

From the Permanent Secretary
Katrina Godfrey



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Dear Natalie

ENVIRONMENTAL IMPROVEMENT PLAN FOR NORTHERN IRELAND

As promised in my letter of 9 August, I am writing to update you on the position the Department has reached regarding publication of a new Environment Strategy for Northern Ireland and its adoption as the Environmental Improvement Plan (EIP) for Northern Ireland.

As you know from our earlier discussions and from your engagement with Tracey Teague and her team, the finalisation and publication of a new Environment Strategy is clearly a matter that would ordinarily have been presented to ministers to decide or agree and therefore one that engages the Northern Ireland (Executive Formation etc) Act 2022.

This is a decision that has required very careful consideration and reaching a conclusion has been difficult, not least because of the uniquely difficult position in which unelected officials find themselves, having to steer a course that takes account of complex and conflicting statutory requirements.

The conclusion we have reached, having considered all of the obligations placed upon us and having had due regard to the views of other relevant departments, is that it is not at this time appropriate for officials, acting in the absence of democratically elected ministers, to decide to introduce what would clearly be a new, major policy which carries with it new major public expenditure commitments.

The navigation through the principles set out in the *Guidance on decision-making for Northern Ireland Departments* published by the Secretary of State for Northern Ireland has required very careful thought and has not been easy but, on balance, and bearing in mind that a new Environment Strategy for Northern Ireland is clearly a major new policy and that any strategy must be deliverable and therefore must be affordable, it has been difficult to

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see how officials could sign off a suitably ambitious new strategy that would need to be underpinned by appropriate investment of public funds in the absence of ministers.

I appreciate that the OEP would have preferred to see a different outcome and I am firmly of the view that the public interest is indeed best served by having a strategy and EIP that has political endorsement and the resources to support its successful implementation. I am sorry too that we are not in a position to realise that outcome at this time. I do however want to provide two important assurances.

First, I want to stress that the conclusion we have reached is one that we will keep under review, including through carrying out a formal review in three months' time if we remain without ministers to test again whether any factors have changed that would lead us to a different conclusion. If the need arises, the timing for this review will be brought forward. I will keep you updated on the outcome.

Second, I want to assure you that deferral of adoption and publication of a new strategy will not affect our work to deliver a substantial number of actions which are covered by other relevant strategies/policies. I intend therefore to mitigate the impacts of deferral by providing you with, and then making public, a work programme that sets out the actions DAERA will take to improve our natural environment within the resources available to us at this time. I have recommended to relevant permanent secretary colleagues that they consider a similar approach within their departments.

I also want to let you know that officials will continue work to update the current draft of the Environment Strategy so that it is ready for Executive consideration as soon as we have ministers in place. Preparatory work will also continue in relation to establishing governance arrangements for delivery of an EIP, once adopted, and a framework for monitoring and reporting on future progress. Our teams here are I know already engaged with yours on these issues.

I am keen that we continue to keep you fully informed and to seek your advice as necessary. To that end, I know that Tracey has been in contact with the OEP team on this issue over the last number of months and will be seeking a meeting with Helen Venn to discuss further the contents of this letter and the next steps.

Finally, I am grateful to you for your understanding of the situation in which officials find themselves at this challenging time. You have my commitment that we will continue to do all that we can within the resources available to us to enhance and improve our environment in the months ahead.

Yours sincerely



KATRINA GODFREY

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