

Environment Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD ADDINGTON

Page 2, line 11, at end insert—

“(7A) Before making regulations under subsection (1)(b), the Secretary of State must consult—

- (a) the Department of Health and Social Care,
- (b) other government departments, and
- (c) any office or department with responsibility for health promotion.”

After Clause 2

LORD RANDALL OF UXBRIDGE

LORD KREBS

BARONESS PARMINTER

BARONESS JONES OF WHITCHURCH

As an amendment to Lord Goldsmith of Richmond Park’s first amendment printed in HL Bill 16(a)

In subsection (4), leave out “further” and insert “meet”

Member’s explanatory statement

This amendment would set a clear requirement for a target to halt the decline in the abundance of species by 2030.

Clause 4

BARONESS JONES OF WHITCHURCH

Page 3, line 26, at end insert—

“(c) interim targets are met.”

Member’s explanatory statement

This amendment places a statutory duty on the Secretary of State to meet any interim targets they set.

Clause 6

BARONESS JONES OF WHITCHURCH
BARONESS WALMSLEY

Page 4, line 23, at end insert “and minimise, or where possible eliminate, the harmful impacts of air pollution on human health and the environment as quickly as possible.

- (3A) The review of any air quality targets set under section 1 and the PM2.5 air quality target set under section 2 must include an assessment of the targets against the latest relevant air quality guidelines published by the World Health Organization at the time of the review.
- (3B) If any air quality targets set under section 1 and the PM2.5 air quality target set under section 2 are weaker than the latest relevant air quality guidelines published by the World Health Organization at the time of the review, the report required by subsection (4) must—
- (a) set out the steps the Secretary of State intends to take to ensure that those targets are at least in line with the latest relevant World Health Organization guidelines; or
 - (b) explain the public interest reasons why the Secretary of State considers that those targets should continue to diverge from the latest relevant World Health Organization guidelines.”

Member’s explanatory statement

This amendment strengthens the significant improvement test outlined earlier in Clause 6 by requiring explicit consideration of the extent to which air quality targets under section 1 and the PM2.5 air quality target under section 2 are compatible with WHO guidelines. In the event of divergence, the Secretary of State must outline why they believe this is in the public interest.

Clause 7

BARONESS JONES OF WHITCHURCH

Page 5, line 11, leave out subsection (4) and insert—

- “(4) An environmental improvement plan must include, as a minimum—
- (a) measures which, taken together, are likely to achieve any targets set under section 1 or 2 and will ensure that the next interim targets included in the plan are met,
 - (b) measures that each relevant central government department must carry out,
 - (c) measures to protect sensitive and vulnerable population groups (including children, older people, people with chronic illnesses and outdoor and transport workers) from the health impacts of pollution,
 - (d) a timetable for adoption, implementation and review of the chosen measures, and the authorities responsible for their delivery,
 - (e) an analysis of the options considered and their estimated impact on delivering progress against the relevant targets, and
 - (f) measures to minimise, or where possible eliminate, the harmful impacts of pollution on human health and the environment.”

Member's explanatory statement

This amendment strengthens environmental improvement plans by introducing a number of minimum requirements, including (but not limited to) ensuring a link between proposed measures and targets established under this Bill.

LORD LUCAS

Page 5, line 15, after “of” insert “, understanding of and participation in”

Member's explanatory statement

This amendment is to encourage the Government to support the establishment of a deeper connection between people and the environment.

Clause 78

LORD BRADSHAW

Page 73, line 23, at end insert –

“(4A) Directions may provide that new premises cannot be connected to sewage treatment plants unless and until capacity is available for the treatment of additional demand.”

Member's explanatory statement

This amendment is intended to ensure that developers cannot connect new premises to sewage treatment plants until capacity is made available at sewage works to treat the extra load.

After Clause 91

BARONESS MCINTOSH OF PICKERING

Insert the following new Clause –

“Right to connect water to housing developments

- (1) The Secretary of State may by regulations provide that the right of water companies to connect water and waste water to major new housing developments depends on the ability of those water companies to prove that they have the capacity to take waste water without impacting on other households, and is not automatic.
- (2) Regulations under this section are subject to the affirmative procedure.”

Insert the following new Clause –

“Sustainable drainage systems and natural flood defences

- (1) The Secretary of State may by regulations make provision to approve and promote sustainable drainage systems and natural flood defences.
- (2) Regulations under this section are subject to the affirmative procedure.”

Insert the following new Clause –

“Statutory consultees on housing developments

- (1) The Secretary of State may by regulations vest –
 - (a) water companies, and
 - (b) local drainage boards,

After Clause 91 - continued

with the status of statutory consultees on all major new housing developments.

- (2) Regulations under this section are subject to the affirmative procedure.”

Clause 102

LORD KREBS
LORD RANDALL OF UXBRIDGE
BARONESS PARMINTER
BARONESS JONES OF WHITCHURCH

Page 101, line 36, at end insert –

“(2A) The objective of a species conservation strategy must be –

- (a) to identify the factors that adversely affect the conservation status of relevant species of fauna or flora,
- (b) to identify measures to improve the conservation status of relevant species of fauna or flora,
- (c) to inform the definition of favourable conservation status of relevant species of fauna or flora, and
- (d) taking the information set out pursuant to paragraphs (a), (b) and (c) into account, to contribute to relevant planning, land management and conservation policies for those species of fauna or flora.

(2B) All provisions in a species conservation strategy must be in accordance with the mitigation hierarchy.

(2C) The Secretary of State must publish guidance relating to the content, interpretation and implementation of species conservation strategies.”

Member’s explanatory statement

The proposed amendment would ensure that these strategies contribute to nature recovery, and that all measures set out within them will be designed to contribute to the enhancement of the conservation of the species which they concern.

Clause 103

LORD TEVERSON

Page 102, line 44, at end insert –

“(A1) Within six months of the passing of this Act the Secretary of State must publish proposals for initial locations to be designated as Highly Protected Marine Areas.”

Page 103, line 7, at end insert –

“(d) a Highly Protected Marine Area,”

Page 104, line 41, at end insert –

““Highly Protected Marine Area” means an area of the sea –

- (a) that allows the protection and recovery of marine ecosystems,
- and

Clause 103 - continued

- (b) where extractive, destructive and depositional human activities are prohibited;”

Member’s explanatory statement

This amendment defines “Highly Protected Marine Area” as it is defined in the Benyon Review, for the purposes of previous amendments in the name of Lord Teverson.

Clause 105

LORD KREBS
LORD RANDALL OF UXBRIDGE
BARONESS PARMINTER
BARONESS JONES OF WHITCHURCH

Page 106, line 7, leave out “instead of” and insert “in addition to”

Member’s explanatory statement

This amendment would allow the Conservation of Habitats and Species Regulations 2017 to be amended to further new objectives in addition to existing objectives, rather than in place of existing objectives.

Page 106, line 11, leave out “instead of” and insert “in addition to”

Member’s explanatory statement

This amendment would allow the Conservation of Habitats and Species Regulations 2017 to be amended to require people exercising functions under the regulations to have regard to new requirements in addition to existing requirements, rather than in place of them.

Clause 106

LORD KREBS
LORD RANDALL OF UXBRIDGE
BARONESS PARMINTER
BARONESS JONES OF WHITCHURCH

Lord Krebs gives notice of his intention to oppose the Question that Clause 106 stand part of the Bill.

After Clause 133

BARONESS MCINTOSH OF PICKERING

Insert the following new Clause—

“Research into impact of offshore windfarms

- (1) The Secretary of State may by regulations provide that before planning permission is granted, research must be undertaken by companies seeking to construct and operate offshore windfarms into the cumulative impact on—
- (a) the environment,
 - (b) marine life, and
 - (c) sea mammals,

After Clause 133 - continued

of the construction and operation phase of such windfarms.

- (2) Regulations under this section are subject to the affirmative procedure.”

Schedule 4

LORD BRADSHAW

Page 160, line 33, at end insert –

- “(4) The relevant national authority must, within 6 months of the passing of this Act, lay before both Houses of Parliament, the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly, as applicable, regulations which make provision about the retail packaging of single-use wet wipes and non-flushable items to –
- (a) require that the text on any surface contains a warning on the disposal of such items, and
 - (b) create offences which may be committed by persons who produce or supply non-flushable products which breach prohibitions, requirements or limitations imposed under subparagraph (4)(a).”

Member’s explanatory statement

This amendment is designed to require manufacturers of non-flushable items to clearly label these products as ‘DO NOT FLUSH’.

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10 June 2021
