

# TAKING STOCK: OEP URGES GOVERNMENT TO BE AMBITIOUS AND FOCUS ON DELIVERY

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Legal Briefings - By **Julie Vaughan**

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The Office for Environmental Protection has called for bold targets and a clear accountability as the UK government's mulls update of 25 year Environment Plan for England.

Ahead of the deadline of 31 January 2023 for the government to review the [25 Year Environment Plan](#) for England that it adopted in 2018, the Office for Environmental Protection (OEP) offers its advice. Its desire is for bold legally binding targets, with priority given to the areas most in need of improvement, but also for clear accountability within government to ensure action is taken to deliver.

## THE REPORT

The OEP's advice is contained in a [report](#) issued on 22 May 2022 (the Taking Stock report). In a webinar accompanying the launch of the report, Dame Glenys Stacy, OEP Chair, said that the review of the 25 Year Plan was a precious opportunity for government to address the change of pace and direction needed to deliver on its laudable ambitions to be the first government to leave the environment in a better state than it found it. In essence, what is needed according to the OEP is to take the 25 Year Plan up a notch, from a loosely connected set of actions into a thought out, risk-based management plan.

## NO SHRINKING VIOLET

The report is critical of government's slow progress to date. Dame Glenys makes clear the OEP is realistic that environmental protection competes with the other political imperatives of the day for attention, but that that should not be allowed to excuse a lack of forwards momentum on delivering change. Commentators such as Dr Richard Benwell, CEO of Wildlife and Countryside Link, cite this as "*an encouraging sign of the sharp analysis we can expect from the OEP*", that he hopes the government can match in the revised 25 Year Plan.

## **THE SIX BUILDING BLOCKS**

The OEP proposes that the government adopts a framework of six strategic building blocks to help it to reverse current negative trends and achieve its green ambitions if it has the will:

1. Understanding environmental drivers and pressures.
2. Creating a vision.
3. Setting targets.
4. Coherent strategy and policy.
5. Governance.
6. Monitoring, assessing, and reporting.

### **BLOCK 1: DRIVERS**

Explaining this step, Natalie Prosser, OEP CEO, said there should be a comprehensive stock take of the state of the environment in England (to which the 25 Year Plan relates). This is necessary to properly understand the pressures it is under, and to allow issues to be prioritised. Some of the most crucial issues for the OEP are the state of the marine environment, soil degradation and the depletion of biodiversity. However, the stock take should not give rise to procrastination. In most cases there is already sufficient knowledge of the pressures the environment is under which necessitates urgent action.

### **BLOCK 2: VISION**

Although adoption of such a long-term plan was unprecedented, the 25 Year Plan has not driven enough action so far in the OEP's view. In this respect the government's Net Zero agenda has fared better by unifying diverse groups across government around a clear vision. The environmental strategy needs to take a leaf out of the same book.

### **BLOCK 3: TARGETS**

A coherent suite of targets is needed, preferably legally binding ones under the auspices of the Environment Act 2021 (to survive a change of government). This would, the OEP believes, provide certainty, focus efforts, and drive the required scale of response. It should include "apex" targets: one for each of the ten goals set in the 25 Year Plan. Below these in rank order would sit a second tier of supporting targets. Targets should involve "stretch" in order to drive transformative change, and it would help if they were all made available to view in a single location.

## **BLOCK 4: STRATEGY**

Rather than just creating an unstructured to-do list, government should diagnose the issues and identify chosen solutions. Currently multiple policies overlap and are at varying stages of delivery. Where targets are missed, Dr Simon Brockington of the OEP points out, they are simply often replaced by new strategies without lessons being learnt.

## **BLOCK 5: GOVERNANCE**

There should be clear accountability among the various government departments and bodies for delivery of measures. Environmental progress involves several government departments, not simply the Department for Environment, Food and Rural Affairs (Defra) and the key is for environmental protection to be integrated into policy making across the board. The OEP would also like Defra to consider whether the department is properly configured to maximise the chances of delivering, in terms of having people with the right skillsets and properly managed.

## **BLOCK 6: MONITORING**

The OEP approves of the government's outcome indicator framework but points out the framework could be tailored to the 25 Year Plan and that baselines have yet to be established. Monitoring needs to be properly directed and resourced. The OEP recognises monitoring as a function needs to be given due attention in the reform of government agencies currently underway. The OEP also suggests the Office for National Statistics (ONS) should take charge of reporting against environmental targets, to which the ONS is apparently amenable.

## **NEXT STEPS**

As well as publishing the Taking Stock report, the OEP says it is working alongside policymakers in Defra to influence the outcome of the revised 25 Year Plan.

Under the procedure laid down by the Environment Act 2021, a revised environmental improvement plan needs to be laid before Parliament with an accompanying statement explaining the reasons for the revisions. The first review will also need to set interim targets to be achieved over the next 5-year review period on the way to meeting the long-term targets to be set under the Act, and on which the government has recently consulted. The Act doesn't require the government to issue a draft of the revised plan for public consultation, but it is likely to do so if it includes any significant policy shifts.

## **WHAT ARE OUR THOUGHTS?**

- Given the fragility of economic recovery, the price of living crisis and war in Ukraine, we doubt the government will involve many new policies involving significant near-term public expenditure in the revised plan.
- The government isn't statutorily obliged to take the OEP's Taking Stock report into

account, unlike the OEP's formal annual progress reports. However, the OEP is setting down a clear marker of the level of intellectual rigour it expects from government, of which the current plan in its opinion falls way short.

- Although the OEP as an institution is new, its executives are well seasoned and in preparing this report they have listened to other influential bodies such as the Natural Capital Committee, Climate Change Committee, Environment Agency, and National Audit Office whose input is acknowledged. The OEP report is therefore not one which the government should lightly push aside.

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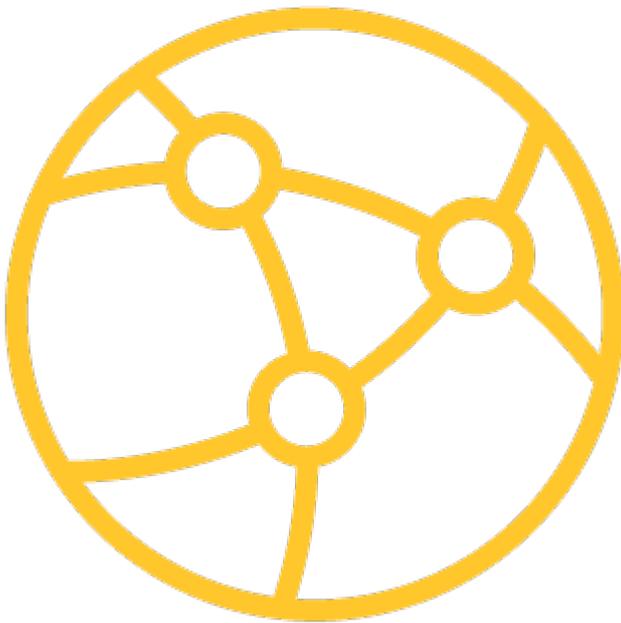
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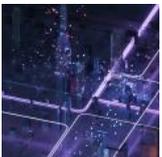
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