

Environment Bill: summary briefing for MPs

24 February 2020

The Environment Bill is a vital piece of legislation. It includes important measures on four critical foundations of our natural environment: nature, air, water and resources and waste. But its lasting legacy will be a new environmental governance system for England and Northern Ireland.

Support from all sides of the House is required to ensure the bill is effective at helping to halt the [loss of nature](#) and set our environment on a pathway to significant improvement. Through this legislation we have a chance to chart a course away from toxic air, plastic pollution and wildlife losses and towards a brighter, greener future.

For more information, please see our [detailed briefing](#) on the bill.

Ambitious targets to drive environmental improvement

The long term nature of environmental matters means inclusion of a target setting framework is essential. Putting targets into law gives them certainty and clarity that benefits everyone and drives long term investment in environmental improvements.

As well as this framework, improvements are needed to how the targets are set and met: the current wording would allow major aspects of our environment to be excluded, and allow action to be put off until it is too late. As well as being legally binding, targets must be comprehensive, enforceable and ambitious. Mechanisms that assure their delivery must be put in place immediately.

The government must clarify that key provisions, including on targets, will cover the sea as well as the land and air.

Independent and transparent oversight of government

For the new Office for Environmental Protection (OEP) to be capable of holding the government to account, its independence and powers must be strengthened, including through greater parliamentary oversight of board appointments and its budget. The OEP will take cases to the Upper Tribunal, which must be empowered to grant meaningful, dissuasive and effective remedies, including, where appropriate, financial penalties.

The government has made repeated verbal commitments to maintain, and indeed enhance, environmental standards. These commitments should be encapsulated through a substantive commitment to non-regression of environmental law in the bill.

Principles to protect our environment and our health, such as acting with precaution and avoiding harm, must be guiding lights to government ministers as they make policy. To be effective, their legal basis should be strengthened through a duty to apply the principles.

A robust and clear policy base

Links between Part 1 (governance), the rest of the bill and other key delivery mechanisms, such as Environmental Land Management, should be strengthened.

The proposed duties for Local Nature Recovery Strategies to influence planning and spending are very weak and should be strengthened, otherwise they could be ignored. This change is critical for local environmental protection and recovery. Biodiversity gain in development must be part of a national strategy to restore nature, guided by a Nature Recovery Network plan, with newly created habitat protected for the long term.

More emphasis is needed on the reduction of waste. The proposed charge on single use plastic items must apply to all single use items. The government should commit to bring forward these measures, including deposit return schemes, as soon as possible.

The bill provides welcome powers to reduce damaging water abstraction, but the timescale for action is too long. The bill also permits the Secretary of State to alter the way in which chemical pollution of our waters is assessed. This power is too open-ended and should be removed, unless strong safeguards are put in place to ensure that targets and standards can only be altered in line with consultation and scientific advice.

The bill must include a legally binding commitment to achieve World Health Organization guideline levels of particulate matter pollution by 2030 at the very latest.

Resourcing over the longer term

For the bill to succeed, it will require a major increase in the resourcing of local government, the Office for Environmental Protection and frontline delivery agencies, such as Natural England and the Environment Agency, as well as increased expenditure on beneficial land management, and for this to be sustained into future spending reviews.

Global leadership begins at home

Much of the bill applies only to England. Questions remain over how environmental governance will work across the whole of the UK. We await firm proposals from the governments of Scotland and Wales, and an understanding of how these will work alongside each other. We welcome the extension of the governance provisions to Northern Ireland, but the lack of provision for legally binding targets must be addressed.

The bill's silence on the UK's global environmental footprint is a notable absence. Urgent clarification must be provided on how the government intends to tackle this.

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