2006 duty? Is any modification to the duty required as a result of developments in our understanding of the value of ecosystems and biodiversity since 2006?
9. How does the English duty to ‘have regard’ to biodiversity compare to the Scottish duty to ‘further’ biodiversity and the enhanced biodiversity duty introduced in Wales in 2016?

The changing context since 2006

10. Will the structures established by the Act be sufficient to ensure appropriate protection for nature and environmental standards following Brexit? Are any modifications or changes to the structures established by the Act required to address the implications of Brexit?
11. Are there any further parts of the Act which are currently in force that need to be re-considered as a result of developments since 2006?

Guidance for making submissions

Written evidence should be submitted online using the written submission form available at <http://www.parliament.uk/nerc-written-submission-form>

If you do not have access to a computer you may submit a paper copy to:

Clerk to the Select Committee on the Natural Environment and Rural Communities Act 2006, Committee Office, House of Lords, London SW1A 0PW.

The deadline for written evidence is 4 pm on 11 September 2017.

Short, concise submissions, of no more than six pages, are preferred. A longer submission should include a one-page summary. Paragraphs should be numbered. Submissions should be dated, with a note of the author's name, and of whether the author is acting on an individual or corporate basis. All submissions made through the written submission form will be acknowledged automatically by email.

Personal contact details supplied to the Committee will be removed from submissions before publication but will be retained by the Committee staff for specific purposes relating to the Committee's work, such as seeking additional information.

Submissions become the property of the Committee which will decide whether to accept them as evidence. Evidence may be published by the Committee at any stage. It will normally appear on the Committee's website and will be deposited in the Parliamentary Archives. Once you have received acknowledgement that your submission has been accepted as evidence, you may publicise or publish it yourself, but in doing so you must indicate that it was prepared for the Committee. If you publish your evidence separately, you should be aware that you will be legally responsible for its content.

You should be careful not to comment on individual cases currently before a court of law, or matters in respect of which court proceedings are imminent. If you anticipate such issues arising, you should discuss with the Clerk of the Committee how this might affect your submission.

Certain individuals and organisations may be invited to appear in person before the Committee to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerk, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy direct.

You can follow the progress of the inquiry at www.parliament.uk/nerc-act-committee