



the In House Policy Consultancy

Review of Statutory Sustainable Development Duties

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EXECUTIVE SUMMARY

The new UK Sustainable Development Strategy, *Securing the Future*, was published in March 2005. It outlined a programme of activity to promote sustainable development and committed in particular to issue clear guidance on how existing bodies with statutory sustainable development duties should take account of the new strategy. At the same time, DEFRA is considering the development of sustainable development duties on additional public bodies.

To inform these considerations, the In House Policy Consultancy (IHPC) was commissioned by the Sustainable Development Unit (SDU) at DEFRA and the Sustainable Development Commission to investigate the impact of statutory sustainable development duties on bodies with existing duties in England, Scotland and Wales. The principle objective of the exercise was to develop an evidence base of information on the difference that having a statutory sustainable development duty has made. This report presents the findings of that work.

The review has been undertaken through a combination of literature review and interviews with 12 organisations. It has investigated 11 statutory sustainable development duties and 2 permissive powers. The duties comprised 7 general duties to contribute to the achievement of sustainable development and 4 specific duties to contribute to sustainable development through the development of strategies or criteria for decision-making.

The review has highlighted a wide variation in organisational approaches to sustainable development in the face of the duties. In a number of instances, organisations have sought to put in place formal processes to consider the often-competing objectives of sustainable development and to mainstream sustainable development in everything that they do from strategic planning, appraisal and monitoring processes to corporate services. In other cases, organisations continue to see their contribution to sustainable development in terms of the activities they undertake relating to one particular strand of sustainable development, or to consider the separate strands of sustainable development in isolation. Some organisations whose primary function relates, for example, to economic development see their contribution to sustainable development solely in those terms. Other organisations with functions relating to multiple strands of sustainable development might focus on one strand in isolation from the others.

Organisational approaches to sustainable development, however, have not been driven exclusively, if at all, by their statutory sustainable development duties. The majority of those questioned were positive about their duty, with some very strong advocates, but a minority questioned whether the duty had had any material impact. The importance of the duty was typically cited as: symbolic; giving legitimacy; raising the profile and awareness of sustainable development; formalising the organisation's contribution to sustainable development; a driver for more rapid progress; promoting the consideration of more sustainable solutions; a driver for partnership working.

The overwhelmingly view, however, was that the duty was not sufficient by itself to ensure progress in mainstreaming sustainable development. The single most important factor in driving organisational approaches to sustainable development was considered to be **management leadership**. The types of mechanisms in place to **scrutinise delivery** of the duty were also considered important. Other factors cited were: external stakeholder pressure; the presence of (statutory or non-statutory) guidance on interpretation and implementation; other statutory provisions; availability of adequate resources. This finding points to the need for DEFRA to consider other mechanisms to support the introduction of statutory sustainable development duties, or to consider its ability to influence the factors which are outside its control (for example, management leadership on sustainable development through training). Of these, management leadership and scrutiny mechanisms would appear the most important.

There were differing views on the importance of the precise formulation of the duty for its effectiveness. On balance, the formulation was considered of lesser importance in comparison to other factors driving approaches to sustainable development, but the absence of information on the objectives of the duties and the rationale behind the precise formulations has made it difficult to assess their importance. Nonetheless, the following considerations are of note:

- There is a trade-off between the flexibility afforded by a general duty to contribute to sustainable development and the ability to hold organisations to account. Organisations were generally content with the flexibility, but differed in the extent to which they would welcome guidance against which they could be held to account;
- Evidence suggests that where organisations have duties relating to particular strands of sustainable development in addition to a general sustainable development duty (for example a duty to contribute to the achievement of sustainable development and to have regard for the effect of their activities on the environment), they struggle to interpret the additional requirements of the sustainable development duty. For a minority the presence of these individual duties has meant that the sustainable development duty has added little;
- Specific duties to develop strategies have had varying degrees of success in mainstreaming sustainable development depending on the presence of other drivers for change (i.e. leadership etc); and,
- Evidence suggests that there has been a limited take-up of permissive powers to promote sustainable development amongst English Local Authorities. A number of research reports have identified the need to develop guidance to promote take-up. There is concern, however, that without such powers some organisations (for example, WAG) do not have sufficient powers to fulfil their statutory duty in the manner they deem appropriate.

The nature of the evidence base has been an important consideration in interpreting the conclusions of this report. The review has had to contend with a number of constraints, including the lack of base-line information, the limited experience of operating with statutory sustainable development duties and the limitations of the literature research. Against this background, the report makes the following recommendations:

- DEFRA should develop a strategy for evaluating the impact of statutory sustainable development duties at the time they are introduced to enable the development of baseline information;
- In consultation with ODPM and the Local Government Association, DEFRA should consider investigating the effectiveness of Community Strategies in promoting sustainable development with a sample of Local Authorities;
- DEFRA should investigate the conclusions of the research commissioned by the Sustainable Development Commission into the relationship between the NAFW's Sustainable Development Scheme and the UK Sustainable Development Strategy;
- DEFRA should investigate the scope for undertaking an assessment of the considerations that led to the precise formulations of the duties and consider undertaking a more detailed assessment of these formulations. This work should seek to provide an assessment of the benefits and shortcomings of particular types of formulation and the relationship between the formulations and the functions of the bodies concerned. This work could inform a strategic approach to planning the introduction of sustainable development duties to further public bodies;

- DEFRA should investigate the factors underlying the perceived weaknesses in the formulation of the NAFW's duty, which have led to proposals to revise the formulation in forthcoming legislation.

Finally, the review has raised questions about how DEFRA should prioritise its efforts in considering which organisations might benefit from a statutory sustainable development duty. This has not been an explicit part of this review's terms of reference, but logic would dictate that priority should be given to:

- Duties applicable to multiple organisations (comparable to, for example, RDAs and Local Authorities);
- Duties applicable to organisations with the widest sphere of influence over the approach of other organisations to sustainable development (comparable to, for example, the GLA and NAFW); and,
- Duties applicable to organisations whose functions enable it to proactively promote sustainable development (in contrast to, for example, the Export Control Organisation).

REMIT OF THE REVIEW

- 1) The new UK Sustainable Development Strategy, *Securing the Future*, was published in March 2005. It outlined a programme of activity to promote sustainable development and committed in particular to issue clear guidance on how existing bodies with statutory sustainable development duties should take account of the new strategy. At the same time, DEFRA is considering the development of sustainable development duties on additional public bodies.
- 2) To inform these considerations, the In House Policy Consultancy (IHPC) was commissioned by the Sustainable Development Unit (SDU) at DEFRA and the Sustainable Development Commission to investigate the impact of statutory sustainable development duties on bodies with existing duties in England, Scotland and Wales. The principle objective of the exercise was to develop an evidence base of information on the difference that having a statutory sustainable development duty has made. The terms of reference for the review are at Annex A.

1.1 Method

- 9) The review has been undertaken through a combination of desk-top research and interviews. Structured interviews were conducted with 12 organisations, listed at Annex B. Of these, 8 organisations had statutory sustainable development duties, 2 organisations represented the views of English and Scottish Local Authorities and 2 organisations did not have such duties. In addition to the organisations with statutory sustainable development duties, the review also considered the impact of permissive sustainable development powers given to English Local Authorities and 8 categories of bodies carrying out functions under the International Development Act 2002. A significant amount of background information on the nature of the powers and duties was also obtained from a number of other bodies. These are listed at Annex B.

1.2 The Evidence Base

- 10) The conclusions of this report are based on the findings of a literature review together with the input of the organisations interviewed. Understanding the nature of the evidence base is important in interpreting the conclusions of this report. The review has had to contend with a number of constraints.
- 11) The analysis that follows in many cases points to mixed results in the approach of the organisations to implementing their duty. In many cases the duties are very new and the organisations are still grappling with how best to interpret and implement them. The experience of those who have had a duty for some time suggests that there is a long learning curve to understand the duty and to develop the capacity and skills to implement it effectively. Conclusions about the impact of the duties are therefore likely to be tentative at this stage.
- 12) The absence of base-line information on the approach being taken to sustainable development by some of the organisations studied prior to the introduction of the duties has made it difficult to make comparisons with the ex ante situation. In other cases, duties were introduced at the time the organisations were established. There has been no experience therefore of operating without a duty. Isolating the impact of the duty from other factors driving changes in approach to sustainable development has also been a challenge.
- 13) It is also noteworthy, that the majority of interviews were conducted with those within the organisations responsible for sustainable development. IHPC was acutely aware during interviews that their perspective might differ from other parts of the business. During the course

of interviews, IHPC probed respondents on views across the organisation, but no independent verification was undertaken.

- 14) A further constraint on the review has been difficulties in drawing general conclusions from the sample of organisations investigated. The review considered 11 statutory duties and 2 permissive powers. The formulation of the majority of duties was different, and 7 of them applied to a single organisation with typically different statutory functions. The review was, however, able to reach more robust conclusions in areas where duties applied to multiple organisations. These were duties covering Regional Development Agencies, English local authorities and Scottish Local Authorities.
- 15) Finally, the evidence gathered from the literature review only partially addressed the issues relevant to this review. A summary of the conclusions of the research reports identified in the literature review is presented in Annex D. These reports tend to focus on the way in which or extent to which organisations have fulfilled their statutory duty. They provide some valuable insights into factors which have influenced the approach organisations have taken to their duty. However, there is little attention paid to causality, relating the effectiveness of an organisation's approach to sustainable development directly to the duty, or any comparison with alternative approaches. In part, this lack of evaluation can be explained by the fact that many duties are very new and only now being implemented.
- 16) Given the constraints with which this review has had to contend, IHPC recommends that DEFRA should give early consideration to developing base-line information to inform future evaluations of the impact of duties when introducing sustainable development duties to other public bodies. This should set out the objectives of the duty, the rationale behind the precise formulation and an assessment of the approach of the organisation in advance of the introduction of the duty.
- 17) The review has highlighted a particular lack of evaluation of the sustainable development component of Community Strategies. To compound this, the scope of this review did not enable IHPC to obtain robust information from Local Authorities on the impact of their sustainable development duty. IHPC recommends that DEFRA, in consultation with ODPM and the Local Government Association, should consider investigating the effectiveness of Community Strategies in promoting sustainable development with a sample of Local Authorities.
- 18) Annex D also provides information on research commissioned by the Sustainable Development Commission investigating the relationship between the NafW's Sustainable Development Scheme, *Starting to Live Differently*, and the UK-wide Sustainable Development Strategy, *One Future, Different Paths*. This will report shortly and is expected to provide some insights into the impact of the Welsh duty. Defra will wish to investigate the conclusions of this work.

1.3 Conclusions and Recommendations

- 19) ***This section has highlighted the lack of baseline and appraisal information to inform evaluations of the impact of sustainable development duties. In part this is because in many cases the duties are very new. Nonetheless, IHPC recommends that DEFRA should:***
- ***develop a strategy for evaluating the impact of statutory sustainable development duties at the time they are introduced to enable the development of baseline information;***
 - ***in consultation with ODPM and the Local Government Association, consider investigating the effectiveness of Community Strategies in promoting sustainable development with a sample of Local Authorities; and,***

- ***Investigate the conclusions of the research commissioned by the Sustainable Development Commission into the relationship between the NAFW Sustainable Development Scheme and the UK Sustainable Development Strategy.***

2 THE NATURE OF THE DUTIES

2.1 Scope

20) In the new UK Sustainable Development Strategy, the Government has committed to a shared framework for sustainable development with the Devolved Administrations, *One Future – Different Paths*. In this framework, the goal for sustainable development is to “enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations.” The goal is to be pursued “in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well-being.” It will be done: “in ways that protect and enhance the physical and natural environment, and use resources and energy as efficiently as possible.”

21) The emphasis in the Strategy is on integrating the multiple dimensions of sustainable development, notably the economic, social and environmental. This emphasis has emerged in response to recognition that, while the 1999 strategy captured the principle that the objectives should be pursued in parallel, in practise many agencies focused on those one or two most relevant to them.

22) For the purposes of this exercise, the review has taken the term “sustainable development” to capture this requirement to balance the often-competing economic, environmental and social considerations. To this end, the review has concentrated on public bodies with duties which specifically mention “sustainable development”. It has not considered bodies with statutory duties which relate to individual strands of sustainable development, except insofar as bodies with “sustainable development” duties, have other duties to take into account individual dimensions of sustainable development (for example, duties to protect and improve the environment, or to protect the interests of vulnerable consumers). How these organisations interpret their sustainable development duty in relation to these other duties is discussed later in this report.

23) At the start of the project, IHPC identified duties relating to sustainable development in 12 Acts of Parliament¹:

- a) Environment Act 1995
- b) Water Industry Act 1991 (as amended by Water Act 2003)
- c) Regional Development Agency Act 1998
- d) Gas Acts 1986 & 1989 (as amended by Energy Act 2004)
- e) Export Control Act 2002
- f) Greater London Authority Act 2002
- g) Local Government Act 2000
- h) Government of Wales Act 1998
- i) Railways Act 1993 (as amended by Transport Act 2000)
- j) Planning & Compulsory Purchase Act 2004
- k) Local Government in Scotland Act 2003
- l) Buildings Act 1984 (as amended by Sustainable and Secure Buildings Act 2004)

¹ Consideration is currently being given to the introduction of sustainable development duties in: Natural Environment & Rural Communities Bill; Olympics Bill; and, Draft Composite Regional Assemblies Bill 2004 (on hold). It was considered premature to explore these in this review. In addition, the review has not investigated the duty arising from the Sustainable and Secure Buildings Act 2004.

- 24) These Acts of Parliament impose duties relating to sustainable development on the following organisations:
- a) Environment Agency
 - b) OfWat
 - c) The Consumer Council for Water
 - d) Regional Development Agencies (RDAs)
 - e) OfGEM
 - f) Export Control Organisation
 - g) Greater London Authority
 - h) English Local Authorities
 - i) National Assembly for Wales (NAfW)
 - j) Office of Rail Regulation (ORR)
 - k) Regional and Local Planning Bodies
 - l) Scottish Local Authorities
- 25) Two further Acts introduced permissive powers to promote sustainable development:
- a) Local Government Act 2000
 - b) International Development Act 2002
- 26) These give powers to promote sustainable development to the following organisations:
- a) English Local Authorities
 - b) British Tourist Authority
 - c) Health Authorities
 - d) Health Boards
 - e) NHS Trusts
 - f) Primary Care Trusts
 - g) Public Health Laboratory Service Board
 - h) Special Health Boards
 - i) Wales Tourist Board
- 27) Annex C provides details of: the nature of these duties; the bodies they apply to; the context within which they apply; and, a broad description of the approach taken by the organisations to implement them. Much of this information (notably that relating to context and approach) is based on conversations with interviewees. It should not be seen as a definitive guide to everything the organisations do to contribute to sustainable development or fulfil their duties.

3 APPROACHES TO SUSTAINABLE DEVELOPMENT

28) This section of the report draws out general conclusions about the approach to sustainable development taken by organisations in the light of their duties (details on individual approaches are set out in Annex C). Ideally, the approach to such duties needs to be considered against the objectives underpinning their introduction. However, IHPC has not investigated the objectives of each duty, because anecdotal evidence suggests that in most (if not all) cases these were not precisely defined. The duties were introduced in response to opportunities provided in the legislative programme, and their precise formulation emerged during parliamentary scrutiny processes. There is a general presumption, however, amongst those questioned that the general purpose of the duties was to seek to encourage organisations to embed sustainable development throughout their work and in particular to adopt an integrated approach to sustainable development, which balanced the often-competing demands of economic, social and environmental development.

29) Against this background, IHPC considered the approach taken by the organisations with such duties in the following areas:

- a) Strategic and Business Planning
- b) Implementation and Appraisal
- c) Monitoring & Evaluation
- d) Corporate Services
- e) Relationships with Stakeholder

3.1 Strategic & Business Planning

30) The review considered the approach to strategic, corporate and business level planning adopted by the organisations in the light of their duties. A distinction needs to be made in this regard between those organisations with a general duty to contribute to sustainable development (for example, the Environment Agency, OfWAT, RDAs, OfGEM, GLA and Scottish Local Authorities) and those with a specific duty to formulate strategies taking account of sustainable development (English Local Authorities, NAFW and Regional/Local Planning Bodies).

3.1.1 Specific Duties

31) The duties require the organisations concerned to take account of sustainable development in formulating their strategies (for example, English Local Authorities to develop Community Strategies, the NAFW to prepare a Sustainable Development Scheme, and Regional/Local Planning Bodies to develop Regional/Local Spatial Strategies). In each case, the duty is supported by guidance on the formulation of strategies, including sustainable development requirements. Evidence from relevant research (Annex D) and interview discussions, suggests that the quality of the strategies in terms of their contribution to sustainable development has varied greatly:

- An assessment of the first four years of the NAFW's duty suggests that the initial Sustainable Development Scheme did not provide an effective agenda for action. It identified key areas of sustainable development which were not prioritised and weaknesses in implementation processes. The second Scheme has sought to address the weaknesses identified;
- It has been too early to assess the progress of Regional/Local Planning Bodies in developing their strategies, but anecdotal evidence points to a mixed picture of progress so far;

- Similarly, the limited evidence obtained by this review suggests that English Local Authorities have embraced the need to embed sustainable development into Community Strategies with mixed enthusiasm and results. Some authorities have made considerable progress in developing integrated sustainable development strategies and developing processes to support implementation. In other Community Strategies, the contribution to sustainable development is seen in terms of individual activities, and not supported by processes which embed sustainable development.

32) In most cases these strategies are subjected to a sustainability appraisal. Embedding sustainable development in the process of plan preparation is seen by some to be very important. In the case of Regional/Local Spatial Plans, this is a statutory requirement. In theory, this should facilitate the mainstreaming of sustainable development. Evidence suggests, however, that the quality of these appraisals varies greatly, and that there is a mixed response from organisations in the extent to which they use the information arising from these appraisals to improve the sustainability of their strategies. It is unclear at this stage whether these short-comings reflect the inevitable uncertainties of the transitional process.

3.1.2 General Duties

33) Organisations with general duties are typically required to contribute to the achievement of sustainable development in an unspecified way. It is left to the organisations to decide how best to interpret their duty. In some cases, the duty is accompanied by statutory or non-statutory guidance on how the duty should be interpreted (for example, Environment Agency, OfGEM and Scottish Local Authorities). This guidance varies in the extent to which it stipulates the requirement to embed sustainable development in strategies and business plans.

34) Annex C highlights the mixed response of organisations in their approach to corporate planning. Some organisations consider that they have grasped the opportunity provided by the duty to formally embed sustainable development in corporate strategies and business plans, subjecting such strategies to sustainability appraisals, and using the appraisal information effectively. In other cases, the response has been more muted. Typically, but not exclusively amongst Scottish Local Authorities.

35) Irrespective of whether the duty was a general or specific one, a number of interviewees expressed concern about overlap between different strategies. This concern was largely of relevance to RDAs and Local Authorities. There is a perceived risk that irrespective of their quality, strategies were undermined by the proliferation of strategies with lack of clarity over which strategy took precedence (for example, Regional Economic Strategies, Regional Sustainable Development Framework, Integrated Regional Strategies).

3.2 Implementation and Appraisal

36) The review considered the approach of organisations to implementing corporate plans and appraisal processes in the light of the statutory sustainable development duties. The duties make no reference to implementation and appraisal processes. For some organisations, however, there are statutory requirements covering these elsewhere in the legislation. For example, the Planning & Compulsory Purchase Act 2004 requires Regional/Local Planning Bodies to embed sustainable development throughout the planning process, including the requirement to undertake sustainability appraisals. In the majority of cases, however, organisations are left to respond to the duty in the way they consider best suited to meet their obligations. In some, but not all, cases this is accompanied by guidance on best practice in taking account of sustainable development in implementation and appraisal. This guidance is outlined in Annex C.

37) Evidence from the research (Annex D) considered together with interview responses once again points to a mixed picture in the approach of organisations to appraisal at policy, programme and project level, including in deciding budget priorities. Some organisations take account of individual strands of sustainable development in some appraisal processes (for example, by assessing economic, environmental and social costs and benefits of projects), but sustainable development is not considered to be embedded in appraisal at all levels of decision-making or in an integrated way, where there are explicit processes for balancing competing economic, environmental and social objectives. Beyond that there is a spectrum of practices, with full sustainability appraisal undertaken in some specific areas (for example, strategy development). Some organisations (for example, Welsh Assembly Government and RDAs) have developed sustainable development tool kits to embed sustainable development in some areas of policy, programme and project development from inception to completion. These tool kits have been made mandatory in a small number of areas. On the whole, stakeholders are encouraged to use them on a discretionary basis, although consideration is being given to extending the areas in which they will be mandatory.

3.3 Monitoring & Evaluation

38) The review considered the approach to monitoring and evaluation in the light of the statutory duties. In general, the duties do not specify requirements to monitor or evaluate outcomes, although some (for example, the Scottish Best Value duty) are accompanied by guidance on best practice. The exception is the Welsh duty, under which the Assembly is required to report progress annually in delivering the Scheme. The GLA is also required to keep its strategies under review.

39) All the organisations questioned had monitoring systems in place covering to varying extents progress against strategic, programme and project objectives. However, practices varied widely in the extent to which these formally monitored sustainable development outcomes. Some organisations monitored indicators formally related to sustainable development objectives (for example, Environment Agency and RDAs), and in some cases these related directly to the UK Sustainable Development indicators. A limited number of organisations set targets for measuring their contribution to sustainable development. However, by and large this was the exception. The majority of organisations did not set targets and indicators were in many instances not formally recognised as the organisations contribution to sustainable development.

40) In general, approaches to evaluation also appear largely underdeveloped. A number of organisations have argued that this is because in many cases the duty has only been introduced relatively recently, and it is too early to evaluate its impact. Good practice suggests, however, that evaluation strategies should be established on implementation to ensure that baseline information is available to inform future evaluations. An exception again is the Welsh duty, under which the Assembly is required to evaluate the Scheme every four years. The results of the evaluation have been used to inform the development of the second Scheme. The London Development Agency has also undertaken an evaluation of the sustainable development dimensions of Community Strategies. This evaluation is summarised in Annex D and tends to support the findings of this review. It suggests that the role of Community Strategies in contributing to sustainable development is underdeveloped and goes on to make recommendations for making them work.

3.4 Corporate Services

41) The review investigated the extent to which the duties had influenced corporate procurement, human resource management, and corporate social responsibility more generally. There was limited evidence that the duty itself had had much influence in this area. By and large, most organisations questioned were actively considering the contribution of their organisational practices to the achievement of sustainable development. These considerations stretched to

varying degrees from procurement practices and building standards to family friendly working practices and the wider role of the organisation in the local community. In general, it was not evident, however, that the organisations had formally made the connection between their duty and organisational practices. This was most notable in human resource management. Typically, the organisations questioned pointed to other factors driving their approach. These factors varied from national initiatives on procurement and working practices to organisational leadership.

42) That said, a number of organisations did perceive the need to lead by example. Thus, there was recognition that in order to influence others to achieve the organisation's sustainable development objectives, the organisation needed to demonstrate good organisational practices and corporate social responsibility.

3.5 Relationships with Stakeholders and the Public

43) The review considered the impact that the duty has had on relationships with stakeholders and the wider public. In particular, interviewees were asked about the impact that the duty had had on:

- a) ***The ability to deliver through partnership working*** – the review considered the extent to which organisations engaged with stakeholders to deliver their objectives in the light of the duty. There was a strong body of opinion that partnership working had strengthened. In some cases, organisations had actively engaged a wider set of stakeholders in policy development and decision-taking as a direct result of the duty. In other cases, the duty was seen as a secondary driver in strengthening partnership working. These organisations typically pointed to other government initiatives as drivers (for example, Local Strategic Partnerships and the developing role of RDAs in co-ordinating delivery at regional level);
- b) ***The organisation's authority and influence in dealing with stakeholders*** – a number of those questioned highlighted the benefits of being seen to take account of the wider impacts of their policies and programmes in dealing with stakeholders. Awareness of these wider impacts helped to identify common ground between stakeholders, bringing differing expertise and agendas together to facilitate agreement on more sustainable solutions;
- c) ***Relations with the public*** – organisations were asked about the impact that the duty had had on perceptions of the organisation amongst the public (beyond direct stakeholders) and, in particular, on whether the duty had helped raise awareness of the contribution of the organisation towards achieving sustainable development. Evidence from those who expressed a view suggests that the impact of the duty on relations with the public is less well defined, although there appears to be no attitudinal research to support this conclusion. Some organisations pointed to activity they were undertaking to raise awareness of some of their sustainable development activity. However, the concept of sustainable development was not well understood amongst the wider public, and so they avoided talking in those terms.

3.6 Conclusions and Recommendations

44) This section has considered the approach to sustainable development taken by organisations in the light of their duties. In many cases they are still grappling with how best to interpret and implement the duties. Nonetheless, the evidence so far points to very mixed results. Some organisations have made considerable progress in mainstreaming sustainable development in everything they do from decision making processes to implementation, monitoring and corporate services. Elsewhere progress has been patchy with notably limited attention to formally monitoring and evaluating sustainable development outcomes.

4 FACTORS DRIVING THE RESPONSE TO SUSTAINABLE DEVELOPMENT

45) The preceding section has discussed the approach taken by organisations in the light of their duties, but it has only touched on the degree to which their approach has been driven by the duty rather than other factors. This is the subject of this section.

46) On balance those questioned were positive about their duties, although in a number of cases it was too early to assess the impact and in particular to disentangle the effect of the duty from other factors. A small minority questioned whether the duty had made any difference at all. The importance of the duty was typically cited as:

- a) **Symbolic** – some believed that their duty provided a symbol of the organisation’s commitment to sustainable development. It defined a common purpose around which everyone within the organisation could come together;
- b) **Giving legitimacy** – It formally demonstrates, externally and internally, the organisation’s responsibility for contributing to sustainable development;
- c) **Raising the profile and awareness** of sustainable development within, and, to a lesser extent, outside the organisation;
- d) **Formalising the organisation’s contribution to sustainable development** where in the past it may have been implicit. A number of organisations interviewed noted that their contribution to sustainable development pre-dated the duty, but that it was not formally recognised as such;
- e) **Speeding up progress** in mainstreaming sustainable development within the organisation;
- f) **A tool against which organisations could be held to account** (but see below);
- g) **Raising confidence** to develop initiatives which would contribute to the wider dimensions of sustainable development, where previously these might have been seen as beyond the remit of the organisation (for example, taking account of the visual aspects of electricity wires, sponsoring fishing trips for juvenile offenders);
- h) **Encouraging consideration of more sustainable solutions and pressing others to do so**
- i) **Enhancing partnership working** (see section 3.5)

47) There was an overwhelming view, however, that the duty was not sufficient on its own to ensure progress in embedding an integrated approach to sustainable development within the organisation. Evidence from earlier in this report has pointed to a varied response from organisations to their duty. Where some organisations have sought to rigorously mainstream sustainable development within the organisation in everything they do, others have adopted a more muted response or concentrated their efforts in particular areas of the organisation.

48) It is possible that the formulation of the duty has influenced its impact. This is discussed below. However, a significant number of organisations with the same duty (for example, RDAs, English and Scottish Local Authorities) have also responded with varying degrees of rigour to their duty. There are clearly other factors driving the organisation’s approach to sustainable development.

- 49) The single most important factor determining an organisation's approach to sustainable development was considered to be **management leadership**. A number of examples were given where the organisation considered that they had gone considerably further than any legal interpretation of their duty would require them to, because they had been driven by a management with strong understanding of and commitment to sustainable development.
- 50) The mechanisms in place for **scrutinising** the delivery of the duty were also considered important. There are a number of ways in which organisations can be held to account for delivering their duties. At its most basic level it can be through undertaking and publishing monitoring and evaluation material and the resulting external stakeholder pressure. For example, a number of those interviewed noted the important role played by the Sustainable Development Commission, and the London Sustainable Development Commission, as well as lobby groups in encouraging organisations to make progress in mainstreaming sustainable development. The contribution of some organisations to achieving sustainable development is scrutinised by the legislature (for example, GLA and NAFW). While independent audit can also provide a helpful role in scrutinising delivery, to-date there appears to have been limited attention paid to sustainable development duties, although in the case of Audit Scotland this is changing.
- 51) Beyond management leadership and scrutiny mechanisms, other determinants of organisational approach to sustainable development were considered to be:
- a) **External stakeholder pressure** – A number of organisations noted the pressure exerted on them to fulfil their duties by external stakeholders, notably by sustainable development interest groups. The pressure exerted by external stakeholders was particularly noticeable amongst the majority of regulatory bodies given the nature of their functions;
 - b) **(Statutory or non-statutory) guidance on interpretation and implementation** – Those questioned unanimously noted the efforts required to interpret their duty and formulate their response. Those with general duties to contribute to sustainable development also commented on the lack of clarity surrounding how they would be held to account in fulfilling their duty. Guidance, whether statutory or non-statutory, can help with these difficulties. However, there were differing views on the extent to which such guidance would be welcomed, and how detailed or specific such guidance should be. Some welcomed the flexibility afforded by no guidance or only general guidance. Others were calling for more detailed and specific guidance (for example, English & Scottish Local Authorities);
 - c) **Other statutory provisions** – The organisation's approach to implementing its duty also depended on the presence of other statutory provisions. For example, the requirement for Regional/Local Planning Bodies to take account of sustainable development in formulating their plans was supported by a new Planning Framework with sustainable development at its core. Amongst other things, this makes full sustainability appraisal mandatory and provides mechanisms (through the Planning Inspectorate) to hold Planning Bodies accountable for adequately fulfilling their sustainable development obligations;
 - d) **Resources** – Unsurprisingly, the presence of adequate resources, both financial and human, was seen as critical to the rigour with which the organisation was able to fulfil its duty. In some cases strategic and business planning which embeds sustainable development is integrally linked with the budget setting process. In others, budget planning is not directly linked to the attainment of sustainable development objectives. In some cases, financial resources have been made available to develop an organisation's sustainable development capacity and capabilities. In others, they have not.

4.1 Conclusions and Recommendations

52) On balance, organisations were positive about their duties and pointed to a number of positive influences that having a duty had had. A minority, however, remained sceptical about the importance of statutory duties. The overwhelming body of opinion, however, was that such duties were not sufficient by themselves. The most important factors driving an organisation's approach to sustainable development were management leadership and mechanisms for scrutinising delivery. Other factors of importance were: external stakeholder pressure; the presence of (statutory or non-statutory) guidance on interpretation and implementation; other statutory provisions; and, the availability of resources.

53) These conclusions therefore strongly point to the need for DEFRA to consider other mechanisms to support the introduction of statutory sustainable development duties, or to consider its ability to influence the factors which are outside its control (for example, management leadership on sustainable development through training). Of these, management leadership and scrutiny mechanisms would appear the most important.

5 THE FORMULATION OF THE DUTIES

54) This section of the report considers the extent to which the formulation of the duties has influenced their impact. For the purposes of this analysis, the duties have been categorised according to the following types:

- a) General duties to contribute to or promote the achievement of sustainable development, distinguishing between:
 - i) Primary duties (RDAs); and,
 - ii) Secondary duties (the Environment Agency, OfWat, OfGEM, ORR, GLA, Scottish Local Authorities).
- b) Specific duties to contribute to the achievement of sustainable development through:
 - i) The development of strategies (English Local Authorities, NAFW, Regional/Local Planning Bodies);
 - ii) Issuing guidance on criteria for decision-taking (Export Control Organisation).
- c) Permissive powers to undertake activity to promote sustainable development (English Local Authorities, DfID Statutory Bodies).

55) It is noteworthy, however, that few duties are exactly the same. An analysis of the relevance of the formulation of the duties to their impact should ideally be informed by an assessment of the considerations which led to the precise formulations, and in particular the objectives these formulations were intended to achieve. As discussed previously, this review has not undertaken such an assessment. IHPC understands that such information may be available from Explanatory Notes to the Acts of Parliament and Departmental Bill Papers. IHPC recommends that DEFRA should investigate the scope for undertaking such an assessment and consider undertaking a more detailed assessment of the formulations of the duties. This work should seek to provide a more detailed assessment of the benefits and shortcomings of particular types of formulation and the relationship between the formulations and the functions of the bodies concerned. This work could inform a strategic approach to planning the introduction of sustainable development duties to further public bodies.

56) During this review, IHPC asked interviewees whether they considered that their duty was formulated in a helpful way. Views differed about the importance of the precise formulation of the duty. Nobody expressed the view that it was highly important. Some felt that the precise formulation was largely unimportant relative to the presence of other factors driving an organisation's approach to sustainable development (i.e. leadership, external stakeholder pressure etc). Particularly issues raised in discussion were the following:

- a) ***Flexibility versus accountability*** – General duties to contribute to sustainable development allowed organisations discretion to respond to the duty in ways they considered most appropriate to their circumstances and functions, encouraging innovation. Most of those questioned were content to have this flexibility, but there were differing views on the extent to which the general duty should be accompanied by more detailed guidance (statutory or non-statutory). At one extreme Scottish Local Authorities were pressing for detailed guidance setting out what a sustainable local authority would look like. The price of the flexibility afforded by a general duty, however, was the time and resources required by the organisation to interpret the duty, and, most importantly, lack of clarity about how they would be held to account. In the absence of effective scrutiny mechanisms, there is the danger that general duties are less effective, unless the organisations' approach to sustainable development is also being driven by factors identified above (i.e. leadership, scrutiny processes etc.);
- b) ***Sustainable development duties and duties relating to individual pillars*** – Many of the organisations considered had duties relating to individual strands of sustainable development

in addition to the sustainable development duty (for example, duties to promote economic development, to protect or enhance the environment, and/or to take account of the impact of their functions on vulnerable sectors of society). In a number of cases, these individual duties pre-dated the sustainable development duty. Those questioned invariably commented on the difficulties of interpreting the sustainable development duty in the light of these other duties. There was an implicit presumption amongst some organisations that the sustainable development duty was intended to encourage a more integrated approach to sustainable development than afforded by duties covering individual pillars, but this was not well articulated. For others, the presence of duties covering individual pillars of sustainable development meant that the sustainable development duty had made little difference.

- c) **General versus specific duties** – While organisations have grappled with interpreting the extent to which general duties require them to mainstream sustainable development, it is equally true that specific duties to develop strategies have had differing successes in encouraging the organisations concerned to mainstream sustainable development. The other factors driving sustainable development identified above were seen to be key determinant of the rigour with which the organisation approached its specific duty.

One of the organisations considered has a specific duty to take account of sustainable development criteria in exercising its functions. The Export Control Organisation is required to take account of interdepartmentally agreed guidance in taking decisions on the approval of export licences. This guidance was designed to improve the interpretation of Criterion 8 (Sustainable Development), which forms part of ‘The Consolidated EU and National Arms Export Licensing Criteria’, with which the Export Control Organisation is required to comply. It is noteworthy, that the Export Control Organisation does not use this duty to proactively promote sustainable development. The broad impact of the Criterion is to refuse applications which divert resources in the recipient country from “productive” expenditure which promotes sustainable development.

This example raises questions about how DEFRA should prioritise its efforts in considering which organisations might benefit from a statutory sustainable development duty. This has not been an explicit part of this review’s terms of reference, but logic would dictate that priority should be given to:

- Duties applicable to multiple organisation (comparable to, for example, RDAs and Local Authorities);
- Duties applicable to organisations with the widest sphere of influence over other organisations approaches to sustainable development (comparable to, for example, the GLA and NAFW); and,
- Duties applicable to organisations whose functions enable it to proactively promote sustainable development (in contrast to, for example, the Export Control Organisation).

- d) **Permissive powers** – Preliminary evidence from the literature review (see Annex D) suggests that the take up of the Well Being Power has been limited, although it makes no specific mention of its use in the context of sustainable development. The research suggests that most local authorities struggle to fulfill their statutory duties, and have little spare energy or resources to fulfill discretionary responsibilities and non-statutory obligations, with regard to sustainable development. It also outlines a number of factors which are considered to have influenced the take-up of the power. These are outlined in Annex D and include, in summary, lack of resources, the profile of the power and limited understanding of its potential. There has been a recognition that the power needs to be accompanied by guidance to promote its take-up. It is pertinent to note that consideration is currently being given to a new power to promote well-being for the Welsh Assembly Government. The perception that such a power is needed has been driven by concerns that WAG does not have the powers to undertake activities which it considers appropriate to fulfill its statutory sustainable development duty.

57) A final point of note in this section relates to the formulation of the Welsh duty. Draft legislation is currently being prepared which will separate the Welsh legislature from the executive. As part of this, consideration is being given to where the sustainable development duty should rest and how it should be amended. There was a perception that the formulation of the duty needed to be amended. This requirement arose not simply from the act of splitting the legislature, but because of a perceived weakness in its formulation. Those interviewed by IHPC during the course of this review were unaware of the rationale behind this. These considerations could provide some useful insights into the Welsh experience of the duty and IHPC recommends that SDU give consideration to following this up.

5.1 Conclusions and Recommendations

58) *Those interviewed differed in their views of the importance of the precise formulation of the duties. On balance, its importance was almost certainly small in relation to the other drivers for change highlighted in section 4. Nonetheless, evidence suggests that the following considerations are of note:*

- *There is a trade-off between the flexibility afforded by a general duty to contribute to sustainable development and the ability to hold organisations to account. Organisations were generally content with the flexibility, but differed in the extent to which they would welcome guidance against which they could be held to account.*
- *Evidence suggests that where organisations have duties relating to particular strands of sustainable development in addition to a general sustainable development duty (for example a duty to contribute to the achievement of sustainable development and to have regard for the effect of their activities on the environment), they struggle to interpret the additional requirements of the sustainable development duty. For a minority the presence of these individual duties has meant that the sustainable development duty has added little;*
- *Specific duties to develop strategies have had varying degrees of success in mainstreaming sustainable development depending on the presence of other drivers for change (i.e. leadership etc).*
- *Evidence suggests that there has been a limited take-up of permissive powers to promote sustainable development amongst English Local Authorities. A number of research reports have identified a requirement to develop guidance to promote take-up. There is concern, however, that without such powers some organisations (for example, WAG) do not have sufficient powers to fulfil their statutory duty in the manner they deem appropriate.*

59) *This review has not, however, undertaken an assessment of the considerations that led to the precise formulation of the duties, and in particular the objectives that these were intended to achieve. IHPC recommends that DEFRA should investigate the scope for undertaking such an assessment and consider undertaking a more detailed assessment of the formulations of the duties. This work should seek to provide a more detailed assessment of the benefits and shortcomings of particular types of formulation and the relationship between the formulations and the functions of the bodies concerned. This work could inform a strategic approach to planning the introduction of sustainable development duties to further public bodies.*

Annex A: Terms of Reference

The terms of reference for the Review of Sustainable Development Duties were as follows:

Aim: *to investigate the impact of statutory sustainable development duties on organisations with existing duties in order to inform the case for imposing such duties on other organisations.*

Objectives:

- *To explore existing research evaluating the impact of statutory sustainable development duties;*
- *To investigate the experiences of organisations with existing statutory sustainable development duties, focusing on the impact those duties have had on the way they deliver their functions.*

Annex B: Organisations Consulted

Structured interviews were conducted with the following organisations:

Organisations with Statutory Duties

Environment Agency
OfWat
East of England Development Agency
OfGEM
Greater London Authority
DfID (Export Control)
Office of the Rail Regulator
National Assembly for Wales

Organisations representing those with statutory duties:

Sustainable Scotland Network
Planning Officers Society

Organisations without statutory duties:

English Nature
Export Credit Guarantee Department

Background information provided by:

DEFRA (SDU)
DEFRA (Natural England Policy)
DEFRA (Environment Agency Partnership & Delivery)
ODPM (Plans & Compensation)
ODPM (Local Government Liaison)
Commission for Rural Communities
Government Office for London
Local Government Association (Planning)
Local Government Association (Community Strategies & Well Being Power)
Scottish Executive
Sustainable Development Commission

ANNEX C: The duties and their implementation

Statutory Duties

Environment Act 1995

Body: Environment Agency

Duty: To contribute towards attaining the objectives of achieving sustainable development in discharging its functions. Ministers must give guidance.

Context: A duty to be fulfilled in delivering its primary purpose to protect or enhance the environment. Guidance from Ministers suggests that the main contribution of the Agency to achieving sustainable development will be to deliver its primary objectives in a way which takes account (subject to other statutory duties) of economic and social considerations. The duty does not apply to individual regulatory decisions.

Approach: The Agency considers that sustainable development is embedded in everything it does. Its Corporate Strategy sets out the Agency's contribution to the UK sustainable development strategy, including its contribution to relevant targets. This strategy feeds through into a (3 year) Corporate Plan and annual business plans for business units, all embedding the sustainable development strategy and contributions to sustainable development targets. The business planning framework is supported by an appraisal framework (for policies and projects over which the Agency has discretion) based on quantified cost benefit analysis, including economic, social and environmental criteria. The Agency monitors delivery against its sustainable development targets.

Water Industry Act 1991 (as amended by Water Act 2003)

Body: OfWat

Duty: To exercise its powers and duties in the manner it considers best calculated to contribute to sustainable development.

Context: A secondary duty to be fulfilled in carrying out its primary duties to protect the interests of consumers and secure that the functions of water companies are carried out properly and that they are able to finance them. Other duties include a general duty to consider the effect on the environment in exercising its powers, and a duty to take account of the interests of vulnerable individuals.

Approach: The duty took effect in April 2005. OfWat is currently considering and consulting on its approach to implementing its duty and intends to present proposals for approval following the appointment of its new Board in April 2006. Ofwat is to be given "Social and Environmental" guidance to help it interpret its sustainable development duty.

Body: Consumer Council for Water

Duty: To exercise its powers and duties in the manner it considers best calculated to contribute to sustainable development.

Approach: The Council is at an early stage in considering its approach to sustainable development. IHPC has not investigated.

Regional Development Agency Act 1998

Bodies: 9 Regional Development Agencies

Duty: To contribute to the achievement of sustainable development in the UK, where it is relevant to its area to do so. Ministers may give guidance.

Context: A primary duty alongside other primary duties to further economic development and regeneration; promote business efficiency, investment and competitiveness; promote employment; and, to enhance skills relevant to employment.

Approach: When RDAs were first formed, most saw their sustainable development contribution falling mainly around the "economic" pillar. Some then developed processes and

systems to minimise the environmental aspects of their operations, and some went on to develop some form of sustainability appraisal as part of their Single Pot appraisal process. At the same time, most RDAs recognised the significant economic opportunity of supporting particular sectors (e.g. renewables and environmental goods & services). RDAs are increasingly looking at what more they can do to fulfil their sustainable development duty, in the context of the new UK SD strategy, the evolving role of RDAs in co-ordinating regional development activity and against a changing framework for strategic planning (the Tasking Framework).

The starting point for all RDA activity is the Regional Economic Strategy (RES). These are required to be subject to a Sustainability Appraisal. There are a number of other strategies which underpin RDA activity including the Regional Sustainable Development Framework (a DEFRA initiative) and Integrated Regional Strategies (an ODPM initiative). There appears to be some confusion, particularly as far as sustainable development is concerned, about overlap between these strategies and which takes precedence.

The parts of the RES for which RDAs are responsible are implemented through a Corporate Plan for each RDA. Corporate Plans for 2005-8 have been prepared in the light of new guidance from Ministers (the Tasking Framework). The Framework requires each RDA to show how it will address the priorities identified in the RES and contribute to the delivery of relevant Government PSA targets, including those for sustainable development. While the Framework requires RDAs to demonstrate how their activity links to PSA targets, it does not require them to set targets for contributing to these targets. Appraisal processes include consideration of economic, environmental and social costs and benefits, but they are not considered to embed sustainable development and fall short of full sustainability appraisal. RDAs are currently developing a sustainable development tool kit which aims to embed sustainable development in policy, programme and project development from inception through to delivery. While RDAs are currently encouraging project sponsors to adopt the tool kit approach, decisions have not been taken on whether to make the approach mandatory.

Evidence suggests that while all RDAs adopt the same broad approach to their duty, there is considerable variance in rigour and effectiveness. Where some RDAs are actively seeking to enhance their approach to sustainable development, others are further behind.

Gas Acts 1986 & 1989 (as amended by Energy Act 2004)

Body: OfGEM

Duty: To carry out its functions in the manner best calculated to contribute to the achievement of sustainable development.

Context: A secondary duty to be carried out in fulfilling its primary duties to promote effective competition and regulate effectively the monopoly companies which run the gas pipes and electricity wires. Other duties include the duty to help secure Britain's energy supplies; help gas and electricity markets and industry achieve environmental improvements; and, take account of vulnerable customers. OfGEM receives Social & Environmental guidance from Ministers, but this pre-dates the introduction of the duty. There is no statutory guidance related to the duty, though consideration is being given to updating the Social & Environmental guidance to take account of the duty.

Approach A new decision-making framework was introduced in August 2005 to implement the new duty and to embed sustainable development in decision-making. All policy and regulatory proposals are required to comply with this framework before approval by the Authority. While OfGEM has always taken account of environmental and social factors in carrying out its functions, the framework is considered to formalise the processes and to facilitate the consideration of wider dimensions of sustainable development (for example,

the visual impact of electricity cables). OfGEM is also in the process of revising the framework for Impact Assessments (a statutory requirement of the Sustainable Energy Act) to take account of the requirements of the sustainable development duty.

The duty has not changed the Corporate Strategy. This establishes priorities, including those set out in OfGEM's Social Action Plan and Environmental Action, but does not specify sustainable development as a theme. The monitoring of sustainable development outcomes is implicit in reporting processes (for example, Annual Reviews, Report of Energy Efficiency), but there is no formal monitoring against explicit sustainable development objectives or targets.

Export Control Act 2002

Body: Export Control Organisation (DTI)

Duty: The Secretary of State must give guidance about the general principles to be followed in exercising licensing powers, and must include in that guidance the considerations (if any) to be given to issues relating to sustainable development.

Context: The duty formalises into UK law EU export licensing requirements (Consolidated Criteria). These include criteria for taking decisions where sustainable development is a factor.

Approach: Export licence applications where sustainable development is a factor are sent to DfID for consideration against Criterion 8. Interdepartmentally agreed guidance is used to assist in the interpretation of this. The broad impact of the Criterion is to refuse applications which divert resources in the recipient country from "productive" expenditure which promotes sustainable development.

Greater London Authority Act 2002

Body: Greater London Authority

Duty: To have regard to the effect on the achievement of sustainable development in the UK in determining how to exercise its powers, and to contribute towards the achievement of sustainable development in the UK in exercising its powers. Ministers may issue guidance. Also, to have regard to the achievement of sustainable development in preparing and revising any strategy mentioned in the Act.

Context: A secondary duty in determining how to exercise its powers and in exercising its powers, but its primary purpose to promote economic development, the improvement of the environment and social development in Greater London also includes the requirement to secure a reasonable balance between each over a period of time.

Approach: The GLA is a unique form of strategic citywide government for London, comprising a directly elected Mayor and a separately elected Assembly. The GLA is responsible for transport, policing, fire & emergency planning, economic development, planning, culture, environment and health. These responsibilities are delivered through functional bodies (for example, Transport for London, London Development Agency etc). Thus, the GLA's role is foremost about setting the strategic framework within which these functional bodies operate. That said, the role of the mayor in approving strategies (see below) and setting budgets also enables him to influence the approach to sustainable development of the functional bodies. It is against this background that the Mayor interprets his sustainable development duty. The Mayor is responsible for the preparation of 8 strategies, although all except the London (Spatial) Plan are delegated to the functional bodies, but approved by the Mayor. All plans are subject to a sustainability appraisal to ensure that sustainable development is embedded in the strategic framework. These strategic plans are implemented through Action Plans, which include indicators of achievement in delivering priorities. These indicators do not explicitly relate to sustainable development and no targets are set. The Mayor together with the functional bodies will monitor progress in delivering objectives. In addition, a critical scrutiny role is provided by the Assembly and the London Sustainable Development Commission

(LSDC). The LSDC was established by the Mayor in the light of the duty as an independent body amongst other things to promote the integration of sustainable development into all strategic decision-making in London; to monitor progress, and otherwise advocate, encourage, support and promote best practice on sustainable development. While the GLA considers that its strategic planning framework together with the establishment of the LSDC adequately fulfil its sustainable development duty, it has nonetheless gone considerably further in developing its corporate structures to embed its approach to sustainable development (for example, by establishing a sustainable development policy team and a team dedicated to developing the GLAs corporate social responsibility).

Local Government Act 2000

Body: English Local Authorities

Duty: To prepare strategies (Community Strategies) for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the UK

Context: The duty is only one element of the local government modernization agenda, included in the 2000 Act in parallel with other new local government decision-making constitutions (e.g. Best Value, Comprehensive Performance Assessment, Freedoms & Flexibilities), including in relation to sustainable development, the Well Being Power (see below).

Approach: The duty requires Local Authorities (LAs) to prepare Community Strategies for contributing to the achievement of sustainable development. ODPM gives guidance to Local Authorities on preparing Community Strategies, including how to take account of sustainable development. This makes clear that a Community Strategy should cover the economic, social and environmental pillars of sustainable development in an integrated way, and should take account of the Government's sustainable development strategy. The guidance also describes the need for Strategies to set out how Local Authorities intend to measure and monitor progress in delivering the strategy. IHPC has not investigated directly the extent to which Local Authorities have complied with these requirements or the quality of their response. Anecdotal evidence, however, including that contained in the two research reports described in Annex D, suggests that there has been a very mixed response by Local Authorities. Some Local Authorities have made serious progress in embedding sustainable development into Community Strategies, while others are still at an early stage.

Government of Wales Act 1998

Body: National Assembly for Wales

Duty: To prepare a scheme setting out how it proposes to promote sustainable development in exercising its functions. To keep this scheme under review and to publish a report containing an assessment of how effective its proposals have been in promoting sustainable development.

Context: The duty applies to the Assembly, including the legislature and the executive. It is one of a number of cross-cutting duties, including equal opportunities and promoting the Welsh language

Approach: The Assembly adopted its first scheme *Learning to Live Differently* in 2000. An independent review of the effectiveness of the Scheme was undertaken in 2003 and a consultation launched on proposals for revising the Scheme. The evaluation concluded that the impact of the Scheme had been marginal. A revised Scheme, *Starting to Live Differently* was adopted by the Assembly in 2004. It sets out the commitments the Assembly is making to sustainable development, the principles it will observe and some of the processes it will apply to promote sustainable development in all its work. How the Assembly will implement its commitments is set out in a separate Action Plan.

Railways Act 1993 (as amended by Transport Act 2000)

Body: The Office of Rail Regulation

Duty: To contribute to the achievement of Sustainable Development

Context: A duty to be taken into account in exercising its functions as economic regulator of Network Rail, alongside 17 other duties, including duties to have regard to the effect on the environment of activities connected with the provision of railway services, and to contribute to the development of an integrated transport system.

Approach Given the nature of the Railway industry, ORR is often one player in a multi-stakeholder decision-making process. ORR's decision making structures centre on extensive consultation processes. Against this background, and in keeping with its approach to its other duties, there are no formalised processes for taking account of sustainable development in decision-making processes. Rather ORR's contribution to the achievement of sustainable development is implicit in the way it carries out its functions, notably through extensive consultation processes. There is no formal monitoring against explicit sustainable development indicators or targets. Investment appraisals considered by ORR are required to follow central government guidelines.

Planning & Compulsory Purchase Act 2004

Body: Regional and Local Planning Bodies

Duty: To exercise function with the objective of contributing to the achievement of sustainable development. To have regard to national policies and guidance from Ministers in fulfilling the duty.

Context: The duty is only one element of the Planning & Compulsory Purchase Act 2004 which for the first time defines the purpose of planning, and introduces a new planning framework. Sustainable development is recognised as being integral to the purpose of planning and sustainability appraisal is at the heart of the planning framework. The new framework also places greater emphasis on monitoring and evaluation, and enables planning inspectors to consider the soundness of plans against defined criteria, including the extent to which they meet sustainable development requirements.

Approach: The duty requires regional and local planning bodies to prepare regional and local spatial plans which contribute to the achievement of sustainable development. Planning Policy Statements set out the requirements which must be met by regional/local planning bodies and for the preparation of regional/local spatial plans. They include a Statement on the requirements for contributing to sustainable development. First and foremost is the requirement that all plans are subject to sustainability appraisal. Planning Bodies are currently in the process of developing their plans under the new system. Thus, it has been too early to consider the extent to which these plans have fulfilled the duty, and the impact of the duty itself. Given the extent to which sustainable development is embedded in the new planning framework, it may to be somewhat problematic disentangling the impact of the duty itself. Anecdotal evidence to-date suggests that there has been a mixed response from planning bodies reflecting differences in leadership, capacity and capabilities. The requirement for sustainability appraisal has heightened consideration of sustainable development aspects of plans, but there are questions over the quality of such appraisals and the extent to which the information it provides is used in an effective way.

Local Government in Scotland Act 2003

Body: 32 Scottish Local Authorities

Duty: To discharge their Best Value duties in a way which contributes to the achievement of sustainable development.

Context: The Best Value duty requires authorities to make arrangements to secure continuous improvement in performance, whilst balancing quality and cost; and in making those arrangements and securing that balance, to have regard to economy, efficiency,

effectiveness, equal opportunities requirements and to contribute to the achievement of sustainable development.

Approach Guidance from Ministers suggests that authorities fulfilling this duty will demonstrate consideration of the social, economic and environmental impacts of activities and decisions both in the shorter and longer term. The implication of linking sustainable development to the duty of Best Value is that authorities must consider the impact of their activities, from decision making and planning through to service delivery on achieving sustainable development. The guidance says that this means that:

- There is a commitment at both elected and senior officer level to the achievement of sustainable development and to promote an integrated approach to improving economic, social and environmental well-being;
- Contributing to the achievement of SD is reflected in the authority's objectives and highlighted in all strategies and plans at corporate and service levels;
- These plans, priorities and actions are informed by the views of its communities and key local partners;
- Quality of Life indicators are identified to measure performance and reported to the public;
- Review activities take account of sustainability issues and assess the impact of policy proposals; and
- Sustainable development requirements are taken into account in procurement;
- There is a systematic approach to the management of resources which contributes to the achievement of sustainable development.

The duty has been in place since 2003. Evidence gleaned during the course of this review suggests that authorities in general are at an early stage of implementing the requirements, although within that there has been a very mixed response. Some have sought to embrace the duty fully and embed sustainable development throughout the organisation, in planning, appraisal, monitoring, implementation and evaluation. Others continue to see their contribution to sustainable development in terms of specific activities they undertake. Audit Scotland provides a scrutiny role in assessing the extent to which authorities have met their obligations under the Best Value duty. To-date, however, the extent to which such audits have concentrated on the sustainable development dimension of Best Value has been limited, although this is beginning to change (see Annex D).

Permissive Powers

Local Government Act 2000

Body: English Local Authorities

Duty: A power to undertake any action to promote or improve the social, economic and environmental well-being of their area.

Context: A permissive power intended to: encourage innovative practice by removing uncertainty over extent of LA powers; provide opportunities to pursue issues raised through, for example, Community Strategies, Local Public Service Agreements and Local Strategic Partnerships; and, facilitate cross boundary interventions. The power is of relevance to sustainable development because it enhances the ability of authorities to act in complex policy areas. To contribute to sustainable development the power would need to be used in ways which integrated economic, social and environmental dimensions.

Approach: Evidence from the first part of a research project commissioned by ODPM (see Annex D) suggests that the Well Being Power has been used as a power of first resort (that is, referring to the power in the first instance when making a decision) mainly in large authorities, elsewhere the power has typically been used to "fill gaps" with specific powers used in the first instance. Evidence also suggests that, while the use of the power remains limited, its application is spread across all types of authorities and in a

wide range of policy areas (although no specific mention is made of sustainable development).

International Development Act 2002

Bodies: British Tourist Authority, Health Authorities, Health Boards, NHS Trusts, Primary Care Trusts, Public Health Laboratory Service Board, Special Health Boards, Wales Tourist Board.

Duty: A power to enter into and carry out agreements for the purpose of furthering sustainable development outside the UK.

Context: IHPC has been unable to make progress with DfID in investigating this power.

ANNEX D: LITERATURE REVIEW

- 1 IHPC was asked to investigate any research that had been undertaken evaluating the impact of statutory sustainable development duties. The search for such research was undertaken primarily by questioning those organisations with existing duties, although IHPC also undertook a limited search of relevant websites.

The Welsh Duty

- 2 The Government of Wales Act 1998 places a statutory duty on the National Assembly for Wales to promote sustainable development. Prior to this review, SDU had already reviewed a number of research papers investigating the impact of this duty. These included the following:
 - a) Sustainable Development in Wales: Understanding Effective Governance by Paul Williams and Alan Thomas, published by The Joseph Rowntree Foundation
 - b) Living Differently? – An Assessment of the Welsh Assembly’s Development Scheme by Flynn 2003
 - c) How Effectively the National Assembly for Wales has Promoted Sustainable Development by CAG Consultants 2003
- 3 A summary of the findings of these reports is contained in an SDU hand-over note and are not repeated here.
- 4 IHPC has also been made aware of research commissioned by the Sustainable Development Commission. This has considered the relationship between the NAFW Sustainable Development Scheme, *Starting to Live Differently*, and the UK-wide Sustainable Development Strategy, *One Future, Different Paths*. Specific objectives of the work include:
 - a) To assess the progress being made in the WAG Action Plan, drawing out lessons that can be shared across the UK;
 - b) To assess progress in the WAG Action Plan against the UK Framework criteria;
 - c) To identify areas of complementarity, potential challenges and obstacles between the two strategies, and, if relevant, make recommendations to enhance synergies;
 - d) To assess how the 6 areas of policy synergy between the Action Plan and UK Framework can be maximised;
 - e) To consider the implications of devolution;
 - f) To identify examples of good practice.
- 5 IHPC understands that in investigating these areas, the research also provides some insights into the impact of the NAFW’s duty. The report is due to be published shortly. ***DEFRA will wish to investigate the conclusions of this work when it is available.***

The Scottish Best Value Duty

Best Value and Sustainable Development: Delivering Service Improvement, Report of Consultation Workshop, Sustainable Scotland Network (February 2005)

- 6 The Local Government in Scotland Act 2003 gives local authorities in Scotland a duty to secure Best Value “in a way which contributes to the achievement of sustainable development”. The duty is amplified in statutory guidance and an Advisory Note published by the Best Value Task Force.

Best Value and Sustainable Development reports on a workshop, convened by the Sustainable Scotland Network, as the first stage of a project to develop greater understanding amongst Scottish local authorities of the sustainable development aspect of the Best Value duty.

- 7 Overall, the workshop concluded that the new Best Value duty should help to mainstream sustainable development, but most Councils and many of the officers were at an early stage in the process. The clearest message was the need for practical guidance, setting out what a sustainable local authority would look like, with a sequence of steps or levels to make progress towards that goal. It should relate to existing guidance, be relevant to service departments, and illustrate its points with good practice case studies. Councils should have a menu of indicators from which to select measures of progress and performance, allowing the audit of Best Value to provide an external assurance on progress.
- 8 One session of the workshop considered the advantages and disadvantages of linking sustainable development and Best Value, which, in the context of the IHPC review, provides some interesting insights into views on the formulation of the duty. On the positive side, the session concluded that:
 - a) Linking sustainable development and Best Value would secure better integration across services;
 - b) The link provided an opportunity to mainstream sustainable development across all council activities;
 - c) The link would raise awareness and the profile of sustainable development.
- 9 On the negative side, the session expressed concern that:
 - a) There was a risk that the link encouraged a paper exercise, box-ticking approach with sustainable development lost amid other Best Value themes;
 - b) The link added confusion and complexity with the associated danger of paralysis;
 - c) The link could over-emphasise audit and make sustainable development too narrow;
 - d) Taking a Best Value approach to sustainable development may mean that improvements may not be measurable or apparent for many years.
- 10 Some contributions to the workshop are of particular note, because, while anecdotal, they tend to support views expressed in the main part of this IHPC report:
 - a) The reference to sustainable development in legislation provides a valuable “toe-hold” to develop the relationship between sustainable development and Best Value;
 - b) There is a need for local authorities to provide leadership and promote good practice;
 - c) Sustainable development does not have a high profile and can be seen as another burden on top of the pressures of spending reviews, budgets and many new initiatives. To-date the reality of the duty has been more rhetoric than real impact;
 - d) Local authorities vary in their response to sustainable development, grappling with definition, identifying priorities and measurable targets as well as the most effective approach for auditing progress;
 - e) Experience suggests that mainstreaming sustainable development requires: the development of trust with participants; capacity building; and practical demonstrations that sustainable development is “better”.
 - f) Embedding sustainable development requires: commitment from senior level in Councils; awareness raising through training; embedding in planning; and linked to audit
 - g) Barriers to sustainable development were seen as: lack of clear definition; lack of awareness; the perception of sustainable development as the expensive option.

The Audit of Best Value & Community Planning

11 Audit Scotland has undertaken audits on a number of councils investigating the extent to which councils have met their Best Value duties under the Local Government in Scotland Act 2003. While the coverage of sustainable development was extremely limited in early reports, Audit Scotland has paid greater attention to the sustainable development duty in audits undertaken in 2005:

- a) Inverclyde Council: The Audit of Best Value & Community Planning
- b) Dundee City Council: The Audit of Best Value & Community Planning
- c) East Renfrewshire Council: The Audit of Best Value & Community Planning

12 These paint a mixed picture of progress in implementing sustainable development obligations under the Act. Some Councils (for example, East Renfrewshire) have begun to establish a systematic approach to sustainable development, recognising the need to develop clear priorities and measurable targets informed by national initiatives. In others (for example, Dundee) there is no systematic, corporate approach to sustainable development, although there are a number of good examples of projects and initiatives that deliver economic, environmental and social well-being.

The RDA Duty

Smart Growth – Sustainable Development in the English Regions

13 In his foreword to this RDA publication, Jonathon Porritt, Chairman of the UK Sustainable Development Commission sets out his views on the impact of the statutory duty on RDAs to contribute to sustainable development. He suggests that part of the success of RDAs was “the incorporation of a formal sustainable development obligation in the RDAs’ remit”. As a result, RDAs “are getting more confident in fronting up on their sustainable development challenge – in both rural and urban contexts” And he goes on to suggest that RDAs “are definitely getting better at optimising economic, social and environmental benefits, simultaneously, rather than maximising short-term economic benefit at the expense of the environment and real quality of life”. However, he warns that “a lot of what is done by RDAs under the heading of sustainable development is still bolted on rather than fully integrated. Appraisal processes are often rudimentary and in some cases tokenistic, although there is some best practice...to be shared. And nothing like enough effort has been devoted to transforming mediocre, environmentally insensitive development proposals into quality schemes that enhance the environment even as they generate new jobs and economic growth”.

Community Strategies

Formative Evaluation of Community Strategies, Commissioned by ODPM from universities of Leeds Metropolitan and Sheffield Hallam (forthcoming)

14 The Local Government Act 2000 gives English local authorities the duty to prepare strategies (Community Strategies) for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the UK. The aim of the *Formative Evaluation* has been to investigate the extent to which Community Strategies are fit for purpose and so aid the development of future strategies. To this end, the universities of Leeds Metropolitan and Sheffield Hallam were commissioned by ODPM:

- a) To review and highlight examples of good practice in Community Strategies, and
 - b) To evaluate the rationale and coherence of the Community Strategies.
- 15 The research has investigated all Community Strategies in general and 50 Strategies in detail. The project is reaching conclusion, but its report has not been finalised. This review has seen an early draft of the report. While ODPM do not expect the conclusions of the work to change materially, they expect its coverage of the sustainable development aspects of the Strategies to be enhanced. Currently the coverage of sustainable development is extremely limited.
- 16 Relevant findings can be summarised as follows:
- a) Statutory requirements for Community Strategies to contain a vision, an action plan, a monitoring framework and a shared commitment of partners to deliver the strategy and action plan were largely in place, although it was difficult to ascertain the level of partner commitment or the processes which underpin a monitoring framework and few Community Strategies referred at length or systematically to government policies.
 - b) Unfortunately, the report does not currently specifically address coverage of sustainable development requirements;
 - c) Linkages to Defra policies were limited in Community Strategies, with only 2 out of 50 Strategies mentioning sustainable development;
- 17 The review considered the coverage of cross-cutting themes, but did not explicitly discuss sustainable development coverage. It was difficult to ascertain from the report itself the extent to which specific sustainability themes (e.g. social inclusion, environment, equality, community cohesion etc) were drawn together in an overarching sustainable development strategy. Anecdotal evidence gleaned by IHPC during the course of this review, however, suggests that coverage is weak.

Community Strategies and Sustainable Development: A Review of Current Work by London Boroughs (November 2003)

- 18 This report reviews the 27 Community Strategies published at the time by London Boroughs and evaluated them from a sustainable development perspective against the London Sustainable Development Commission's Framework. A summary of findings is as follows:
- a) Around one third of authorities were seeking to make serious progress towards sustainability. Lack of political will was seen as a barrier to progress amongst those authorities who had not made progress.
 - b) The role of LSPs and Community Strategies in achieving sustainable development was underdeveloped, because of:
 - i) Lack of knowledge and understanding about their purpose;
 - ii) Uncertainty about the role and nature of the LSPs;
 - iii) Scepticism within voluntary groups about the Community Strategy process;
 - iv) Lack of involvement of the private sector, black and minority ethnic communities and other "hard-to-reach" groups.
 - v) The full potential of Community Strategies was in danger of being undermined because they have not subsumed other local plans, which continue to exist and appear to have been joined by others. This was particularly true in Neighbourhood renewal boroughs where multiple strategies sometimes ran in parallel.
- 19 The report goes on to make recommendation for making the Community Strategy process work. It suggests that:

- a) Leadership is likely to be a key factor. Success and good practice within certain boroughs seems to have been driven by key individuals.
- b) Local strategies need to be more explicitly linked to national policy
- c) There is a need for guidance on design and inputs into Community Strategies to ensure achievement of national and international commitments;
- d) The Audit Commission should develop clear indicators and targets to assess the incorporation of sustainable development in Community Strategies;
- e) Guidance material needs to be used more widely and should be clearly London focused.

The Power of Well Being

Formative Evaluation of the Take-Up and Implementation of the Well Being Power, 2003-2006

20 The Local Government Act 2000 provides English local authorities with a discretionary power (the Well Being Power (WBP)) to undertake any action to promote or improve the social, economic and environmental well-being of their area. The power is designed to:

- a) Encourage innovative practice by removing some of the uncertainty over the extent of local authority' powers;
- b) Provide opportunities for local authorities, together with their partners, to pursue issues raised through mechanisms such as Community Strategies, Local Public Service Agreements or Local Strategic Partnerships;
- c) Help facilitate the removal of legislative provisions that curtail local authorities' ability to act under the Well-Being power; and
- d) Facilitate local authority intervention across existing authority boundaries if this is likely to improve the well-being of one, some or all residents or people working in or visiting the area.

21 The power is of particular relevance to sustainable development because it significantly enhances the ability of local authorities to act in complex policy areas such as this.

22 The ODPM commissioned the Formative Evaluation research in response to concerns that the Well Being power would fail to make a significant contribution to the Local Government Modernisation Agenda (LGMA) amongst other things because of limited awareness and understanding of the power, perceived legal barriers, failed early attempts to use the power and a perceived lack of local capacity to realize its potential. The objectives of the research were to:

- a) Assess the level of appreciation of local authorities and their partners about the power and to determine how this translates into usage of the power, its effect on local authorities' role as community leader and any social, economic and environmental action and its relationship with the wider LGMA; and
- b) Support the development of increased understanding and usage of the power amongst local authorities and their partners through the provision of guidance and the evaluation itself.

23 The report sets out findings during the scoping phase of the 3 year study (2003-2006) providing a baseline of awareness and activity in relation to the power at the start of the project. Respondents to the review pointed to the following as factors which the WBP was designed to address.

- a) The need for policy development to be more inclusive, participative and strategic and that there was a role for local government in achieving this;

- b) A perception of a lack of joined-up thinking and of the need for a holistic approach to address government priorities;
- c) A need for focused partnership arrangements;
- d) A need for local initiatives in community safety, health improvement, regeneration and sustainable development, in harmony with national objectives
- e) A need for local authorities to have authority and influence in the governance environment, supporting partnership and procurement; and
- f) A perception that unnecessary obstacles stood in the way of effective and focused service delivery.

24 The review has not at this early stage, however, considered the extent to which these aspirations have been met. The overall findings of the review include the following:

- a) The WBP was used as a power of first resort (that is, referring to the power in the first instance when making a decision) mainly in large authorities, elsewhere the power was typically used to “fill gaps” with specific powers used in the first instance;
- b) While the use of the power remains limited, its application is spread across all types of authorities and in a wide range of policy areas (although no specific mention is made of sustainable development);
- c) The strongest message to emerge from the scoping study was the need for improved resources to help local authorities and others to realize the potential of the WBP

25 Other factors identified as affecting the level of use of the WBP were:

- a) The reporting of experience both positive and negative;
- b) The relatively low profile of the WBP;
- c) Proactive leading elected members, and a strong external orientation to partners and citizens were thought likely to facilitate awareness and generate resources;
- d) Conservative attitudes and risk aversion in the legal profession;
- e) Lack of understanding in local government about the potential of the WBP;
- f) Community Strategies were considered to have a potentially positive influence on the use of the power but much would depend on how Local Strategic Partnerships developed;
- g) Central government needed to overcome its ambiguity towards the role of local government if the WBP was to realize its potential; and,
- h) Lack of clarity in the relationship between resource planning (financial, staff, property and information) and use of the power.

26 The power is only one element of the local government modernization agenda, included in the 2000 Act in parallel with other new local government decision-making constitutions, including in relation to sustainable development, the duty to develop Community Strategies. A challenge for any evaluation of the impact of these tools is to isolate the impact of different initiatives. The Formative Evaluation report considers the relationship between the WBP and various elements of the LGMA. It finds, amongst other things, that:

- a) The requirement to prepare Community Strategies is specifically linked in legislation to use of the well-being power, but minimal reference is made to the power in statutory guidance on community strategies;
- b) Early ODPM guidance proposed Community Strategies as the overall framework of local priorities that would indicate an authority’s approach to the duty of Best Value, with the WBP available for this purpose, but there is not much evidence of this integration happening;
- c) The WBP has enhanced the capacity of local authorities to fulfil their community leadership role and has legitimized that role amongst stakeholders, although the specific mechanisms of the Community Strategies and LSPs are given equal if not greater significance.

27 The evaluation also explicitly considers the relationship between the well-being power and sustainable development, noting that to achieve sustainable development, the power needs to be used in ways which integrate the three strands of well being (economic, social and environmental). It notes that the relationship is much more evident in the literature than in other policy areas, with substantive guidance material on using the power to promote sustainable development from organizations such as the Sustainable Development Commission, the Sustainable Cities Research Institute, IDeA, the Audit Commission, the Joseph Rowntree Foundation, WWF and LGA. Overall, the literature suggests that “there is little evidence of any substantial degree of ‘mainstreaming’ sustainable development into local government policy making structures” (which the Local Government Act 2000 was intended to facilitate). It appears that “most local authorities struggle to fulfil their statutory duties, and have little spare energy or resources to fulfil discretionary responsibilities and non-statutory obligations, with regard to sustainable development. The report goes on to suggest that the lack of dedicated funding to sustainable development work may also impose a barrier. As a result of these weaknesses, a number of recommendations and guidance packs have emerged to help local authorities realize the full potential of the power. These are summarized in the report.

The Experience of Canada

28 IHPC was commissioned to investigate whether any research of relevance to the review had been undertaken in Canada, given its active approach to sustainable development and the statutory sustainable development duties imposed on selected federal departments. Some work has been undertaken which considers the extent to which selected federal departments have met their statutory sustainable development duty. Inquiries through the Commission have not, however, identified any research that has explicitly considered the impact of the duty against alternative approaches.

29 The position of Commissioner of the Environment and Sustainable Development (CESD) was created within the Office of the Auditor General of Canada in 1995. The Commissioner is independent of government and her role is to:

- a) Review how well government policies, programmes and spending support Canada’s move to sustainable development; and
- b) Provide liaison, monitoring and encouragement to government, parliamentarians and the public on sustainable development.

30 At the same time a select number of federal departments and agencies (currently over 30) were given a statutory duty to prepare and table a “Sustainable Development Strategy” in Parliament and to update them every 3 years. The third generation of such strategies were tabled in February 2004.

31 The requirements for the strategies are set out in initial guidance from federal government and supported by guidance from the Commissioner setting out his expectations. The Commissioner monitors the extent to which the departments and agencies have met their objectives and implemented action plans set out in the strategies. The results are presented in the Commissioners annual report to Parliament.

2005 Report of the Commissioner of the Environment and Sustainable Development

32 The 2005 Report of the Commissioner of the Environment and Sustainable Development (Chapter 7) examined:

- a) whether the government gave adequate government-wide direction on preparing their 2004 strategies;
- b) the work of a committee of deputy ministers that the Privy Council Office had tasked to provide that direction;
- c) at how well selected departments have incorporated the direction into their strategies;
- d) the actions by nine departments to implement 10 commitments they had made in their 2001 and 2004 strategies; and
- e) The federal government's actions to implement six international commitments it made at the 2002 World Summit.

33 The investigation found that:

- a) Government-wide direction - The committee of deputy ministers responsible for overseeing sustainable development strategies could not agree on priorities for the 2004 strategies, leaving departments with little approved direction on how to co-ordinate their strategies. Nor did the committee develop the promised federal strategy; so Canadians and Parliament had no clear idea of the government's overall plan for sustainable development, how it would carry out the plan, and what progress it had made. Furthermore, for over a year there had been no significant efforts to provide direction for the next strategies, due in December 2006;
- b) Quality of the 2004 strategies - While the overall quality of strategies had improved somewhat since 2001, the quality of the 2004 strategies still varied widely. Every strategy had room for improvement.
- c) Action on strategy commitments - With one exception, departments had made some progress, if not satisfactory progress, toward meeting the 10 strategy commitments the report looked at, many of which were only first steps toward sustainability.
- d) Action on international commitments - The government still did not have an action plan for its 2002 World Summit commitments. The federal government risked not meeting three of the six commitments examined because progress was slow in some areas and there was no information on progress in others.