

'THE FUTURE OF ENVIRONMENTAL POLICY'

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Thank you for inviting me to come back again to speak to this conference. It is always a pleasure even in such challenging times and in such an impersonal way.

But I must also say that my pleasure was somewhat diminished when I heard the title of the session that John wanted me to address.

Just tell us what you think about the future of environmental policy in Britain – oh and could you do it in half an hour with plenty of time for questions.

When I came to think about what I had let myself in for I freely admit to having been somewhat daunted by the task.

These are indeed challenging times and for those of us working with the environment somewhat paradoxical.

In all of the nearly fifty years I have been professionally engaged with the environmental agenda it has never been such a salient part of the public conversation.

It is now a mainstream political issue and hardly a day goes by without one environmental issue or another appearing high on the news agenda.

Climate change, understandably, dominates. But the drumbeat of warnings about the scale of the damage we are doing to the environment and to ourselves rolls constantly from this week's reports of the impact of fipronil on freshwater insect life to the slow burn impact of our perturbation of the nitrogen cycle – as large as our perturbation of the carbon cycle but far less well understood.

There is no doubt that we now have an alert and increasingly alarmed public. That is a very real and positive change since I first joined the fight for the environment.

I wish I could say the same was true for governments.

In Britain, we have somehow manage to arrive at the paradoxical position of simultaneously having an environment under increasingly visible stress, a public more aware of that stress and supportive of vigorous action to reduce it, yet our machinery for managing the environment is weaker than it was a decade ago.

We have a government that knows more but is doing less about the environment.

Here I want to make an important, and often overlooked, distinction.

There are two parts to any government: the political part and the administrative part.

My concern is not with the administrative part of government, which as we are seeing convincingly demonstrated with the pandemic, does a rather better job than the political part of understanding and responding to challenges.

Frankly, the paradox is that at a time when the public is really beginning to understand just how widespread and serious a threat we humans are posing to the environment

our politicians, across the political divide, are failing to play their proper part in solving those problems.

They are still predominantly following science and the public rather than leading it.

They are still reactive rather than proactive.

And they are much more focussed on headline grabbing initiatives than the more useful, but less eye catching, programmes of institutional reform that would produce an integrated and whole of government response to what are increasingly systemic challenges.

We are now beginning to tackle what I think of as the hard politics of the environment.

The easy politics of the environment were those we faced in the second half of the last century – especially after Rachel Carson's 'Silent Spring' appeared.

They were the politics of air and water quality, of hazardous wastes and toxic chemicals, of endangered species and of noise and other nuisances.

These were issues where the need to address them was obvious to all, where there was deep public support for tackling them and a readily available policy toolkit to do so.

Politically, when governments acted on these issues there were more winners than losers and the media was clearly on the side of the victims and against the villains causing the problems.

These were predominantly pollution issues and driven largely by concerns over health.

Of course, as we all know, these politics were not that easy - but they were easier than those of the issues that now dominate the environmental agenda.

Today, in many places around the world we have made significant progress in tackling many of the easy politics issues though we are far from being able to declare victory on any of them as a moment's thought about plastics makes clear.

As the twentieth century came to an end the issues making up the hard politics of the environment – climate change, deforestation, biodiversity loss, over exploitation of fisheries – first joined and then came to dominate the environmental agenda.

But these are issues where the policy toolkit for addressing them is much less clear, where there are often more losers than winners when you do address them and where it turns out that the villains and the victims are often the same people – that's us making our choices as consumers.

They are also issues that are predominantly about resources – a much less emotional powerful driver of political action.

Damage to the environment is cumulative. If you do not deal with the stressors – both local and global – both on health and on the sustainability of resources – they accumulate.

The accumulation is incremental, not dramatic, the damage is frequently imperceptible. But the degradation builds.

In many ways, humanity is giving the planet the equivalent of a bad case of type two diabetes. The damage is often asymptomatic right up to and beyond the point where functionality can be fully recovered.

Two very recent headlines demonstrate very clearly my point about about weaker machinery.

On the tenth of November I read, 'Natural England 'cut to the bone' and unable to protect wildlife, say staff'

The very next day I read 'Defra lacking clear plan for meeting environmental goals, watchdog warns'

Neither was a surprise.

We no longer have a Royal Commission on Environmental Pollution which produced a series of genuinely world leading, comprehensive analyses of environmental problems that were, sadly, often more influential abroad than they were here.

We no longer have a Sustainable Development Commission with the ability to connect the environment to other social and economic imperatives and prevent rather than remedy environmental problems.

We no longer have a powerful Department of the Environment with the ability both to use the planning system to anticipate and reduce the pressure of the economic development as well as to mobilise the resources of local government to educate and engage the public.

Defra became and has largely remained an environmental annex of the agriculture department.

Neither the Environment Agency nor Natural England have managed to retain genuine independence of government as they no longer control their own communications or human resources – two of the central components of how you build an institutional culture.

Neither of these Agencies have been adequately funded as the headline I quoted earlier suggests. This chills their ability to take enforcement actions and fully perform their role as statutory advisors.

I want to be very clear here that I am making no criticism at all of any of the able and dedicated people who make up their staff. They do their best, and often more than their best, to maintain their agencies effectiveness in the face of politically imposed constraints.

Not content with weakening our institutional infrastructure for environmental protection, the current government is now embarking on a series of measures to weaken further the rights of citizens to influence planning decisions or even to insist that the government obey its own laws.

There is no merit in the argument that planning has, for example, impeded house building. Objectors have been nothing like as effective at delaying house building as have the developers themselves.

The review of judicial review now underway is simply a very thinly disguised effort to avoid bad headlines by making it harder for citizens and communities to seek redress for the Government's failures to observe the law.

Then there is Brexit.

At least while we were in the EU there was a back-up to the feeble sanctions of judicial review in the threat of an infringement action by the Commission which was backed by the possibility of referral to the European Court and potentially unlimited fines.

Even so, successive Governments continued failing to deliver air quality that met legal standards throughout the United Kingdom.

The consequent damage both to the health of people, especially children, and to the health service on to which fell a wholly avoidable additional cost of many billions of pounds has been huge.

We are constantly promised by our political leaders that leaving the EU will not lead to a fall in environmental standards and that this Government will leave the environment in better condition than it found it.

Really.

It will fall to the yet to be created Office of Environmental Protection to replace the role of the European Commission as the guarantor that it is being kept.

I cannot say that the proposal fills me with confidence. Its only recourse to sanction failures by the government to fulfill its promises on environmental standards will be access to the judicial review process the government is also promising to weaken out of the other side of its mouth.

So I will be looking for a number of other developments before I can believe that there is anything more than a torrent of green headlines to be expected.

One thing we are not short of in Britain is the good science and administrative skills to develop an environmental policy to see us safely through the stresses of the twenty first century.

But they have little value without the political will to use them.

The problem with political will is that it is as ephemeral as yesterday's headlines so it needs to be reinforced by a stronger institutional framework.

Here are some elements of a such framework that would build my confidence that the future of environment policy in Britain is secure:-

- An Office of Environmental Protection with powers to impose fines on Ministers whose Departments are found to be in breach of their legal obligations;

- A re-convened Royal Commission on the Environment to look systematically at full range of future environmental challenges;
- An Environmental Audit Committee of Parliament with similar staff and powers to that of the Public Accounts Committee to create effective Parliamentary oversight of the Government's delivery of its environmental promises;
- The full restoration of the independence of the Environment Agency and Natural England and Parliament rather than Departmental setting their budgets;
- A requirement for the Office of Budgetary Responsibility to conduct an annual audit of the consistency of public spending plans with the Government's environmental objectives.

I believe the British people want an environment policy they can have confidence in capable of meeting the challenges of the future. This is my five point plan for a national framework that would give them that confidence.

But there is one further, crucial, step that I think is necessary.

We can learn something important from our experience with the pandemic.

Public policy works best when citizens trust their government and when their government knows its citizens.

We have stripped local government in Britain of the powers, resources and confidence to play the part it could in delivering a high quality environment.

Public confidence and trust in national government has fallen to an all-time low.

As we go deeper into the hard politics of the environment we will require more and more active participation by individuals in taking carbon out of the economy or protecting species.

This is because we will be looking for policies where it is the aggregate of marginal choices that make the really important differences.

In other words the small things that all of us do together rather than the big things we get someone else to do for us.

These policies will work best if they are led by local leaders and results are delivered by communities rather than companies.

As we have seen with tracking and tracing, this kind of environmental policy will work best if we restore the budgets, powers and confidence of local government from the sorry state to which we have let it decay.

Now that we have built an environmentally alert and aware public taking environmental policy to the next stage means learning to build our policies from the bottom up as well as the top down.