

Environment Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 8

LORD REDESDALE

Page 5, line 39, at end insert –

“(5A) It may also set out steps Her Majesty’s Government intends to take to improve the conservation of land environments of archaeological, architectural, artistic, cultural or historic interest, including improving people’s enjoyment of them (and if it does so references in this Part to improving the natural environment, in relation to that plan, include conservation of land environments of archaeological, architectural, artistic, cultural or historic interest, including improving people’s enjoyment of them).”

Clause 9

LORD REDESDALE

Page 6, line 22, at end insert –

“(c) any other targets, goals or objectives specified in the environmental improvement plan, including those relating to beauty, heritage, and people’s enjoyment of the natural environment.”

Clause 16

LORD REDESDALE

Page 10, line 20, at end insert –

“(d) any other targets, goals or objectives specified in the environmental improvement plan, including those relating to beauty, heritage, and people’s enjoyment of the natural environment.”

Clause 28

LORD REDESDALE

Page 16, line 14, at end insert –

- “(d) towards meeting any other targets, goals or objectives specified in the environmental improvement plan, including those relating to beauty, heritage, and people’s enjoyment of the natural environment.”

Clause 44

LORD REDESDALE

Page 27, line 29, after “structures” insert “but including sites of archaeological, architectural, artistic, cultural or historic interest insofar as they form part of the landscape”

Clause 96

BARONESS JONES OF WHITCHURCH
 BARONESS PARMINTER
 LORD KREBS
 BARONESS JONES OF MOULSECOOMB

Page 98, line 5, leave out “30” and insert “125”

Member’s explanatory statement

This amendment makes clear that a biodiversity gain site is land where, among other things, environmental enhancement must be maintained for at least 125 years. This matches the definition of “perpetuity period” in section 5 of the Perpetuities and Accumulations Act 2009.

Clause 114

THE EARL OF CAITHNESS

Page 114, line 25, at end insert –

- “(5) The written consent of all relevant freeholders must be sought by all relevant leaseholders before any conservation covenant agreement is put in place.
- (6) Regular review clauses must be included in all conservation covenant agreements, with a minimum frequency of 10 years.
- (7) The review clauses should link directly to management plan cycles.
- (8) The periodic review cycle must be linked to aims and objectives defined in site management plans.
- (9) Any test for the measurement of outcomes of the conservation covenant agreement must be referenced within the Agreement itself.
- (10) Any test must make reference to section 41 of the Natural Environment and Rural Communities Act 2006 (biodiversity lists and action (England)).
- (11) Reviews must be commissioned from independent and competent persons.
- (12) All conservation covenant agreements must contain a remedy for situations where the desired outcomes of the conservation covenant agreement have not been met.

Clause 114 - continued

- (13) Any negotiations between the parties regarding the renewal of existing conservation covenant agreements must be commenced within a period of 12 months from the term date.
- (14) All conservation covenant agreements must contain an Alternative Dispute Resolution (ADR) clause which specifies that, in the event of a dispute arising from the implementation of the conservation covenant agreement—
 - (a) the parties (or their successors in title) must first attempt to settle the matter by mediation, failing which they must appoint an arbitrator or independent expert to decide the matter, and
 - (b) where they are unable to agree the identity of the mediator, arbitrator or independent expert, they will apply to the President of the RICS (or any other relevant body) or their deputy for the time being to appoint one.
- (15) Where a responsible body is negotiating conservation covenant agreements or any associated management agreements, it must have due regard to—
 - (a) public benefit and the need to maintain a sustainable balance between competing land uses, including developed uses such as residential and commercial development, and the non-developed uses such as agriculture, forest, open land and water, and
 - (b) strategic food security and the maintenance of Grades 1, 2 and 3a of agricultural land for food production.”

After Clause 132

THE EARL OF CAITHNESS

Insert the following new Clause—

“Mechanism to migrate existing non-statutory conservation covenants

- (1) The Secretary of State must create a mechanism to facilitate the migration of existing non-statutory conservation covenants to a statutory basis if both parties so agree.”

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1 September 2021
