



WWF *for a living planet*

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Paul Duffy
Director of Finance and Business Planning
Room 6-15
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Reference: DOE budget 2010/11

15th February 2011

Dear Mr Duffy,

WWF Northern Ireland appreciates the opportunity to comment on the DoE draft budget for 2011-15.

WWF Northern Ireland notes that in addition to the reduction in income for the DoE of £15.4 million 2011/12 an additional £4 million has been taken out of DoE core budget to pay for the Green New Deal, which takes the total reduction in income up to £19.4 million. This additional £4 million is due to be replaced by the £4 million predicted to be generated by a plastic bag levy (of 15p per bag).

WWF Northern Ireland is supportive of a plastic bag levy as a means of, hopefully, reducing the consumption of fossil fuel (oil) derived plastic carrier bags and is supportive of the Green New Deal as a means of reducing our carbon footprint while creating 'green' jobs. However, WWF Northern Ireland has a number of concerns about how it is proposed the plastic levy will operate and how the Green New Deal will be funded. Above all, WWF Northern Ireland believes that plastic bag levy should be a source of additional funds and not an alternative to core funding for DoE. The Green New Deal should be funded through new and/or additional revenue streams, such as the proposed plastic bag levy, rather than from existing departmental budgets and certainly not from the budget of the DoE alone. Given the Green New Deal is likely to help meet the aims and objectives of more than one department, the Green New Deal should be funded by contributions, financial and otherwise, from a number of departments. The DoE should not be solely responsible for providing the financial support for the Green New Deal. As such, WWF Northern Ireland believes it is totally inappropriate for the DoE core budget to have been cut by £4 million to fund the Green New Deal, and for the proposal for this £4 million to be replaced by the anticipated revenue from the plastic bag levy. The primary driver for any plastic bag levy should be the incentive to reduce the consumption of fossil fuel (oil) based plastic carrier bags, not as a potential revenue stream, which appears to be the approach being taken to how this levy will operate.

WWF Northern Ireland is concerned about how the figure of £4million in anticipated revenue has been derived. We believe these calculations should be transparent and would like this to be explicitly included within the proposal document. WWF Northern Ireland would also request information about contingency plans if the Plastic Bag Levy fails to generate the amount of revenue predicted, given that key environmental activities will be suspended or postponed until this revenue is raised.

WWF Northern Ireland is also very concerned at the approach DoE have proposed be taken to manage this additional £4 million cut in the department's core budget. As outlined on pages 22 to 26, the areas of work that will be cut to pay for this additional £4 million cut from the DoE core budget include a cut in



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the river restoration programme, even though it says (page 24 paragraph 4.24) that the WFD is the key driver of this programme of work. If it is the Department's belief that they will be able to meet the objectives they have set within the River Basin Management Plans by 2015, in spite of the projected delay in available funds, we would ask for more detail in the Proposals on how this will be achieved. In addition, a cut in the programme of work related to environmental noise, which as outlined on page 24 paragraph 4.25,

"is in respect of compliance with the Environmental Noise Directive which is a legal requirement under the transposed legislation, the Environmental Noise (NI) Regulations 2006"

The gradual nature of the generation of revenue from a plastic bag levy was confirmed by the Minister for the Environment in the Assembly on 9th February 2011 when he said

"The introduction of a plastic bag levy can only be implemented once the relevant legislative powers are in place. As it is anticipated that the earliest that a scheme could begin to raise revenue is April or May 2012, a range of environmental programmes around river restoration, environmental noise, marine resources, minerals mapping, fly-tipping and the repatriation of waste have been identified that may have to be suspended or postponed pending revenue receipts from the plastic bag levy."

While one of the major issues surrounding this budget is the lack of clarity and detail, it appears from this draft budget that DoE is proposing to cut some of the money necessary to comply with the WFD and the Environmental Noise Directive, with the understanding that there will not be any replacement funding (from the plastic bag levy) for these areas of work for over a year. WWF Northern Ireland regards this as an inappropriate and irresponsible choice on behalf of DoE, which reflects a lack of appropriate prioritisation on behalf of DoE, as it means the department's legal requirements and by extrapolation, Northern Ireland's legal requirements, may not be met. WWF Northern Ireland would not and does not support the suspension or postponement of programmes of work which are required by EU Directives, as this is not only detrimental to our environment but also exposes Northern Ireland to the risk of legal action and/or infraction fines from Europe.

The EU had already started legal action against the UK because of Northern Ireland's non compliance with the EU Habitats Directive in relation to Strangford Lough. This legal action was only stopped (temporarily) because an action plan for the restoration of the damaged horse mussel reefs in the lough, was agreed with the EU. Unfortunately it seems that due to the incomplete implementation of this action plan, Northern Ireland remains in breach of the Habitats Directive and as such, the resumption of legal action, with the incumbent risk of infraction fines, is now a real possibility. WWF Northern Ireland believes that actions or proposals that risk non compliance with EU Directives, which expose Northern Ireland to additional potential legal action and infraction fines, must be avoided and regards proposals that would potentially risk non compliance with EU Directives as irresponsible. WWF Northern Ireland is both concerned and disappointed that in response to the proposed cuts to its budget, DoE has chosen to propose cutting back on actions necessary to ensure compliance with EU directives and WWF Northern Ireland believes that alternative areas for cuts need to be identified as this course of action is not something WWF Northern Ireland can or will support.

WWF Northern Ireland is also concerned that, as outlined in paragraph 4.14, page 21 of the draft budget

"Savings will be delivered through a slowdown in the rate of declaration of Areas of Special Scientific Interest and a reduction in the level of expenditure on the management of Nature Reserves"

The ASSI declaration programme is already approximately fifteen years behind schedule, given the previous Target 2001, which set 2001 as the date for the declaration of all Northern Ireland's ASSIs. This date has subsequently been revised upwards to 2016. Now, in this draft budget, DoE are proposing to delay this rate of ASSI designation further. Given that the declaration of SSSIs in England and Wales effectively finished in the mid 1990s, WWF Northern Ireland regards any further delay in Northern Ireland as hard to justify.

WWF Northern Ireland is also concerned by the proposal outlined in paragraph 4.16 on page 22 of the draft budget

“There will be a reduction in proactive pollution prevention and reduced capacity to non planned monitoring requirements to establish the source of pollution or the impact of such incidents”

While WWF Northern Ireland would like greater detail as to exactly what this proposal entails, accounting for the already inadequate monitoring of rivers, lakes and groundwater and of pollution incidents in these bodies, and the requirements of the WFD, WWF Northern Ireland regards this proposal as unacceptable. The monitoring of pollution incidents in order to identify the cause and source of the incident and, if appropriate, the prosecution of the polluter, is, in essence, the only effective and visible deterrent to those who for whatever reason do not comply with pollution related legislation and policy. Any proposal to scale back on this area of work, which urgently needs to be expanded and upgraded, rather than reduced and downgraded, is unacceptable to WWF Northern Ireland.

In summary, while recognising that all Government departments face cutbacks, WWF Northern Ireland believes that the DoE’s proposals for areas of work to be cutback is inappropriate, to the point of being irresponsible. As a minimum, WWF Northern Ireland believes that DoE must ensure that all Northern Ireland’s legal obligations with respect to the environment are met and so other areas for cutbacks need to be identified than those currently proposed by DoE and alternative source/s of funding for the Green New Deal need to be found.

Yours faithfully

Malachy Campbell
Policy Officer WWF Northern Ireland