



Environment Bill Briefing

An opportunity to restore our natural environment

The natural world is under pressure. The variety of plant and animal life is under threat, our climate is changing and our soils are deteriorating. However, we can reverse these trends. The Government has stated that it wants to be the first generation to leave the environment in a better state than we found it. We welcome and applaud this ambition and now need the legislation to put this into practice. Now is the time for us to be bold and ambitious. The new Environment Bill can be the vehicle that enables us to restore and enhance our natural environment, both for its own intrinsic value and for the benefits it provides to society and the economy.

The Office for Environmental Protection needs to be independent

We are pleased to see that the new Office for Environmental Protection (OEP) will report to Parliament. However, this is undermined by the fact that the OEP will have to work in accordance with a plan set out by the Environment Secretary. We are disappointed to see that the Environment Secretary will also have significant influence over the appointment of the OEP's chair, board and senior staff. We suggest that these appointments be subject to parliamentary approval. The draft Bill gives substantial power and influence to the Environment Secretary, which if passed would significantly undermine the new body's independence and its ability to hold government to account.

All of the UK should co-design and share environmental standards

Whilst the environment is a devolved matter, there is a strong argument for the UK nations to agree on shared and co-designed environmental standards, ideally through a single body. The establishment of a single body should be co-designed by consensus between the four UK governments. We recommend that the UK remains a member of the European Environment Agency in order to share information and expertise. Almost all environmental issues are of a transboundary nature and many have a global scope. They can only be addressed effectively through regional and international cooperation.

The Office for Environmental Protection needs teeth

UK environmental policy has been largely driven by the EU, and we should ensure that post-Brexit protections are at least as strong as those of the EU, if not stronger, if we are to achieve the government's ambitions. We are disappointed that the draft Bill explanatory notes specifically exclude forestry, flooding, planning and human recreation from the remit of the OEP. Environmental Impact Assessment is not mentioned in the draft Bill but needs to be included in the remit of the OEP. The environment cannot be divided up piecemeal. Climate change is also excluded but it is vitally important that it is not. It must be within the scope of the OEP, as recommended by the Climate Change Committee (CCC). The CCC can continue to report to and advise governments, but it has no enforcement powers. Enforcement powers on climate change should be included within the remit of the OEP. The OEP needs to be given the fullest scope of penalties and sanctions, without which there is little prospect of government complying with enforcement requirements.

We need to restore healthy habitats and species populations

The Bill should create a requirement on the Environment Secretary to set targets for the protection, restoration and enhancement of biodiversity and habitats. This needs to go beyond having an improvement plan, setting metrics and reporting progress. In addition, CIEEM would like to see an overarching duty in the Bill for all government departments and public bodies to enhance biodiversity. We believe that a combination of mandatory Biodiversity Net Gain for development, agricultural policy that uses public funds for public benefits, and a Nature Recovery Network based on the Lawton principles of 'more, bigger, better, joined' can help to reverse the current declines in biodiversity.

The Bill must enshrine environmental principles in law

We are pleased to see that nine environmental principles have been included in the draft Bill. However, there are considerable exemptions that could limit the scope of the principles. They do not apply to public spending and taxation, which creates a disconnect between the environment and the economy. It is important to note that the Environment Secretary is required to set out how the principles will be interpreted in a separate policy statement. This gives the Environment Secretary considerable scope to influence how the principles are applied in practice.

We need sustainable funding mechanisms

Funding for the new OEP must be adequate for it to perform its required functions. Critical to this resourcing is not just financial but also internal expertise and competence. We are disappointed that the OEP's funding will be determined by the Environment Secretary. We recommend that the OEP be allowed to prepare its own budget that is approved by Parliament.

The Bill should protect nature in towns

It is vitally important that the new Environment Bill does not overlook the opportunity to reconnect people and nature. We are ever more disconnected from nature, despite the mounting evidence that engaging with nature has positive impacts on health and well-being. We need to ensure that nature is not 'exported' further from urban areas and that high-quality urban greenspace and biodiversity are actively promoted. This needs to be linked to a properly functioning planning system.

About CIEEM

We are the leading professional membership body representing and supporting ecologists and environmental managers in the UK, Ireland and abroad. Our Vision is of a society which values the natural environment and recognises the contribution of ecologists and environmental managers to its conservation. With a growing membership and an increasingly influential voice we are transforming the professionalism of the sector, just as our members are transforming understanding of, and attitudes towards, protecting and enhancing our natural environment. By working together, we believe we can make a difference, leading to a world rich in biodiversity for the benefit of us all, now and in the future.

