



## **National Trust Northern Ireland**

Response to Environment Committee call for evidence

### ***Better Regulation Bill 2015***

#### **Introduction**

This consultation response is prepared by the National Trust in Northern Ireland. We are an independent conservation charity actively promoting the protection of natural, built and cultural heritage - for ever, for everyone.

We welcome the Committee's call for evidence as the Better Regulation Bill 2015 moves through the legislative process. Regulation is an important part of environmental governance and we welcome the intention to improve how environmental regulation is delivered in Northern Ireland.

The National Trust has a significant interest in the environment in Northern Ireland, as a landowner, provider of access to the coast and countryside and custodian of many special places of historic interest. Our sites which extend to over 12,000 ha vary widely from individual listed properties such as Castle Coole in Fermanagh, to open landscape sites such as the Giant's Causeway and Divis and Black Mountain in the Belfast Hills, to small farmland holdings such as at Ballyquintin on the Ards Peninsula.

#### **The National Trust's general comments on Better Regulation Bill**

We welcome the opportunity to contribute to this consultation process, our interest in how the environment is looked after is underpinned by our responsibility as an organisation to take a long term view. We advocate for sustainable management of land and resources in Northern Ireland and believe that we all share the responsibility to look after our natural, built and cultural heritage for generations to come.

We welcome the Bill's aims to reduce complexity of environmental legislation, lessen regulatory burdens on businesses and strengthen protection of our environment. Whilst the Bill sets out to achieve this, however it will be the detail of the Regulations that will follow the Bill that will ensure the aims are met and an appropriate balance is found between risk based regulation and strengthening environmental protection.

The structures and systems used to look after the environment in NI is in a period of major reform in NI, with a new Planning regime, and the formation of a new departmental structure currently underway. A robust effective Regulation system, understood and respected by all participants, is an essential mechanism to deliver good environmental governance. However we would have concerns that at this time there are no assurances as to the ability of the DoE to adequately resource the associated permitting and compliance and communication requirements.

As well as concern around the timings and the resourcing of the new regime into the next government cycle, we would urge the Committee to consider how the new departmental

structures might impact upon delivery of environmental Better Regulation. In particular, we would have concerns about the lack of independence in the current DoE / NIEA structures, as having the regulator and policy maker under the one department and Minister does not reflect the hallmarks of good environmental governance. The Committee may wish to consider the environmental protection structures of other jurisdictions with more modern systems. The structure and scrutiny mechanisms for and of the destination department for the regulator (ie. DAERA) will be key in ensuring that the original aims of the Bill are met.

In addition to the points above, National Trust provided specific comments on the Bill during the initial consultation exercise and would like to refer the Committee to the case studies and concerns we raised in that original consultation document. See attached Document.

## **Concluding Comments**

National Trust welcome's the Committee's interest in this issue, and welcomes that in the June Plenary, Committee members showed strong interest in ensuring the Bill is fit for purpose. Overall, we also welcome the intentions of the Bill but have concerns around the timing and future resourcing requirements and structures to implement the Bill effectively to ensure that all of the aims can be met.

## **Contact Details**

We hope that the Committee will find our comments and suggestions to be useful, should you have any queries on the points we have raised, please do get in touch.

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