

Briefing for MPs for Opposition Day debate: Environment Bill

1 May 2019

This debate is right to draw attention to the UK's current failure to grapple with the environment and climate emergency with the urgency and ambition required.

We already know the solutions that should be adopted, such as a large-scale tree-planting programme, corridors for wildlife to move between protected sites, reusing resources, and replacing polluting transport with clean alternatives.

What we need is to move the environment to the heart of government decision-making, so it cannot be forgotten when political attention moves elsewhere. The UK must set out a clear direction towards environmental restoration, with new objectives enshrined in law. We need robust institutions to hold current and future governments to account, keeping them on track.

Draft clauses for the first part of a new Environment Bill were published in December, but these fall short of what is required.¹

In their pre-legislative scrutiny of the draft bill, two select committees found it to be seriously deficient. The Environment Food and Rural Affairs Committee described an “overwhelming narrative” that the draft bill’s provisions are not equivalent to the current environmental protections provided by membership of the EU and concluded that in some areas they mark “a significant regression on current standards”. The Environmental Audit Committee identified “serious concerns with the proposals as they currently stand, which must be resolved before the bill is introduced”.²

As well as provisions to address the governance gap that would be created after Brexit, the government has hinted that it will also reform domestic environmental laws and structures in four key policy areas: air quality, water, nature and resources and waste.³

During the debate, it would be helpful if MPs could press the government to address the following key issues so that the Environment Bill:

1. Includes high level objectives to ensure the environment is restored, healthy, resilient and diverse for the benefit of people and wildlife.
2. Sets a framework for legally binding targets to achieve the objectives with robust mechanisms for delivering and reporting on them delivery.
3. Establishes Nature Recovery Networks across England, translating national aims into real change on the ground with engagement of relevant stakeholders.⁴

4. Includes a provision on non-regression so that there can be no back sliding on environmental standards after Brexit.⁵
5. Equips the new watchdog, the Office for Environmental Protection, with the necessary independence, resources and powers to hold government to account, including:
 - Multi-annual funding commitments, with the watchdog funded by Parliament and able to determine its own budget and a greater role for Parliament in the appointment of the Chair and board members.⁶
 - A status akin to the National Audit Office with accountability to Parliament not government.
 - A stronger, more bespoke enforcement function involving the creation of a forum where the quality of government decision-making can be reviewed and assessed.
6. Addresses the absurd exclusion of climate change mitigation from the remit of the Office for Environmental Protection.⁷
7. Includes a stronger duty in relation to environmental principles, with a clear role for Parliament in approving and revising the proposed Policy Statement on principles.
8. Includes ambitious and transformative proposals on air, water, nature and resources and waste.
9. Is co-ordinated with proposals in Northern Ireland, Scotland and Wales to ensure a joined-up, transboundary approach to managing shared environmental resources.
10. Is introduced to Parliament swiftly to allow enough time for scrutiny and improvements to be made before the end of the proposed transition period.

For more information, please contact: Ruth Chambers, senior parliamentary affairs associate, Greener UK

e: rchambers@green-alliance.org.uk
t: 020 7630 4524

Endnotes

- ¹ [Draft Environment \(Principles and Governance\) Bill](#)
- ² Scrutiny of the draft Environment (Principles and Governance) Bill: [EAC](#) and EFRA
- ³ [The governance gap: why Brexit could weaken environmental protections](#)
- ⁴ [Why the Environment Bill must enable a strategic approach to environmental planning](#)
- ⁵ [Briefing on non-regression in the Environment Bill](#)
- ⁶ [The funding of the Office for Environmental Protection](#)
- ⁷ [Why the proposed new environmental body should enforce climate law](#)

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