

# **Sustainable Development: Agenda 21 and Earth Summit II**

**Research Paper 96/87**

**16 August 1996**



Five years on from the Rio Earth Summit, 1997 will be a landmark year for international environmental policy in which the UN General Assembly will review the progress of **Agenda 21, the global sustainable action plan for the 21st century**. Crucial decisions will also be taken regarding the climate change and biodiversity conventions which emerged from Rio. This paper reviews our progress towards sustainable development.

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**House of Commons Library**

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### Summary

'Sustainable development', a concept first introduced by the 1987 Brundtland Commission, was one of the central themes of the Rio Earth Summit which produced a lengthy 'sustainable development action plan' called Agenda 21. Five years on from Rio, in June 1997 the UN General Assembly will convene a special session 'Earth Summit II', to review Agenda 21's progress.

A UN Commission on Sustainable Development was established to help implement Agenda 21 but seems recently to have lost its way. However, local authorities are currently implementing Local Agenda 21s with vigour. The UK has produced its National Strategy for Sustainable Development and published a set of Indicators for Sustainable Development. It has also established a high level Government Advisory Panel on Sustainable Development which has suggested radical changes to some Government policies. A multi-sectoral Round Table on Sustainable Development and a citizen's awareness programme 'Going for Green' have also been created.

Movement towards sustainability has to be reconciled with drives towards deregulation and economic growth, which are even harder to deny in developing countries than in the industrialised world. The EC's Fifth Environmental Action programme *Towards Sustainability* has not made the desired progress, and its mid-term review by the Commission has resulted in an interim kick-start action plan.

The Government has undertaken to apply environmental appraisals to all policy decisions but there is little evidence of this being done. While the UK will meet carbon dioxide emission targets under the climate change convention and takes a lead in international fora on this issue, this can be attributed more to the recession and a switch from coal to gas power generation than to increased energy efficiency. The Lords Select Committee and the Round Table on Sustainable Development have been critical of some aspects of the Government's energy policy.

Against the backdrop of a growing anti-roads movement, the Round Table seems to have adopted transport policy as one of its key concerns. The UK has introduced a landfill levy as its first major environmental tax, but remains strongly opposed as ever to any EU carbon tax. This is despite the calls of the Government Panel for a fundamental shift in taxation from capital, labour and income to resources, including energy.

## I. Introduction

'Sustainable development' is a notoriously nebulous concept. Even the Secretary of State for the Environment John Gummer, while having no reservations about the idea, has said that he has never felt comfortable with the term<sup>1</sup>. First introduced by the 1987 Brundtland Commission<sup>2</sup>, 'sustainable development' is

'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs'<sup>3</sup>.

The 1992 Rio Earth Summit took sustainable development as one of its central themes, and produced a lengthy 'sustainable action plan', with no legal status, called Agenda 21. Putting Agenda 21 into action will be vastly difficult, even more so than implementing the relatively prescriptive and limited Conventions which also emerged from Rio, on Biodiversity and on Climate Change.

Rio established a UN Commission on Sustainable Development (CSD) to help implement Agenda 21 and the CSD has so far held four sessions; its fifth will take place in February-March 1997, in advance of the UN General Assembly's Special Session in June 1997 which will perform a five-year review of Agenda 21<sup>4</sup>. As a crucial part of the process, local authorities at home and abroad are currently implementing Local Agenda 21s.

The UK, like other countries which signed Agenda 21, has produced its National Strategy for Sustainable Development<sup>5</sup>, and has been one of the first countries to publish a set of Indicators for Sustainable Development which should provide some measures of progress<sup>6</sup>. Other UK initiatives have included the setting up of the high level Government Advisory Panel on Sustainable Development chaired by Sir Crispin Tickell. The First Report of the Panel<sup>7</sup> was seen as suggesting radical changes to some Government policies<sup>8</sup>. In addition, the Government has established the multi-sectoral Round Table on Sustainable Development, the citizen's awareness programme 'Going for Green', and has recently published the sixth in the *This Common Inheritance* environmental white paper series<sup>9</sup>.

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<sup>1</sup>*This Common Inheritance UK Annual Report 1995* Cm 2822 March 1995

<sup>2</sup>Report of the World Commission on Environment and Development, *Our Common Future* 1987

<sup>3</sup>Cm 2426 *Sustainable development; the UK strategy* 1994 p. 27

<sup>4</sup>[www.iisd.ca/linkages/csd/csd1996](http://www.iisd.ca/linkages/csd/csd1996)

<sup>5</sup>Cm 2426 *Sustainable development; the UK strategy* 1994

<sup>6</sup>*Indicators of Sustainable Development for the United Kingdom* DoE/Government Statistical Service March 1996

<sup>7</sup>*British Government Panel on Sustainable Development First Report*, DoE January 1995, DEP/3 1013

<sup>8</sup>for instance, *Observer* 22 January 1995 'Go for green tax, says Major's team'

<sup>9</sup>*UK Annual Report 1996 Reporting on the UK's Sustainable Strategy of 1994 (Including the Environmental Strategy of 1990)* Cm 3188 March 1996

Yet movement towards sustainability has to be reconciled with drives towards deregulation and also economic growth, which are even harder to deny in developing countries than in the industrialised world. The EC's Fifth Environmental Action programme is called *Towards Sustainability*, but this has not made the desired progress, and its mid-term review by the Commission has resulted in an interim action plan to identify and act on priorities<sup>10</sup>.

In the UK, the Government has undertaken to apply environmental appraisals to policy decisions in all Departments, but there is little evidence of this being done (see p.29). While the UK is on course to meet carbon dioxide emission targets under the climate change convention and has taken a lead in international fora on this issue, this can be attributed more to the recession and a switch from coal to gas power generation rather than increased energy efficiency. The Lords Select Committee and the Round Table on Sustainable Development have been critical of some aspects of the Government's energy policy in this regard.

A number of highly publicised cases have highlighted the loss of sites of nature conservation value to road building schemes, and there is a growing anti-roads movement in the UK; the Round Table seems to have adopted transport policy as one of its key concerns. The UK has introduced a landfill levy to discourage waste from going to landfill, as its first major environmental tax, but remains strongly opposed as ever to any EU carbon tax. This is despite the calls of the Government Panel on sustainable development for a fundamental shift in taxation from capital, labour and income to resources, including energy.

## II. Global Action

### A. The Brundtland report and 'sustainable development'

The UN Conference on Environment and Development (UNCED; the Earth Summit) held in Rio in 1992 differed crucially from earlier UN environment conferences, such as Stockholm in 1972, by the inclusion of the word 'Development'. Since Stockholm, when the industrialised countries had first acknowledged they had to curb their effects on the environment, the gap between the industrialised and undeveloped nations had widened, the effects of Third World Debt were being appreciated, and the poorer countries were insisting that they had to be allowed to grow.

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<sup>10</sup>ENDS Report 253 February 1996 'Brussels bid to revive flagging environmental programme' pp.24-27

This resulted in the international Brundtland Commission<sup>11</sup> being established to investigate the links between environmental destruction and development. It concluded that a decline in quality of life was being caused and the only way to stop this was to adopt sustainable development and start living from 'nature's income rather than its capital account'. The Lords Select Committee on Sustainable Development offer a range of definitions of 'sustainable development', supplied by their witnesses<sup>12</sup>, but that very different meanings are attached to sustainable development by industrialised and non-industrialised countries is clear<sup>13</sup>;

'For wealthy nations, sustainable development means policies concerning such issues as recycling, energy efficiency, conservation, rehabilitation of damaged landscapes. For the poor nations it means policies for equity, fairness, respect of the law, redistribution of wealth and wealth creation'.

Although the right to develop is meant to be encompassed in sustainable development this is clearly not always evident to developing countries, who see environmental protection as a hinderance to their growth. During the preparatory meetings (PrepComs) for the recent UN Habitat II conference (see section II.E), some members of the G77 proposed replacing the words 'sustainable development' with 'sustained economic growth'. Critics say that some of the G77 nations supporting such moves are oil-exporters and not always the poorest nations, but point out that<sup>14</sup>

'The right to develop is a key part of Agenda 21 and sustainable development. If sustainability has come to be seen as being environmentalism in another guise, then that is partly the fault of Western nations, who have paid much less attention to the chapters in Agenda 21 on poverty, shelter and livelihoods.'

Sustainable development offers the promise of direct benefits for developed nations such as an increase in quality of life, even if a somewhat Utopian view is sometimes advanced<sup>15</sup>;

'For hundred of years we had accepted the growth of pollution and only when it became utterly intolerable did we take effective action against it. Now we are seeing how much it has deprived us.

'As the fish come back to our rivers and the wild flowers to the unsprayed margins of more and more of our fields, we begin to learn just how much we have lost. Like a former smoker recovering his sense of smell, we have begun to rediscover a richness in the world which we

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<sup>11</sup>World Commission on Environment and Development

<sup>12</sup>*Report from the Select Committee on Sustainable Development Volume I-Report*. HL Paper 72, Session 1994-5 21 June 1995 pp. 8-10

<sup>13</sup>'From Stockholm to Rio' Richard Sandbrook, in *Earth Summit 1992* (abridged version of Agenda 21)

<sup>14</sup>*City Summit News* UNED-UK April 1996 p.2

<sup>15</sup>*Sustainable Development The UK Strategy* Cm 2426 January 1994 Foreword by the Secretary of State for the Environment

had all but forgotten'.

It has often been pointed out that such worthy aims might have come to nothing if Gro Harlem Brundtland, the Commission's chair, had not become Prime Minister of Norway, so ensuring that the issue enjoyed international exposure at the highest levels. Although the UK had originally opposed the establishment of the Brundtland Commission, Margaret Thatcher came out in support of the need for the UN to further address environmental issues, at a time when the extent of man-made damage to the stratospheric ozone layer was becoming clear.

By the end of 1988 over 50 world leaders, including Mitterand, Gandhi and Gorbachev had come out in favour of the Commission's conclusions and were calling for a UN event to act on these. This has been referred to as the 'environmental beauty contest of world leaders'<sup>16</sup>, but it resulted in the landmark conference at Rio, which was attended by 178 states<sup>17</sup>.

### **B. Agenda 21**

Agenda 21 is the 'sustainable action plan for the 21st century', a long negotiated document which was adopted in Rio. It was signed by 153 countries<sup>18</sup>, but it is not legally binding. In fact its nature, being a global action plan, or guidance document, is unusual among international agreements, and unlike the biodiversity and climate change conventions, it does not need to be ratified.

Agenda 21 is nothing if not comprehensive. Its 40 chapters cover human issues such as poverty, consumption patterns, demography, human health and settlement, and more conventional environmental issues such as protecting the atmosphere, forests and fragile ecosystems, seas, freshwaters and biodiversity. The management of wastes, biotechnology and land resources are included, as are the roles of groups such as women, NGOs, indigenous peoples, farmers, businesses and scientists. A final group of chapters concern the instruments and institutions needed for change.

In many cases Local Agenda 21s will have more relevance to individuals than the document which emerged from Rio. These are presently being drawn up and implemented, and are discussed in section III.

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<sup>16</sup>'From Stockholm to Rio' Richard Sandbrook, in *Earth Summit 1992* (abridged version of Agenda 21)

<sup>17</sup>*Report from the Select Committee on Sustainable Development Volume I-Report*. HL Paper 72, Session 1994-5  
21 June 1995

<sup>18</sup>source DoE

### C. UN Commission on Sustainable Development (CSD)

Chapter 38 ('International institutional arrangements') of Agenda 21 said that a high-level Commission on Sustainable Development, CSD, reporting to the General Assembly through the UN Economic and Social Council ECOSOC, should be established to ensure an effective follow-up to Rio, rationalise the international decision making process, and monitor progress in Agenda 21 implementation regionally, nationally and internationally.

Not only was the CSD established following Rio, but unexpectedly generous NGO access to it was granted, leading one NGO which lobbied for its establishment to acknowledge that 'we are in the unusual position where governments have neither sold out nor backpedalled'. Reservations have been voiced concerning the CSD's size and resources however<sup>19</sup> (it has a 'very small staff'<sup>20</sup>), and the CSD has clearly been feeling its way regarding its remit and focus; it is not clear that it has even yet found its true rôle.

The CSD was established in February 1993 by ECOSOC and it has 53 member nations, who have agreed to furnish it with reports on their progress in implementing the Rio agreements. The CSD will be able to gather its own data as well as relying on government reports, and it will also make recommendations for the 1997 General Assembly review of Agenda 21. The CSD also aims to improve the links between the UN and the World's financial institutions such as the GEF, IMF and World Bank. Its first meeting was in New York on June 1993 when Ambassador Razali Ismail of Malaysia was elected its first chair and commented<sup>21</sup>:

'the Commission comes into existence as arguably the main tangible accomplishment of the Rio summit, an inter-governmental machinery to monitor the implementation of Rio'.

The CSD meets approximately annually and there is a high-level ministerial meeting which precedes each session; at its second meeting (CSD-2) Klaus Töpfler (the German Environment Minister) was chair. However, at CSD-2 concerns were voiced for the first time about a need to move from rhetoric to action, and the difficulty of the CSD doing this without changing its format and without extra funding from Official Development Assistance. One step made at CSD-2 was the establishment of 'ad-hoc open-ended working groups' on sectoral issues such as forests, finance, biodiversity and desertification<sup>22</sup>. While applauding the chairmen of

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<sup>19</sup>*ENDS Report* 218, March 1993 'New UN bodies to monitor progress on Earth Summit accords' pp.41-42

<sup>20</sup>*The UN CSD Three Years Since the Rio Summit* A UNED-UK Report. Felix Dodds and Tom Bigg September 1995

<sup>21</sup>*ENDS Report* 218, March 1993 'New UN bodies to monitor progress on Earth Summit accords' pp.41-42

<sup>22</sup>A *brief history of the CSD* from [www.iisd.ca/linkages/csd/csd1996](http://www.iisd.ca/linkages/csd/csd1996)

the CSD who have given that body increased focus, John Gummer noted recently<sup>23</sup>

'I remember the first CSD Conference I went to, I was appalled ... I have never heard so many platitudes read out'.

The third meeting of the CSD in April 1995 chaired by Henrique Cavalcanti (Brazil) had a revised format of numerous panel discussions. The first country reports on national implementation of Agenda 21 were presented<sup>24</sup>, including one from the UK<sup>25</sup>, and one day was devoted to discussing different national experiences. Local authority experiences in implementing Agenda 21 were similarly discussed on another day. CSD-3 established an ad hoc CSD intergovernmental panel on forests (IPF).

The fourth session of the CSD (CSD-4) was held in Spring 1996 and considered further country reports on the implementation of Agenda 21 and a methodology for the adoption of 'sustainable development indicators' (see section IV.A), to help the CSD chart precisely the progress made since Rio<sup>26</sup>. It began considering preparations for the General Assembly's five-year review of Agenda 21 and beyond, and this issue seemed to eclipse other concerns. Some reservations about progress were voiced; one delegate stated that CSD-4 lacked the sense of urgency of past years and some observers said that some sectoral issue debates (oceans and atmosphere) were simply restating those that had taken place in other fora.

Regarding the CSD's future, most delegates agreed that the body should continue, but should not simply conduct further reviews of Agenda 21. Generally, the feeling seems to be that the CSD should focus its work on either certain sectors (such as oceans) or on pressing issues (such as poverty or megacities) which require international co-operation and where the CSD can provide an impetus for action<sup>27</sup>. How exactly this should be done, or how these issues should be chosen, has not been decided<sup>28</sup>.

#### D. 'Earth Summit II'

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<sup>23</sup>*Sustaining Developments since the Rio Summit* Ed. Jonathan McInerny, UNED-UK Proceedings of the UNED-UK annual conference held to feed into the 1997 Special Session of the UNGA

<sup>24</sup>*Connections Newsletter of the UN Environment and Development UK Committee* Summer 1995 UNED-UK

<sup>25</sup>*National Reporting to CSD 1995 Matrix summaries for chapters 10-15 of Agenda 21* National Information Analysis Office Division for Sustainable Development/DPCSD 7 April 1995

<sup>26</sup>*Connections*, Autumn 1995 p.5 'Up to CSD 1996'

<sup>27</sup>*Linkages Home Page*, International Institute for Sustainable Development (IISD) at [www.iisd.ca/linkages/csd/csd1996](http://www.iisd.ca/linkages/csd/csd1996)

<sup>28</sup>'CSD 96' *Connections*, Newsletter of UNED UK Committee, Aug-Oct 1996 pp.6-7

Agenda 21 recommended that the UN General Assembly could consider holding a special session to review Agenda 21 no later than 1997. This five-year review, 'Earth Summit II' is now expected to convene from 9-13 June 1997.

In the short term then, the CSD will now be focusing on Earth Summit II. The planned February 1997 CSD 'ad hoc open ended working group meeting' will devote itself to preparing for the 1997 UN Special Assembly consideration of Agenda 21; in UN jargon, it will be PrepCom I for the Special Assembly meeting. The next CSD meeting proper, CSD-5, will take place from 7-25 April 1997 in New York and will be PrepCom II.

Five years on from Rio, 1997 will be a landmark year, with not only Earth Summit II taking place, but important meetings for the biodiversity and climate change conventions which were the legal instruments agreed at Rio. In July 1996 the parties to the climate change convention met in Geneva<sup>29</sup> to review progress since the Berlin meeting, but while the USA came out unexpectedly in favour of emissions limits, the conference in essence deferred making commitments and taking decisions until its next meeting which will take place in Kyoto in December 1997<sup>30</sup>. Also in 1997 the biodiversity convention parties, which will have their third meeting in Buenos Aires from 4-15 November 1996, will seek to finalise their biosafety protocol<sup>31</sup>. A detailed consideration of these two conventions is beyond the scope of this paper (but please see, for example, the Library Research Papers listed on the back of this paper).

The CSD and UN have evidently come to the belated conclusion, confirmed by Habitat II (below) that concrete information on the success of different policies, and comparisons of practical experiences in different countries is one of the best ways of making progress in the intangible area of sustainable development<sup>32</sup>. A comprehensive report on the overall progress since Rio will be prepared for consideration at PrepCom II/CSD-5, to include recommendations for future actions and priorities. This report should also include<sup>33</sup>:

Concise reports containing an assessment of the progress achieved in specific sectoral and cross-sectoral areas;

Country profiles providing a concise presentation of progress made and constraints encountered in implementing Agenda 21 at the national level, compiled on the basis of national information received and in close cooperation with the Governments concerned;

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<sup>29</sup>DoE press notice 317 17 July 1996 *John Gummer proposes global seven point plan to limit climate change*

<sup>30</sup>*Independent* Global warming on the back burner, 20 July 1996 p.12

<sup>31</sup>*Connections*, Newsletter of UNED UK Committee, Aug-Oct 1996

<sup>32</sup>*CSD Update* Vol. 3 no.1 Secretariat of the UN July 1996

<sup>33</sup>*Special Session of the UN General Assembly in 1997* from *Linkages Home Page*, International Institute for Sustainable Development (IISD) at [www.iisd.ca/linkages/csd/csd1996](http://www.iisd.ca/linkages/csd/csd1996)

## Research Paper 96/87

(Each country profile will be around 60 pages long, allowing for 2-3 pages on each chapter of Agenda 21)

Major and emerging trends and issues within the framework of Agenda 21 and related outcomes of the Conference in the area of sustainable development, including the environmental impact of activities that are gravely hazardous to the environment, taking into account the views of States; and

Recommendations on the future role of the Commission in the follow-up to the outcome of the Conference and related outcomes, building on experience gained since 1992.

A public information programme to raise global awareness for the special assembly will be run in advance.

### E. Habitat II

In June 1996 in Istanbul the UN held its last major summit this century, the second Conference on Human Settlements, Habitat II. (Habitat I took place in Vancouver in 1976.) Between now and the end of the century, the human race will become an urban species; one in which over 50% of its members live in towns and cities. Worldwide, an area of countryside the size of Bristol is urbanised every year, and cities are growing by one million people per week; at least 600 million people live in shanty shelters in developing world cities<sup>34</sup>.

Habitat II seems not to have been an unqualified success, and reportedly made a mistake in having two aims<sup>35</sup>, which were<sup>36</sup>;

the right of adequate shelter for all and

creating sustainable human settlements.

It has been said that if it had settled on the latter this would have encompassed the former and perhaps seen the realisation of Agenda 21 at a local level, but as it chose not to, much time was spent 'educating Housing Ministers about sustainable development'<sup>37</sup>. Nevertheless, the conference gave unprecedented rights of formal access for NGOs to the UN, there was

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<sup>34</sup> *City Summit News* UNED-UK April 1996

<sup>35</sup> 'Istanbul- a new deal' Felix Dodds in Habitat II supplement to *Connections* UNED-UK Aug-Oct 1996

<sup>36</sup> *Istanbul Declaration on Human Settlements*, Istanbul 14 June 1996

<sup>37</sup> 'Istanbul- a new deal' Felix Dodds in Habitat II supplement to *Connections* UNED-UK Aug-Oct 1996

considerable input from local authorities, and governments accepted that implementation of Habitat II aims should link in with existing processes, notably Local Agenda 21s (see section III).

The UK Government was praised for its supportive attitude to Habitat II and local authority involvement<sup>38</sup>. The Commission on Human Settlements will meet in Spring 1997 to review the outcome of Habitat II and to agree priorities for the implementation of the *Habitat Agenda* (the Global Plan of Action analogous to Agenda 21).

Hopefully the view of one observer will prove correct<sup>39</sup>;

'We shall have a much clearer idea how the outcomes from Istanbul, Cairo, Beijing, Copenhagen and Rio fit together and who is in charge of what after the Earth Summit II in June 1997.'

### III. Local Agenda 21

Clearly the implementation of Agenda 21 will be a monumental task. Although countries will develop their own National Agenda 21s, further down the scale it is generally agreed that 'Local Agenda 21s' (LA21s) will really be needed to put the action plan into practice. Much of Agenda 21 refers to the need for local authority action, and Chapter 28 specifically urged local authorities to adopt Local Agenda 21s by 1996.

The organisation overseeing the development of LA21s in the UK is the Local Government Management Board (LGMB). This has asked for reports from each local authority by December 1996 on progress in implementing LA21s so that it can prepare a report for the CSD/General Assembly review of Agenda 21 in 1997<sup>40</sup>.

The concept seems to have been adopted with enthusiasm by UK local authorities, which is all the more remarkable in a climate of local government re-organisation; indeed, it is felt by some that the application of LA21 in Scotland at least has suffered because of this<sup>41</sup>. National LA21 co-ordinators met recently in Norway and discovered significant variations in takeup

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<sup>38</sup>*The Scotsman* 6 June 1996 Councils: Supporting role wins loud applause

<sup>39</sup> 'Istanbul- a new deal' Felix Dodds in supplement to *Connections* UNED-UK Aug-Oct 1996

<sup>40</sup>*Connections* Feb-April 1996 UNED-UK pp.18-19

<sup>41</sup>*Scotsman* 1 April 1996 Race against time to meet green reforms deadline - Authorities have just months to produce blueprint for change at heart of decision-making

throughout Europe; from 100% in Sweden to 10% in Germany, 30% in Italy and over 60% in the UK and Denmark<sup>42</sup>.

The most recent survey by the LGMB has indicated that of those authorities who responded, 90.6% are undertaking a Local Agenda 21 process<sup>43</sup>. An earlier LGMB survey showed that 71% of 303 local authorities surveyed were committed to taking part in the Local Agenda 21 process. The LGMB's environmental adviser has talked of one Local Agenda 21 initiative being launched every week, and of an 'enthusiasm and buzz'. Nearly half of local authorities have carried out an internal environmental audit, although only 37% have integrated sustainable development into their corporate strategies. The LGMB feel that the councils that have made most progress are those which are less bureaucratic and have made 'big cultural changes to make them more open and flexible'<sup>44</sup>.

The boxes on the next two pages provide some examples of specific LA21 programmes. Further case studies, from the UK and around the world, are quoted in the report which emerged from the NGO/local authority 'Global Forum' held in Manchester in 1994<sup>45</sup>.

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<sup>42</sup>*Connections*, Aug-Oct 1996 UNED-UK, 'Implementation of LA21 in Europe' p. 15

<sup>43</sup>*Connections*, Aug-Oct 1996 UNED-UK, 'LA21 survey results' p. 15

<sup>44</sup>for example, *Daily Telegraph* 11 March 1995 Hard-headed locals bring summitspeak down to earth, and *The Independent* 9 March 1995 Down-to-earth plans to save the planet

<sup>45</sup>*First Steps Local Agenda 21 in practice Municipal Strategies for Sustainability as presented to the Global Forum Manchester 1994* Manchester City Council HMSO 1994

Leicester... the only UK city represented at the Rio conference [has a] Blueprint for Leicester... the crux of Leicester's initiative was a public consultation exercise to involve local residents. Says Councillor Mary Draycott: 'Traffic needs to be reduced in the city centre - but shop owners might not be very supportive if they think this will damage the city centre economy.' Involving people in planning allays such fears, she says. Even in Leicester the team battled apathy....

As a big local employer, the council itself has re-examined its internal organisation for environmentally friendly policies - staff transport, including a bike mileage allowance, energy efficient offices and 'green purchasing'. Moreover, all council reports and policy discussions must detail 'environmental implications' alongside financial, equal opportunities and other consequences... Cost, in Leicester as elsewhere, remains a barrier... 'Some authorities say we have no money - why should we do this?... But it is not about new money - it is about spending existing money in different ways'.

Leicester councillors say the blueprint does not call for higher spending. Rather, they say the strategy takes a broader and longer-term view of the 'payback period' over which environmental initiatives save money. Critics claim Leicester has little concrete to show for the effort. Councillors reply that the city has recently launched a new pilot recycling scheme which collects materials such as plastics and cans from special doorway bins just like ordinary rubbish. All told, the cost exceeds the returns, but this has to be set against the cost of landfilling waste, with a further £7 per tonne new landfill tax planned. ...Moreover, Leicester can point to the success of home energy grants for 'fuel poor' local home-owners...Between April 1994 and August 1995 the council made 624 grants, mainly to owners of Victorian terraces, saving residents £177,000 a year in fuel costs. The home energy grants - to help the poor and old keep warm - also reduced carbon dioxide emissions by 2,295 tonnes a year. [*Financial Times* 31 January 1996]

In Edinburgh ... Green teams have been formed at all levels of the council... with energy conservation, waste management and recycling, protection of green spaces policies. But the radical element lies in their integration with the council's economic development plan. Environmental businesses are encouraged to move to the city; its principal hotels have all signed up to an environmental charter; advice on environmental issues is made available to all small and medium-sized companies. [*Daily Telegraph* 11 March 1995]

In Merton ... 27 [local sustainable development] indicators were selected after a straw poll of 500 residents and advice from a mixed group drawn from the commercial, voluntary and public sectors, as well as individual participants. Their input meant that, in addition to indicators suggested by consultants, such as air pollution, river water quality, and freshwater pond life, eight were contributed directly from the community. These included: decay levels in children's teeth, as an indicator of health, water quality and health education; road accidents, which together with fears over personal safety were reinforcing a trend for parents to drive children to school; and the number of people who live and work in the borough, an indicator of how far the community is economically self-supporting. Merton's indicators will play a vital role in the action plan it is to draw up [in 1996]. [*The Independent* 9 March 1995]

At Lancashire County Council, [an] indicators project came up with some disturbing findings...people were concerned about beach pollution, litter and dog mess, and even wider global problems, but felt powerless to do anything about them. It highlighted the need for people to '... feel they could influence their Local environment'. Researchers recommend that new ways of consulting the public on an open-ended basis need to be found, and the council must develop better listening mechanisms. [*The Independent* 9 March 1995]

At Reading Council... a similar initiative had more positive results. Run with the Worldwide Fund for Nature and a special community expert, the scheme avoided jargon like 'sustainable', replacing it with 'Globe - Go Local on a Better Environment'. ... The task was to reach out to ... neighbourhood groups such as tenant and resident associations and parent/teacher group members, and broadening their view, encouraging them to voice concerns on wider environmental issues... The confidence of everyone involved, officers, councillors and residents, had to be nurtured. 'Right from the start we made it clear that every opinion was a valued one, no matter how wild and wacky - even a fluorescent dog pooch day, where residents would spray-paint the offending items'... [*The Independent* 9 March 1995]

Durham Bird Club is planning to create an ornithological database to log its records of 22 years of sightings of species in its area, within the old County Durham boundaries. It also hopes to input records of other bird and wildlife groups, plus bodies such as English Nature, to create a database which will be useful in monitoring the health of birds and contribute to their conservation. The £1,800 computer package is to be paid for jointly by the bird club and Durham County Council's Local Agenda 21 Project Fund, set up in the wake of the Rio Earth Summit to help environmental and conservation schemes... [*Northern Echo* 1 July 1996]

Richmondshire District Council is planning an audit of all its environmental policies, from waste recycling to double glazing in council houses. The audit is the first stage in an attempt to conform to Local Agenda 21. [*Northern Echo* 17 Jun 96]

The local authority associations (COSLA and ALANI) have developed a Local Agenda 21 Initiative which is aiming to interpret Agenda 21 and provide guidance for LAs in developing strategies<sup>46</sup>. The local authority associations have a co-ordinating group, the Local Agenda 21 Steering Group, which includes the ACC, ADC, AMA, CoSLA and ALANI, plus representatives from other sectors. Its *Step by Step Guide* to LA21 has, it feels, provided a real catalyst for action and it has been 'amazed' at the interest and enthusiasm generated<sup>47</sup>.

The Government<sup>48</sup> considers that LAs are in a good position to make a contribution to sustainable development because they can develop a strategic approach, through corporate processes, on a wide range of functions which impact on the environment. LAs may be able to act through:

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<sup>46</sup>Local Agenda 21- Agenda 21: a guide for local authorities in the UK LGMB

<sup>47</sup>Report from the Select Committee on Sustainable Development Volume II-Oral Evidence. HL Paper 72-I, Session 1994-5 21 June 1995 pp.595-610

<sup>48</sup>Chapter 30 of Sustainable Development The UK Strategy Cm 2426 deals with local government

setting contract specifications (minimising resources and specifying green products)  
development of eco-audit and management and local sustainability indicators  
energy efficiency measures (in LA buildings, for street lighting, transport fleets and housing)  
developing integrated transport strategies  
local air quality strategies  
waste minimisation, recycling, recovery schemes  
nature conservation strategies  
education and training for staff and the community  
measures to involve the local community in all this.

The Secretary of State for the Environment has said that<sup>49</sup>

Local authorities' implementation of Agenda 21...is carried out individually and through their national 'local Agenda 21 initiative.' Monitoring this is a matter for local government. I have regular discussions about progress, however, with local government representatives in the central and local government environment forum.

The central and local government environment forum was set up in 1991 to bring together Ministers and leaders of local authority associations. Although around two-thirds of local authorities claim to be on course to implement Local Agenda 21s in 1996, one Association of District Councillors spokesman has alleged that many do not really know what the process means; it is not simply planting trees and environmental management but should be considered 'a participatory planning process'<sup>50</sup>.

The AMA, in its evidence to the Lords Select Committee on Sustainable Development, said that LA21 was a process of changing communities over quite a long a period of time, and while the mechanisms were being put in place subject to financial and other constraints, they would welcome a more proactive stance from central government<sup>51</sup>.

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<sup>49</sup>HC Deb 30 January 1995, c468w

<sup>50</sup>'Leicester in green' *Financial Times* 31 January 1996 p.19

<sup>51</sup>*Report from the Select Committee on Sustainable Development Volume II-Oral Evidence.* HL Paper 72-I, Session 1994-5 21 June 1995 pp.595-610

## IV. UK Government Action

The UK produced its strategy for implementing Agenda 21, *Sustainable Development The UK Strategy* in January 1994<sup>52</sup> (the '*UK Strategy*'), and this contained commitments to a number of measures. It was accompanied by the UK strategies on biodiversity<sup>53</sup>, climate change<sup>54</sup> and forestry<sup>55</sup>. A detailed consideration of these is beyond the scope of this paper, but please see for instance the Library Research Papers listed on the back of this paper.

### A. Sustainable development indicators and targets

The *UK Strategy* gave an undertaking to produce preliminary sustainable development indicators for the UK within two years. *Indicators of Sustainable Development for the United Kingdom*<sup>56</sup> was published just outside this deadline<sup>57</sup>, in time for CSD-4<sup>58</sup>. Announcing their publication, John Gummer said<sup>59</sup>;

'If we are to improve our policies, we need to monitor how effective they are. We already collect and publish a mass of environmental information, and a comprehensive range of economic and social statistics. The challenge somehow is to condense this very considerable amount of information into a limited number of key indicators, so that we can see how well we are doing overall, and where we need to make further progress.

'...Defining what we mean by sustainable development is not easy. Achieving sustainable development presents a considerable challenge. I hope that these indicators will be useful in informing us about our progress, and stimulating us to greater efforts.'

The preliminary set of 118 indicators, within 21 so-called 'families' of issues (such as the economy, transport use, energy, land use, climate change, freshwater quality and wildlife and habitats) were selected by an interdepartmental Working Group and seem reasonable choices. For example, in the family 'Acid Deposition' are three indicators; critical load exceedences in soils and freshwaters, power station sulphur dioxide and nitrogen oxides emissions, and nitrogen oxides emissions from road transport. The 'Wildlife and Habitats' family includes indicators such as native species at risk, breeding birds, lakes and ponds, species diversity in several key habitats, and mammal populations.

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<sup>52</sup>Cm 2426

<sup>53</sup>*Biodiversity The UK Action Plan* Cm 2428

<sup>54</sup>*Climate Change The UK Programme* Cm 2427

<sup>55</sup>*Sustainable Forestry The UK Programme* Cm 2429

<sup>56</sup> DoE and the Government Statistical Service March 1996

<sup>57</sup>DoE Press Notice 105 12 March 1996 'Sustainable development indicators show the way forward'

<sup>58</sup>DoE Press Notice 106 12 March 1996 'Indicators of sustainable development for the UK'

<sup>59</sup>DoE Press Notice 105 12 March 1996 'Sustainable development indicators show the way forward'

For example, the DoE gives the following summary of the indicators for 'Transport Use'<sup>60</sup>;

'Growth in people's income has allowed them to travel more. Since 1970 the amount of car travel has almost doubled to an average of 6,500 miles per person per year, while travel on other road passenger vehicles, mainly buses and coaches, has reduced by a quarter to less than 600 miles per year. Rail travel has remained broadly unchanged at around 400 miles per year. Except for journeys of up to one mile in length, where walking is the most common mode, the car has increasingly dominated, even for short trips. Only 2 per cent of journeys up to five miles long are made by bicycle, compared with 4 per cent twenty years ago. Since 1974, the real price of rail and bus fares has increased faster than the 50 per cent growth in real disposable incomes. The real cost of motoring has fallen, and car travel is therefore much more affordable than it was twenty years ago.

'Although amounts of freight transported have not increased greatly over the last twenty years, the kinds of freight carried have changed with the decline of heavy industries, and the distances over which it is carried have increased; 95 per cent of land-based freight is now carried by road.'

The report points out that few indicators will fulfil all the criteria for an ideal indicator; one which, for example, is simple and easy to interpret may not be scientifically robust. Some indicators have been included to hold interest and meaning for certain groups such as farmers and householders, and to give these groups some idea of the direct effect of their activities on the environment. The indicators are also national and as such present a dilemma; while they really need to be presented as per household or per individual business or site, so as to be meaningful to the individual, such extrapolations are not always valid and local circumstances vary. It is hoped that in time core sets of local and national indicators will emerge, permitting true comparisons<sup>61</sup>.

These indicators are then very much a preliminary set which will be adapted over time to make them more useful in telling us about sustainable development. In most cases the indicators cover trends over the past 20-25 years. They will be updated on a regular basis, probably every two years<sup>62</sup>.

The Government is careful to stress the limitations of its indicators, which it sees as simplifications of reality, and not to extrapolate them towards targets. Yet of course there has been pressure for targets to be set in several areas of policy. A compromise approach has been reached, whereby the Government has decided to adopt 'indicative targets', rather than absolute or 'imperative' targets, in several areas, such as in the Government response to the UK Steering Group Report on Biodiversity<sup>63</sup>.

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<sup>60</sup>DoE Press Notice 106 12 March 1996 *Indicators of sustainable development for the UK*

<sup>61</sup>*Indicators of sustainable development for the UK* DoE and Government Statistical Service March 1996 p. 11

<sup>62</sup>HC Deb 20 February 1996 c84w

<sup>63</sup>Cm 3260, May 1996

While the voluntary sector (in *Biodiversity Challenge*) initially called for the setting of firm targets, the Government's view is that the unpredictability of the natural environment makes this unrealistic<sup>64,65</sup>. Factors such as climate change and the common agricultural policy could come into it, and not only the Government but landowners, individuals and NGOs will have to take responsibility. According to the DoE the NGOs have been generally supportive of the Government's response to the steering group report, see the realities of the situation, wish to foster co-operation with the DoE, and are happy that the Government has gone for the challenging targets set, albeit not as mandatory ones.

The Lords Select Committee on Sustainable Development was the original source of the idea of 'indicative targets'; the Committee recognised that setting targets was the way forward but also appreciated the difficulties of doing this. It concluded that<sup>66</sup>

'Notwithstanding our enthusiasm for targets, the reluctance of some Government Departments to set them presumably stems from their lack of control over the outcome and also a tendency for targets to move from the indicative to the imperative. The latter would be relatively few in number whereas indicative targets form an essential part of the policy implementation process'.

### **B. Government Advisory Panel on Sustainable Development**

Launching the UK's *Strategy* the Prime Minister announced<sup>67</sup>;

'I am appointing a Panel of people of great expertise on environmental, scientific and business matters to advise the Government on future developments.'

The Government Panel on Sustainable Development is indeed high level. Its members are;

- Sir Crispin Tickell GCMG KCVO (Convener)
- Lord Alexander of Weedon QC
- Sir John Houghton CBE FRS
- Dr Anne McLaren DBE FRS
- The Earl of Selborne KBE FRS

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<sup>64</sup>ibid, para.20, p.4

<sup>65</sup>source; DoE Wildlife Division

<sup>66</sup>*Volume I- Report* Session 1994-5 HL Paper 72, 21 June 1995 para 3.63

<sup>67</sup>Cm 2426 January 1994

The Panel meets formally four or five times a year, keeps in contact with Members of the Cabinet and with officials, and commissions reports from Government departments. It has now produced two annual reports, which tend to focus on four policy issues in depth and consider several other areas in less detail.

The Panel's first report<sup>68</sup> considered environmental pricing and education, fish stocks and ozone depletion as its main themes. It was seen as being critical of some Government and EU policies. The Panel recommended that the Government should give higher priority to the definition of environmental objectives and targets and to how it intended to meet them. Regarding fisheries, the Government should 'act rather than react' to events to promote long-term policies for fisheries conservation.

In its second report<sup>69</sup> the Panel continued to advocate a move towards the use of taxes on resources including energy rather than labour and income, and welcomed the (then proposed) landfill tax and environmental trusts. It looked forward to the Government's promised environmental indicators but noted that commitment to setting targets had been patchy. Fisheries continued to be a combustible issue and fundamental problems remained unchanged; while welcoming the international workshop organised by the Government, the Panel still wanted to see an Intergovernmental Panel on the Oceans (comparable to the hugely influential Intergovernmental Panel on Climate Change) established.

The new issues which the Panel addressed in its second report were environmental accounting, biotechnology, forestry and the disposal of radioactive waste. The Panel wants the Government to give higher priority to the development of accounts which include not only economic, but also social and environmental change. (Environmental accounting is however an issue which has already been raised by the EU; environmentally adjusted national accounts should be available now on a pilot basis, with a view to formal adoption by the year 2000. A Communication has been issued by the European Commission, seeking *inter alia* to developing pricing methods in the assessment of environmental damage, as part of this drive towards 'green auditing'<sup>70</sup>.)

Regarding biotechnology, the Panel urges caution; it wants a international protocol on genetically modified organism (GMO) handling and use, and for the Government to consider emergency procedures, liability and impact appraisals for the release of GMOs. In its response<sup>71</sup> the Government highlighted the potential benefits of GMOs and outlined the considerable existing controls.

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<sup>68</sup>British Government Panel on Sustainable Development First Report, DoE January 1995

<sup>69</sup>British Government Panel on Sustainable Development Second Report, DoE January 1996

<sup>70</sup>Directions for the EU on Environmental Indicators and Green national Accounting - the integration of environmental and economic information systems. COM (94) 670, 22.12.94. Published as supplement to Europe Environment no. 447 24.1.95

<sup>71</sup>Government Response to the Second Annual Report of the Government's Panel on Sustainable Development. January 1996 March 1996

In Forestry, the Panel wants a national forestry strategy, to maximise environmental, social and economic benefits. It notes that new planting cannot replace ancient woodlands, which should be fully protected. The Government says it shares these concerns. Regarding nuclear waste, the Panel laments the Government leaving to other counties research into several aspects of disposal (it plans to research only into high level disposal); the Government's response is that international co-operation should obviate the need for duplication in research. The Panel's final recommendation in its second report was that the public should be given more information in general about nuclear power.

The Scottish Advisory Group on Sustainable Development provides advice in confidence to Scottish Ministers on building sustainable development into all policies, and it has around a dozen members drawn from business, the voluntary sector, natural heritage organisations and local authorities<sup>72</sup>. In an Adjournment Debate in January 1996 Cynog Dafis said that Plaid Cymru found it offensive that no special body on sustainable development had been established for Wales. Guidance was also needed from the Welsh Office to local authorities so that an all-Wales Agenda 21 could evolve. Gwilym Jones pointed out that there were Welsh representatives on the Round Table and Government Panel, and that a Welsh version of Going for Green would also be launched<sup>73</sup>.

### C. Round Table

More so than the Government Panel, the Round Table on Sustainable Development resembles the national bodies set up by over 100 countries since Rio to advise on sustainable development. Whereas the Panel concentrates on giving independent advice to Government, the Round Table is designed to bring together people with different interests to reach a consensus and its roughly thirty-strong membership includes representatives of central and local government, business, environmental organisations and other sectors of the community. John Gummer and Professor Sir Richard Southwood co-chair the Round Table and the chairs of the Government Panel, of Going for Green and of the Scottish Advisory Group on Sustainable Development are the three *ex officio* members. The Secretary of State's presence on the Round Table (in plenary sessions; most reports are produced by sub-groups with expert advisors where appropriate, but represent the entire Round Table's view) does not guarantee Government endorsement of all its conclusions<sup>74</sup>.

The Round Table started work in January 1995 and produced three initial reports a year later,

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<sup>72</sup>Scottish Office press notice 2 July/1073/96 *Minister announces new members for sustainable development advisory group.*

<sup>73</sup>HC Deb 31 January 1996 cc966-974

<sup>74</sup>UK Round Table on Sustainable Development *Freight Transport* January 1996

on ecomanagement and audit, freight transport and 'the domestic energy market 1998 and beyond'<sup>75</sup>. For example, the report on freight transport recommended stricter enforcement of existing legislation (vehicle check sites, impoundment of unlicensed vehicles, higher fines from Magistrates for overloading, road worthiness and maintenance offences), differential rates of tax for fuels and vehicles according to environmental-friendliness, and good practice on route scheduling, load sharing and operating times. The co-chair, Sir Richard Southwood, has said that Round Table has tried to

'identify particular and defined aspects where its recommendations might aid progress towards sustainability. On their own, many of these steps would be modest; but cumulatively, their impact could be significant'.

The Round Table invited comments on its three reports before their full texts were included in its first Annual Report published in April 1996<sup>76</sup>, to which the Government formally responded in July 1996<sup>77</sup>. It has been pointed out that the UK is fortunate in having a government which will listen at all, let alone respond so quickly to its Round Table, but not all of the Government's responses were well met<sup>78</sup>;

'Round Table members were grateful for the speed of the Government response, and for the fact that the Government has agreed with many of the recommendations. They were especially pleased to note new commitments, including initiatives on freight transport route scheduling and loadsharing, and the preparation of advice on Life Cycle Assessment.

'The Round Table noted a number of areas on which the Government proposes further work or more detailed study. It intends to keep closely in touch with progress on these, especially the introduction of new procedures for ensuring that all Government Departments carry out environmental appraisals.

'The Round Table was disappointed by the Government's reaction to its recommendations on liberalisation of the domestic gas and electricity market. The Round Table continues to believe that Government and the gas and electricity regulators must establish a framework which allows the environmental and social, as well as the economic, objectives of a sustainable energy policy to be met. Action should include specific objectives and monitoring arrangements against which the outcome of liberalisation can be judged. The Round Table intends to follow up these matters with the regulators and other interested organisations.'

The Round Table's sub-group on energy had come to the conclusion that market forces by themselves would not be enough to promote energy efficiency. The Government's refusal to

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<sup>75</sup>all January 1996, available from the Round Table's DoE secretariat

<sup>76</sup>DoE/UK Round Table on Sustainable Development press notice 2/96 19 April 1996 *Sustainable Development Round Table publishes first Annual Report*

<sup>77</sup>HL Deb 4 July 1996 c113WA

<sup>78</sup>DoE/UK Round Table on Sustainable Development press notice 290/96 3 July 1996 *Round table moves up a gear*

change its thinking regarding the environmental duties of the utility regulators, notably Ofgas during the passage of the *Gas Bill*, despite amendments tabled by the Earl of Cranbrook (one of the Round Table members and chair of English Nature) has raised fears that the Round Table may not be in a position to shape policies as much as had been hoped by some<sup>79</sup>.

Greenpeace has always been of the opinion that the Government Panel on Sustainable Development would much more likely to have real influence than the Round Table, and even refused to join the initiative. However, after initial reservations, other environmental groups (Council for the Protection of Rural England, World Wide Fund for Nature, Royal Society for the Protection of Birds and Friends of the Earth) had joined the Round Table after receiving revised proposals as to its operation from the DoE<sup>80</sup>.

The Round Table seems to share the view of many individuals and environmental organisations that transport policy is one of the key areas in which sustainability needs to be applied, and it gives a high priority to this issue. Following its report on freight transport, in June 1996 it published a report on defining a sustainable transport sector (which was largely completed before the publication of the Government's Green Paper *Transport - The Way Forward* but is intended to contribute to that debate)<sup>81</sup>;

'The report identifies the economic and social benefits brought by the existing transport system, but also highlights the problems that are caused. It states that if current trends continue unchecked, the road network will become increasingly congested, so imposing a rising cost on the economy. The overall level of damage to the environment will grow, despite some new standards and technological improvements. And many people will remain disadvantaged, especially those without access to a car.

'The report emphasises that there are many ways in which the proposed objectives can be achieved. It offers the Round Table's recommendations for action, including:

- setting national targets for reducing traffic growth;
- the coordination of policy at local, regional, national and European levels;
- a continuation of the shift in public expenditure away from road-building and towards road maintenance and support for other transport modes;
- increased protection for nationally and internationally important conservation sites; and
- a national public awareness and education programme on the benefits of

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<sup>79</sup>*ENDS Report* October 1995 'Round Table rebuffed again in bid to promote energy saving' pp.29-30

<sup>80</sup>*ENDS Report* January 1995 'Round Table on sustainable development starts work' p.6

<sup>81</sup>DoE/UK Round Table on Sustainable Development press notice 232 6 June 1996 *UK Round Table on Sustainable Development publishes report on 'Defining a Sustainable Transport Sector'*

adopting a sustainable transport strategy'.

The Round Table is now working on intermodal transport (passenger and freight), land use planning controls over energy developments, water resources and housing and sustainability<sup>82</sup>.

#### D. Going for Green

The *UK Strategy*<sup>83</sup> says that citizens and individuals can play a key part in sustainable development as green consumers and volunteers, at work, as parents and as aware citizens. 'Going for Green', initially named the 'Citizen's Environment Initiative', was the third of the bodies announced by the Prime Minister when unveiling the UK sustainable development strategy, and it was established in February 1995. Its aim is to foster interest in sustainable development and 'in the things people can do in their own lives'. Public attitudes to sustainable development were discussed briefly by the Lords Select Committee on Sustainable Development<sup>84</sup>.

Going for Green does not seem to have yet taken off in the same way as the Panel and Round Table, but this may be because it has been operating in a pilot phase during 1995-6 and will be expanded nationwide throughout the UK over the coming years<sup>85</sup>. Going for Green initiatives include its 'Green Code' advising people what they can do individually to follow more sustainable lifestyles, and its Sustainable Communities Projects, which are demonstration projects aimed at showing what can be done at community level<sup>86</sup> in hand with Local Agenda 21 plans. 155 schools have joined an Eco-Schools project which promotes green issues<sup>87</sup>.

A series of tentative suggestions were made as to its future in the *UK Strategy*, and its advisory committee came to the end of its life in March 1996, when a private company, Going for Green Ltd, was established in its place. This took over running the Going for Green initiative, aimed at carrying the sustainable development message to individuals and local communities, from 1 April 1996. It has arranged a programme of work with the DoE, who is giving it £0.5m core funding in 1996-7 together with £300,000 for area projects and £700,000 to match private sector sponsorship income. In 1997-8 and 1998-9 the DoE plans to give the company up to £1.5m<sup>88</sup>.

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<sup>82</sup>HC Deb 7 May 1996 c73w

<sup>83</sup>January 1994 Cm 2426 p.236

<sup>84</sup>HL Paper 72 Session 1994-5 Volume I- Report p. 67

<sup>85</sup>*The UN CSD Three Years Since the Rio Summit* A UNED-UK Report. Felix Dodds and Tom Bigg September 1995 p.14

<sup>86</sup>DoE press notice 268 20 June 1996 *Environmental education is the key to our future survival*

<sup>87</sup>DoE press notice 362 19 July 1995 *Next steps in the government's Going for Green campaign*

<sup>88</sup>HC Deb 17 April 1996 c497w

### E. General Government Policy

#### 1. Environment Agency Sustainable Development Guidance

The Environment Agency came into being on 1 April 1996. (A background is given in Library Research Paper 95/50 on the *Environment Bill*.) Section 4 of the *Environment Act 1995* gives Ministers a duty to provide guidance to the Environment Agency in England and Wales and to the Scottish Environmental Protection Agency (SEPA), particularly relating to their roles towards achieving sustainable development.

Government Amendments during the passage of the *Environment Bill* required the Agency to promote sustainable development, but included the proviso that this should be subject to cost; amendments were moved unsuccessfully to remove this need and the RSPB commented '...Clause 4, introduced by the Government at report in the Lords, reinforces the RSPB's concern that the success of the Environment Agency's Management Team in achieving the 'principle aim' to 'protect or enhance the environment' is to be judged 'by taking into account likely costs'<sup>89</sup>.

Draft Statutory Guidance was issued in June 1996<sup>90</sup>. This reiterates the Agency's principle aim, as defined in Section 4 of the Act:

'in discharging its functions the Agency is required so as to protect or enhance the environment, taken as a whole, as to make the contribution towards attaining the objective of achieving sustainable development'

and goes on,

this principle aim is subject to the other provisions of the Environment Act 1995 and any other enactment under which the Agency will operate, and to the requirement that the Agency take into account any likely costs, which are defined as including costs to the environment'

The draft guidance says that Ministers have decided that the Agency needs to; take a holistic approach to the environment; a long term perspective; to have regard for biodiversity, the global atmosphere and environmental technologies; develop close relationships with the public

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<sup>89</sup>RSPB Briefing *The Environment Bill HoC Second Reading*

<sup>90</sup>*Draft-The Environment Agency and Sustainable Development. Statutory Guidance under s.4 of the Environment Act 1995 with respect to objectives of the Environment Agency and its contribution towards achieving sustainable development. Dep 3/3521 19 June 1996*

and other groups, and provide high quality advice and information on best practice. A lengthy commentary on what constitutes sustainable development is included in the guidance.

The explanatory document accompanying the draft guidance notes that the Agency's cost and benefits duty recognises that sustainable development involves reconciling the need for economic development with that for protecting and enhancing the environment, without compromising the ability of future generations to meet their own needs<sup>91</sup>.

The draft guidance includes a requirement to draw up a code of internal guidance or enforcement practice, to include advice to staff on when the Agency's discretion will be limited by obligations arising from other duties, requirements and objectives<sup>92</sup>.

This is believed to have been insisted upon by the Deregulation Unit and it is feared by some commentators that this could hamper the Agency in its pollution control work. (The code may have to reflect for instance the principles of Schedule 1 to the *Deregulation and Contracting Out Act 1994*, which says that no formal enforcement action may be taken for a specified period after an officer has expressed an opinion that remedial action should be taken, and also that before any enforcement action is taken officers must send a note explaining their reasons and giving the person concerned the chance to make representations against this.) Another source of criticism is that unlike the draft guidance itself, the code will not be subject to parliamentary approval<sup>93</sup>.

## 2. Government Departments; Green Ministers and Policy Appraisal

In the first environment White Paper *This Common Inheritance*<sup>94</sup> the then Secretary of State for the Environment Chris Patten gave an undertaking to appoint Ministers responsible for environmental issues in all Government Departments;

'...a nominated Minister in each Department is to be responsible for considering the environmental implications of all that Department's policies and spending programmes, and for following up the relevant parts of this White Paper. People outside Government who want to discuss things in the White Paper which are the responsibility of particular Departments will then know which Minister to approach'.

Following the 1992 general election 'Green Ministers' were appointed and also incorporated

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<sup>91</sup>chapter 5, p. 17

<sup>92</sup>p.20 para 5.7

<sup>93</sup>*ENDS Report* 252 January 1996 'Deregulation of enforcement puts Agency at risk'

<sup>94</sup>Cm 1200, 1990

into a new Ministerial Committee on the Environment (EDE). This, or at least some of its members, meets 3-4 times a year and should next meet sometime in Summer 1996. Green Ministers do not publish minutes of their meetings or Annual Reports, although some environmental organisations have advocated such an approach. However, John Gummer prefers the Green Ministers to be less restricted and to instead represent a general shift to a greener mode or a thread of greenness running through all Government policies<sup>95</sup>. The DoE has published contact addresses for each Department<sup>96</sup>.

In 1991 the DoE published guides to help Departments assess the environmental implications of all of their policies. Environmental appraisal basically entails sizing up the environmental costs and benefits of policies, and by doing this systematically it should be possible to ensure that the environmental impacts of a policy do not get overlooked. (Appraisal involves an analysis of the likely implications of a decision before it is taken whereas evaluation involves analysing the effects of a decision afterwards.)

Up until 1991 most government departments made use of financial/economic policy appraisal, with largely separate environmental assessments and the two were brought together in a subjective manner to reach a final decision. During a review of the ways in which environmental costs and benefits of policies were being assessed within government departments the DoE decided that there was 'scope for a more systematic approach within government'. To this end they published *Policy Appraisal and the Environment: A Guide for Government Departments*<sup>97</sup>, and *Environmental Appraisal in Government Departments*<sup>98</sup>.

These do not give hard and fast guidance; there appears to be no uniform method of applying environmental appraisal nor of making available its results. Some consultants' reports for government departments on the costs and benefits of various policies are in the public domain, but others are not. Another problem is that although many environmental decisions (such as pollution abatement) will have economic costs attached, some costs and benefits of a proposed policy may not be reflected in market prices. While a great deal of work is being done at the moment on costing the environment and taking account of environmental externalities, performing an environmental impact assessment remains one of the few established ways of systematically assessing environmental costs and benefits.

A series of PQs have indicated that policy appraisal is not being applied as assiduously as the DoE might wish<sup>99</sup>;

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<sup>95</sup>Report from the Select Committee on Sustainable Development Volume I-Report. HL Paper 72, Session 1994-5 21 June 1995 p.55

<sup>96</sup>Deposited Paper 3/3220 15 February 1996

<sup>97</sup>DoE 1991

<sup>98</sup>DoE 1994

<sup>99</sup> ENDS Report February 1996 pp.29-30 'Ministers obfuscate over progress in 'greening' Whitehall'

- the Treasury and Department of National Heritage had conducted no policy appraisals in 1995
- the Department of Health said its policies did not impinge on the environment
- MAFF, the DTI and the Department of Transport kept no central records
- the Home Office and DSS had no formal monitoring systems

It is the responsibility of individual Departments to ensure that *Policy Appraisal and the Environment* gets used; the DoE has no watchdog role and has undertaken no monitoring. However, the Government is about to appoint consultants to evaluate the degree to which *Policy Appraisal and the Environment* has been used by Government Departments and to make recommendations as to how environmental considerations can be better integrated into policy making<sup>100</sup>.

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<sup>100</sup>HC Deb 27 June 1996 c222w

## V. EC Fifth Environmental Action Programme

The Maastricht Treaty states that 'environmental protection requirements must be integrated into the definition and implementation of other Community policies'<sup>101</sup>. The EC's Environment 'Action Programmes' set out strategies for environmental policy and give an indication of the Commission's legislative intentions. The first was adopted in 1973 and they have usually run for about five years each.

During the fourth Framework Programme the realisation grew that environmental concerns needed integrating into all major policies such as energy, industry and transport. The fifth Environmental Action Programme *Towards Sustainability* was developed hand in hand with the Rio process; the Commission first proposed the programme in 1992, and it was adopted by Council in February 1993. It is linked closely to the principles of Agenda 21 and so its major theme is integrating environmental considerations into all policy areas. While it runs up to the year 2000, longer than previous programmes, a mid-term review was always planned for the end of 1995<sup>102</sup>.

The UK's interim progress report on the UK action on the fifth Programme was produced in December 1994<sup>103</sup>. The Commission's report concluded that while the overall strategy and aims of the programme remained valid, 'What is lacking are the attitude changes and the will to make the quantum leap to make the necessary progress to move towards sustainability'. It has been said that DGXI (the Commission's Environment Directorate) has been hampered in implementing the fifth Programme through a legislative programme for 1996 because of subsidiarity and deregulation drives. However, in January 1996 DGXI issued a draft Decision aimed at kick starting the fifth Action Programme by establishing a set of priorities for the years to 2000. These are to

Improve integration of environmental and other policies (such as agriculture, transport, energy and industry)

Broaden instruments beyond legislation (voluntary agreements with industry and green taxes so long as these are not protectionist)

Raise awareness of sustainable development issues

Reinforce the EC role in international environmental fora

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<sup>101</sup>*Sustainable Development The UK Strategy* Cm 2426 HMSO 1994

<sup>102</sup>*ENDS Report* 204 January 1992 'Towards sustainable development: A blueprint from Brussels' pp. 20-23

<sup>103</sup>*EC Fifth Environmental Action Programme Towards Sustainability Government Action in the UK*, DoE December 1994 deposited paper 896

Improve implementation and enforcement of EC legislation

On appointment the Environment Commissioner Ritt Bjerregaard said that this last priority was her highest. The Director General of DGXI has pointed out several of the other Directorates presently have some of the 'greenest' Commissioners ever.

The EC's 'Life' scheme, or its 'Financial Instrument for the Environment' funds environmental initiatives with the aim of implementing Community environment policy, taking into account *Towards Sustainability*. Regulations appear at regular intervals defining the fields of action that successive Life programmes will address. The last Life programme included funding on work on natural habitats (to help implement the Habitats Directive, which aims to preserve biodiversity throughout the EC). The most recent scheme expired at the end of 1995 and distributed around 400 m ECU; the second phase of the programme, Life II, will probably run from 1996 to 1999 and build on the same areas of funding as the first phase.

### Glossary

UNCED	UN Conference on Environment and Development, Rio de Janeiro 1992 better known as the Earth Summit, or Rio
Agenda 21	The global 'action plan' for sustainability which emerged from Rio
Earth Summit II	The 1997 five year-review of Agenda 21 by the UN General Assembly
CSD	UN Commission on Sustainable Development
ECOSOC	UN Economic and Social Council under whose auspices the CSD operates
UNED-UK	UN Environment and Development UK Committee
UNEP	UN Environment Programme
IIED	International Institute for Environment and Development
Habitat II	Second UN Conference on Human Settlements, Istanbul 1996 (Habitat I took place in Vancouver in 1976)
PrepCom	Preparatory meeting for a major UN conference
GEF	Global Environment Facility
IMF	International Monetary Fund
<i>Towards Sustainability</i>	EU's fifth Environmental Action Programme
Life	EU's 'Financial Instrument for the Environment'
DGXI	European Commission's Environment Directorate
LA21	Local Agenda 21
LGMB	Local Government Management Board
NGO	Non-Governmental Organisation
GMO	Genetically modified organism

**Further reading**

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*First Steps Local Agenda 21 in practice Municipal Strategies for Sustainability as presented to the Global Forum Manchester 1994* Manchester City Council HMSO 1994

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*The UN CSD Three Years Since the Rio Summit* A UNED-UK Report. Felix Dodds and Tom Bigg September 1995

*Linkages Home Page*, run by the International Institute for Sustainable Development (IISD) at [www.iisd.ca/linkages/](http://www.iisd.ca/linkages/)

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