

# The Crown Estate Bill – Briefing for Second Reading

This briefing is on behalf of environmental coalition [Wildlife and Countryside Link](#) ahead of Second Reading in the House of Lords of The Crown Estate Bill on 2<sup>nd</sup> September 2024.

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The [Crown Estate Bill](#) will broaden The Crown Estate's investment powers and, subject to Treasury consent, enact an ability to borrow. This will ensure The Crown Estate is equipped to fulfil its statutory function and assist in the delivery of national policy objectives, across energy security, regeneration and growth. The Bill was introduced to the House of Lords on 25 July 2024 by Lord Livermore, Financial Secretary to the Treasury.

The Crown Estate is a commercial business under the stewardship of the Crown Estate Commissioners operating in England, Wales and Northern Ireland. The property, rights and interests which comprise The Crown Estate belong to His Majesty, but its profits are paid into the Consolidated Fund and so available for Government expenditure. The Crown Estates portfolio includes urban centres, rural land and most significantly acts as owner and manager of the seabed.

The Crown Estate plays a critical role in the delivery of offshore wind power generation. Through 'Offshore Wind Leasing Rounds', it offers up areas of the seabed for development, granting 'Agreements for Lease' to successful developers which can last up to 150 years. Utilising powers proposed under the new Bill, The Crown Estate will be able to invest in the infrastructure, technology, research and development needed to accelerate the deployment of offshore wind. Alongside, The Crown Estate has [announced a partnership with GB Energy](#) to further increase investment and deployment of renewable energy.

## **What's missing from the Bill: A commitment to nature recovery alongside investment in climate**

The Crown Estate will play an essential role in facilitating the Government's plans to tackle climate change and the legislation to expand their investment powers is welcome. However, **The Crown Estate Bill is currently a missed opportunity to ensure the organisation also facilitates the Government's obligations towards the achievement of nature targets under the Environment Act 2021.**

The Government was elected on a manifesto which recognised the close links between climate and nature acknowledging that 'the climate and nature crisis is the greatest long-term global challenge that we face.' Marine habitats, such as saltmarsh and seagrass, offer some of the most well evidenced carbon storage options in the UK and are currently far more effective than proposed technological solutions.

However, this potential has not yet been realised. Due to poor management measures and damaging fishing practices much of the seabed is releasing carbon rather than storing it. Similarly, areas which should be protected for their carbon storage function are subject to significant disruption from infrastructure development and cable laying. To contribute to net zero efforts and mitigate climate change we must increase nature's role and restore vital marine habitats in line with legally binding Environment Act targets.

Done well, The Crown Estate's expanded investment powers could help us better understand where "blue carbon" is stored in UK seas, ensure sites of ecological significance are avoided when siting energy infrastructure and deliver ports with nature designed in from the start. Done poorly, new investment could run roughshod over critical natural infrastructure, further diminishing nature's contribution to climate mitigation, and pushing nature beyond recovery.

Within the objective "to assist in the delivery towards wider national policy objectives, across energy security, regeneration and growth," **we are calling for The Crown Estate Bill to be given a nature recovery objective, alongside the ability to invest in the technology, infrastructure and research required to further these aims.**

### **Why is a nature recovery objective needed for The Crown Estate?**

Currently, public bodies in the UK, including non-financial public corporation (such as The Crown Estate), frequently fail to consider environmental costs and benefits of their decision-making and investments, due to a lack of statutory requirements to contribute to nature's needs. Despite some good practice, outdated legislation means that Forestry England continues to prioritise commercial considerations over growing and maintaining biodiverse woodland habitats on the Public Forest Estate. Network Rail is not required to remove the invasive non-native species finding footholds in railway banks in its ownership. Ofwat was given a growth duty by the previous administration, but still has no statutory duty to protect and restore the freshwater environment, despite huge public concern about sewage pollution.<sup>1</sup>

This must change. In 2019, the [Scottish Crown Estate Act](#) placed a duty on the organisation to 'seek to manage [its] assets in a way that is likely to contribute to the promotion or the improvement in Scotland of (iv) environmental wellbeing.' This provides a helpful precedent. While we are encouraged by the steps The Crown Estate's Nature Recovery Programme is undertaking to further embed nature throughout its decision and policy making process, as it takes on more responsibility for public finances, a nature recovery objective would ensure consideration of nature as a priority in perpetuity.

Similar to its Scottish counterpart, The Crown Estate would have a **statutory duty** to undertake investment decisions which meet the highest environmental standards. **It would place a clear and**

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<sup>1</sup>[https://www.wcl.org.uk/docs/assets/uploads/April\\_24\\_Briefing\\_Draft\\_Economic\\_Growth\\_Regulatory\\_Functions\\_Amendment\\_Order\\_2024\\_accompanying\\_Statutory\\_Guidance.pdf](https://www.wcl.org.uk/docs/assets/uploads/April_24_Briefing_Draft_Economic_Growth_Regulatory_Functions_Amendment_Order_2024_accompanying_Statutory_Guidance.pdf)

**active requirement to embed nature into spatial planning and seabed leasing, allocate space for nature recovery and invest in the clean energy projects needed to halt natures decline.**

We urge the Government to amend the Bill to place a nature recovery obligation on The Crown Estate to deliver investments for nature, while supporting the path to appropriately developed increased offshore renewable energy. We would appreciate Peers raising these points at Second Reading of The Crown Estate Bill on 2<sup>nd</sup> September.

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Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 84 organisations to use their joint voice for the protection of the natural world.

We are also calling for a nature recovery or [green duty to be applied to all public bodies](#), including Great British Energy, the Forestry Commission, Network Rail as well as Ofwat and Ofgem. A Private Members Bill from crossbench peer Lords Krebs, proposing a green duty, will be debated in the Lords in September.

For questions or further information please contact:

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