Introduction
In June 2018, Jo Johnson MP, Minister for Rail, asked me to Chair a review of Network Rail’s approach to vegetation management across England and Wales. The Minister’s appointment letter highlighted the driver for the review and his expectations:

‘As you are aware, Network Rail’s practice of felling trees, which it carries out as part of its wider statutory duties to ensure the safe operation and performance of the railway, has generated significant Parliamentary and media interest in recent weeks. In particular, there have been concerns about the impact that this activity could be having on nesting bird populations.

It is for this reason that I announced my intention to commission an independent review of Network Rail’s approach to vegetation management in England and Wales. The review will consider how Network Rail can best ensure the safety of our railways, while also protecting wildlife and improving biodiversity. It will also build on areas of existing best practice in vegetation management within the organisation.’

My Review was completed in October 2018 and presented to Andrew Jones MP, who succeeded Jo Johnson as Rail Minister. During the Review over 100 documents were carefully considered; over 40 interviews and five round tables undertaken; over 100 stakeholders engaged and most impressively, over 8,000 responses were received from stakeholders, train drivers, Network Rail employees and members of the public. My key take home message was that Network Rail must value line side ‘vegetation’ as an asset, not a liability.

The Review was set against the background of a changing operating environment for the nation’s railway industry. In January 2018, the government published its 25 Year Environment Plan, incorporating the principles of the 2010 Lawton Review, ‘Making Space for Nature’. The Review was therefore an opportunity to explore new ideas, innovate and try a different approach. The challenge for Network Rail is for their significant land holding and resources to deliver multiple outcomes. Outcomes which are good for wildlife and the railway.

In only seven months since the review was published in November 2018, Network Rail’s operating landscape has changed radically. The imperative for action has increased manyfold.

There is now a Draft Environment Bill, recommending the establishment of an Office for Environmental Protection and holding government to account with an ambitious new green governance system. The UK government has committed to a target of net-zero carbon by 2050. UK society and politicians are becoming increasingly aware that climate change is not just about rising temperatures. It is also about the wider environment – the relationship between people and nature.

Trees are becoming an iconic symbol of the threats faced by our natural environment. The target tree planting demanded by the Committee on Climate Change overshadows that of the 25 Year Environment Plan. England now has a government Tree Champion. Network Rail’s relationship with the trees on its lineside is under far more scrutiny today than when my Review was published.
How organisations, public and private – especially larger ones such as Network Rail – respond to these shifts will determine their success just as much as their products and services, or their performance and price.

For Network Rail, the Williams Review, which is considering what changes are needed to ensure a successful railway for Britain, considers ‘Wider society – growing social, environmental and economic contributions to the country’, alongside passenger and taxpayer needs. The better management of the environment is considered to be a fundamental outcome for the nation’s railway.

All these shifts point to a need for Network Rail to further raise its ambition for nature and the wider environment beyond the outcomes and timescales my recommendations propose. Network Rail must succeed with this agenda. Everyone I have spoken to - within Network Rail and across government, those in the environmental sector and lineside neighbours - is excited by the prospect of Britain’s railway leading this agenda and being seen to be at the centre of the solution. Demonstrating Network Rail’s leadership as one of Britain’s largest landowners and public service providers.

The Review made six recommendations, each of which was accompanied by a timeline to deliver change. In my report I committed to review progress with stakeholders after six months. This report details the conclusions of my review of progress.

My Recommendations

1. The government must set out a clear policy position for Network Rail in terms of delivering for the environment.
2. Appropriate governance must be put in place at organisation, route and project level.
3. Network Rail should publish an ambitious vision for the lineside estate.
4. Network Rail must value and manage its lineside estate as an asset.
5. Network Rail must improve its communication with communities and key stakeholders.
6. Network Rail should lead a cultural change for valuing nature and the environment across the organisation.
Overall impression of progress

The Department for Transport and Network Rail have both submitted detailed reports on progress against my six recommendations. On 25th June 2019 their progress was reviewed by representatives from the stakeholder organisations engaged in the Review during 2018.

Overall, my impression, supported by the feedback from the Stakeholder Review, is that considerable progress has been made by both the Department and Network Rail in delivering against the Review recommendations. The pace at which both bodies have worked in responding to, and delivering against, the recommendations is to be commended.

I was pleased that whilst the Review was commissioned by Jo Johnson MP, his successor, Andrew Jones MP, has shown no less enthusiasm, leadership and support for the Review and my recommendations. It is clear that the Department has worked across Government, particularly with the Department for Environment, Food and Rural Affairs, in agreeing an ambitious environment and biodiversity policy for Network Rail, which will result in changes to Network Rail’s operating licence and governance.

Network Rail have, in my view, picked up the baton and I have been genuinely impressed by how far they have progressed and the momentum that has been established towards delivering the Review recommendations. I have, throughout my time chairing the Review and during the post review period, noted the commitment to this agenda by the most senior leaders in the organisation, at board and executive level. Sir Peter Hendy CBE, Chairman and Andrew Haines OBE, Chief Executive, have led the ‘Valuing Nature’ agenda with passion and purpose. With Britain’s railway facing significant change and challenge meeting increasingly demanding operational targets, carbon targets and likely transformations from the Williams’ Review, as well as the current implementation of its devolved route organisation, it is reassuring to see how seriously the opportunity is being taken to deliver more for the environment and nature. The challenge will be to embed ‘valuing nature’ into business as usual. This is an opportunity for Network Rail to be seen as one of the world’s most environmentally responsible transport organisations, while continuing to run one of the safest railways in Europe.

In this short report, I highlight my key findings against each of the Review Recommendations. While overall the picture is very positive, there are, perhaps unsurprisingly, a few areas where I feel further progress could have been demonstrated and one or two areas where language or terminology may require clarifying, to give full confidence that the true intention of some of the recommendations is being addressed.
Progress Review by Recommendation
Recommendation 1

The Government must set out a clear policy position for Network Rail in terms of delivering for the environment.

- The policy should detail clear requirements for Network Rail to support delivery of the 25 Year Environment Plan. This should consider landscape scale benefits and the provision of wildlife corridors and how benefits will be delivered, through requirements on Network Rail.
- It should provide clarity on any additional funding including the potential to benefit from new Environmental Land Management Schemes and private funding.

Response

DfT has drafted a policy position in which Network Rail is:

- required to achieve no net loss on its estate by 2024 and an improvement in biodiversity by 2040
- expected to produce a biodiversity action plan (BAP) and vision, aligned to best practice by December 2019 and consider the opportunity to improve or replace existing habitat with priority habitats, in line with the 25 Year Environment Plan
- expected to publish annual reports on its activity and progress and to embed management of the lineside estate in its objectives, culture and decision-making and management processes, alongside safety, performance and value for money
- expected to work with stakeholders so its lineside contributes to improving local biodiversity and maximising the value and connectivity of its routes as wildlife corridors.

ORR is being given a remit to monitor performance against the BAP, while government is committed to amend Network Rail’s license to reflect the policy for CP7 (2024-9).

DfT has been clear that any funding in CP6 should come from the existing settlement, and future funding should be included in future control period proposals.

My View

I believe that the DfT has largely met the recommendation. This view was supported by stakeholders, with very positive comments made on the policy.

The commitment to no net loss is noted, but while the spirit of ‘improvement in biodiversity’ by 2040 is applauded, there is some question as to why this does not align with both 25 Year Environment Plan and Highways England requirements to deliver net gain.

As with any policy, there is an inevitable risk around delivery, but I am encouraged by the remit given to the ORR and the commitment to alter Network Rail’s license – although I would expect this to be implemented before 2024.

Overall an excellent first step. In future I consider that the reach of the policy could be extended to include natural capital and also any new lines – noting that HS2 and East West Rail are already committed to no net loss and net gain respectively.
**Recommendation 2**

**Appropriate governance must be put in place at organisation, route and project level.**

- A non-executive board director should be appointed to champion Natural Capital and Network Rail’s role in supporting delivery of the 25 Year Environment Plan.
- Network Rail should establish route level KPIs, aligned to centrally set targets on habitat management plans and asset policy. These can start as process measures, but should move to outcome measures once management plans are in place and within two years. These KPIs should be monitored by ORR and reported on annually to the Rail Minister.
- Network Rail should review its Standard to identify any quick wins. This should then be further developed to ensure consistent delivery of biodiversity targets and compliance.
- Before the 2019 nesting season, Network Rail, working with stakeholders should establish and adopt a new operating model that ensures clarity on outcomes and methods and ensures transparency and robust assurance.

**Response**

- The whole Board will undergo sustainability training and the response to the review is a standing item at the Board Safety Health and Environment Committee.
- Network Rail is working with Defra, DfT, Natural England and the Forestry Commission to define KPIs to measure management approaches and align with government policy. These will be consulted with the Regions in 2019, and adopted from 2020. Each Region’s progress will be reviewed by the Executive.
- Network Rail has reviewed its Standard and determined to introduce a new module to ensure the presence of ‘habitats’ is acknowledged, and further embed vegetation as an asset. Network Rail has acknowledged that further changes are needed to fully embed the principles of biodiversity. In the meantime it has sought to provide a clear, consistent and limiting interpretation of ‘compliance’.
- Network Rail has, with input from RSPB and the British Trust for Ornithology, adopted a new procedure for managing works during the nesting season.

**My View**

I believe there has been significant progress in delivering against this recommendation. The development of KPIs, alongside key stakeholders, will be a fundamental building block to embedding biodiversity and measuring results. This will be all the more powerful as the regulator will be monitoring them.

I am impressed that Network Rail has reviewed and strengthened its Standard at pace and has committed to continuous improvement. I also commend the speed at which changes have been made in the approach to working during the nesting season. That this has been done in partnership with key environmental stakeholders is significant.

While I note and endorse the wider sustainable development training for the Board, and the oversight of the Safety Health and Environment committee, I think that the lack of a Board Champion, even for just a transition period during CP6, is a lost opportunity that could both ensure and demonstrate that the environmental agenda is being given a new focus. I would ask the board to consider this recommendation once again.
Recommendation 3

Network Rail should publish an ambitious vision for the lineside estate.

- Network Rail should set out an ambitious vision for the lineside estate that is set in the context of natural capital best practice and the 25 Year Environment Plan.
- A strategy and plan should be developed, setting out how the plan will be delivered and the measures of success, including targets for biodiversity.
- Network Rail should establish how it will work in partnership with key stakeholders to support the development of a nature recovery network of wildlife corridors and creating joint habitat management plans with neighbouring landowners.
- Annual Route State of Nature reports should be published, reporting back on indicators and setting out natural capital accounts.

Response

- The Network Rail Lineside Estate Vision has been approved by the executive and board of Network Rail. This includes commitments on renewable energy, biodiversity improvement and pollution. It commits the lineside to compliance with ISO 14001.
- Network Rail’s Board and Executive have approved the development of a detailed strategy and have allocated funding to deliver this.
- Network Rail has engaged with a range of stakeholders in developing its response to the Review. Route plans will also promote the establishment of local partnerships.
- Network Rail has committed to reports which will set out levels of biodiversity and habitat types on Routes, identifying the ideal lineside environment at a local level, and to report on performance against the KPIs and biodiversity targets agreed with Defra on an annual basis by Route and Region.

My View

Network Rail have done an impressive amount of work to establish an ambitious vision and set in train a process to deliver it. The vision is broad, addressing a range of sustainability issues, while ensuring a focus on biodiversity improvements. It received very positive feedback from stakeholders at my review workshop.

I believe that both the extending of the partnership approach and the commitment to reporting, will result in significant pay-offs over the course on the current Control Period and beyond.

Excellent progress.
**Recommendation 4**

**Network Rail must value and management its lineside estate as an asset.**

- Network Rail should develop a baseline dataset of habitats and biodiversity across its estate. This should link into the master asset register and include data on how the asset sits in the wider landscape.
- Network Rail routes should produce habitat management plans and embed outcomes into operations. The plans should inform budgeted, pro-active work plans over a period that will deliver long-term ambitions.
- Network Rail should undertake a skills gap analysis and develop biodiversity elements of its competency management system to support delivery of its new approach. It must ensure it has appropriate environmental and ecological expertise across the organisation.
- Network Rail should establish at least seven demonstration projects, one per route, to investigate key areas of potential delivery.

**Response**

- Network Rail has allocated resources to develop a baseline database of habitats and biodiversity across its estate, which will be linked to other asset information. The work management database is being developed to receive information from the new habitats module of the Standard.
- Route Habitat and Vegetation Management Plans are requirements of the new habitat module of the Standard. These are intended to ensure support of the standard, relevant modules and the detailed habitat strategies, as well as for a cut and maintain/replace strategy as opposed to the current cut and forget approach. The plans will provide a link to Biodiversity Action Plans.
- A review of required skills and gap analysis is underway, with elements of the competency management system being developed. There is a proposed budget for upskilling in CP6. Further devolution of Infrastructure Projects staff to the regions, as part of the organisational restructure, will bring with it more extensive environmental and ecology skills.
- 12 demonstration projects have been proposed across the five Regions, including a whole route pilot project in Kent to test the scaling up of habitat management and biodiversity enhancement techniques.

**My View**

There has been good progress in this area. Establishing the baseline dataset is a crucial element of good asset management and the requirement for route-based plans should establish delivery at the right level. I am pleased to see the support for a cut and maintain or replace approach, which reverses decades of neglect.

I am also pleased to see the range and spread of the demonstration projects, and would specifically commend the Kent Route project as a great opportunity to test delivery at scale.

Bridging the skills gap will be vital and I am encouraged by the work being done. I noted the more extensive ecological skills in Infrastructure Projects in the Review and the devolution can have a positive impact. However, I note that the budget for upskilling is only proposed at this stage.

A very good start, though there is inevitably more to be done. Culture change will be essential to implementing these changes.
Recommendation 5

Network Rail must improve its communication with affected communities.

- Network Rail should review its communication processes to ensure clear, transparent and consistent engagement. This should make better use of local groups and social media to engage in a timely and cost-effective manner, clearly explaining what work is taking place, the reasons why and outcomes sought.
- Network Rail should adopt a formal and consistent approach to ensure that information and commitments are used to inform future decisions and engagement.

Response

- Network Rail has produced a new suite of letter templates and leaflets with The Tree Council taking feedback from stakeholders, including residents, to enable better understanding of the planned work. Network Rail’s communications specialists are providing guidance to on-site personnel on how to communicate effectively about planned vegetation management. Research is being done to better understand stakeholder requirements and vegetation complaints are logged on a mapping tool to assess impacts.

My View

Again, I believe that there has been good progress in improving communications processes. Stakeholders were supportive of the work being done at the review workshop. There are, of course, still some examples of poor practice around the network. It will take time. But the metrics being tracked through mapping tools will be a useful way to monitor progress.

Concerns were raised by stakeholders, which I share, over whether resources will be available to implement this new approach across all projects. Inconsistencies, such as we noted in the Review, can undermine efforts at improvement. Perhaps any future Spending Reviews would be an opportunity to consider this.

I am less convinced that significant efforts have been made to address the issues around corporate memory and ensuring that past commitments are delivered. This will continue to bring risk to projects.
Recommendation 6

Network Rail should lead a cultural change for valuing nature and the environment.

A culture change programme should embed the importance of Network Rail’s natural assets and the need for responsible management of the public land under its stewardship. Resulting shifts in attitude should be measured and reported to the Board and Region MDs.

Response

- Network Rail has already seen a demonstrable change in the air time that environment and sustainability has with executives and those personnel within the Routes who manage the estate on a day to day basis.
- Resources have been proposed for a culture campaign and programme in year 2 of CP6 (2020/2021), which builds on the existing safety culture change programme.

My View

A change in culture will be critical to embed the principles of valuing nature across the nation’s railway into business as usual. Such a shift is likely to be an extended process and my recommendation was for this process to start after 12 months.

Language is important. Hazardous trees and vegetation should be classified as such, however, there is still a tendency (evidenced at the Stakeholder Review) to view all trees and vegetation in negative terms. This could undermine the potential to deliver multiple outcomes, as trees and lineside vegetation are managed for safety, biodiversity and wider objectives for society.

I am encouraged by the increased focus I have witnessed on both the environment and sustainability by the executive. I am concerned, though, that a single year’s funding for a culture campaign will not be sufficient to deliver the change required. This is of an order of magnitude smaller than the very successful safety campaign that has preceded it.
The Future

This review of progress signifies the conclusion of the Valuing Nature Review process. However, it is far from the end of the process for Network Rail and the Department for Transport. While I have been extremely encouraged by the progress so far, and in such a short period of time, much remains to be done if all the recommendations in my Review are to be implemented.

At my Review Workshop on 25th June 2019, I found a wide stakeholder community all of whom were engaged, enthused and supportive of the task facing Network Rail. It would be a shame to waste that energy. Stakeholders proposed that an annual review event, the first to take place in June 2020, led by Network Rail and with senior representation, would be an excellent way for Network Rail to continue to communicate progress and for stakeholders to continue to support this important programme of work. I agree and commend this proposal.
Organisations represented at the Review Workshop 25th June 2019

- British Trust for Ornithology
- Butterfly Conservation
- Department for Environment, Food and Rural Affairs
- Department for Transport
- Environmental Forestry
- Forestry Commission
- Hadley Wood Association
- Hadley Wood Rail User Group
- Highways England
- Natural England
- Network Rail
- Office of Rail and Road
- RSPB
- The Tree Council
- The Woodland Trust
Valuing Nature - A railway for people and wildlife