

# **Moorland Association Submission to the Public Accounts Committee – Environmental Regulation 2026**

## **Who we are and why we are submitting evidence.**

1. This submission is intended to assist the Committee's inquiry into environmental regulation by drawing together evidence on how regulatory frameworks are operating in practice across the system. While it engages with the National Audit Office's January 2026 report, it addresses wider and longer-standing issues of accountability, proportionality, value for money and outcome delivery that have been raised in previous PAC inquiries and remain central to effective environmental regulation as a whole.
2. This evidence is submitted by the Moorland Association (MA) to the Public Accounts Committee's 2026 inquiry into environmental regulation. The MA represents landowners and managers responsible for over one million acres of upland landscapes in England and Wales, including heather moorland, blanket bog, rough grazing, in-by-land, woodland and watercourses.
3. These landscapes host a high proportion of nationally and internationally designated sites (SSSIs, SACs, SPAs) and deliver significant public goods, biodiversity conservation, carbon storage in peat, water regulation, wildfire mitigation, public access and rural employment. Our members are regulated by Defra and its arm's-length bodies, particularly Natural England (NE) and the Environment Agency (EA). These members routinely navigate multiple permits, consents, licences, inspections and enforcement regimes. We therefore have first-hand insight into how environmental regulation works on the ground - and where it does not.
4. Our experience over many years is that the cumulative design and operation of the environmental regulatory system has not delivered the outcomes Parliament and the public expect. For the purposes of clarity, it is important to distinguish between failures of regulatory design and failures of regulatory delivery. Some problems arise from how regulation is structured and assessed, while others arise from how existing powers are exercised in practice. The evidence below demonstrates that both are present, and that weaknesses in design frequently amplify failures in delivery.
5. In this submission, references to "environmental outcomes" refer specifically to the statutory targets set under the Environment Act 2021, the government's Environmental Improvement Plan goals, and associated condition and status indicators used by Defra and its regulators. Where this submission draws directly on PAC reports, NAO findings or statutory data, this is stated explicitly. Where it offers interpretation or synthesis of those sources, this is intended to assist the Committee in identifying lines of inquiry rather than to assert new factual claims.
6. Despite an expanding volume of rules, guidance and process requirements, performance against key objectives such as the condition of protected sites, species recovery and wildfire resilience has remained weak or has deteriorated. These shortcomings are not confined to historic performance. They persist in the current delivery period and, in several cases, have been formally acknowledged by government and regulators in the reporting period 2023-2025. This is not primarily a failure of intent, but of system design. Regulatory activity is often fragmented, process-heavy and insufficiently grounded in local evidence or practical land management knowledge. As a result, experienced practitioners and applied scientists are frequently marginalised from decision-making, while regulatory effort is directed toward compliance activity that does not reliably translate into improved environmental outcomes.
7. We therefore welcome the focus of the National Audit Office (NAO)'s findings on whether regulators are well placed to maximise environmental benefits cost-effectively. In our view, incremental tweaks will not suffice; a fundamental structural change in how we regulate and deliver

environmental goals is urgently needed. We outline below the evidence of systemic failure (the crisis in outcomes) and propose a new model to reset the system for success.

## **Summary of Key Recommendations.**

8. To achieve better outcomes with greater efficiency, the Moorland Association respectfully makes the following key recommendations:
9. **(1) Undertake a systemic reset of environmental regulation.** Move from the current top-down, process-heavy model to a locally-led delivery model. Establish statutory local Environment Boards (analogous to Internal Drainage Boards) empowered to make land-management decisions for nature recovery and climate adaptation in their areas. These boards would be composed of local land managers, farmers and council representatives. Boards would have delegated authority and funding to implement habitat and species management, under Defra's oversight of outcomes (not micromanagement). National agencies (NE, EA) would provide technical advice and ensure standards but would no longer control or veto local decisions.
10. Our proposed shift toward locally led delivery aligns with internationally recognised best practice, including the IUCN's Green List governance standards, which emphasise inclusive decision-making and outcome-focused management as prerequisites for successful conservation.
11. Evidence from both internationally recognised governance standards and domestic experience, including state-managed sites such as Moor House NNR, shows that outcomes improve when delivery is locally informed and accountable.
12. **(2) Clarify roles and eliminate overlap.** Streamline the regulatory landscape so each body has a clear, non-duplicative remit. National Park Authorities and National Landscapes would have no regulatory role in land management for environmental outcomes under the new model, to avoid duplication and conflict with the new local Environment Boards. NE and EA's role in these landscapes should shift to supporting local delivery (offering science, guidance, and monitoring) rather than issuing consents or restrictions. This structural change draws on the accepted recommendations of the Corry review for clearer governance and on the proven IDB model of local decision-making.
13. **(3) Focus on outcomes, accountability and adaptive management.** Build the new system around clear environmental outcomes (e.g. species recovery, water quality, habitat condition) rather than process inputs. All regulatory programs should have measurable outcome targets and monitoring. Regulators (including the new Boards) must be held accountable for results, not just activity. If a rule or scheme is not delivering, require that it be reviewed, amended or withdrawn through transparent, evidence-led processes with delivery partners, rather than defaulting to further restriction. This means embracing "learning by doing" and trial innovative approaches (for example, the hen harrier brood management scheme) on a larger scale and adjust based on evidence, rather than blocking new interventions with red tape.
14. **(4) Address the enforcement gap and unintended consequences.** Ensure that crucial protections (e.g. against pollution and wildlife crime) are properly enforced in a targeted, risk-based way, focusing on the most environmentally damaging activities rather than expanding routine compliance burdens. Where blanket restrictions or centralised plans are yielding perverse outcomes on the ground, they should be revisited. The aim is a system that is firm where needed but also flexible, avoiding one-size-fits-all mandates that ignore local context. We cite examples below (wildfire and species declines) where rigid top-down measures have proven counterproductive.
15. **(5) Empower local partnerships and knowledge.** Encourage regulators to work *with* land managers as partners in delivery. The new Boards should institutionalise this principle, embedding

local knowledge and stewardship ethos into decision-making. Government should expand “earned recognition” and partnership approaches. For instance, allow accredited land managers to self-audit or fast-track certain activities. This would ensure that regulatory energy is focused on the highest risks, and those with a proven track record can get on with positive management with fewer hurdles.

16. **(6) Rebuild capacity and trust.** Invest in rebuilding expert capacity (ecologists, advisers) on the ground, including independent and locally accountable advisory capacity, supported by modern data systems - rather than further expansion of central regulatory headcount. A culture change is needed. Regulators must shed the current climate of risk aversion and siloed working, and instead embrace innovation, trust-building and a relentless focus on outcomes. The Moorland Association and our members stand ready to contribute our resources, data and expertise under a reformed system. We also reaffirm here our willingness to provide further evidence to the Committee to assist its inquiry.
17. **(7) Funding.** Ensure that locally led delivery is properly resourced by funding participation on statutory local Environment Boards, so that land managers can engage on equal terms with public bodies and NGOs. Without this, local delivery will remain nominal rather than real.
18. We now elaborate on the evidence underpinning these recommendations, beginning with the urgency of the situation (the ongoing crisis in environmental outcomes) and then highlighting how the current model is failing and how a new approach could succeed.
19. In doing so, we emphasise that effective reform must improve accountability and delivery rather than simply redistribute risk. The Moorland Association supports regulatory reform where it demonstrably improves environmental outcomes and value for money. However, we would not support reforms that further centralise decision-making within national regulators, remove lawful and established land-management tools without site-specific evidence, or transfer disproportionate financial and operational risk to land managers without corresponding decision-making authority. Experience indicates that such approaches weaken incentives, obscure accountability, and ultimately reduce the likelihood of achieving the outcomes Parliament expects.

## **Section 1) Why reform is urgent: continuing failure to deliver environmental outcomes.**

20. There is overwhelming evidence that despite an ever-growing body of environmental regulations and targets, applied through an increasingly centralised and process-driven system, England’s nature is still in decline and key statutory goals are being missed. This signals a fundamental problem in the system’s effectiveness. Notably, this is not a new warning. As far back as 2008, Parliament’s Environmental Audit Committee concluded bluntly: *“The Government is unlikely to meet its 2010 target to halt biodiversity loss. Although good progress has been made in some respects, a new target and a new approach will be needed to address the dramatic biodiversity loss that is occurring in England.”* That call for a “new approach” went largely unheeded. The 2010 target was indeed missed, and subsequent goals have fared no better.
21. Partnership delivery models illustrate the risks of diffused accountability and weak value-for-money discipline. Recent upland restoration initiatives have increasingly been delivered through multi-partner bodies hosted by public authorities, rather than through locally accountable land-management structures. For example, Moors for the Future Partnership, administered by the Peak District National Park Authority, brings together multiple regulators, public bodies, NGOs and funding streams under a project-based governance model. While such partnerships can coordinate activity, they also diffuse responsibility for outcomes, complicate lines of accountability, and make it difficult to assess whether expenditure is delivering durable environmental improvement or merely sustaining successive projects. From a Public Accounts Committee perspective, this model risks high

transaction costs, fragmented decision-making and limited long-term stewardship capacity, with land managers positioned primarily as delivery agents rather than as accountable decision-makers. This reinforces the case for reform toward simpler, locally accountable delivery structures with clear responsibility for outcomes and spending.

22. This raises a question for the Committee as to whether current regulatory structures provide sufficient incentives, authority and accountability to deliver value for money and measurable environmental improvement, or whether more fundamental reform is required.
23. Independent research published in 2018 reinforces the conclusion that the current regulatory approach is failing to deliver outcomes on protected upland sites. A major Game & Wildlife Conservation Trust study of ground-nesting birds across South West Scotland, including multiple Special Protection Areas, documented severe long-term declines in SPA-qualifying species such as curlew, lapwing and golden plover, despite statutory designation and regulatory oversight. The study found that declines closely tracked reductions in active moorland management and gamekeeping, and that habitat condition alone could not explain observed losses. Breeding success was consistently higher where management included effective predator control delivered at sufficient landscape scale. The fact that these findings have been in the public domain since 2018, yet similar declines continue to be reported, raises serious questions about the system's capacity to learn from evidence and adapt regulatory design accordingly.
24. These concerns are not unique to land managers or to upland environments. Recent scrutiny by the National Audit Office has concluded that Defra's environmental regulatory system is not currently operating in a way that maximises environmental benefit while keeping costs and burdens proportionate. The NAO has highlighted excessive complexity, fragmented responsibilities and weak alignment between regulatory activity and environmental outcomes, echoing earlier findings of this Committee that progress against long-term environmental goals has been disappointing despite repeated regulatory reform.
25. The relevance of these earlier findings is underscored by the NAO's 2026 report, which indicates that many of the structural problems previously identified by the Committee (complexity, weak prioritisation, limited outcome testing and poor feedback loops) remain materially unchanged. This suggests that the issue is not a lack of analysis or awareness, but a failure to translate repeated warnings into durable reform.
26. A recurring feature of the current system is the way in which evidence reviews and regulatory judgments are used to justify restriction, without being subject to transparent quality assurance or outcome testing. Evidence submitted to Defra in 2024 documented cases where Natural England's own published review standards were not followed, where major peer-reviewed studies were selectively downgraded without clear methodological justification, and where regulatory conclusions were drawn despite acknowledged evidence gaps. In such circumstances, precaution has become a substitute for analysis, and control has replaced learning. This approach does not reduce environmental risk; it increases it by locking the system into rigid assumptions that cannot adapt to local conditions, emerging evidence or unintended consequences such as fuel accumulation and wildfire risk. A regulatory framework that cannot test, revise or withdraw ineffective interventions is structurally incapable of delivering value for money or environmental recovery.
27. Today, nearly two decades later, the Office for Environmental Protection (OEP) - the independent watchdog created post-Brexit - reports that England remains off-track on most of its legal environmental targets. In a damning assessment published this month (January 2026), the OEP found that "seven out of 10 targets set in the Environment Act 2021 have little likelihood of being met by 2030". The three remaining targets are only "partly on track", meaning no area is confidently on course. Crucially, the legally binding target to halt species decline by 2030 is almost certain to be missed, with the OEP warning: "Important species continue to decline. The opportunity to effect further

change ahead of the 2030 target has now largely passed.” In other words, despite new environment acts and plans, we are still losing nature at an unacceptable rate.

28. Importantly, the failures now identified by the National Audit Office and under examination by this Committee were not unforeseen. In 2024, we submitted detailed evidence to Defra documenting persistent weaknesses in the operation of environmental regulation, particularly within Natural England. That evidence highlighted a pattern of risk-averse decision-making, inconsistent application of evidence, failure to evaluate regulatory impacts, and the displacement of practical delivery by process and internal review. It also warned that over-centralised control, combined with weak accountability for outcomes, was actively undermining habitat condition, wildfire resilience and rural economic viability. These concerns were raised formally and contemporaneously, yet no meaningful corrective action followed. The issues now before the Committee therefore reflect not a sudden failure, but a long-standing and unaddressed breakdown in regulatory design and oversight.
29. Conservation groups echo this stark appraisal. As the RSPB’s Chief Executive recently put it, *“Nature in England is still in freefall, and the UK government is off track on its own legal targets. Action is what matters now: real change on the ground before it’s too late.”* We fully agree with this urgency and the need to shift from paper targets to tangible action. However, our argument is that only a systemic change in the way we deliver environmental improvement will suffice to arrest and reverse these trends. More plans and promises from the same centralised system will not turn the tide; we need to fix the system itself.
30. It is telling that a Public Accounts Committee report as recently as 2021 (reviewing progress on the 25-Year Environment Plan) found that nine years after that plan’s launch, the government *“still does not have the right framework for success”* and *“does not yet understand the total costs required”* to meet its long-term environmental goals. In other words, not only are outcomes poor, but the strategic framework and resourcing for delivery remain inadequate and fragmented. The NAO’s latest analysis reinforces this, describing a regulatory system beset by complexity and structural weakness: Defra and its regulators oversee a “sprawling” body of over 3,000 pieces of environmental legislation, which breeds inconsistency and “green tape”. These are burdensome processes that often do not translate into outcomes on the ground.
31. While Environmental Land Management Schemes (ELMS) is not the only mechanism through which Defra seeks to deliver environmental outcomes, it is the principal scheme relied upon to incentivise ongoing land management at scale. Other measures (including regulatory controls, capital grants and project-based funding) cannot substitute for a structurally under-resourced incentive framework. At a formal meeting in early 2025 with the Minister responsible for ELMS, attended by both environmental NGOs and land management organisations, it was explicitly acknowledged that existing funding levels were insufficient to deliver the recovery outcomes being asserted. Despite this, subsequent policy documents and delivery plans have continued to present those outcomes as achievable, raising concerns about delivery realism, regulatory substitution and value for money.
32. Critically, the NAO also highlights cultural and institutional failings that help explain why we are stuck in this rut. It found that the ability of NE and EA to regulate effectively *“has been constrained by limitations in their systems ... and a culture of risk aversion”*, and that *“Defra has not done enough to support a strategic, joined-up approach”*, tending instead to react to short-term crises. These observations align with what we see: well-meaning staff in agencies hamstrung by bureaucratic procedures, fragmented responsibilities, and fear of taking pragmatic decisions, resulting in a lack of bold action or innovation in enabling practical management on the ground.
33. In summary, the challenge is not a lack of commitment or effort by those working within the system, but the design of the system itself. Over time, successive layers of regulation, guidance and institutional complexity have been added, yet environmental outcomes continue to deteriorate. This points to a structural problem rather than a failure of intent. The Moorland Association therefore

agrees with the growing consensus (reflected in Parliamentary committee reports, the Office for Environmental Protection, independent reviews and environmental NGOs) that what is now required is a new approach to delivery and governance, not the further expansion of regulation. In our view, reform must focus on devolving decision-making to the local level, maintaining a clear and relentless focus on outcomes, and empowering those with the knowledge and capability to deliver practical action on the ground. The sections that follow set out how the current top-down model is not only failing to resolve persistent problems but, in some cases, is actively exacerbating them, and how a reformed model could place delivery back on a sustainable footing.

34. This raises a question for the Committee as to whether current regulatory structures provide sufficient incentives, authority and accountability to deliver value for money and measurable environmental improvement, or whether more fundamental reform is required. Taken together, the evidence suggests that the principal barrier to progress is not a lack of ambition, funding or statutory powers, but the absence of clear accountability for outcomes within an increasingly complex regulatory system. The Committee's scrutiny therefore has a critical role in testing whether existing arrangements are capable of delivering value for money and environmental recovery, or whether continued reliance on incremental reform risks perpetuating the failures already identified by both the PAC and the NAO.
35. This conclusion is reinforced by the wider strategic context. The Government's National Security Assessment 2026 identifies accelerating biodiversity loss, ecosystem degradation and declining food system resilience as direct risks to UK prosperity and national security. It states that this has cascading implications for food affordability, supply stability, public safety and economic resilience. The Assessment is explicit that effective ecosystem protection and restoration are foundational to national resilience. It also says that failure to halt environmental decline will amplify future fiscal, social and security pressures. Seen in this light, the continued under-performance of England's environmental regulatory system is not a marginal policy concern but a systemic delivery failure with strategic consequences. This underlines the case for reform centred on outcomes, accountability and practical delivery capacity, rather than further reliance on process-heavy central control.
36. The Moorland Association has raised these same underlying concerns about evidence governance, regulatory design and unintended consequences in evidence submitted to other Select Committees, including the Environment, Food and Rural Affairs Committee, to highlight areas warranting parliamentary scrutiny, reflecting the systemic and cross-cutting nature of the issues rather than a committee-specific grievance.
37. The persistence of these failures, despite repeated internal warnings, demonstrates that further guidance, reviews or pilot schemes within the existing structure will not succeed. Only a reallocation of decision-making authority and accountability can address the root causes identified by both practitioners and auditors.
38. Against this backdrop, further incremental adjustments to guidance, process or enforcement cannot reasonably be expected to reverse environmental decline. The evidence now points to a structural problem in how regulation is designed and delivered, rather than a failure of intent or effort by regulators or land managers.
39. Early evidence from the Landscape Recovery development phase raises serious questions about value for money and delivery design. Analysis of the first £12 million allocated shows that farmer-led projects delivered the majority of land area at a fraction of the cost per hectare of projects led by large conservation organisations, despite receiving a small minority of funding. Notably, none of this expenditure has yet delivered environmental outcomes on the ground, as funds were used solely for plan development with no commitment to implementation. The Defra has declined to publish detailed cost breakdowns, citing commercial confidentiality. This makes it impossible for Parliament

to assess whether public funds are being spent efficiently or whether delivery mechanisms systematically favour administrative capacity over environmental outcomes.

40. A further structural weakness in the current approach is the implicit assumption that wildlife recovery can be delivered through restriction and withdrawal of land use, without ensuring that people remain economically active on the land to deliver management. International experience demonstrates that biodiversity outcomes are most reliable where conservation objectives are integrated with viable land-based livelihoods. In contrast, where economic activity is removed and skilled land managers exit, recovery becomes harder, slower and more expensive to reverse, often requiring subsequent public intervention to replace lost private capacity. Any regulatory framework that plans for environmental recovery without safeguarding the people and enterprises needed to deliver it in practice is unlikely to represent value for money or be operationally credible.
41. Experience in the uplands consistently demonstrates that environmental recovery depends on people remaining economically active on the land to deliver management at scale and over time. Moorland estates are not passive landscapes but working environments where biodiversity outcomes are sustained through ongoing investment in staffing, infrastructure and lawful land management, including sporting activity where appropriate. Where commercial viability is undermined and skilled land managers exit, environmental condition typically deteriorates, and recovery becomes more costly and dependent on public intervention. Any regulatory or delivery framework that fails to recognise the role of viable land-based enterprises in sustaining environmental outcomes is unlikely to be operationally credible or represent value for money.

## **Section 2) Failures of the current “top-down” model: unintended consequences and poor value for money.**

42. Under the current centralised regulatory model, environmental rules and management plans are often imposed in a top-down manner, with insufficient regard for local conditions, practical realities, or long-term delivery capacity. International evidence suggests this approach is unlikely to succeed. The International Union for Conservation of Nature (IUCN), which sets global standards for protected area governance, finds that conservation outcomes are strongest where local land managers and communities are meaningfully involved in decision-making and delivery, and weakest where management is centrally prescribed and locally disengaged. Multiple independent reviews have highlighted that environmental regulation in the uplands is being implemented in the absence of consistent monitoring frameworks, standardised methodologies or outcome testing, increasing the risk that regulatory effort is disconnected from environmental benefit.
43. A further, largely unexamined, structural issue is the growing reliance of some public authorities on externally funded delivery vehicles to sustain their own operational capacity. In several protected landscapes, National Park Authorities facing sustained real-terms funding reductions are increasingly associated with, or reliant upon, large project-based partnerships and charities (for example, Moors for the Future Partnership) to deliver environmental activity. While such projects may achieve discrete outputs, this model risks blurring the boundary between policy-shaping bodies, statutory consultees and delivery organisations. Where project pipelines and grant capture become financially material to the sponsoring authority, there is a risk that priorities are shaped by funding availability rather than comparative value for money, long-term outcomes or the continued delivery of management by those already working on the land. This creates duplication, weakens accountability, and risks crowding out lower-cost, privately delivered land management that could achieve equivalent or better outcomes for the public purse.
44. This principle underpins the IUCN Green List of Protected and Conserved Areas, a global audit framework assessing governance quality, management effectiveness and delivery of measurable outcomes. A core Green List requirement is inclusive governance: those closest to the land must

play an active role in shaping and delivering conservation. Despite the UK's extensive protected area network, no protected landscape in England has yet achieved Green List status, indicating that existing governance arrangements fall short of internationally recognised best practice.

45. It is also relevant that a number of influential conservation organisations operate simultaneously as policy influencers, delivery bodies, and facilitators of public grant funding. For example, Yorkshire Wildlife Trust (YWT), which publishes management guidance used to shape expectations of “best practice” on upland peat, also facilitates the Yorkshire Peat Partnership (YPP). This is one of the largest recipients and distributors of public funding for peatland restoration across northern England. While this arrangement is not improper in itself, it creates a structural risk that guidance reflecting contested or precautionary interpretations of the evidence becomes operationally entrenched through funding criteria and delivery norms, rather than being tested through adaptive management on the ground. In practice, advisory documents can acquire quasi-regulatory force where access to public funding is contingent on alignment with those interpretations.
46. This governance issue is compounded where delivery mechanisms reward compliance with a narrow set of interventions despite acknowledged uncertainty in the evidence base. Recent Natural England evidence reviews have emphasised context-dependence, trade-offs, and the need for adaptive management in complex upland systems. However, when grant-funded restoration programmes are designed and delivered by organisations that also set normative management guidance, uncertainty can be translated into standardised prescriptions in practice. These risk suppressing locally appropriate management options, reducing resilience to wildfire and other pressures, and limiting the system's ability to learn from comparative outcomes.
47. These international findings help explain why England's highly regulated system has struggled to reverse nature decline. A system focused on procedural control, risk aversion, and central approval is poorly suited to managing complex, dynamic landscapes such as uplands and peatlands, where adaptive, locally informed management is essential. The case studies below illustrate how these structural weaknesses translate into perverse outcomes on the ground.
48. **(I) North Pennines National Landscape Management Plan.** This is largely “rewilding” without management. The North Pennines National Landscape/AONB is a prime example of an internationally important landscape where policy rhetoric risks outpacing practical sense. A new draft Management Plan for 2026-2031 was recently published for consultation. While we share its ambition to restore nature, we have *serious concerns about how the plan proposes to do it*. The draft implies the best way to help nature is to withdraw active management, talking of “restoring natural processes” and increasing “wildness” across these uplands. This approach effectively equates to doing less or nothing. For example, it proposes to end *all* controlled burning of moorland and greatly limit intervention.
49. We know that the North Pennines is not an untouched wilderness but a semi-managed cultural landscape. As we warned in our response, “*walking away or doing less will not help curlews, prevent wildfires, or support local jobs*”. Yet if such a plan were adopted as policy, regulators and funders would likely start enforcing a hands-off approach. The unintended consequence would be the loss of the very management that has conserved these habitats. For instance, prescribed burning, used judiciously, reduces fuel loads and prevents catastrophic fires; removing it everywhere could invite larger wildfires that *devastate* peat and biodiversity.
50. Similarly, the plan's silence on predator control ignores the reality that without legal predator management, ground-nesting birds like curlew will not recover. In short, an imposed vision of “naturalness”, created remotely, risks undermining the on-the-ground capacity (gamekeepers, graziers, etc.) that is essential for delivering any positive outcomes. Local land managers have been alarmed that as it stands the plan “*would make shooting in our area almost unfeasible, with serious knock-on effects for land management, livelihoods, and wildlife*” – a direct quote from community feedback.



This example underscores how top-down planning, done in isolation from land managers, can backfire and reduce environmental resilience instead of enhancing it.

51. **(2) Hen Harrier Brood Management – success thwarted by bureaucracy.** The Committee will be aware of the long-standing conflict between driven grouse moor management and hen harrier conservation. A pragmatic compromise initiative, the Hen Harrier Brood Management Scheme, was part of Defra's 2016 Action Plan for recovering hen harriers in England. After years of legal wrangling, a licensed trial began in 2018. By all objective measures, it succeeded in its immediate aims: hen harrier breeding numbers in England rose to a 200-year high (from no nests a decade ago to 54 breeding attempts in 2023 during the trial), while grouse interests had fewer conflicts. Natural England's own commissioned modelling indicated that brood management contributed to this increase.
52. The Moorland Association and participating estates found the scheme to be a workable balance that protected harriers and allowed moor management to continue – “*we felt that was working well*” in the field. Yet, in 2025, after the 7-year trial, Natural England chose not to renew the licence, effectively halting the programme. The reasons given were largely procedural. For instance, NE introduced new conditions (like requiring satellite tagging of chicks) that the project found both impractical and costly, and when those weren't met, the project was stopped. In the frustrated words of our members, the project was halted “*because it had been too successful*”. In practice this means that an inflexible application of conditions and a reversion to caution overrode the real-world success unfolding on the ground.
53. This is a stark illustration of how the current system can block local, adaptive solutions. Even when an intervention is proven, delivering the twin goals of species recovery and conflict reduction, the bureaucracy was unable or unwilling to integrate it into normal operations. Instead of scaling up a successful scheme, the system shut it down due to regulatory hesitance. We consider this a serious failure of governance. It sends a chilling message that innovative conservation approaches will struggle to gain traction if they do not fit the traditional mould. It is exactly the kind of outcome we need to avoid under a reformed model. We should be empowering local practitioners to act and experiment responsibly, not second-guessing or stifling them with red tape.
54. **(3) Protected Site Management – process vs outcomes.** More broadly, we observe that NE's oversight of protected sites (SSSIs, SACs) has become overly focused on controlling activities through consents and restrictions, rather than actually improving site condition. For example, blanket bans or onerous consent requirements on practices like controlled burning, grazing, or track maintenance are imposed in many upland SSSIs in the name of precaution. Yet NE's own data show many of these sites remain in unfavourable condition or are declining.
55. One glaring issue is predator control. Independent studies have repeatedly shown that breeding success for priority wader species is several times higher where land management includes active predator control, yet this variable is routinely excluded from regulatory design and assessment on protected upland sites, despite continued population declines.
56. On some reserves or moors, legal predator control has been curtailed due to conservation directives, and as a result ground-nesting bird populations (for which the sites are designated) have plummeted even though habitat management was otherwise unchanged. In effect, the regulatory focus on paper compliance can distract from the real goal (e.g. increasing the abundance of a species). We support proper regulation of SSSIs, but it must shift to an outcome orientation. If curlew or lapwing numbers are still falling, then whatever management regime is in place (however well-intentioned) is not working and must be adjusted. Unfortunately, at present there is little accountability on regulators for outcomes; they are judged on whether they followed procedure. This needs to change.

57. A particularly instructive case is Moor House National Nature Reserve (NNR), the only upland National Nature Reserve directly managed by Natural England itself. Moor House has been under continuous state ownership and management since 1952 and is often regarded as a flagship public conservation asset. Importantly, it does not face the constraints often cited in relation to private land management, such as fragmented ownership, consent negotiations, or enforcement challenges.
58. Yet Natural England's own condition assessments state 80% of the Site of Special Scientific Interest (SSSI) units within Moor House remain in unfavourable condition. This demonstrates that even where the state exercises full ownership and direct management control, favourable ecological outcomes are not guaranteed. The issue is therefore not simply one of compliance or land ownership, but of delivery model and management approach. Centrally managed, process-driven systems (even when well resourced and well intentioned) are not, on their own, sufficient to secure favourable condition in complex upland ecosystems.
59. This example reinforces a wider point made by the NAO and others: effective nature recovery depends less on who controls land or how many rules apply, and more on adaptive, outcome-focused management informed by local ecological understanding. It strengthens the case for reforming governance structures so that decision-making authority and accountability for outcomes sit closer to the land itself.
60. **(4) Burning and Wildfire – ignoring local warnings.** A final example concerns wildfire risk on peatlands, which links to climate outcomes. After a blanket policy push to reduce or eliminate heather burning on deep peat (driven by a top-down view that all burning is bad for carbon), many moorland managers warned that fuel build-up would invite uncontrollable fires. These warnings were largely dismissed. Evidence submitted to Defra has also warned that regulatory approaches which focus narrowly on prohibiting management practices, without assessing impacts on fuel accumulation and wildfire severity, risk increasing both environmental damage and future public expenditure on emergency response and restoration.
61. Then in 2018, a major wildfire on Howden Moor (Peak District) tore through a site where controlled burns had been stopped; it destroyed a large area of peat and vegetation, releasing vast carbon and killing wildlife. A report aptly titled *Burning Money* (2023) documented that the cost of the fire far outweighed any supposed benefit of preventing small burns. A case of a policy that was “irrational, unproven, and expensive” in hindsight. Yet the lesson has not fully been learned: rigid restrictions remain, and we risk repeat scenarios. This again shows the need for flexible, locally informed management rather than one-size-fits-all bans. Upland managers are not seeking *carte blanche*, only the ability to use management tools in a responsible way where evidence shows it is beneficial for fuel management and habitat.
62. In sum, these examples illustrate a pattern: centralised, inflexible regulation often cannot accommodate the nuances of environmental management. It tends toward blanket measures or slow, cautious responses that lag behind reality. Local knowledge and adaptive practices are frequently undervalued or actively hindered. This not only breeds frustration and non-compliance; it directly causes missed opportunities and sometimes outright damage (as in the wildfire case). We believe a core reason for this is that decision-making authority is too distant from the land itself. Those making the rules or plans are not the ones who must implement them or live with the consequences. That gap must be closed.
63. Where the same organisations help to define acceptable management, facilitate access to public funds, and deliver restoration activity, there is a risk that accountability for outcomes becomes blurred. If prescribed approaches fail to reduce wildfire risk, improve biodiversity, or deliver value for money, it is often unclear whether responsibility lies with the evidence base, the guidance, the funding conditions, or local implementation. The Committee may therefore wish to examine whether current peatland restoration governance arrangements provide sufficient separation

between evidence appraisal, policy guidance, funding decisions, and delivery - and whether effective mechanisms exist to revise or reverse guidance where monitored outcomes do not align with expectations.

### **Section 3) Learning from decentralised delivery models: international and domestic examples.**

64. Encouragingly, we are not writing on a blank slate. There are proven models of more decentralised environmental management that England can learn from. Two in particular have informed our thinking:
65. **(1) The Scandinavian “local wildlife boards” model.** In Norway (and similarly in Sweden), wildlife and habitat management is conducted through formalised local and regional boards that include stakeholders and local government. Decision-making is pushed down to the lowest feasible level. For instance, Norway has Wild Reindeer Boards composed of municipalities in each reindeer range, which set population plans and quotas for wild reindeer. It also has Large Carnivore (Predator) Boards in each region, established under law, responsible for managing wolves, bears, lynx and wolverines in line with national population targets. These boards include local officials and stakeholder representatives, and they make determinations about hunting quotas and culls when needed. The national agencies provide the legal framework and can hear appeals, but day-to-day decisions are made locally.
66. Crucially, the guiding principle in Norway’s wildlife law is to “*ensure management that emphasizes predictability and local participation*”. In fact, Norwegian municipalities are explicitly designated as the “local wildlife authority” in legislation, responsible for managing most game species and even certain protected species at the local level. This is a fundamentally different approach from England’s. It treats local communities not just as consultees, but as empowered managers of their natural resources. As one scholarly review of Norwegian wildlife management notes, “*stakeholders and local people are directly empowered and responsible rather than just providing input regarding management decisions and actions.*”
67. Decisions are made through negotiation and adaptive management, often with scientific advisors in the mix, but importantly there is buy-in from those on the ground, which leads to better compliance and outcomes. We see the positive results in Norway’s relatively harmonious (compared to England) approach to issues like large carnivore management or moorland birds. Conflicts are not eliminated, but they are addressed in a practical way, and policies (such as regional wolf quotas or local goose management schemes) are adjusted as needed each year by those boards. This model demonstrates that it is possible to have strong environmental rules with local democratic oversight. Indeed, conflicts can be eased when local voices are part of the decision structure rather than being overruled by distant authorities.
68. **Funding and participation: why landowner involvement fails under the current model.** A critical but often overlooked difference between England’s regulatory model and successful decentralised systems elsewhere is how participation by land managers is funded. In England, landowners and managers are routinely expected to engage in advisory groups, partnerships, consultations and co-design processes on an unpaid basis, often at significant personal and business cost. At the same time, environmental NGOs and public bodies participate through salaried staff, dedicated project budgets and grant-funded programmes. This creates a structural imbalance in who is able to engage consistently, shape proposals and remain present throughout lengthy policy and delivery processes.
69. By contrast, in systems such as Norway’s locally empowered wildlife and land-use boards, participation is treated as a form of public service rather than voluntary consultation. Board members receive modest but formal remuneration and expense cover, funded through a

combination of public budgets and hypothecated user revenues. This does not professionalise advocacy or incentivise particular views; rather, it recognises that people who manage land for a living cannot repeatedly step away from operational responsibilities without compensation. The result is sustained, accountable participation by those with direct delivery responsibility.

70. The absence of any equivalent mechanism in England is not a cultural footnote but a design flaw. It systematically favours organisations whose involvement is institutionally funded, while excluding or exhausting those whose contribution depends on goodwill alone. Over time, this weakens trust, reduces delivery capacity and leaves regulators without the practical intelligence needed to manage complex landscapes adaptively. It also helps explain why many “partnership” structures struggle to move beyond discussion into action.
71. From a value-for-money perspective, this approach is counterproductive. Government invests heavily in policy design, regulation and grant schemes, yet underinvests in the governance capacity required to translate those inputs into outcomes on the ground. Where land managers disengage, or are only intermittently involved, the system becomes more centralised, more risk-averse and less capable of learning from outcomes. This reinforces precisely the delivery failures identified by the NAO and the Committee in successive reports.
72. **(2) Internal Drainage Boards (IDBs) in England.** A domestic example of effective local environmental governance is the system of Internal Drainage Boards, which have existed for well over a century to manage water levels and flood risk in low-lying regions. IDBs are public bodies, but they are locally governed (members include local landowners, farmers and council nominees) and they operate in a defined district to manage drainage infrastructure. While their mandate is narrower (water management) and they are under the supervisory eye of the EA, their model is instructive. Each IDB raises funds through local drainage rates and government grants, and they set and deliver their own maintenance programs and capital projects. Critically, *“IDBs should be accountable to the communities they serve, incorporating local residents, businesses and landowners”* in their governance. They are thus directly responsive to local needs. Residents can attend meetings, local knowledge shapes priorities (e.g. which watercourse needs clearing first) and there is a tangible sense of ownership.
73. The EA, for its part, has oversight powers but *“prefers to work in partnership to address issues”* rather than dictating to IDBs. This hands-off supervisory role is important: it shows that a national agency can relinquish day-to-day control yet still ensure standards are met and step in only if something goes seriously wrong. By most accounts, the IDB system has worked efficiently: drainage infrastructure is largely well-managed where IDBs exist, and they have been able to mobilise significant local resources (financial and human) beyond what central government alone could do. We acknowledge that IDBs have had governance challenges (NAO and Defra have noted variability in performance), but the key point is their principle of local empowerment. If something similar can be applied to nature conservation and land management (creating local bodies with a duty to deliver environmental outcomes) we believe it could unlock capacity and innovation that the current centralized framework is missing.

## **Section 4) A proposal for structural reform to improve accountability and delivery.**

74. Drawing on the above, we propose that England’s environmental regulatory system be restructured to introduce Local Environment Delivery Boards (working title) as the primary vehicle for on-the-ground action in appropriate landscapes (initially, this could be piloted in upland areas, large protected landscapes, or catchment units). This is not about removing safeguards or “deregulating” – it is about who makes decisions and how work gets done. Key features of the proposed model:

75. **(1) Statutory Local Boards with Defined Responsibilities.** Parliament would create these boards through legislation, akin to how IDBs are established for drainage districts. Each board would cover a logical environmental management unit (for example, a National Park or AONB area, a cluster of SSSIs/local authority areas or former clusters) where land management needs coordination. The board's remit would be to deliver specified environmental outcomes in that area (for instance, to achieve favourable condition on all protected sites, to recover populations of key species, to improve water quality, etc. aligned with national targets). They would have permissive powers to carry out habitat works, species management (including licensing certain activities currently handled by NE), and to enter agreements with landowners. Importantly, they could issue their own consents or permits for activities under their jurisdiction, replacing multiple consents from NE/EA with one integrated local process.
76. These Local Environment Delivery Boards would not constitute a new regulatory tier or enforcement authority. Their purpose is to consolidate and localise existing decision-making functions currently exercised by national regulators, within a transparent and locally accountable governance structure. The Boards would not introduce new categories of control, restrictions or obligations on land managers beyond those already provided for in law; rather, they would replace fragmented, centralised processes with a single, locally governed mechanism focused on delivery.
77. **(2) Governance and Membership.** The composition should reflect the IDB template of local accountability. We suggest each board include elected representatives of those who manage the land (landowners, farmers, gamekeepers, commoners) and local authority representatives. For example, it could mirror the IDB split: some members elected by rate-payers (land occupiers) and some appointed by local councils or statutory bodies. The Chair could be independent. The aim is to ensure decisions are made by people with local knowledge and a stake in both environmental and community wellbeing. Defra or its agencies could have a non-voting advisory seat.
78. For such Boards to function effectively, participation must be properly resourced. If land managers are expected to carry statutory responsibilities, attend decision-making meetings, assess evidence and be accountable for outcomes, this cannot be treated as unpaid stakeholder engagement. As with Internal Drainage Boards and comparable international models, members should receive modest allowances and expense cover, reflecting their role as part of a public governance structure. Without this, the proposed Boards would replicate the same structural imbalance that currently undermines engagement: authority would nominally be devolved, but practical influence would remain with those whose participation is institutionally funded.
79. Properly funding local governance is not an additional cost burden but a reallocation toward delivery. Compared to the cost of repeated consultation exercises, regulatory delay, failed schemes and unintended consequences, supporting local decision-makers represents a low-cost intervention with high potential returns. It is also consistent with the Committee's long-standing emphasis on aligning resources with accountability and outcomes.
80. **(3) Funding Mechanism.** Like IDBs, these boards could raise a local levy (for instance, an "environment improvement levy" possibly attached to agricultural land in the area or via local authority contributions) which, combined with central government funding, provides a budget for works. The rationale is that those in the local area contribute (reflecting the local benefits) and central funding covers the public goods aspect. This would empower the board to hire staff (ecologists, rangers) and contractors to carry out work, from invasive species control to footpath maintenance or peatland restoration, without always waiting for national schemes. We note that currently huge sums of public money are paid out through environmental land management schemes; a portion of that could be devolved to these boards to administer strategically at local level, likely with greater effect.

81. Any local levy or contribution mechanism would need to be designed so that it does not represent a net additional regulatory burden on land managers. Its purpose would be to replace, rationalise or offset existing costs, delays and inefficiencies associated with the current system of multiple consents, fragmented schemes and repeated consultations. Participation in funding would be linked to local decision-making authority and tangible delivery benefits, not to the expansion of regulatory overheads.
82. **(4) Accountability for Outcomes.** Each Board would be required to develop a multi-year action plan tied to delivering specific outcomes (e.g. increasing a species by a given percentage, improving index of water quality to a certain status, etc). They would report annually to Defra (and by extension to Parliament) on progress. Defra's role would shift to setting a limited number of high-level national outcomes and statutory baseline standards, and auditing system-level performance, rather than managing individual consents or micromanaging projects. These national targets would be used to guide strategic priorities, funding allocation and system-level accountability, and would not be applied as uniform compliance tests or enforcement thresholds at the level of individual holdings.
83. The Office for Environmental Protection could, where appropriate, scrutinise system-level performance against national environmental targets, rather than individual local decisions or delivery bodies. If a board consistently fails to deliver or mismanages funds, there could be provisions for intervention (similar to how failing local authorities can be subject to special measures).
84. **(5) Role of Natural England and Environment Agency.** Under this model, Natural England and the Environment Agency would move to an advisory and enabling role in local land management decisions, rather than an executive role. They would no longer be the default decision-makers on specific consents in the board's area (for example, a consent for a habitat management activity or a licence for a wildlife management action would be issued by the local Board's process). Instead, NE/EA would provide expert guidance, data, and best-practice toolkits to the boards.
85. They might define a limited set of statutory red-line thresholds (for instance, preventing demonstrable deterioration of a Site of Special Scientific Interest), but would not exercise routine approval or veto powers. Intervention would be restricted to cases of clear legal breach or material environmental harm. This relegates NE/EA to a role similar to the EA's role with IDBs - oversight and partnership, not day-to-day control. We believe this change would remove the current friction where NE in particular is seen as both coach and referee. Instead, the local board becomes the actor, and NE supports it with science and advice. This is analogous to how, in Norway, the central environment agency sets broad quotas and can step in on appeals, but the regional wildlife boards actually decide local measures.
86. **(6) Exclusion of National Park Authorities from regulatory remit.** National Parks (and National Landscapes/AONB Partnerships) are primarily landscape custodians and planning authorities, not regulatory bodies for wildlife or land use beyond planning consent. In recent years, however, some National Park Authorities (NPA) have sought to influence operational land management (for instance, trying to regulate burning or shooting through park policy). This has led to confusion and duplication, since NE already had statutory authority for SSSIs and wildlife licensing. Under our proposal, the new Environment Boards would handle all such operational environmental management in their area, negating any role for NPAs in this domain. NPAs would continue with their important planning functions and public engagement, but clear lines would be drawn to prevent overlapping mandates. This simplification would be welcomed by land managers and should improve efficiency (one forum to deal with instead of several).
87. We acknowledge that implementing this model would be a significant change. There are many design details to work out (the exact geography of boards, their powers, funding, etc.). However, we stress that the current system, as shown, is structurally unable to deliver the step-change needed. We keep

returning to the fact that local practitioners are often frustrated by being told what cannot be done, yet left waiting when they ask for help to do something proactive.

88. Under a board system, if, say, a group of moorland owners wants to run a collaborative predator management programme to boost breeding waders, they could agree it through their Board and proceed, rather than facing a tangle of restrictions or years of lobbying for permission. The Board would of course need to operate within legal bounds and scientific guidance, but being locally led, it could act with agility. We would also expect greater community buy-in: people are more likely to support measures (and comply with rules) that they had a hand in shaping. As the co-management experience has shown elsewhere, *“if those closest to the mandate agree with it or understand why it exists, they will follow it – and ensure everyone else does too.”* Building trust is a huge part of effective environmental management, and trust comes from shared decision-making.
89. We see this model as complementary to, not a replacement for, national strategy. It is about delivery. Government would still set national targets (e.g. species abundance by 2030) and could allocate funding according to broad priorities. But instead of relying on a chain (Defra to NE, then NE to individual farmer) which clearly is not yielding results, Defra would rely on a network of competent local bodies to get the job done. It is analogous to how devolution in other public services has driven innovation (e.g. local policing with community boards, or public health with local authorities). Environmental improvement needs the same spirit of “devolve and deliver”.
90. Finally, the proposed Local Environment Delivery Boards are not intended to create an additional tier of regulation, new compulsory charges, or new controls on land management. Their purpose is to replace and consolidate existing fragmented consent, licensing and delivery processes currently exercised by national bodies, within a single, locally accountable structure focused on outcomes. Any local funding mechanism would be designed to substitute for, not add to, existing costs, delays and inefficiencies, and participation would be linked directly to decision-making authority and delivery benefit. The intention is to reduce regulatory burden, improve value for money and restore practical control to those responsible for managing the land, not to expand bureaucracy or financial obligations.

## **Conclusion: A System That Delivers for Nature and People.**

91. In conclusion, the Moorland Association strongly urges the Committee to recognise that England’s environmental regulation requires more than minor reform - it needs a new foundation. The failures to meet past targets, the OEP’s warnings of current trajectory and the lived experience of those on the land all point to a system that is not fit for purpose in its current form.
92. We have a historic opportunity, post-Brexit and post 25-Year Plan, to redesign how we achieve our nature recovery and climate goals. By empowering local delivery mechanisms, aligning accountability with those doing the work, and refocusing national bodies on supporting outcomes rather than policing processes, we can break the cycle of high effort for low reward.
93. To be clear, we are not calling for any reduction in statutory environmental ambition. Rather, we are arguing for standards and targets to be applied in ways that are proportionate, evidence-based and demonstrably capable of delivering outcomes on the ground. On the contrary, we are desperate to see real improvement (cleaner rivers, more wildlife, more resilient ecosystems) and we are frustrated that despite goodwill and investment, the trends remain negative. Our members manage some of the most important environmental assets in the country; we feel a duty to hand them on in better condition. We stand ready to invest our own resources and time towards that end. But we need a regulatory system that enables and partners with us, rather than one that distrusts, constrains and sometimes defeats us.

94. We hope the Committee will consider our evidence and recommendations. We believe they align with the findings of the NAO, the PAC's past observations, and emerging international best practice. Ultimately, success will be measured by outcomes. As the Committee has rightly said before, environmental regulation should be judged by "*real-world results... not merely by activity or outputs*". We could not agree more. Let us build a system that actually delivers those results.
95. The Moorland Association would welcome the opportunity to provide further evidence to the Committee to discuss these ideas and our practical experience. We are committed to being part of the solution and working constructively with Parliament, government and regulators to achieve the flourishing natural environment that we all wish to see. Thank you for considering our submission.