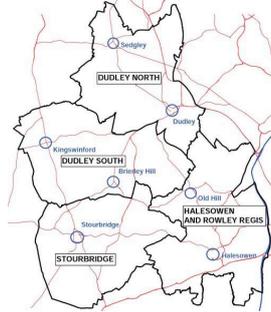


Dudley Borough Local Access Forum

Created by Statute & Founded in 2003

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Dear Sir/Madam

“An invitation to shape the Nature of England Discussion Document, July 2010”
Dudley Borough Local Access Forum’s response to this White Paper

1. Introduction

- 1.1. Dudley Borough Local Access Forum is one of England's 81 Local Access Forums (LAFs). Local Access Forums are statutorily prescribed bodies, introduced by s94 and s95 of the Countryside and Rights of Way (CROW) Act 2000.
- 1.2. The main function of LAFs is to advise their appointing authority, ie. either a local highway authority (LHA) or a national park authority (NPA) for their area, as to the improvement of public access to land in that area for the purposes of open-air recreation and the enjoyment of the area.
- 1.3. In carrying out its functions, a LAF must also have regard to the needs of land management and the desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area.
- 1.4. LAFs comprise appointed members who must be representative of both users of local rights of way or access land and owners and occupiers of access land or land encompassing local rights of way.
- 1.5. Clearly, the Forum, in relation to its statutory function, has an interest in maintaining the quality of the environment for people to enjoy and enrich their lives. This includes the built, the natural, the farmed and leisure maintained environments. With a broad brush approach in respect of our remit, we proffer the following answers to the questions asked in the White Paper.

2. Question 1 – What do we need to do to embed the true value of our natural resources in decision making at all levels?

- 2.1. In most respects it is difficult to argue against the text, in the White Paper, that precedes and leads to this question being placed. However, that text starts by pointing out that “*Deficit reduction and ensuring economic recovery are the Government’s top priorities*”. Under the current circumstances those priorities are easy to understand and sympathise with. However, it is at such a time of relatively short term emergency that natural resources are most vulnerable to sacrifice in matters of competing and conflicting interests.
- 2.2. Taking that into account wouldn’t it be better to add a clear and unambiguous caveat of equal significance to ‘deficit reduction’ and ‘economic recovery’, which underlines that these worthy objectives **must not** be pursued to the detriment of our environment? If that is not done then we must fear and expect the worst.
- 2.3. Rhetoric must have teeth and we should look carefully as to why over the last few decades the environment is so vulnerable. One issue stands out. This is the current imbalance within the Town and Country Planning system, which gives developers excessive influence over Local Planning Authorities (LPAs). The appeals system against refusal of planning permission by an LPA is so heavily weighted in favour of the developers that professional planners working for the LPAs now have councillors ‘shaking in their boots’ if they refuse permission and the applicant appeals.
- 2.4. The reality is that relatively poor designs for built development frequently and predictably do significant environmental damage, but the LPA feels helpless.
- 2.5. The answer to carefully managing the environment is to carefully analyse what the problems are and this is just one that you should consider. Our suggestion is that you take away this developers ‘gift’ and place the consideration of planning applications on a level footing where the environment is a major issue that the LPAs must address and have the power to do so.
- 2.6. It is significant that, “*Natural England/Department of Health Walking for Health scheme suggests that for every £1 invested in the scheme, £7 worth of health benefit is delivered*”. This indicates that encouraging people to take healthy exercise can be financially beneficial to society, as well as the individual and ease pressure on the health service. By a similar logic it can postulated that by giving protection to and enhancing the environment, we encourage more people to enjoy it for informal recreation.
- 2.7. Other related matters include:
 - 2.7.1. *Adequate funding of the Rights of Way network (currently the funding is inadequate and walking suffers as a consequence)*
 - 2.7.2. *Set regional targets of improvement for sustainability and audit the results to monitor effectiveness*
 - 2.7.3. *Ensure that sustainability is integrated with current values and that this endures a long timescale and is not susceptible to short term expediencies.*

2.7.4. *Ensure that local communities have a greater influence upon their environment and resist the NIMBY epithet being applied to local interest. Accept that local people, who live with the consequences and effects of change should have a greater input*

2.7.5. *Work towards a much lower 'carbon footprint'*

3. Question 2 – Have we identified the right overarching challenges for the White Paper to consider? a. If not, what should we focus on? b. How should we approach these challenges Better footpaths etc.

- 3.1. Complacency and lack of will to continue in the campaign are predictable obstacles to overcome.
- 3.2. The Government needs to appreciate that in the short term a decline in economic activity has brought about environmental benefits. A major challenge will be to sustain the benefit when growth and economic recovery resumes. The environment and sustainability of it needs to be a priority of us all and that message needs to be continually reinforced and emphasised. If we do not act now, when the public are receptive, a damaged environment will be difficult to eradicate.
- 3.3. Complacency in respect of accepted improvements in areas such as water quality, cleaner air and protection of wildlife in protected sites needs to be resisted. These are just a benchmark to a greater objective.
- 3.4. Climate change and biodiversity considerations need to be at the hub of national policies. Broadly speaking we are supportive of the issues identified in the 'White paper and the approach identified.
- 3.5. Definitely improve footpaths and informal recreation. It makes so much sense.

4. Question 3 – What are the existing policies and practices aimed at protecting England's natural assets (including but not limited to those set out above on our biodiversity, seas, water bodies, air and soil) that currently work most effectively? a. What works less well – what could we stop doing or do differently?

Question 4 – What mechanisms should we focus on to ensure we manage our natural systems more effectively in future? a. How should we define success? b. How can we agree on common goals and assess our progress towards them?

- 4.1. Recognition of the issues, within the White Paper, is an encouraging start but carrying them through to be a central plank of Government policy, when conflicting financial interests see them in negative terms. will be a severe test.
- 4.2. Surely the next phase will be an in depth study of existing policies to examine where conflicts occur and to modify these in accordance with the priorities now identified? Involve the public and organisations at all levels, from national and local, in order to carry opinion along with the seriousness of the situation.
- 4.3. Recognise that in many instances legal protection of so-called 'protected sites' has failed and where necessary modify policy to improve protection and reinforce penalties against those who damage special sites.
- 4.4. Ensure that policy allows for appropriate funding and priority to favourable environmental management.

5. Question 5 – How best can we reduce our footprint on the natural environment abroad, through the goods, services and products we use?

5.1. As we are sure the Government appreciate, this is extremely difficult, particularly in counties who have important natural resources but are inclined, through economic pressures to ‘irresponsibly’ exploit them. ‘Irresponsibility’ is placed in inverted commas because although the global objective to protect such resources might seem clear, the immediate interests of such nations might take precedence. Education, alternatives to resource exploitation and financial/expertise assistance might be key areas where action is required.

5.2. Unless we can put our own house in order, we shall not be in a position to moralise across the globe.

6. Question 6 – What best practice and innovative approaches to protecting and enhancing our natural environment do you think should be considered as we develop the White Paper?

6.1. Saying what we mean and meaning what we say comes to mind. Give local communities more say and resist bureaucratic intervention when the local view conflicts with that of the state. That might be difficult but trust people to know what is best for them in their own circumstances. To help local people decide make the issues contained in the White Paper well known.

7. Question 7 – How best can we harness and build on public enthusiasm for the natural environment so people can help improve it through local action, as informed consumers or by shaping policy?

7.1. Empower local people with the benefit of informing them of the situation. Accept their judgments. This is allied to question 6.

8. Question 8 – What should be our vision for the role of Civil Society in managing and enhancing the natural environment and for engaging individuals, businesses and communities in setting the agenda for that work?

8.1. After setting a framework for protection of the environment, harness the knowledge, wisdom and expertise of those groups and individuals with views that can turn a vision into a reality. That sounds simple and logical but it would be a radical departure from the current position whereby the State listens without being receptive.

9. Question 9 – How best can Government incentivise innovative and effective action on the natural environment, across England, at the local level? a. How best can local Government and other local partners work together to improve local outcomes on the natural environment, and pursue a more integrated approach linking a healthy natural environment to economic prosperity, sustainable development and a better quality of life, health and wellbeing? b. What are the most effective mechanisms for managing the natural environment where cross-boundary issues are involved, and making the link to other mechanisms for economic growth, transport and planning? c. How best can the value of the natural environment be considered within local planning?

9.1. Policy, policy - policy! You’ve recognised the issues and it is high time that the means are put in place. Give Local Authorities real power and take away the overbearing influence of Central Government and departments such as the

Planning Inspectorate, which frequently over-rule local democracy. Let the public know that their local government has teeth and that local politicians make a real impact upon decision making. At present councillors can quite rightly point out that their hands are tied by Government.

Michael Freer
Chairman