

Outdoor Access Alliance

Briefing Note on proposed amendments to the Environment Bill (2020) and Access to Nature

Who we are

The Outdoor Access Alliance is a broad coalition of organisations working to secure better access to, and enjoyment of, the natural environment for everyone.

We have come together to focus on the Environment Bill as an exciting, unique, opportunity to transform access provision and ensure that everyone has easy access to nature. We are:

- British Canoeing
- British Cycling
- British Horse Society
- British Mountaineering Council
- Byways and Bridleways Trust
- Cycling UK
- Disabled Ramblers
- Heather Smith - UK Disability Sector Champion for Countryside and Heritage
- National Federation of Bridleway Associations
- Open Spaces Society
- Ramblers
- Sustrans
- Trails Trust

Headline Proposals:

The Covid-19 outbreak brought into sharp focus just how important it is for the public to have easy access to nature and showed how much people value the natural habitats around them. Unfortunately, it also highlighted that access to nature for all is far from guaranteed.

The Environment Bill represents a vital opportunity to address these inequalities; level-up access to nature across communities; and bolster rural communities that thrive on sustainable tourism. This will help ensure that as we recover from the worst of the outbreak, this recovery is one that is greener and enables everyone to be active outdoors and benefit from the experience.

Clause 1, page 1, line 17, at end insert— [i.e. at the end of subsection (3)]:

“(e) Public access to and enjoyment of the natural environment.”

This amendment is designed to require the Government to set legally-binding, long-term targets to increase public access to, and enjoyment of the natural environment.

Clause 7, page 5, line 10, leave out “It may” and insert— [i.e. in clause 7(5), amend 'may' to 'must' but only in relation to a new or revised plan]:

“In any revised environmental improvement plan published under section 9, and in a new environmental improvement plan published under section 12, it must”

This amendment, would require the Government to properly consider the ways in which people’s access to and enjoyment of the natural environment can be improved through (or integrated within) environmental improvement plans. The amendment ensures that the requirement does not retrospectively apply to the 25 year plan already published in January 2018 (which otherwise would be non-compliant).

Why these amendments are needed

Benefits to society

There is growing evidence that access to nature and green space supports better physical and mental healthⁱ, and consequently helps to avoid the economic and social costs associated with ill-health whilst reducing pressure on the NHSⁱⁱ.

For example access to nature and greener environments is associated with reduced levels of depression, anxiety, and fatigueⁱⁱⁱ. It can also help in the recovery from stress and stimulate development in children^{iv}. If used for social prescribing, initiatives which help people to access the outdoors can benefit local health, economy and communities.

Access to nature can also help to demonstrate the value of outdoor and green initiatives to tax payers by providing first hand experience of the benefits that a greater connection to the outdoors can bring. People value nature more if they are able to experience it first hand, and the more people who are able to do so, the more likely it is that we will be able to ensure good stewardship and protection of our most valued natural environments.

However, inequalities in access currently exist:

“The number of people who spend little or no time in natural spaces is too high...some 12% of children do not visit the natural environment each year.

In the most deprived areas of England, people tend to have the poorest health and significantly less green space than wealthier areas.”

It can also be more difficult for disabled walkers, horse riders and cyclists to access nature, and we need to do more to ensure that access is equitable for everyone. The Environment Agency recently published a report which highlighted that the coronavirus (COVID-19) pandemic has exposed and amplified green inequality in society^v. The report concludes by stressing the need to ensure equality of access and connection to the natural environment across society.

Establishing a strategic approach for access to nature

Defra's 25 Year Environment Plan^{vi} reflects the Government's recognition of the benefits of access to nature, and the Environment Bill establishes a commitment to improving access to nature.

The Outdoor Access Alliance resolutely supports the Government's aim to make the natural environment more accessible, and urges it to take advantage of the Environment Bill's position as the link between agriculture, conservation and health by making it a strategic home to guide future decision making on, and funding for, access to nature.

Prioritising access to nature in the Environment Bill, for example, has the potential to strengthen the function of the Agriculture Bill 2019-20^{vii}, which gives the Secretary of State new powers to provide financial assistance to those managing land for, or in connection with, supporting public access to and enjoyment of the countryside.

However, by omitting 'public access to and enjoyment of the natural environment' as a priority area for long-term targets in the Environment Bill, there is the risk that long-term targets and funding will not be forthcoming, limiting the financial assistance which is made available to land managers, the amount of public access granted by land owners, and therefore the efficacy of the Agriculture Bill.

Additionally, the recent DEFRA Landscapes (Glover) review^{viii} of protected landscapes shows the clear importance of the countryside to our social structure and wellbeing and recommends that all parts of society should be actively connected with special natural environments.

Proposed amendments on public access to and enjoyment of nature

We believe that the conclusions of the Environment Agency's report and the Landscapes Review is indicative of the clear imperative of why targets for access to, and enjoyment of, nature must be included in the Environment Bill as a priority area.

Amendment: Long term targets for public access to and enjoyment of nature

As currently presented, Clause 1 of the Environment Bill sets out that:

- (1) The Secretary of State may by regulations set long-term targets in respect of any matter which relates to—
 - (a) the natural environment, or
 - (b) people's enjoyment of the natural environment.
- (2) The Secretary of State must exercise the power in subsection (1) so as to set a long-term target in respect of at least one matter within each priority area.
- (3) The priority areas are—
 - (a) air quality;
 - (b) water;
 - (c) biodiversity;
 - (d) resource efficiency and waste reduction.

We are concerned that the Bill omits to include "public access to and enjoyment of nature as a priority area for target-setting, and that, accordingly, funding will be almost entirely allocated to meeting targets in outlined priority areas.

Potentially, this could, if no amendments were made, mean that public access to, and enjoyment of, the natural environment would be neglected in terms of ambitious targets and funding.

Accordingly, we propose the following amendment:

Clause 1, page 1, line 17, at end insert— [i.e. at the end of subsection (3)]:

"(e) Public access to and enjoyment of the natural environment."

Please note that these amendments do not propose introducing targets on the face of the Bill.

Amendment: Environmental improvement plans

As currently presented, Clause 7(5) of the Environment Bill provides that:

- (5) It may also set out steps Her Majesty's Government intends to take to improve people's enjoyment of the natural environment in that period (and if it does so references in this Part to improving the natural environment, in relation to that plan, include improving people's enjoyment of it).

We are concerned that the key word "may" does not compel the Government, in the context of an environmental improvement plan, properly to consider the ways in which people's access to and enjoyment of the natural environment can be enhanced through environmental improvement plans.

Accordingly, we propose the following amendment:

Clause 7, page 5, line 10, leave out “It may” and insert— [i.e. in clause 7(5), amend 'may' to 'must' but only in relation to a new or revised plan]:

“In any revised environmental improvement plan published under section 9, and in a new environmental improvement plan published under section 12, it must”

This amendment, if made, would then require the Government to address public enjoyment of the environment as part of every future review or renewal of the environmental improvement plan. As the 25 year plan published in January 2018 does not adequately address access and enjoyment, the amendment ensures that the requirement would not retrospectively apply to that plan.

This amendment would not give greater prominence to access and enjoyment compared to other priority areas, but merely require, rather than permit, that access to nature is factored into statutory, long-term plans to improve other environmental priority areas.

It is not a question of giving access and enjoyment greater relative priority. We simply question why the Government has determined to make access and enjoyment a discretionary element of the environmental improvement plan. It should be an integral part of every future plan.

Contact

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References

- ⁱ Public Health England, 2016, Green space, mental wellbeing and sustainable communities
- ⁱⁱ Environment Agency, 2020, State of the environment: health, people and the environment
- ⁱⁱⁱ Public Health England, 2020, Improving Access to Greenspace, a new review for 2020
- ^{iv} Natural England, 2014, Access to Nature
- ^v Environment Agency, 2020, State of the environment: health, people and the environment
- ^{vi} DEFRA, 2019, 25 Year Environment Plan
- ^{vii} Agriculture Bill 2019-20
- ^{viii} DEFRA, 2019, Landscapes Review