

Thursday 24 April 2025

Dear Member of Parliament,

Re Planning and Infrastructure Bill nature levy: A licence to kill nature

As a group of leading economists, former government advisors, and leading conservationists, with decades of collective experience in ecological planning, licensing and nature conservation, we are writing to express our deep concern about the Government's proposed Nature Levy and Planning and Infrastructure Bill.

The headline claims are bold — that this new levy will simplify processes, accelerate housebuilding, and restore nature through an “overall improvement test.” But the reality is far more troubling. This proposal allows companies to ‘buy out’ of their legal obligations to nature, and in doing so, dismantles key safeguards that have protected nature for decades. These safeguards are instead replaced with a vague promise that Natural England will make things better — eventually.

Under the proposed scheme, Natural England's position will be deeply conflicted. Natural England will write the conservation plans, and assess their success, all the while being reliant on the new Nature Levy income to fund its own administration. This is a clear conflict of interests, with no independent scrutiny, and no mechanism to ensure protection for rare species — before it's too late. This comes at a time when new Government policy will also require Natural England to regulate for growth, not the environment.

Worse still, the new levy removes three critical pillars of effective environmental governance: the precautionary principle, which prevents destruction before we fully understand what's at stake; the mitigation hierarchy, which encourages developers to avoid harm in the first place — rather than simply pay “cash to trash”; and, the polluter pays principle, replaced by a flat tax on all developments.

This is not a targeted tool for nature recovery — it is a blunt instrument that rewards bad planning and penalises good practice, all the while, adding cost and delay to the planning and development process. The Bill imposes complex viability-based levies and creates overlapping and clashing regulatory regimes. Worse, it contains an inbuilt under-delivery mechanism, as the levy is adjusted downwards according to development viability, rather than set to cover the true ecological costs of damage. In practice, this means that nature will always lose out when economic pressures arise.

Perhaps most alarmingly, the so-called “overall improvement test” is legally weak, unreliable, and a step backwards in environmental protection. It allows vital safeguards to be dismissed based on the vague notion of “overall improvement”, a phrase so legally flimsy that it is open to manipulation. Even more troubling, the Secretary of State for Housing will have the discretion to determine whether this test is met, creating a dangerous loophole where political convenience can override ecological reality.

The Government's rhetoric — that wildlife laws are delaying house building — is simply false. In our collective experience, delays are driven by under-resourced planning authorities, infrastructure bottlenecks, and industry-led viability constraints. Environmental licensing, when done well, is not the problem.

Strategic licensing systems, such as the popular District Level Licensing for newts, already demonstrate that it is possible to protect species and streamline development — all within the confines of existing laws. These systems are legally robust, evidence-based, and deliver real gains on the ground. Developers value them precisely because they are clear, transparent, and effective. As District Level Licensing proves, the concept of strategic mitigation funding and payments through a levy system can be effective after they have been rigorously thought through and piloted. When essential safeguards for nature are stripped

away, as is proposed under this new law, this risks devastating outcomes for our natural environment, and our economy that depends on it.

We urge you to look beyond the slogans. The Nature Levy is not a tool for ecological recovery: it is a licence to kill nature, with no evidence to suggest this would in any way help our economy.

It will gut the very framework that has enabled green growth for over forty years, while creating legal and ecological uncertainty in the process. The jeopardy could not be higher. If this proposal is not reconsidered, we risk irreversible damage to the ecosystems that sustain life itself. This must not be allowed to happen.

Will you write to the Ministry of Housing, Communities and Local Government to request a pause on Part III of the Planning and Infrastructure Bill to allow for due process, proper consultation, impact assessment, and piloting, in pursuit of a true ‘win-win’ for the economy and nature?

Yours sincerely,

Nida Al-Fulaij (CEO, People’s Trust for Endangered Species)

Dr Mark Avery (independent author, conservationist)

Estelle Bailey (CEO, Berks, Bucks & Oxon Wildlife Trust)

Rachael Bice (CEO, Yorkshire Wildlife Trust)

Evan Bowen-Jones (CEO, Kent Wildlife Trust)

Sir Charlie Burrell (conservation pioneer, Knepp Estate)

Sarah Jane Chimbwandira (CEO, Surrey Wildlife Trust)

Chris Corrigan (CEO, Sussex Wildlife Trust)

Jon Davies BSc MSc FCIEEM CEnv (Board Director, RSK Wilding)

Prof Sir Partha Dasgupta GBE FRS FBA (Emeritus Professor at Cambridge University, author of *The Economics of Biodiversity: The Dasgupta Review*, President of Beds, Cambs & Northants Wildlife Trust)

Natalie Duffus (specialist in biodiversity net gain, Oxford University)

Dr Sophus Zu Ermgassen (specialist in biodiversity finance, Oxford University)

Jim Foster (Conservation Director, Amphibian & Reptile Conservation Trust)

Ben Goldsmith (CEO, Menhaden Capital)

Sally Hayns (CEO, Chartered Institute of Ecology & Environmental Management)

Prof David Hill CBE DL DPhil (former Deputy Chair of Natural England, past President of CIEEM, founder President of The Foundation for Nature, past member of HM Government Ecosystem Markets Taskforce)

Prof Sir John Lawton CBE FRS (former Chair of the *Making Space for Nature* review, former Chair of the Royal Commission on Environmental Pollution, former Natural Environment Research Council CEO)

Dr Caroline Lucas (former Leader of the Green Party of England & Wales and MP)

Craig Macadam (Conservation Director of Buglife, the Invertebrate Conservation Trust)

Dr Amy McDonnell (Co-Director, Zero Hour)

Prof Dame E.J. Milner-Gulland DBE (Tasso Leventis Professor of Biodiversity and Director of the Interdisciplinary Centre for Conservation Science, Oxford University)

Tom Nelson (Director, Nature Impact)

Robert Oates Dip FDS Sc MBA MSc MA Arbor A MRSB CBiol (CEO, Arbtech Consulting)

Nigel Palmer (CEO, Badger Trust)

Gill Perkins (CEO, Bumblebee Conservation Trust)

Sir Jonathan Porritt CBE (writer, founding Director of Forum for the Future, sustainable development campaigner)

Jack Potter (Director, Wild Capital)

Dominic Price (Director, Species Recovery Trust)

Paola Reason BSc MSc CEcol CEnv FCIEEM MIEMA SpDipEM (Board Director, RSK Biocensus)

Zak Simmonds (Director, National Rivers Consortium)

Ruby Sleigh (Chair, Architects Climate Action Network)

Georgia Stokes (CEO, Somerset Wildlife Trust)

Kit Stoner (CEO, Bat Conservation Trust)

Debbie Tann MBE (CEO, Hampshire & Isle of Wight Wildlife Trust)

Dr Tom Tew (CEO of NatureSpace, former Chief Scientist of Natural England, former Trustee of The National Trust and Heritage Lottery Fund)

Dr Ruth Tingay (Co-Director, Wild Justice)

Simon Towers (Director, Green Earth Developments)

Dr Jo Treweek (Director of eCountability and UK Habitat Classification, Biodiversity Chair of the International Association for Impact Assessment)

Isabella Tree (conservation pioneer at Knepp Estate, award-winning author of *Wilding: The Return of Nature to British Farms*)

Dr Stephanie Wray (Director of Athene Consulting and Nature Repair, past President of CIEEM, Chair of The Mammal Society, Trustee of Gloucestershire Wildlife Trust)