



Corporate Plan 2023/24 to 2025/26

June 2023



Office for
**Environmental
Protection**

Corporate Plan 2023/24 to 2025/26

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The Office for Environmental Protection (OEP) is a non-departmental public body, created in November 2021 under the Environment Act 2021. Our mission is to protect and improve the environment by holding government and other public authorities to account. Our work covers England and Northern Ireland. We also cover reserved matters across the UK.

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Foreword by the Chair

It is approaching twelve months since we set out our strategy, enforcement policy and first corporate plan.

We are now fully established in England, and well underway in delivering our role in England and Northern Ireland to protect and improve the environment, holding government and other public authorities to account.



How society stewards the environment for future generations is a seminal question of our time. The situation is pressing. The actions we collectively take in these coming few years will be critical to whether the environmental ambitions the nation has can be achieved – for our climate, the diversity and abundance of our plants and wildlife on land and at sea, the cleanliness of our waters and air and in so many other respects too.

Government and public authorities must play a leading role. In the last year, the UK Government has refreshed its long-term plan for the environment, and set binding targets. A first environment strategy has been set out in Northern Ireland, and must be laid this year before the Assembly. The challenge for governments and for wider society is to deliver against the commitments made, and deliver now.

We explain here how we will fulfil our particular role in the three years ahead. We focus on those aspects of the environment where we see both compelling need, and where our powers can protect most and stimulate greatest improvement. We are able to make recommendations to improve governments' prospects of meeting their ambitions for the environment. Our major programmes include activity to support improvements in nature and water quality and to ensure environmental governance is delivered effectively.

Our work to scrutinise and hold government and public authorities to account can help protect the environment as well as drive improvement. We set out how we plan to develop our activity in our investigation and enforcement role.

We remain highly ambitious for the role we can play. In Northern Ireland, we are not yet sufficiently funded this year to play the part we would wish to protect and improve the Northern Ireland environment, where there are such important issues to be addressed. Our plan shows how we will deliver within the resources we have. We require further resources in this, and future years and look forward to them being provided.

Our stakeholders and independent research tell us we have started well, and are making good strides towards being the independent, evidence-led and purposeful organisation we aim to be, and a positive influence for environmental protection and improvement. I am grateful to our stakeholders for their contribution to informing the priorities in this plan, and their wider support to date and to come, as we deliver this plan in the years ahead.

A handwritten signature in black ink, appearing to be 'G Stacey', written in a cursive style.

Dame Glenys Stacey, Chair

Foreword by the Chief Executive

This plan explains the priorities that we at the OEP have set over the next three years. It is a programme I am excited to lead to ensure we play our full part to protect and improve the environment in England and Northern Ireland.



There are three main areas of focus which underpin our work across our four strategic objectives in the first year of this plan. First to scrutinise government's plans and targets to improve nature, to assess and report on the effectiveness of some of the many laws which protect nature and to advise on proposals for their reform. Second, to scrutinise the implementation of laws which provide for clean water, and how they are complied with. And third, to maintain a disciplined focus on the implementation of effective environmental governance, including through implementation of the Environment Act. We have an ambitious programme in each area, where we judge we have opportunity to make a real difference.

We remain a young organisation and we continue to gather evidence on how effectively our work leads to the impact we intend. For this reason, we carefully and regularly review our priorities, including as we receive complaints, and adjust course to make the most difference, in light of new insight or information. Over the course of this three-year plan, we therefore expect these three thematic priorities to evolve. We will lay the groundwork for this now, taking stock of the state of the environment or the legal and regulatory frameworks which support soil health, the regulation of waste, and government's plans to improve nature at sea.

And we remain a growing organisation. This year, we will develop further following an increase in our resources in relation to England. The initial funding we received this year for our work in Northern Ireland was significantly below our assessment of what is needed. We recognise the financial challenges Northern Ireland Departments currently face. But we must be resourced to fulfil the role Parliament and the Assembly intended. We require further resources this year, and as our duties in Northern Ireland expand in later years. We received some additional resource at the end of June under the processes in place to review our resources in year, and continue discussion with the Department of Agriculture, Environment and Rural Affairs in respect of the sums we need.

We will mature the approach we take to our work as we gain further operational experience. We will continually strive to be accessible to those who may wish to complain to us, and expect to become even more active where there is evidence of failure. We aim to develop greater foresight, so we can better assess and scrutinise the trajectory of environmental improvement towards government's aims and targets and provide earlier recommendations where change is needed. And we aim to develop how we monitor environmental law overall, so that our interventions are ever more targeted to the specific needs for improvement and opportunities to change.

I am immensely proud of all we have delivered in our first year. We have a talented and committed team in our Worcester and Northern Ireland bases and are grateful to have benefited from the continued support of a wide and diverse range of stakeholders in all our work. I look forward to working with all of them to deliver this plan.

A handwritten signature in black ink, appearing to read 'N. Prosser', written in a cursive style.

Natalie Prosser, Chief Executive

Introduction and Context

The Office for Environmental Protection was established by the Environment Act 2021. We are a public body with powers to advise ministers and government departments and to hold them and other public authorities to account against their environmental responsibilities and the law. Our independence is protected in law.

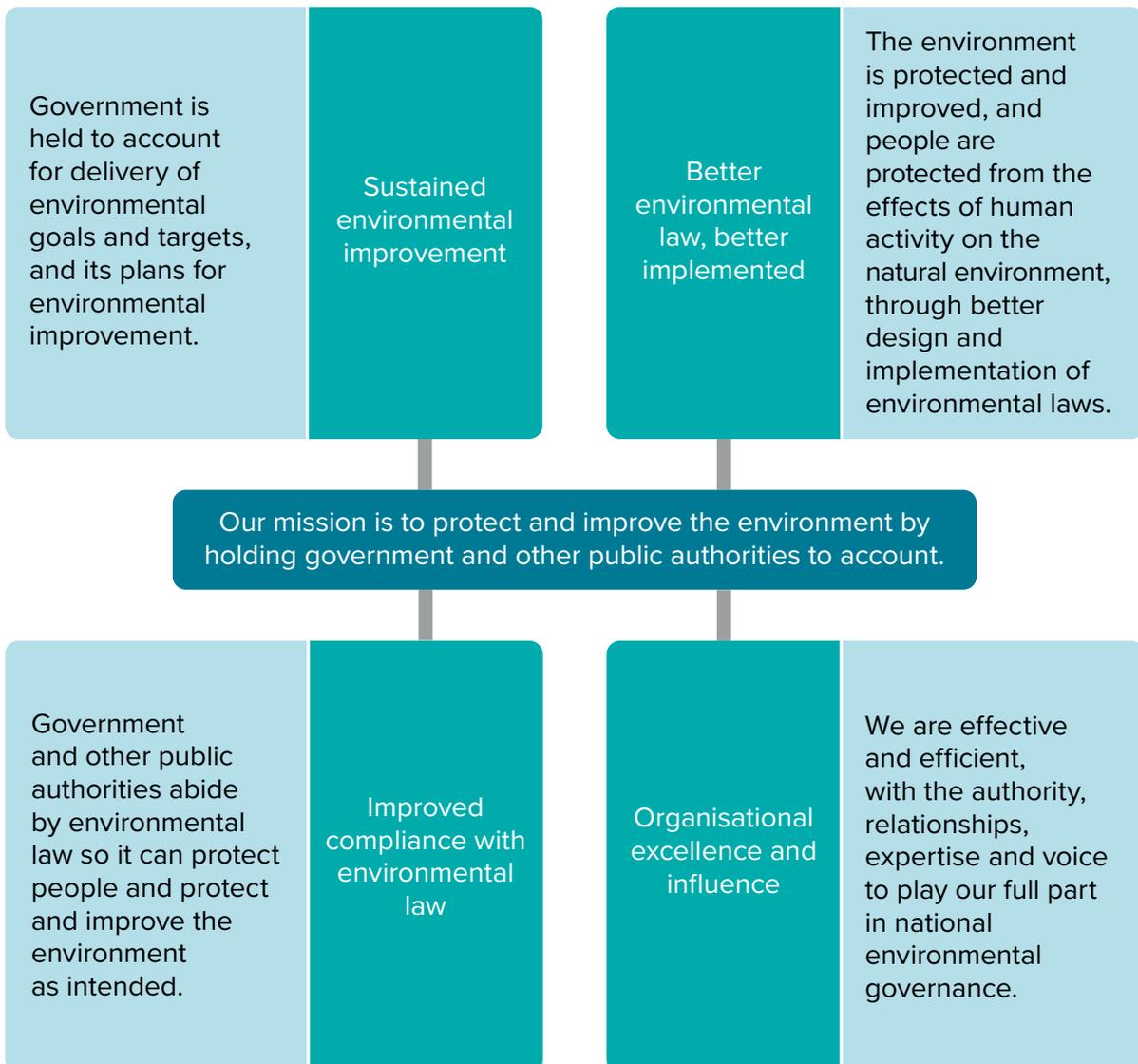
Our principal objective is to contribute to environmental protection and the improvement of the natural environment. Our work covers England and Northern Ireland, as well as UK-wide environmental matters where reserved to Parliament.

Our strategy and approach

Our mission

Our mission is to protect and improve the environment by holding government and other public authorities to account.

We have four strategic objectives to pursue this mission:



We are established with four main functions.



[Our strategy](#) explains how we work to deliver our mission and strategic objectives. It explains how we prioritise, the approach we take within each of our four main functions, how we work with our equivalent and other public bodies in all the nations of the United Kingdom, and how we engage with the wide range of stakeholders we must to fulfil our role. It also contains our enforcement policy.

About this plan

This plan sets out our priorities for the next three years, with a particular focus on our work in the year 2023/24, ahead of the review of our strategy we have planned.

It presents our current priorities, based on the judgements we have made about where we can make the most difference with the resources we have available.

We indicate in this plan where our work relates to England and/or to Northern Ireland. The activities we undertake within some of these priorities will consider matters reserved to the UK government.

Given immediate funding constraints, we indicate with an * those projects which we may need to reconsider, should we not secure additional resources in the year. We have made our case for the additional resources needed.

To inform our priorities, we considered evidence from our analysis of pressing issues for the environment, engaged with stakeholders, reviewed issues of concern to Parliament and the Assembly, considered research into public priorities in the environment as well the

complaints we have received. We applied the prioritisation approach set out in our strategy, to identify where we could have most impact in exercising our functions.

We recognise circumstances will change. We prioritise each year to set an outline work plan, which we will publish in this, our corporate plan. We will also actively prioritise throughout the year in light of events and information we receive, including from complaints. We expect our priorities to change in the three years of this plan, and may change this year. In this way we aim to ensure we are responsive, and for our effort to always be targeted to where we can make the most difference. We will explain the choices we have made in our annual report and accounts.

Sustained Environmental Improvement

We aim that government is held to account for delivery of environmental goals and targets, and its plans for environmental improvement.

Government is uniquely placed to protect and improve the environment, through its own activities and its ability to influence others. Our aim is that the UK Government and the Department for Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland set ambitious national environmental plans, goals and targets and make sure they are delivered. In England, the UK government published a refreshed environmental improvement plan (EIP23) in January 2023. In Northern Ireland, DAERA is to lay its first environmental improvement plan before the Assembly in the year ahead. These different stages of implementation of this new national environmental governance inform the plans we set out.

Over the three years of this plan, we will further develop the way we monitor and report on progress towards delivering environmental improvement plan goals and meeting long-term targets. We will build our capability so we can assess the future trajectory of environmental improvement, in order that we can better scrutinise government’s plans and, where necessary, make timely recommendations for how progress can be improved. We will also deepen our scrutiny of priority areas of the environmental improvement plans, through a programme of detailed reviews in thematic areas.

What we will do each year

	ENG	NI
i. Publish a report to independently assess the UK Government’s progress in improving the natural environment in accordance with its environmental improvement plan (EIP23) and towards meeting long-term targets, making recommendations for improvement where necessary	✓	

What more we plan to do in 2023/24

	ENG	NI
ii. Develop evidence for and our approach to monitoring progress in improving the natural environment in Northern Ireland, and provide advice to DAERA where requested on its environmental improvement plan as it is adopted, and as preparations are made for its implementation, monitoring and evaluation		✓*
iii. Publish an in-depth assessment of the targets and delivery plans supporting the EIP23 goal of Thriving Plants and Wildlife	✓	
iv. Develop our approach to assessing the trajectory of environmental progress towards meeting long-term targets	✓	
v. Review the available evidence of the condition of the marine environment, and identify any gaps in that evidence that should be addressed	✓	✓
vi. Review the available evidence of the regulation, management and monitoring of waste in Northern Ireland		✓*
vii. Review approaches to assessing and monitoring the status of species in Northern Ireland		✓
viii. Evaluate the drivers and pressures, and legal and regulatory arrangements which support soil health in England	✓	
ix. Respond to any revisions proposed to the UK Government's air quality strategy	✓	
x. Scrutinise environmental land management schemes for England, and their contributions to delivering EIP23 goals and meeting long-term targets	✓	

What more we plan to do in future years

	ENG	NI
xi. Within 22 months of its adoption, publish a report to independently assess progress in improving the natural environment in accordance with Northern Ireland's EIP making recommendations for improvement where necessary		✓
xii. Publish an in-depth assessment of the targets and delivery plans supporting the UK Government's ambitions for selected EIP23 goal areas	✓	
xiii. Expand our analysis of the future trajectory of environmental progress to further EIP23 goal areas, Environment Act targets and strategic priority areas of the Northern Ireland EIP once adopted	✓	✓
xiv. Review the evidence of the state of the environment in further priority areas, and identify any gaps in that evidence that should be addressed	✓	✓

Better environmental law, better implemented

We aim that the environment is protected and improved, and people are protected from the effects of human activity on the natural environment, through better design and implementation of environmental laws.

To be effective, environmental law must be designed well to require or incentivise behaviours that can deliver the intended outcomes. It also needs to be implemented well to achieve these outcomes in practice.

Our objective is for environmental law and its implementation to be well designed and delivered, so that positive outcomes for the environment and people’s health and wellbeing are achieved. We aim to support increased effectiveness of existing environmental laws and the good design and implementation of new ones.

In the period of this plan, we will publish studies of the effective implementation of environmental law in each of England and Northern Ireland. We will also develop the way we monitor the implementation of environmental law, so as to better identify areas we should prioritise for further work across our functions.

What we will do each year

	ENG	NI
i. Monitor the implementation of environmental law including by engaging widely with those who design, implement and are affected by it to gather information and intelligence	✓	✓
ii. Where we prioritise or where requested by the UK Government or a Northern Ireland department, provide and publish advice on proposed changes to environmental law, and other matters related to the natural environment	✓	✓*

What more we plan to do in 2023/24

	ENG	NI
iii. Respond to the UK Department for Levelling Up, Housing and Communities’ proposals for the introduction of environmental outcomes report regulations	✓	
iv. Publish a report on the implementation of the Habitats Regulations Assessment, Environmental Impact Assessment and Strategic Environmental Assessment regimes in England	✓	
v. Intervene in the UK Supreme Court case <i>Finch v Surrey County Council</i> on the assessment of indirect effects under Environmental Impact Assessment legislation	✓	

	ENG	NI
vi. Publish reports on the implementation of laws for the designation and management of sites protected for nature in England and in Northern Ireland	✓	✓*
vii. Respond to DAERA's proposals for an Environmental Principles Policy Statement for Northern Ireland and develop our approach to monitor the implementation of environmental principles by UK Government and Northern Ireland departments	✓	✓*
viii. If passed into law, monitor the implementation of the Retained EU Law (Revocation and Reform) Bill by the UK Government and departments in Northern Ireland, and provide advice on changes to environmental law that are proposed, and which we prioritise	✓	✓*
ix. Scrutinise the implementation of arrangements for regulators to monitor compliance with environmental laws across several sectors	✓	✓*
x. Publish reports on the implementation of environmental laws that support inland water quality in England and in Northern Ireland, and evaluate the river basin management plans for England and Northern Ireland against relevant legal requirements	✓	✓*
xi. Publish reports on the implementation of environmental laws which protect bathing waters in England and in Northern Ireland	✓	✓*

What more we plan to do in future years

	ENG	NI
xii. Publish reports on the implementation of environmental principles by UK Government and Northern Ireland departments	✓	✓
xiii. Report on the implementation of environmental laws in specific prioritised areas	✓	✓

Improved compliance with environmental law

We aim that government and other public authorities abide by environmental law so it can protect people and protect and improve the environment as intended.

We expect government and other public authorities to comply with their obligations under environmental law so that the outcomes those laws intend can be achieved.

In this plan period, we expect to increase the activity we undertake to scrutinise compliance both through dialogue with public authorities, and, where necessary, our investigation and enforcement steps.

Our work will be informed by and responsive to information we receive that public authorities may have failed to comply with environmental law, from complainants and other sources. We will prioritise in line with our enforcement policy and strategy.

What we will do each year

	ENG	NI
i. Receive and assess complaints about potential breaches of environmental law by public authorities, and respond to complainants in accordance with our customer charter	✓	✓
ii. Work with public authorities to resolve failures to comply with environmental law which we prioritise	✓	✓
iii. Investigate serious failures to comply with environmental law by public authorities in line with our enforcement policy and take steps using our enforcement powers to secure resolution where necessary	✓	✓*

What more we plan to do in 2023/24

	ENG	NI
iv. Progress our investigation into the roles of Ofwat, the Environment Agency and the Secretary of State for the Environment, Food and Rural Affairs in relation to the regulation of network combined sewer overflows in England	✓	
v. Progress our investigation into DAERA's guidance for assessing ammonia emissions for certain livestock developments		✓
vi. Gather information on previous infraction cases against the UK by the European Union, and consider their seriousness and priority in accordance with our enforcement policy and strategy	✓	✓*
vii. Monitor the extent to which the UK Government and Northern Ireland departments adhere to important deadlines in environmental law	✓	✓*
viii. Make continual improvements to the accessibility of our complaints portal and information available to complainants based on user research and government good practice	✓	✓

What more we plan to do in future years

	ENG	NI
ix. Review our enforcement policy, taking account of operational experience and evidence of its efficacy and impact	✓	✓

Organisational excellence and influence

We are effective and efficient, with the authority, relationships, expertise, and voice to play our full part in national environmental governance.

We aim to operate as efficiently as we can, and be as effective and influential as we are able. We have designed our organisation to be responsive and flexible, so we can deliver the most we can for environmental protection and improvement with the funding we receive.

In the three years of this plan, we aim that our organisation will grow to the size needed to fulfil our role as intended in England and Northern Ireland, and to review our strategy and approaches with the benefit of operational experience. We expect the proportion of resources we apply to this objective to reduce in time and will keep our operating model in review in this regard.

What we will do each year

	ENG	NI
i. Publish timely information about our work on our website to keep the public and stakeholders informed and allow them to hold us, government and other public authorities to account	✓	✓
ii. Engage regularly with stakeholders including in Parliament, the Northern Ireland Assembly, environmentalists, scientists, experts, business, government and the legal profession to inform and support our work, and champion our recommendations	✓	✓
iii. Prioritise our activity to where we judge we can make the most difference, managing our resources carefully to ensure value for money	✓	✓
iv. Publish our corporate plan and annual report and accounts setting out how we have prioritised and made good use of public funds	✓	✓
v. Operate efficient corporate services and governance which underpin our effectiveness, deliver for our staff, support our independence and are tailored to our size	✓	✓

What more we plan to do in 2023/24

	ENG	NI
vi. Recruit the additional capacity and expertise we need to deliver in line with the increase in our resources	✓	
vii. Implement and embed our people strategy so that our culture and ways of working best support us to deliver our mission	✓	✓
viii. Further extend the depth and reach of our stakeholder engagement in Northern Ireland and extend the range of departments of the UK Government with whom we engage	✓	✓
ix. Improve our website and other digital communications channels and how they support the public and stakeholders engage with us and our work	✓	✓
x. Move into long-term office premises in Worcester	✓	
xi. Apply for additional resources to support our functions in relation to Northern Ireland this year, and support the UK Department for the Environment, Food and Rural Affairs (Defra) and DAERA in their review of our long-term resourcing needs	✓	✓

	ENG	NI
xii. Implement our digital, data and technology strategy making improvements to the way we make information and intelligence available for decision making, and to the way we procure services	✓	✓
xiii. Develop how we engage and work with the science community and access scientific and technical expertise to support our work	✓	✓*
xiv. Develop the ways we work with Defra and DAERA, and agree, publish and implement a framework document, setting out the governance, accountability and funding arrangements within which we work	✓	✓
xv. Publish and embed our policies for sustainability and transparency	✓	✓

What more we plan to do in future years

	ENG	NI
xvi. Evaluate and review our strategy and operating model after 18 months of operations	✓	✓
xvii. Develop a programme of targeted evaluations and reviews to assess our work	✓	✓

Measuring our performance

We are developing a performance framework to monitor and strengthen our work. This will mature through this plan period, as we gather additional evidence about the influence of our work. We are committed to evaluating the extent to which our activity has the impact we intend for environmental protection and improvement, and to doing so effectively and transparently.

Our mission is to protect and improve the environment, by holding government and other public authorities to account. We recognise that well developed and reliable evaluation of our influence and impact are most important if we are to understand the extent to which we are meeting this ambition, and so others can hold us to account.

During the period of this plan, we will develop a programme of targeted evaluations and reviews to assess the influence of our work. We will focus these on our most important activities, and those which are most indicative of our impact. We will plan these evaluations as evidence is available.

We will also develop indicators of our impact to include: the extent to which our recommendations are adopted and influence the UK Government, Northern Ireland departments and other public authorities; how our recommendations are judged by a range of stakeholders who act to protect and improve the environment, and who implement and are impacted by environmental plans, policy and law, and; how we resolve matters we progress through investigation and enforcement.

Alongside our impact, we monitor indicators of our activity including the extent to which we deliver the priorities set out in this and plan (and its predecessor), the timeliness of our reporting and advice to government, the number of complaints and enquiries we receive and how we deal with those who contact us.

We regularly discuss our work with stakeholders to gather feedback on our effectiveness.

We will publish information about our performance in our annual report and accounts so that the public and other stakeholders can see the contribution we make to protecting and improving the environment. Our website includes information on the status and outcome of cases we have progressed through our investigations and enforcement functions. We will consider other ways to make our performance transparent, as our approach matures and more data is available.

In our annual report and accounts, we will also make information public about the efficiency of our operations, and the effectiveness of our financial management and other controls. This year, we will also undertake a study to compare our efficiency with other comparable bodies, and aim to develop appropriate indicators to benchmark ourselves against, over time.

Our resources

We are funded by Defra in relation to England and DAERA in relation to Northern Ireland. We pursue our objectives and implement our functions independently, objectively and impartially. The priorities and allocation of resources we set out in this plan have been determined independently, by us.

Defra has provided us with annually ring-fenced budgets for the period until April 2025 – the period covered by the UK Government’s own spending plans. In 2022/23 it agreed an increase to our ring-fenced budget for the year 2023/24. Defra has also provided indicative budgets for the subsequent two years to April 2027.

We apply annually to DAERA for the resources to deliver our functions in respect of Northern Ireland. We understand the difficult budgetary position that Government departments in Northern Ireland are operating under, but our initial allocation of resources in relation to Northern Ireland for 2023/24 was below our assessment of the resources needed to fulfil our role as the Assembly intended. We applied for additional resources and received some additional funds in June. The total remains below the sums we judge to be required. This has impacted on the scale and breadth of our activity in Northern Ireland.

We can apply to Defra and DAERA for additional resources necessary to fulfil our functions before the start of each business year, and in year should we consider it appropriate to do so. We have sought and expect to receive further resources from DAERA during 2023/24, so that we can contribute more to environmental protection and improvement in Northern Ireland.

£m	2023/24	2024/25	2025/26	2026/27
Defra revenue	8.13	7.15	7.29	7.45
DAERA revenue	1.00	—	—	—
Depreciation	0.25	0.25	0.25	0.25
Defra capital	1.10	—	—	—
Total resources	10.48	7.40	7.54	7.70

Allocation of resources to priorities

The OEP aims to be flexible and responsive to priorities so that we focus on where we can make the most difference. Below we set out an indication of how we allocate resources to support this plan. This will vary over the period covered by this plan as we prioritise in the light of emerging issues, in the way we set out in our strategy. We expect the proportion of resources we apply to organisational excellence and influence to reduce, as we embed the efficiencies from operational experience.

Through our detailed business planning, we estimate the indicative allocation of resources to our priorities in 2023/24 is as follows.

	Sustained environmental improvement	Better environmental law, better implemented	Improved compliance with environmental law	Organisational excellence and influence	<i>Of which relates to our initial establishment</i>
Non-pay revenue expenditure	23%	15%	10%	52%	8%
Capital expenditure				100%	100%
Staff time	18%	19%	28%	35%	9%

In 2023/24, our second full year of operations, we anticipate that approximately 8% of our revenue expenditure, 9% of our staff's time and all our capital expenditure will relate to work to establish the OEP and its functions. This includes moving into long-term premises, completing recruitment, completing the establishment of our independent IT, operations and systems, and completing our policy framework and is almost entirely related to work to support our objective for organisational excellence and influence.

