

## What are the forthcoming legislative issues of interest to ecologists and conservationists in 2012?

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Last year we identified the major legislative issues that were likely to occur on a global scale, in the EU and in the UK and its constituent countries (Sutherland *et al* 2011). Following the interest in that review we have decided to repeat the exercise with a similar format. We assume that readers have access to the previous scan, which is available on the BES website.

In this horizon scanning exercise we are examining topics that are likely to arise in a similar manner to the exercises identifying the environmental developments (e.g. Sutherland *et al* 2012). However, here we take as our primary guide new or impending legislation. Our objective is to enable the research community to be much more aware of the anticipated or new legislation, both as it may impact upon their work and because their research could help influence the legislation. While this exercise is aimed at research ecologists and practitioners, we note that a number of policy-makers have said that they found this review useful in areas outside their expertise. We should be mindful that the evidence base on key environmental issues can have a defining impact on amendments during the passage of legislation through Parliament.

This review encompasses possible forthcoming legislation, developments in existing legislation, white papers that may result in new laws and the reinterpretation of existing laws.

Our objective is not to give a comprehensive account of each legislative issue but to identify the likely main consequences so that the reader can research further if interested. We plan to repeat this again next year.

### GLOBAL

#### United Nations Conference on Sustainable Development (Rio+20)

The United Nations Conference on Sustainable Development, also known as Rio+20, will be held from 20-22 June 2012 in Rio de Janeiro, Brazil, 20 years after the 1992 United Nations Conference on Environment and Development (UNCED) in the same location (<http://www.uncsd2012.org/rio20/>).

The objective of the conference is to '*secure renewed political*

*commitment for sustainable development, assess the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development, and address new and emerging challenges*'. The conference has two themes: a green economy in the context of sustainable development and poverty eradication; and the institutional framework for sustainable development. The outcome document for the conference will likely contain non-binding commitments, which may stimulate substantial changes in global policy as was the case with the 1992 UNCED. The following proposals, among others, are being discussed for the outcome document: a call to strengthen the environment pillar (potentially by strengthening or enhancing the United Nations Environment Programme); creation of a Sustainable Development Council (incorporating functions of the Commission on Sustainable Development and the UN Economic and Social Council); post-2015 Sustainable Development Goals (complementing the Millennium Development Goals); and calls for closer synergies between multilateral environmental agreements.

#### Nagoya Protocol on Access and Benefit-sharing under the Convention on Biological Diversity

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization ([www.cbd.int/abs](http://www.cbd.int/abs)), adopted by the 10<sup>th</sup> Conference of the Parties to the Convention in 2010 in Japan, will enter into force 90 days after the 50<sup>th</sup> country has ratified it. As of January 2012, only one country (Gabon) had done so and it remains to be seen when it will enter into force.

#### United Nations Framework Convention on Climate Change and its Kyoto Protocol

The December 2011 climate change conference in Durban, South Africa, had a number of significant outcomes ([http://unfccc.int/meetings/durban\\_nov\\_2011/meeting/6245.php](http://unfccc.int/meetings/durban_nov_2011/meeting/6245.php)) that are seen by some as rescuing the global agenda on climate change. A process for developing, by 2015, an instrument with "legal force" as a successor instrument to the Kyoto Protocol, applicable to all countries (developing and developed), was agreed but is not expected to enter into force before 2020. Much will depend on whether this 'agreement to have an agreement' actually delivers a meaningful outcome. The Kyoto Protocol, which requests developed countries to reduce their emissions, would have expired in 2012, but the conference secured a second commitment period. The Green

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Climate Fund, which is expected to raise US\$100 billion per year by 2020 for support to climate action by developing countries, was operationalised, although the sources for these funds remain unclear. This year will see continuation of the global climate negotiations on these and other issues, including on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries, including Conservation of Forest Carbon, Sustainable Management of Forests and Enhancement of Forest Carbon Stocks (REDD+).

### Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)

The first session of a two-part plenary meeting to operationalise IPBES was convened in October 2011 in Nairobi, Kenya. The meeting considered the modalities and institutional arrangements for IPBES, including functions, operating principles, legal aspects and elements of a work programme. The discussions of these issues left a number of questions open; substantive decisions and the legal establishment of the platform are expected at the second session of the plenary meeting in April 2012 ([www.ipbes.net](http://www.ipbes.net)).<sup>8</sup>

### Agreement on the Conservation of Migratory Sharks

In the margins of the tenth Conference of the Parties to the Convention on Migratory Species (CMS) in November 2011, the European Union signed the Agreement on the Conservation of Migratory Sharks under the CMS. The non-legally binding Agreement, which has yet to be signed by the UK, aims to achieve favourable conservation status for seven shark species listed in the CMS Appendices, including through a Conservation Plan ([http://www.cms.int/species/sharks/sharks\\_bkrd.htm](http://www.cms.int/species/sharks/sharks_bkrd.htm)).

## EUROPE

### EU Biodiversity 2020 Strategy

In May 2011, the European Commission adopted *Our life insurance, our natural capital: an EU biodiversity strategy to 2020* (<http://bit.ly/jlvE7E>). The Strategy is also informed by the European Union's own commitments, agreed in March 2010, to 'Halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss'; and the 2050 vision: 'By 2050, European Union biodiversity and the ecosystem services

*it provides – its natural capital – are protected, valued and appropriately restored for biodiversity's intrinsic value and for their essential contribution to human wellbeing and economic prosperity, and so that catastrophic changes caused by the loss of biodiversity are avoided.'* The Strategy is also a response to the Aichi Targets, agreed at the Conference of the Parties to the Convention on Biological Diversity in Nagoya, Japan, in 2010 (<http://www.cbd.int/sp/targets/>).

Six targets and 20 actions are outlined in the EU Strategy. Under Target 5 there is an explicit commitment to introduce an **EU Strategy on Invasive Alien Species** ([http://ec.europa.eu/environment/nature/invasivealien/index\\_en.htm](http://ec.europa.eu/environment/nature/invasivealien/index_en.htm))

### Common Agricultural Policy reform

Following stakeholder consultation around *The CAP towards 2020*, in October 2011 the Commission presented a set of legal proposals designed to make the CAP more effective for competitive sustainable agriculture and to support rural areas. There will be debate within the European Parliament and Council to approve legislative change by the end of 2013. At present the proposals include budget cuts to both Pillars I and II, and do not address what some see as necessary integration between greening measures across both pillars. Government and NGOs are working together to implement the best deal for the UK as a Member State.<sup>9</sup>

### Common Fisheries Policy reform

Public consultation and analysis is progressing. There is a new fund proposed for 2014, the European Maritime and Fisheries Fund to help the transition to sustainable fishing and diversification of coastal communities. Messages from the Fisheries Commissioner indicate that 'business as usual' is unlikely after reform.

## UNITED KINGDOM and WESTMINSTER

Here, we cover legislation addressing UK-wide matters or specific to England (both led by Westminster). Where legislation is specific to England, this is made clear.

<sup>8</sup> See *Bulletin* 42:4 (December 2011) p37-38 for a full discussion of the IPBES.

<sup>9</sup> The Institute for European Environmental Policy (IEEP) maintain a blog, CAP2020 (<http://www.cap2020.ieep.eu/>), providing useful updates on the development of the CAP.

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### Natural Environment White Paper

*The Natural Choice: securing the value of nature*, The Natural Environment White Paper (NEWP), was launched in summer 2011, outlining the UK Government's plan for fulfilling Secretary of State Caroline Spelman's commitment to be "the first generation to leave the environment in a better condition than we found it." It sets out proposals to guide the UK Government's agenda within England, to support nature conservation in the UK Overseas Territories and to fulfil the Government's international responsibilities. The NEWP builds on the UK National Ecosystem Assessment, and presents a range of new initiatives including Nature Improvement Areas, Local Nature Partnerships and a Natural Capital Committee.<sup>10</sup> In line with expectation there is a voluntary scheme for biodiversity offsetting and Defra launched the Ecosystem Markets Task Force in November 2011, to encourage business to enter the scheme.

### England Biodiversity Strategy

*Biodiversity 2020: a Strategy of England's Wildlife and Ecosystem Services* was published by Defra in August 2011, helping to deliver commitments in the Natural Environment White Paper. Its priorities include: creating new wildlife habitat; securing favourable condition of Sites of Special Scientific Interest; trialling new approaches to fishing quotas and discards; encouraging greater public participation in conservation; and introducing greater protection for local green spaces.

### National Planning Policy Framework

The Coalition Government continues to reform land use planning within England. The Localism Act 2011 signalled a radical shift of power from the centralised state to local communities. The National Planning Policy Framework will be published in spring 2012 following a consultation period that ran in 2011. This will simplify planning guidance in England and is designed to provide a presumption in favour of sustainable development.

### Water

The White Paper on Water, *Water for Life*, was published by Defra on 8th December 2011. It contains a wide-ranging package of reform proposals for water supply and management in England, with an emphasis on environmental issues and environmental sustainability. In the words of

the Secretary of State, it "describes a vision for future water management in which the water sector is resilient, in which water companies are more efficient and customer focused and in which water is valued as the precious resource it is."

### Forestry Policy Review

The Independent Forestry Panel was established on 17 March 2011 by the Secretary of State, Caroline Spelman, to advise the Government on the future direction of forestry and woodland policy in England. The Panel is chaired by the Right Reverend James Jones, Bishop of Liverpool and members have wide experience, knowledge and interests in the economic, social and environmental aspects of forestry and woodlands. It is expected to report in spring 2012 and will have a bearing on the future of the Forestry Commission within England and the forested estate.

### Triennial review of the non-departmental public bodies

Defra has committed to reviewing its environmental bodies (including the Environment Agency and Natural England) every three years. The stated aim is for continuous improvement. A critical aspect of these reviews will be the extent to which public bodies fulfil the Government's ambitions and commitments set out in the Natural Environment White Paper. It is expected that the first triennial review of Natural England and the Environment Agency will take place in autumn 2012.

### Red Tape Challenge

The Government's review of legislation will continue in 2012. The Red Tape Challenge is designed to ensure that the Government leaves office having reduced the overall burden of regulation. Each Government Department is obliged to report and defend the regulations for which they are responsible to a Cabinet Committee.

As part of the Red Tape Challenge, the Government has initiated a review of the EU Birds and Habitats Directives, as implemented by the Habitats Regulations and Offshore Marine Habitats Regulations in England. This follows on from the European Commission's signalled intention in 2011, subsequently withdrawn, to review the Annexes of protected species and habitats under these Directives. The UK Government review will focus in particular on those obligations of the Directives that affect the authorisation process for proposed development, with a view to reducing

<sup>10</sup> See *Bulletin* 42:3 (August 2011) p5-7 for further discussion and background to the Natural Environment White Paper.

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burdens on businesses while maintaining the integrity of purpose of the Directives. The review aims to report by budget day on 21 March 2012 (<http://www.defra.gov.uk/rural/protected/habitats-wildbirds-review/>).

### Law Commission review of species legislation

The Law Commission has announced a review of wildlife management law. The project's focus is on those provisions that allow for the management of Wildlife; for instance the relevant sections of Part 1 of the Wildlife and Countryside Act 1981, the Game Acts, the Deer Act 1991, the Protection of Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010. The first Act transposes many of the obligations placed on the UK by the Birds Directive (Directive 79/409/EEC). The last transposes many of the obligations in the Habitats Directive (Directive 92/43/EEC). Whilst the project involves the consideration of habitats provisions and wider environmental obligations as part of the context, the remit of the review is confined to reform to the species-specific provisions. The Commission intends to publish its consultation paper on wildlife management in summer 2012. Consultation will run until October 2012.

### Review of voluntary schemes including the Campaign for the Farmed Environment

The Government has committed (in the Natural Environment White Paper) to use the review in 2012 of the Campaign for the Farmed Environment and the Greenhouse Gas Action Plan, as well as the evidence from elsewhere such as on pesticides or voluntary action under the Water Framework Directive, to assess more generally the effectiveness of a voluntary industry-wide approach to environmental protection and sustainability.

### Aviation policy review

The Government's *Sustainable Aviation Policy Review* was announced by the Secretary of State for Transport in October 2011. The review will comprise two stages, followed by publication in 2013. It will assess how the UK can maintain its status as an international aviation hub. If new airports are considered, it could have implications for the future of our estuaries.

### High Speed Rail

On 10<sup>th</sup> January 2012, the Secretary of State for Transport, Justine Greening MP, announced that the Government would

proceed with plans for a high speed rail connection (HS2) between London and the West Midlands. Phase one of HS2 is expected to open in 2026, followed by phase two, between Birmingham, Leeds and Manchester in 2032-33. County Wildlife Trusts have estimated that phase one could affect over 150 wildlife sites, including 10 Sites of Special Scientific Interest, whilst four nature reserves will be directly impacted. The Government has announced that additional tunnels will ameliorate the impacts along half of the planned route, although conservation groups question this.

Although a parliamentary vote on HS2 is not expected until 2013 or 2014, in spring this year route options for phase two will be presented to the Transport Secretary, followed by a public consultation. A hybrid Bill is expected to be placed before Parliament by the end of 2013, providing the necessary powers to construct and operate phase one of the railway. At this stage, parliamentary select committees can suggest amendments to the project and those affected by the development will have an opportunity to petition policy-makers.

### Climate change

The Climate Change Act 2008 established a long-term framework to tackle climate change. The Act aims to encourage the transition to a low-carbon economy in the UK through unilateral legally binding emissions reduction targets. This means a reduction of at least 34% in greenhouse gas emissions by 2020 and at least 80% by 2050. Each carbon budget covers a five-year period. The first three carbon budgets were set in law in spring 2009, and run from 2008-12, 2013-17 and 2018-22. The fourth, running from 2023-2027, was set in law at the end of June 2011. These budgets would, of course, need to be amended if the European Union decided to increase its commitment to reducing greenhouse gases from 1990 levels by 30% by 2020. The expectation is that this would require the UK to reduce its own emissions by approximately 40% by 2020.

The Carbon Plan, published in December 2011, set out plans for achieving the emissions reductions committed to in the first four carbon budgets up to 2027. It fulfils the Government's obligation to report on what the UK is doing to ensure it meets the level of the fourth carbon budget as set in law in June 2011.

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### Reform of the House of Lords

The Coalition Agreement introduced the Government's ambition to create a 'wholly or mainly elected upper chamber on the basis of proportional representation.' A draft Bill on House of Lords reform was published by the Cabinet Office in May 2011 and subjected to scrutiny by a joint committee of both Houses. The conclusions of the joint committee must be published by 29<sup>th</sup> February 2012. The aim of the draft Bill is to create a more democratically elected upper chamber, with the document outlining provision for an 80% of seats to be contested, whilst 20 additional members, along with 12 places for bishops of the Church of England, will be appointed independently by a Statutory Appointments Commission. The draft Bill does however leave open the possibility of a wholly elected upper chamber. The Government intend to hold the first election in 2015, with members sitting for one term of 15 years.

These developments could lead to a loss of expertise from the upper chamber as scientists, currently appointed on merit and serving on Lords' bodies such as the Science and Technology Committee, leave the House. There is a danger that scientific understanding and experience may not be vested in the newly elected representatives; a problem which faces the House of Commons. The Campaign for Science and Engineering is examining this issue during 2012 (<http://sciencecampaign.org.uk/>).

## SCOTLAND

With lively political interest in an independence referendum, there may be changes ahead regarding elements of environmental matters reserved by Westminster.

### Wildlife and Natural Environment (Scotland) Act 2010

Known as the WANE Act, this came into force in stages through 2010 into 2012. It covers a range of topics including deer, game, snaring and badgers. Some of the more contentious issues relate to invasive non-native species (to prevent further releases or, if already released, control, containment or eradication, where possible), species licensing and muirburn (introducing greater flexibility for moor burning 'out of season'). The Act amends the Wildlife and Countryside Act 1981 (as it applies in Scotland) to repeal the provision for areas of special protection (1<sup>st</sup> January 2011), which are seen as an anachronistic designation and whose provisions

are duplicated in other legislation. The Act provides Scottish Natural Heritage with options to serve restoration notices in cases of damage to Sites of Special Scientific Interest (SSSIs), to more easily amend SSSI boundaries following loss of protected features, and to more easily combine existing SSSIs.

On 1<sup>st</sup> January 2012 the second commencement order of the WANE Act introduced a new offence of 'vicarious liability' in relation to the persecution of wild birds. This has been described as a landmark piece of legislation, and allows for the prosecution of the minority of landowners or managers who fail to take appropriate steps to ensure their employees and contractors act within the law. Also in January 2012, a new Scottish Deer Code came into effect, placing new responsibilities on land managers in managing deer. There will be further codes and measures covering invasive species and a requirement to have identification tags for snares.

### Biodiversity and 2020

Work is underway on a document with the working title '*The 2020 Challenge for Scotland's Biodiversity*', which will be published at the end of 2012. This develops ideas and work to strengthen the conservation and enjoyment of nature, and connections with health, enjoyment, wellbeing and the economy of Scotland. Much of this will build on a recent review of the changing nature of Scotland (Marrs *et al.*, 2012)

### Land use strategy

There will be a number of new governmental commitments in relation to land use and the management of Scotland's land and resources. This is part of the implementation of Scotland's first Land Use Strategy, which had been laid before Parliament on 17<sup>th</sup> March 2011, and was a key commitment of Section 57 of the Climate Change Scotland Act 2009; an example of how some key legislation spawns new work years ahead (<http://www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy>).

### Aquaculture and fisheries

A consultation on the Aquaculture and Fisheries Bill was launched on 11<sup>th</sup> December 2011. Aquaculture production and salmon and freshwater fisheries are estimated to be worth over £650m (in 2010) to Scotland. The consultation is looking at these sectors and how they can be managed effectively as part of the wider marine and freshwater environment; the Bill will address issues in due course (<http://scotland.gov.uk/Publications/2011/12/06081229/0>).

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### Climate justice

It is noteworthy that the First Minister for Scotland, Alex Salmond, commented in his 2012 New Year message: *"In the run up to the UN Rio+20 conference in Brazil in June and beyond, I am calling for climate justice to be made central to decisions taken by major countries on energy and development."* In Scotland, at least, there will be much more political and environmental interest and comment on linking the green economy to sustainable development.

## WALES

The National Assembly of Wales can now make laws, known as Acts of the Assembly, on *all* matters in the 20 subject areas for which it has powers, without needing the UK Parliament's agreement. Previously, a Bill had to go through the House of Commons or House of Lords. This is therefore a new process for everyone and the Welsh Government is seeking considerable advice and opinions from across Welsh society and elsewhere. There are a number of interconnected developments at present, from overarching sustainable development duties to new approaches to environmental management.

### Sustainable Development Bill

Wales is one of only a few administrations in the world that has a statutory duty to sustainable development. This legislation will promote the change needed to embed, and deliver sustainable development within the public sector by setting sustainable development as the central organising principle of the Welsh Government and public bodies in Wales and by creating an Independent Sustainable Development body for Wales. Current thinking on the legislation is explained in a discussion document published in November 2011. Sustainability as the central organising principle for the Welsh Government means that it:

- ☞ Takes effective, long-term decisions;
- ☞ Ensures that the economic, social and environmental issues that enhance people's quality of life are integrated into everything it does;
- ☞ Works in partnership with others to make decisions.

The Welsh Government is now collecting evidence on best and worst examples of sustainable development, and BES members can send comments to help develop the consultation to [sdbill@wales.gsi.gov.uk](mailto:sdbill@wales.gsi.gov.uk). General information is on <http://wales.gov.uk/topics/sustainabledevelopment/>

[sdbill/?lang=en](http://wales.gov.uk/topics/sustainabledevelopment/sdbill/?lang=en). The White Paper formal consultation will be held in autumn 2012, with the Bill being introduced into the National Assembly for Wales in autumn 2013.

### Planning Bill

The Welsh Government's legislative statement 2011-2016 set out a commitment to consolidate existing planning legislation and make the planning system more accessible and transparent. This should lead to a Planning Bill *'to consolidate existing legislation, make it more transparent and help deliver economic renewal'*, being introduced to the National Assembly in 2015-16. An Independent Advisory Group has been set up to review the current system in Wales and consider how best to deliver planning services in the future, and is expected to report in summer 2012. It has issued a call for evidence, asking for people's views on how the planning system can be improved and for facts and information to support views. Note that this process is not about reforming planning policy in Wales but about the process of how planning is done. There have also been reviews and research into the planning application process, appeals process and the effectiveness of planning policy for economic development. A task group is also investigating the use of city-regions in Wales, which is likely to have a strong planning element

### Housing Bill

The Housing Bill is a Bill to increase the supply of housing and improve housing related services and tenants' rights in the private rented sector. The Welsh Government has circulated a discussion paper on the key issues that they wish to address through the Bill covering the impact of housing on health issues, affordable homes, preventing homelessness etc., so it is not primarily a spatial discussion paper. It does state, however, that *'we need to consider the extent to which changes in legislation could speed up and simplify the release of public land and any other ways in which it can be used innovatively as part of developments that create more affordable housing'*. More information is available here:

<http://wales.gov.uk/consultations/housingcommunity/housingchallenge/?lang=en>

### Transport Bill

The Highways and Transport (Wales) Bill will be a short Bill that will legislate to put a duty on local authorities to provide and maintain cycle paths in key areas. The Bill is intended to make walking and cycling a more practical and enjoyable option for people in Wales. Benefits from this will include: the

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promotion of sustainable travel, and the resultant reduction in carbon emissions and improvement in air quality; the health benefits of a more active nation; and the economic benefits from recreation, tourism, and the wider rural economy. The Welsh Government intends to bring forward this legislation within the next two years.

### Environment Bill

This is likely to focus on legislative aspects of an ecosystem approach currently being developed, which started in 2010, with a public consultation: *A Living Wales: a new framework for our environment, countryside and seas*, also known as the Natural Environment Framework (NEF) (see Sutherland *et al* 2011) The aim of NEF is 'To ensure that Wales has increasingly resilient and diverse ecosystems that are managed to deliver economic, social and environmental benefits', an approach which requires a more proactive and planned spatial dimension and a more integrated, less sectoral approach to decision-making and delivery.

Work to date is described on <http://wales.gov.uk/topics/environmentcountryside/consmanagement/nef/?lang=en> with information on the various working groups gathering evidence and providing advice. Considerable opportunities exist for researchers to provide support here to working papers and pilot studies. An Environment Green Paper will be launched on 30<sup>th</sup> January 2012, describing the key mechanisms that will be used to implement the NEF. A number of pilot projects will run in parallel with the consultation. An Environment White Paper outlining possible legislative changes is planned for 2014.

Consultations on further environmental legislation for Wales can be found at <http://wales.gov.uk/consultations/environmentandcountryside/?lang=en>. These include reviews of the Implementation of the Nitrate Directive and the Shellfish Waters Designations in Wales.

## NORTHERN IRELAND

### Wildlife and Natural Environment Act (Northern Ireland) 2011

The WANE Act passed its final stage in March 2011. The Act includes new provisions and amendments to the Wildlife (Northern Ireland) Order 1985 and the Environment (Northern Ireland) Order 2002. It includes a new biodiversity duty, additional stop and search and powers of entry in enforcement of the Wildlife Order and the inclusion of a lesser offence for third party damage to Areas of Special Scientific Interest. The

species protection schedules are also being revised to account for changes in the conservation status of species.

### Northern Ireland Planning and Local Government legislation

Following the Planning Act (Northern Ireland) 2011, a Planning Reform Bill will be drafted and consulted upon in 2012. This will give the detail of reforms outlined in the Planning Act 2011 and the Minister aims for commencement in 2013. The reforms aim to ensure faster processing of applications, fairer and faster appeals, enhanced community involvement, simpler and tougher enforcement, and enhanced environmental aspects. The reforms will be available to the Department of the Environment first and then to councils when powers are transferred as part of local government reform. The development of legislation needed to deliver local government reform continues in parallel.

### Northern Ireland Marine Bill

Following the Royal Assent of the UK Marine and Coastal Access Act 2009, the Environment Minister intends to introduce measures to address marine management in Northern Ireland territorial waters (within the 12 nautical mile limit). The Bill is likely to contain provisions for marine planning, marine nature conservation, and further streamlining of licensing for devolved functions. A draft Bill was due to be published in 2011 but appears to have been held up pending internal discussions on the inclusion of a Marine Management Organisation in the Bill. A draft Bill is now promised in early 2012.

### White Paper on Enabling Legislation for National Parks

The Department of the Environment (DoE) published a White Paper on Enabling Legislation for National Parks on 24<sup>th</sup> March, prior to the Assembly elections. The paper focused on the DoE's policy in relation to the proposed aims, selection criteria and the designation process associated with national parks. It also announced that further material would be published during the consultation period. This would look in more detail at the various governance options for a national park and seek responses to a number of questions on the full range of national park issues. As a result a second expanded consultation was released in August 2011, including the original White Paper as an Appendix. This brought together and expanded the Department's thinking on the constitution of a management body, the responsibilities and skills of board members, and a wide selection of governance options.

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