

# Environment Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE  
*[For Third Marshalled List]*

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## Schedule 8

BARONESS JONES OF WHITCHURCH  
VISCOUNT COLVILLE OF CULROSS

Page 179, line 22, at end insert –

- “(4A) Where a deposit scheme includes beverage containers, that scheme must, at a minimum, make provision for deposit items to include any containers that are –
- (a) made of –
    - (i) polyethylene terephthalate,
    - (ii) glass,
    - (iii) aluminium, or
    - (iv) steel, and
  - (b) not more than three litres in volume.”

***Member’s explanatory statement***

*This amendment would set a minimum parameter for the deposit return scheme for beverage containers and provide consistency with the system that will be implemented in Scotland and the stated preference of the Welsh Government, ensuring compatibility and consistency for consumers and businesses across the UK.*

## Clause 61

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 51, line 37, leave out “may” and insert “must”

***Member’s explanatory statement***

*These amendments seek to strengthen Clause 61 of the Bill to mandate a total ban on the export of plastics to developing countries.*

Page 51, line 38, leave out “regulation” and insert “prohibition”

***Member's explanatory statement***

*These amendments seek to strengthen Clause 61 of the Bill to mandate a total ban on the export of plastics to developing countries.*

Page 51, line 38, after “exportation” insert “to any country”

***Member's explanatory statement***

*These amendments seek to strengthen Clause 61 of the Bill to mandate a total ban on the export of plastics to developing countries.*

**Clause 77**

LORD CAMERON OF DILLINGTON

Page 68, line 13, leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment places specific requirements upon water companies to engage stakeholders in the development of plans.*

Page 68, line 18, at end insert “, and which set out a list of relevant consultees that must be engaged with.”

***Member's explanatory statement***

*This amendment places specific requirements upon water companies to engage stakeholders in the development of plans.*

Page 68, leave out line 24

***Member's explanatory statement***

*This amendment places specific requirements upon water companies to engage stakeholders in the development of plans.*

**Clause 78**

LORD CAMERON OF DILLINGTON

Page 70, line 8, after “system” insert “for the purpose of delivering improvements for customers and the environment,”

***Member's explanatory statement***

*This amendment clarifies that delivering environmental benefits and other customer priorities is a legitimate objective for the new Drainage and Sewerage Management Plans.*

Page 70, line 23, at end insert –

“(fa) the opportunities for nature based solutions,”

***Member's explanatory statement***

*This amendment encourages sewerage undertakers to positively seek to promote nature based solutions to meet their obligations.*

**After Clause 78**

LORD CAMERON OF DILLINGTON

*As an amendment to Amendment 165*

In inserted section 141A(5), after paragraph (e) insert –  
“(f) all Catchment Based Partnerships, and”

***Member’s explanatory statement***

*This amendment stresses the importance of local input into storm overflow reduction plans.*

*As an amendment to Amendment 165*

In inserted section 141C(2), at end insert –  
“(f) the criteria, in terms of local rainfall and its duration, which the sewerage undertaker has set, in consultation with the Environment Agency, before the storm overflow is allowed to discharge.”

***Member’s explanatory statement***

*These two amendments are to ensure that permitted temporary discharges from CSOs only happen when storm conditions occur.*

*As an amendment to Amendment 165*

In inserted section 141D(2), at end of paragraph (c) insert “and whether they occurred in accordance with the criteria set under section 141C(2)(f)”

***Member’s explanatory statement***

*These two amendments are to ensure that permitted temporary discharges from CSOs only happen when storm conditions occur.*

**Clause 82**

LORD CAMERON OF DILLINGTON

Page 80, line 1, leave out “2028” and insert “2023”

Page 80, line 34, leave out “2028” and insert “2023”

Page 81, line 7, leave out “2028” and insert “2023”

***Member’s explanatory statement***

*This, in combination with the amendments to page 80, line 1 and page 80, line 34 in the name of Lord Cameron of Dillington, collectively bring forward the date from which no compensation would be payable when damaging abstractions are ended.*

### Clause 83

LORD CAMERON OF DILLINGTON

Page 82, line 11, at end insert –

- “(5A) The Secretary of State must establish a technical advisory group which has the purpose of providing advice to Ministers on the measurement and improvement of water quality standards.
- (5B) The Secretary of State must prepare and publish terms of reference for this group.
- (5C) The advisory group must comprise representatives of industry, regulatory bodies and environmental, land management and recreational organisations, and be chaired by a person independent of government.
- (5D) The Secretary of State must take advice from the technical advisory group before exercising powers under section 83(1).
- (5E) The advisory group may publish advice to Ministers.
- (5F) Ministers must publish a response to any advice published under subsection (5D), including reasons for any decisions that are not in accordance with that advice.
- (5G) The Secretary of State must consult on changes to the group’s terms of reference, including any proposal to dissolve the group.”

***Member’s explanatory statement***

*The amendment would require the Secretary of State to establish an advisory group to provide technical advice on water quality standards.*

Page 82, line 23, at end insert –

- “(e) independent expert advice, including from the Office for Environmental Protection.”

Page 82, line 28, leave out “negative” and insert “affirmative”

***Member’s explanatory statement***

*This amendment would change the parliamentary procedure for these regulations to affirmative, in light of the significant public interest in water quality.*

### After Clause 83

LORD CAMERON OF DILLINGTON

Insert the following new Clause –

**“Water quality: Catchment Based Partnerships**

Within 6 months of the passing of this Act the Secretary of State must open consultation on the role, powers, membership and resourcing of Catchment Based Partnerships together with their specific role in monitoring their local catchment or catchments with a view to promoting the sound ecological and microbiological condition of the waters therein.”

**Member's explanatory statement**

*The purpose of this amendment is to ensure that local interests and knowledge are given the right authority and means to ensure that their catchment is managed to the highest environmental standards possible.*

**After Clause 87**

LORD CAMERON OF DILLINGTON

Insert the following new Clause—

**“Duty to prepare a Water Strategy for England**

- (1) The Government must prepare a Water Strategy for England as set out in subsections (2) and (3).
- (2) The strategy must set out the Government's vision, objectives and priorities for clean, plentiful and wildlife-rich water in England.
- (3) The strategy must demonstrate the policies and approaches required to deliver and promote sustainable and resilient management of fresh and coastal waters and wetlands.
- (4) The strategy must set out how it has taken into account other government priorities, including climate resilience and the growth of natural capital.
- (5) The Secretary of State must ensure that the Water Strategy for England is delivered, and that targets and interim targets are set and met with respect to—
  - (a) the percentage of England's waters in clean and good ecological condition, specifically—
    - (i) the percentage of freshwater and coastal environments that are designated and well-managed for nature,
    - (ii) the extent, condition, hydrological function, and connectivity of wildlife-rich freshwater and coastal habitat outside the protected area network, and
    - (iii) the percentage of both designated and non-designated sites for which the water quality exceeds current minimum standards for biodiversity, drinking water and bathing;
  - (b) creating and restoring at least 200,000 ha of priority freshwater and wetland habitat; and
  - (c) preventing, halting and reversing the decline in water and wetland-dependent species diversity and abundance and achieving Favourable Conservation Status.
- (6) The Secretary of State must keep the Water Strategy for England under review, and must, if they consider it appropriate, revise the strategy.
- (7) The Secretary of State must report to Parliament on the implementation of the current water strategy every three years.
- (8) If the Secretary of State has not revised the Water Strategy for England within the period of 10 years beginning with the day on which the strategy was last published, they must revise the strategy.”

## Schedule 16

### BARONESS JONES OF WHITCHURCH

Page 227, line 35, at end insert “, and free, prior and informed consent has been obtained from affected indigenous peoples and local communities”

#### *Member’s explanatory statement*

*This amendment would require that the prohibition on using a forest risk commodity must also be in accordance with having obtained the free, prior and informed consent of indigenous peoples and local communities, in addition to complying with relevant local laws.*

### BARONESS PARMINTER LORD RANDALL OF UXBRIDGE

Page 231, line 30, at end insert –

#### *“Regulated financial person*

- 8 (1) A regulated financial person must not provide financial services for commercial enterprises engaging in the production, trade, transport or use of a forest risk commodity unless relevant local laws are complied with in relation to that commodity.
- (2) A regulated financial person who provides financial services for commercial enterprises engaging in the production, trade, transport or use of a forest risk commodity must establish and implement a due diligence system in relation to the provision of those financial services.
- (3) A “due diligence system”, in relation to a regulated financial person, means a system for –
  - (a) identifying, and obtaining information about, the operations of a commercial enterprise engaging in the production, trade, transport or use of a forest risk commodity to which it provides financial services,
  - (b) assessing the risk that such a commercial enterprise is not complying with relevant local laws in relation to that commodity,
  - (c) assessing the risk that a commercial enterprise is not complying with paragraphs 2 and 3 of this Schedule, and
  - (d) mitigating that risk.
- (4) A regulated financial person must, for each reporting period, provide the relevant authority with a report on the actions taken by the regulated financial person to establish and implement a due diligence system as required by paragraph 3.
- (5) A “regulated financial person” means a person (other than an individual) who carries on financial services in the United Kingdom and –
  - (a) meets such conditions as may be specified in regulations made by the Secretary of State; or
  - (b) is an undertaking which is a subsidiary of another undertaking which meets those conditions.
- (6) In this paragraph –

**Schedule 16 - continued**

“commercial enterprise” means a person (other than an individual) who carries on commercial activities in any jurisdiction relating to the production, trade, transport or use of forest risk commodities;

“financial services” means –

- (a) the provision of banking services including the acceptance of deposits in the course of business;
- (b) the provision of loans in the course of a banking, credit or lending business, including by way of term loan, revolving credit facility, debentures and bonds;
- (c) regulated activities as defined under section 22 of the Financial Services and Markets Act 2000 and the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 (SI 2001/544), in each case as amended; or
- (d) such other financial services as may be specified in regulations made by the Secretary of State;

“group” has the meaning given by section 474 of the Companies Act 2006;

“undertaking” has the meaning given by section 1161 of that Act.”

***Member’s explanatory statement***

*This amendment requires that persons who carry out financial services in the United Kingdom do not provide financial services to commercial enterprises engaged in the production, trade, transport or use of forest risk commodities unless they are complying with local relevant laws.*

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*22 June 2021*

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