

Nature Bill

CONTENTS

Targets

- 1 Targets for 2040
- 2 Public information

Natural Capital

- 3 Establishment of the Natural Capital Committee
- 4 Advice on targets
- 5 Advice on impacts
- 6 Advice on natural wealth
- 7 Publication of advice
- 8 Natural Capital Reports

Ecological planning

- 9 Local ecological network strategies
- 10 Local authority duty: accessible natural green space

Education

- 11 Connection with nature
- 12 Curriculum in maintained schools

Species recovery

- 13 Species recovery

Technical provision

- 14 Commencement
- 15 Extent
- 16 Short title

Schedule – The Natural Capital Committee

A
B I L L

TO

Set biodiversity and other targets for 2040; to establish a Natural Capital Committee; to require local authorities to maintain local ecological network strategies; to identify species threatened with extinction; to make provision for access to high quality natural green space; and to include education about the natural environment in the curriculum for maintained schools.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Targets

1 Targets for 2040

- (1) The Secretary of State must take all reasonable steps to ensure that by 2040—
- (a) the national biodiversity index for England has increased by at least 10 percentage points since 1 January 2016; and 5
 - (b) at least 80% of sites of special scientific interest in England are in favourable condition in the opinion of Natural England.
- (2) For the purposes of subsection (1)(a) the “national biodiversity index” means an index specified by the Secretary of State and which in the opinion of the Secretary of State is an accurate record of the population trends of species identified as being of principal importance for the purposes of conserving biodiversity under section 41 of the Natural Environment and Rural Communities Act 2006. 10
- (3) For the purposes of subsection (1)(b)—
- (a) “site of special scientific interest” means an area notified under section 28 of the Wildlife and Countryside Act 1981; and 15
 - (b) a site is in favourable condition if the features in respect of which the site was notified are being managed in a way that maintains their extent and their value for nature conservation.

2 Public information

If a target under section 1 is not met the Secretary of State must publish that fact by means of the internet, newspapers, radio and television.

Natural Capital

- | | | |
|----------|---|----|
| 3 | Establishment of the Natural Capital Committee | 5 |
| | (1) There shall be a body corporate to be known as the “Natural Capital Committee” (“the Committee”). | |
| | (2) The Schedule makes further provision about the Committee. | |
| 4 | Advice on targets | |
| | At least once in each year the Committee must advise the Secretary of State as to— | 10 |
| | (a) whether progress towards the achievement of the 2040 targets in section 1 is likely to allow the targets to be met; and | |
| | (b) what proposals and policies could contribute to meeting those targets. | |
| 5 | Advice on impacts | 15 |
| | (1) The Committee must advise the Secretary of State as to the implications of regulatory and other policy proposals from Ministers for— | |
| | (a) natural capital; and | |
| | (b) the achievement of the 2040 targets in section 1. | |
| | (2) Advice under subsection (1) must be given when requested, and may be given of the Committee’s own motion. | 20 |
| 6 | Advice on natural wealth | |
| | (1) The Committee must, having consulted the UK Statistics Authority, advise the Treasury as to the treatment of natural capital in the UK Environmental Accounts. | 25 |
| | (2) At least once in each year, and whenever requested, the Committee must advise the Secretary of State as to— | |
| | (a) when, where and how natural assets are being used unsustainably in England; | |
| | (b) how to protect and improve natural capital in England; | 30 |
| | (c) methodologies to ensure that the value of natural capital in England is fully taken into account in policy decisions and in economic planning; and | |
| | (d) research priorities to improve future advice and decisions on protecting and enhancing natural capital in England. | 35 |
| | (3) Before giving advice, the Committee must consult such Research Councils, conservation bodies, civil society organisations and academic experts as the Committee thinks appropriate. | |

7 Publication of advice

- (1) The Committee must publish advice given under section 4, 5 or 6 as soon as is reasonably practicable.
- (2) The Chancellor of the Exchequer must publish a response to any advice given by the Committee under section 4, 5 or 6. 5

8 Natural Capital Reports

- (1) The Treasury must prepare a Natural Capital Report for each financial year.
- (2) The contents of a Natural Capital Report must include –
 - (a) a response to any advice published by the Committee, and
 - (b) a statement of national natural capital, as defined by the Committee having consulted the UK Statistics Authority. 10
- (3) The Treasury must lay each Natural Capital Report before Parliament.
- (4) The Treasury must publish each Natural Capital Report.

Ecological planning

9 Local ecological network strategies 15

- (1) Every local authority in England must publish a local ecological network strategy by 1 January 2018.
- (2) In devising a strategy a local authority must aim to work together with such community, conservation, and civil society organisations, and such other stakeholders, as it thinks appropriate. 20
- (3) A local ecological network strategy must identify and map existing and potential components of local ecological networks, including –
 - (a) the hierarchy of international, national and locally designated sites of importance for biodiversity;
 - (b) wildlife corridors and stepping stones that connect them; 25
 - (c) natural capital assets identified by the Natural Capital Committee to be at risk;
 - (d) ecosystem services and their local benefits provided by habitats and species;
 - (e) natural infrastructure required for flood risk management and climate change adaptation; 30
 - (f) areas of accessible natural green space described in section 10; and
 - (g) areas identified by local partnerships for habitat restoration or creation.
- (4) Every public authority must, in the exercise of its functions, seek opportunities to contribute to the development and implementation of local ecological network strategies. 35
- (5) In this section “local authority” and “public authority” have the same meanings as in section 40 of the Natural Environment and Rural Communities Act 2006 (duty to conserve biodiversity).

10 Local authority duty: accessible natural green space

- (1) Each local authority must in exercising its functions aim to ensure that every household within the local authority area has safe access, within 300 metres, to natural green space of at least 2 hectares in size.
- (2) In responding to the duty in subsection (1) each local authority must take into account any guidance issued by the Secretary of State and Natural England on natural green space provision. 5
- (3) In this section –
- “local authority” has the same meaning as in the Local Government Act 1972; and 10
- “natural green space” means areas of value for conserving biodiversity and for human recreation, including, but not limited to –
- (a) nature conservation areas;
 - (b) local wildlife sites;
 - (c) regionally important geological sites; 15
 - (d) Local Nature Reserves;
 - (e) National Nature Reserves;
 - (f) woodland;
 - (g) moorland, upland and mountainous areas;
 - (h) remnant countryside (within urban and urban fringe areas); 20
 - (i) unimproved farmland;
 - (j) rivers and canals;
 - (k) unimproved grassland;
 - (l) country parks;
 - (m) allotments; and 25
 - (n) churchyards and cemeteries.

Education

11 Connection with nature

- (1) The Secretary of State must in the exercise of any statutory or other functions take any reasonable steps for the purpose of ensuring that children aged between 8 and 13 are, in the opinion of the Secretary of State, adequately connected with nature having regard to the Connection to Nature Index. 30
- (2) For the purposes of subsection (1) the Connection to Nature Index is an index specified by the Secretary of State which is maintained by an organisation for the purposes of reflecting the level among children aged between 8 and 13 of – 35
- (a) enjoyment of nature;
 - (b) empathy for creatures;
 - (c) sense of oneness with nature; and
 - (d) sense of responsibility for the environment.

12 Curriculum in maintained schools 40

In section 78(1) of the Education Act 2002 (general requirements in relation to curriculum) at the end insert –

“, and

- (c) instils an ethos and ability to actively care for oneself, others and the natural environment, now and in the future.”

Species recovery

13 Species recovery 5

- (1) Section 41 of the Natural Environment and Rural Communities Act 2006 (biodiversity lists and action: England) is amended as follows.

- (2) After subsection (1) insert –

“(1A) The Secretary of State must, as respects England, publish a list of the living organisms which in the Secretary of State’s opinion are most at risk of extinction.” 10

- (3) After subsection (4) insert –

“(5) The Secretary of State must –

- (a) identify and publish the actions needed to further the conservation of the species included in any list published under subsection (1A) within one year of the list being published; and 15

- (b) at least once every three years, lay before Parliament a report on the population trends of all living organisms listed under subsection (1A) and on progress in carrying out the actions identified under paragraph (a).” 20

Technical provision

14 Commencement

This Act comes into force at the end of the period of two months beginning with the date of Royal Assent.

15 Extent 25

This Act extends to England and Wales only, and applies in relation to England only.

16 Short title

This Act may be cited as the Nature Act 2015.

SCHEDULE

Section 3

THE NATURAL CAPITAL COMMITTEE

Membership

- 1 The Committee shall consist of –
- (a) a person appointed by the Secretary of State to chair the Committee, 5
and
- (b) not fewer than 5 nor more than 8 other members appointed by the
Secretary of State.
- 2 In appointing a member the Secretary of State must have regard to the 10
desirability of ensuring that the Committee has experience in relation to
biodiversity and other matters relating to the natural environment.
- 3 A member holds and vacates office in accordance with the terms of their
appointment.
- 4 A member may resign by giving written notice to the Secretary of State.
- 5 A person who ceases to be a member or the Chair may be reappointed. 15

Money

- 6 *The Secretary of State may pay grants to the Committee.*
- 7 The Committee may pay such remuneration and allowances to or in respect
of members or staff as the Secretary of State determines.
- 8 In Schedule 1 to the Superannuation Act 1972 (kinds of employment to 20
which section 1 of that Act applies), in the list of other bodies, at the
appropriate place insert –
“The Natural Capital Committee”.
- 9 *The Committee must pay to the Minister for the Civil Service, at such times as the 25
Minister may direct, such sums as the Minister may determine in respect of any
increase attributable to paragraph 8 in the sums payable out of money provided by
Parliament under the Superannuation Act 1972.*
- 10 For each financial year (ending 31 March) –
- (a) the Committee must prepare accounts and submit them to the
Secretary of State, and 30
- (b) the Secretary of State must lay the accounts before Parliament.

Proceedings

- 11 The Committee must appoint a chief executive, with the approval of the
Secretary of State.
- 12 The Committee may appoint other staff. 35
- 13 The Committee may regulate its own procedure (including quorum).

- 14 The validity of anything done by the Committee is not affected by –
(a) a vacancy in the membership, or
(b) a defect in the appointment of a member.

Miscellaneous

- 15 The Committee is not to be regarded as the servant or agent of the Crown or as enjoying any status, privilege or immunity of the Crown; and neither members nor staff of the Committee are civil servants. 5
- 16 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part 2 of the Table at the end of paragraph 3, at the appropriate place insert – 10
“The Natural Capital Committee”.
- 17 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation), at the appropriate place insert –
“The Natural Capital Committee”.
- 18 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), at the appropriate place insert – 15
“The Natural Capital Committee”.
- 19 In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified), at the appropriate place insert – 20
“The Natural Capital Committee”.
- 20 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices which are public authorities), at the appropriate place insert – 25
“The Natural Capital Committee”.

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*Ordered to be brought in by Sir John Randall,
Nick de Bois, Michael Fabricant,
Richard Harrington, Rebecca Harris,
Dr Julian Huppert, Simon Kirby,
John McDonnell, Dr Matthew Offord,
Miss Chloe Smith, Henry Smith
and Mr Mark Spencer.*

*Ordered, by The House of Commons,
to be Printed, 24 February 2015.*

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