



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Thursday 27 February 2020

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 1 to 27 and NC1 to NC3

PUBLIC BILL COMMITTEE

ENVIRONMENT BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

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 Ruth Jones
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1

★ Clause 1, page 1, line 12, leave out subsection (2) and insert—

“(2) The Secretary of State must exercise the power in subsection (1) so as to set the appropriate long-term targets within each priority area for the purpose of achieving and maintaining a healthy environment on land and at sea”.

Member’s explanatory statement

This amendment seeks to provide legal clarification to show that the Secretary of State’s purpose when setting targets is to maintain a healthy environment. It also seeks to explicitly include the marine environment links to which are currently sparse in this Bill.

Environment Bill, *continued*

Neil Parish

23

- ★ Clause 2, page 2, line 20, leave out subsection (2) and insert—
“(2) The PM2.5 air quality target must—
(a) be less than or equal to 10µg/m³;
(b) have an attainment deadline on or before 1 January 2030.”

Member’s explanatory statement

This amendment is intended to set parameters on the face of the Bill to ensure that the PM2.5 target will be at least as strict as the 2005 WHO guidelines, with an attainment deadline of 2030 at the latest.

Neil Parish

24

- ★ Clause 3, page 3, line 20, leave out “31 October 2022” and insert “31 December 2020”

Member’s explanatory statement

This amendment is intended to bring forward the deadline for laying regulations setting the PM2.5 target to December 2020.

Neil Parish

25

- ★ Clause 6, page 4, line 20, after “England” insert “ and minimise, or where possible eliminate, the harmful impacts of air pollution on human health and the environment as quickly as possible”

Member’s explanatory statement

This amendment is intended to strengthen the test against which targets are assessed, to ensure that the human health impacts of air pollution are considered, with the aim of minimising, or where possible eliminating, them.

Neil Parish

26

- ★ Clause 6, page 4, line 29, after “2023” insert “ or, in the case of the PM2.5 air quality target and any other long-term and interim target set within the air quality priority area, within 6 months of publication of updated guidelines on ambient air pollution by the World Health Organization, whichever is earlier”

Member’s explanatory statement

This amendment is intended to allow any new targets to reflect updated WHO guidelines.

Environment Bill, *continued*

Neil Parish

27

- ★ Clause 6, page 4, line 30, after “completed” insert “or, in the case of the PM2.5 air quality target and any other long-term and interim target set within the air quality priority area, within 6 months of publication of updated guidelines on ambient air pollution by the World Health Organization, whichever is earlier”

Member’s explanatory statement

This amendment is intended to trigger an early review of the PM2.5 target, and other air quality targets, within 6 months of the publication of the updated WHO guidelines.

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4

- ★ Clause 27, page 16, line 16, leave out “may, if the Minister sees fit,” and insert “must”

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5

- ★ Clause 30, page 18, line 6, leave out “may” and insert “must”

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6

- ★ Clause 32, page 18, line 40, leave out “may” and insert “must”
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Environment Bill, *continued*

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★ Clause 56, page 43, line 4, leave out “may” and insert “must”

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★ Clause 71, page 61, line 25, leave out “may” and insert “must”

8

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★ Clause 75, page 66, line 11, leave out “may” and insert “must”

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★ Clause 91, page 91, line 37, leave out “may” and insert “must”

10

Environment Bill, *continued*

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★ Clause 92, page 93, line 5, leave out “may” and insert “must”

11

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★ Clause 94, page 96, line 27, leave out “may” and insert “must”

12

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★ Clause 96, page 97, line 27, leave out “may” and insert “must”

13

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★ Clause 121, page 111, line 17, leave out “may” and insert “must”

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Environment Bill, *continued*

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2

- ★ Clause 131, page 117, line 21, leave out “on such day as the Secretary of State may by regulations appoint” and insert “at the end of the period of six months beginning with the day on which this Act is passed”

Member’s explanatory statement

This amendment seeks to prevent the Secretary of State from choosing not to enact parts of the Bill. Currently multiple provisions including the whole of Part 1 (environmental governance), Part 6 (nature and biodiversity) and Part 7 (Conservation Covenants) could never be enacted, even after the Bill has received Royal Assent.

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NC1

- ★ To move the following Clause—

“The environmental objective

- (1) The environmental objective is to achieve and maintain a healthy natural environment.
- (2) Any rights, powers, liabilities, obligations, restrictions, remedies and procedures arising from this Act must be enforced, allowed and followed for the purpose of contributing to achievement of the environmental objective.”

Member’s explanatory statement

This new clause is intended to aid coherence in the Bill by tying together separate parts under a unifying aim. It strengthens links between the target setting framework and the delivery mechanisms to focus delivery on targets.

Environment Bill, continued

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NC2

★ To move the following Clause—

“Environmental standards: non-regression

- (1) The Secretary of State has a duty to ensure that there is no diminution in any protection afforded by any environmental standard which was effective in UK domestic law on IP completion day.
- (2) In this section, “IP completion day” has the same meaning as in section 39 of the European Union (Withdrawal Agreement) Act 2020.”

Member’s explanatory statement

This new clause looks to set a floor of environmental standards by taking a snapshot of EU standards at the end of the implementation period and giving the Minister a duty to uphold those standards as a minimum.

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NC3

★ To move the following Clause—

“Well consents for hydraulic fracturing: cessation of issue and termination

- (1) No well consent which permits associated hydraulic fracturing may be issued by the Oil and Gas Authority (“OGA”).
- (2) Sections 4A and 4B of the Petroleum Act 1998(as inserted by section 50 of the Infrastructure Act 2015), are repealed.
- (3) Any well consent which has been issued by the OGA which—
 - (a) permits associated hydraulic fracturing and
 - (b) is effective on the day on which this Act receives Royal Assent shall cease to be valid three months after this Act receives Royal Assent.
- (4) In this section—

“associated hydraulic fracturing” means hydraulic fracturing of shale or strata encased in shale which—

 - (a) is carried out in connection with the use of the relevant well to search or bore for or get petroleum, and
 - (b) involves, or is expected to involve, the injection of—
 - (i) more than 1,000 cubic metres of fluid at each stage, or expected stage, of the hydraulic fracturing, or
 - (ii) more than 10,000 cubic metres of fluid in total, or
 - (iii) acid intended to dissolve rock; and

Environment Bill, *continued*

“well consent” means a consent in writing of the OGA to the commencement of drilling of a well.”

Member’s explanatory statement

This new clause, as a response to recent hydraulic fracturing exploration activity including in Rother Valley, would prevent the Oil and Gas Authority from being able to provide licences for hydraulic fracturing, exploration or acidification, and would revoke current licences after a brief period to wind down activity.

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★ Schedule 1, page 122, line 5, leave out “may” and insert “must”

15

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★ Schedule 4, page 151, line 12, leave out “may” and insert “must”

16

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★ Schedule 5, page 157, line 9, leave out “may” and insert “must”

17

Environment Bill, *continued*

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★ Schedule 6, page 161, line 21, leave out “may” and insert “must”

18

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★ Schedule 7, page 165, line 30, leave out “may” and insert “must”

19

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★ Schedule 8, page 170, line 9, leave out “may” and insert “must”

20

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★ Schedule 9, page 174, line 28, leave out “may” and insert “must”

21

Environment Bill, continued

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22

- ★ Schedule 14, page 212, line 15, leave out “may” and insert “must”

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3

- ★ Schedule 19, page 229, line 9, at end insert—

“(1A) Regulations made under this paragraph must not regress upon the protections or standards of any Article or Annex of the REACH Regulation.

(1B) Subject to sub-paragraph (1A), the Secretary of State—

(a) must make regulations under this paragraph to maintain, and

(b) may make regulations under this paragraph to exceed

parity of all protections and standards of chemical regulation with any new or amended regulations of the European Parliament and of the Council concerning the regulation of chemicals.”

Member’s explanatory statement

This amendment would set a minimum of protections under REACH and remove the possibility that a Secretary of State might lower standards than are in place currently, whilst reserving the right for them to set higher standards should they choose.

ORDER OF THE HOUSE [26 FEBRUARY 2020]

That the following provisions shall apply to the Environment Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 5 May 2020.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be

Environment Bill, *continued*

brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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