



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Tuesday 3 March 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: 74 to 75*

### **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**This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 accordance with the Order to be proposed by Rebecca Pow.**

Rebecca Pow

To move, That the Bill be considered in the following order, namely, Clauses 1 to 21; Schedule 1; Clauses 22 to 45; Schedule 2; Clause 46; Schedule 3; Clause 47; Schedule 4; Clause 48; Schedule 5; Clause 49; Schedule 6; Clause 50; Schedule 7; Clause 51; Schedule 8; Clause 52; Schedule 9; Clauses 53 to 63; Schedule 10; Clauses 64 to 69; Schedule 11; Clause 70; Schedule 12; Clauses 71 to 78; Schedule 13; Clauses 79 to 90; Schedule 14; Clauses 91 to 100; Schedule 15; Clauses 101 to 115; Schedule 16; Clauses 116 to 122; Schedule 17; Clauses 123 and 124; Schedule 18; Clause 125; Schedule 19; Clauses 126 to 133; new Clauses; new Schedules; remaining proceedings on the Bill.

Rebecca Pow

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

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**Environment Bill, continued**

Rebecca Pow

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Opong-Asare

1

Clause 1, page 1, line 11, 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.*

Rebecca Pow

28

☆ Clause 1, page 2, line 15, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*This amendment reflects the renaming of the National Assembly for Wales as “Senedd Cymru” by the Senedd and Elections (Wales) Act 2020. Similar changes are made by Amendments 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 67, 72, and 73.*

Rebecca Pow

29

☆ Clause 1, page 2, line 16, leave out “Assembly” and insert “Senedd”

***Member’s explanatory statement***

*See Amendment 28.*

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 Environment Bill, *continued*

Neil Parish  
 Andrew Selous  
 Tracey Crouch  
 Steve Brine  
 Sir Peter Bottomley  
 Peter Aldous

Derek Thomas

Rob Roberts

David Warburton

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/m<sup>3</sup>;

(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.*

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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.*

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Neil Parish

25

Clause 6, page 4, line 21, 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.*

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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.*

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**Environment Bill, *continued***

Neil Parish

27

Clause 6, page 4, line 31, 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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Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

15

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

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Rebecca Pow

30

☆ Clause 26, page 15, line 33, at end insert—

“(2A) But the OEP must not monitor the implementation of, or report on, a matter within the remit of the Committee on Climate Change.

(2B) A matter is within the remit of the Committee on Climate Change if it is a matter on which the Committee is, or may be, required to advise or report under Part 1, sections 34 to 36, or section 48 of the Climate Change Act 2008.”

***Member’s explanatory statement***

*This amendment modifies the OEP’s duty to monitor, and power to report on, the implementation of environmental law under clause 26. It provides that the OEP must not monitor or report on matters within the remit of the Committee on Climate Change, which is defined in subsection (2B) by reference to specified provisions of the Climate Change Act 2008.*

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Environment Bill, *continued*

Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Opong-Asare

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

4

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Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Opong-Asare

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

5

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Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Opong-Asare

Clause 32, page 18, line 40, leave out “may” and insert “must”

6

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Rebecca Pow

☆ Clause 42, page 26, line 1, after “considering” insert “advising”

31

***Member’s explanatory statement***

*The fourth limb of the definition of environmental protection covers the functions of monitoring, assessing, considering or reporting on anything within the other three limbs. This amendment adds the function of “advising”, which was included in the equivalent provisions of the draft Environment (Principles and Governance) Bill (clause 31(2)(d)), and last session’s Environment Bill (clause 40(2)(d)).*

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**Environment Bill, *continued***

Rebecca Pow

- 32**
- ☆ Clause 43, page 26, line 16, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 33**
- ☆ Clause 43, page 26, line 21, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 34**
- ☆ Clause 43, page 26, line 22, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
*See Amendment 28.*
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Rebecca Pow

- 35**
- ☆ Clause 44, page 27, line 7, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 36**
- ☆ Clause 44, page 27, line 17, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Rebecca Pow

- 65**
- ☆ Schedule 2, page 132, line 1, after “considering” insert “advising”  
*Member’s explanatory statement*  
*This amendment makes provision for Northern Ireland equivalent to the provision made by Amendment 31.*
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**Environment Bill, *continued***

Rebecca Pow

66

☆ Schedule 3, page 133, line 33, at end insert—

“(2A) But the OEP must not monitor the implementation of, or report on, a matter within the remit of the Committee on Climate Change.

(2B) A matter is within the remit of the Committee on Climate Change if it is a matter on which the Committee is, or may be, required to advise or report under Part 1, sections 34 to 36, or section 48 of the Climate Change Act 2008.”

***Member’s explanatory statement***

*This amendment modifies the OEP’s duty to monitor, and power to report on, the implementation of Northern Ireland environmental law under paragraph 2 of Schedule 3. It provides that the OEP must not monitor or report on matters within the remit of the Committee on Climate Change, which is defined in sub-paragraph (2B) by reference to specified provisions of the Climate Change Act 2008.*

Rebecca Pow

67

☆ Schedule 3, page 148, line 18, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*See Amendment 28.*

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

16

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

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

17

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

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**Environment Bill, *continued***

Rebecca Pow

- 37**
- ☆ Clause 49, page 29, line 35, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 38**
- ☆ Clause 49, page 29, line 36, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
*See Amendment 28.*

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

- 18**
- Schedule 6, page 161, line 21, leave out “may” and insert “must”

Rebecca Pow

- 39**
- ☆ Clause 50, page 30, line 20, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 40**
- ☆ Clause 50, page 30, line 21, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
*See Amendment 28.*
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**Environment Bill, *continued***

Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Opong-Asare

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

19

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Rebecca Pow

- ☆ Clause 51, page 31, line 3, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
 See Amendment 28.

41

Rebecca Pow

- ☆ Clause 51, page 31, line 4, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
 See Amendment 28.

42

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Opong-Asare

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

20

Rebecca Pow

- ☆ Schedule 8, page 172, line 39, leave out from “scheme” to end of line 40 and insert “in relation to which the Scottish deposit administrator is exercising functions”  
*Member’s explanatory statement*  
 This amendment modifies the way in which the scheme administrator of a Scottish deposit and return scheme is described, by referring to the administrator “exercising functions” rather than being “designated”. This is consistent with the terminology used in the relevant Scottish legislation. A similar change is made by Amendment 69.

68

Rebecca Pow

- ☆ Schedule 8, page 174, line 20, leave out from “person” to end of line 22 and insert “exercising the functions of a scheme administrator in relation to a Scottish deposit and return scheme”  
*Member’s explanatory statement*  
 See Amendment 68.

69

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**Environment Bill, *continued***

Rebecca Pow

70

- ☆ Schedule 8, page 174, line 24, leave out “that Act” and insert “the Climate Change (Scotland) Act 2009 (asp 12)”

***Member’s explanatory statement***

*This amendment is consequential on Amendment 69 and inserts the full name of the Act being referred to.*

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Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

21

- Schedule 9, page 174, line 28, leave out “may” and insert “must”
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Rebecca Pow

43

- ☆ Clause 55, page 41, line 44, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*See Amendment 28.*

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Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

7

- Clause 56, page 43, line 4, leave out “may” and insert “must”
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**Environment Bill, *continued***

Rebecca Pow

- 44**
- ☆ Clause 59, page 51, line 47, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 45**
- ☆ Clause 60, page 54, line 14, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

- 46**
- ☆ Clause 60, page 54, line 17, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Opong-Asare

- 8**
- Clause 71, page 61, line 25, leave out “may” and insert “must”

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Opong-Asare

- 9**
- Clause 75, page 66, line 11, leave out “may” and insert “must”

Rebecca Pow

- 47**
- ☆ Clause 75, page 67, line 20, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

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**Environment Bill, *continued***

Rebecca Pow

48

- ☆ Clause 75, page 67, line 32, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Rebecca Pow

49

- ☆ Clause 76, page 69, line 25, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

50

- ☆ Clause 76, page 69, line 37, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

51

- ☆ Clause 76, page 70, line 38, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

52

- ☆ Clause 76, page 71, line 6, leave out “the Assembly” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Rebecca Pow

53

- ☆ Clause 82, page 81, line 19, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*

Rebecca Pow

54

- ☆ Clause 82, page 81, line 21, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
*See Amendment 28.*
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**Environment Bill, *continued***

Rebecca Pow

55

- ☆ Clause 87, page 85, line 9, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Rebecca Pow

56

- ☆ Clause 88, page 87, line 33, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Rebecca Pow

57

- ☆ Clause 89, page 89, line 9, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
*See Amendment 28.*
- 

Tracey Crouch

75

- ★ Schedule 14, page 209, line 37, leave out “for at least 30 years” and insert “in perpetuity”  
*Member’s explanatory statement*  
*This amendment would require post-development habitat enhancements for the purposes of biodiversity gains to be maintained in perpetuity rather than for 30 years.*

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

22

- Schedule 14, page 212, line 15, leave out “may” and insert “must”
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**Environment Bill, *continued***

Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Oppong-Asare

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

10

Tracey Crouch

★ Clause 91, page 92, line 1, leave out “for at least 30 years” and insert “in perpetuity”

74

***Member’s explanatory statement***

*This amendment would require habitat enhancements for the purposes of biodiversity gains to be maintained in perpetuity rather than for 30 years.*

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Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Oppong-Asare

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

11

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Dr Alan Whitehead  
Luke Pollard  
Ruth Jones  
Daniel Zeichner  
Thangam Debbonaire  
Abena Oppong-Asare

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

12

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**Environment Bill, *continued***

Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Opong-Asare

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

13

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Opong-Asare

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

14

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Rebecca Pow

71

☆ Schedule 17, page 222, line 36, leave out from beginning to end of line 9 on page 223 and insert—

*“Demesne land*

- 3 (1) Where land belongs to Her Majesty in right of the Crown but is not held for an estate in fee simple absolute in possession—
  - (a) Her Majesty in right of the Crown is to be regarded for the purposes of Part 7 and this Schedule as holding an estate in fee simple absolute in possession in the land, and
  - (b) any estate granted or created out of the land is to be regarded for those purposes as derived from that estate in fee simple.
- (2) The land referred to in sub-paragraph (1) does not include land which becomes subject to escheat on the determination of an estate in fee simple absolute in possession in the land if—
  - (a) it is land to which an obligation under a conservation covenant related when the estate determined, or
  - (b) it is not land to which such an obligation related at that time and Her Majesty in right of the Crown has not taken possession or control of the land, or entered into occupation of it.

*Land subject to escheat*

- 3A (1) This paragraph applies where land becomes subject to escheat on the determination of an estate in fee simple absolute in possession in land to which an obligation under a conservation covenant relates.

**Environment Bill**, *continued*

- (2) The conservation covenant is not terminated on the determination of that estate, even though the appropriate authority has no liability in respect of the obligation unless and until the Crown—
- (a) takes possession or control of the land, or enters into occupation of it, or
  - (b) becomes the holder of—
    - (i) an estate granted by the Crown out of the land, or
    - (ii) an estate in land derived (whether immediately or otherwise) from an estate falling within sub-paragraph (i).
- (3) If the Crown takes possession or control of the land, or enters into occupation of it—
- (a) the Crown is to be regarded for the purposes of Part 7 and this Schedule as holding an estate in fee simple in possession in the land, and
  - (b) that estate is to be regarded for those purposes as immediately derived from the determined estate.
- (4) If the Crown grants an estate out of the land after having previously taken possession or control of the land, or entered into occupation of it, the estate is to be regarded for the purposes of Part 7 and this Schedule as immediately derived from the estate mentioned in sub-paragraph (3)(a).
- (5) But if the Crown grants an estate out of the land without having previously taken possession or control of the land, or entered into occupation of it—
- (a) the acts of the Crown in granting that estate are not to be regarded for the purposes of Part 7 and this Schedule as taking possession or control of the land, or entering into occupation of it, and
  - (b) the new estate is to be regarded for those purposes as immediately derived from the determined estate.
- (6) In this paragraph and paragraph 3B “the Crown” means Her Majesty in right of the Crown or of the Duchy of Lancaster, or the Duchy of Cornwall, as the case may be.”

*Bona vacantia*

- 3B (1) This paragraph applies where an estate in land to which an obligation of the landowner under a conservation covenant relates vests in the Crown as bona vacantia.
- (2) The appropriate authority has no liability in respect of the obligation in relation to any period before the Crown takes possession or control of the land or enters into occupation of it.”

**Member’s explanatory statement**

*This amendment replaces paragraphs 3 and 4 of Schedule 17 with three new paragraphs. Paragraph 3A is new and deals with the application of Part 7 to land to which a conservation covenant relates which becomes subject to escheat to the Crown (for example where the land is disclaimed by a trustee in bankruptcy). Paragraphs 3 and 3B are derived from the current paragraph 3, subject to some minor changes arising from consideration of paragraph 3A.*

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**Environment Bill, *continued***

Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

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.*

Rebecca Pow

72

☆ Schedule 19, page 230, line 47, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*See Amendment 28.*

Rebecca Pow

73

☆ Schedule 19, page 230, line 48, leave out “Assembly” and insert “Senedd”

***Member’s explanatory statement***

*See Amendment 28.*

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Rebecca Pow

58

☆ Clause 126, page 113, line 28, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*See Amendment 28.*

Rebecca Pow

59

☆ Clause 126, page 113, line 36, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

***Member’s explanatory statement***

*See Amendment 28.*

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**Environment Bill, *continued***

Rebecca Pow

- ☆ Clause 126, page 113, line 37, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
 See Amendment 28.

60

Rebecca Pow

- ☆ Clause 127, page 114, leave out line 32 and insert “Senedd Cymru”  
*Member’s explanatory statement*  
 See Amendment 28.

61

Rebecca Pow

- ☆ Clause 127, page 114, line 35, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
 See Amendment 28.

62

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

- 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.*

2

Rebecca Pow

- ☆ Clause 132, page 119, line 38, leave out “the National Assembly for Wales” and insert “Senedd Cymru”  
*Member’s explanatory statement*  
 See Amendment 28.

63

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**Environment Bill, continued**

Rebecca Pow

64

- ☆ Clause 132, page 119, line 39, leave out “Assembly” and insert “Senedd”  
*Member’s explanatory statement*  
*See Amendment 28.*
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Rebecca Pow

NC4

- ☆ To move the following Clause—

**“Memorandum of understanding**

- (1) The OEP and the Committee on Climate Change must prepare a memorandum of understanding.
- (2) The memorandum must set out how the OEP and the Committee intend to co-operate with one another and avoid overlap between the exercise by the OEP of its functions and the exercise by the Committee of its functions.”

*Member’s explanatory statement*

*This new clause requires the OEP and the Committee on Climate Change to prepare a memorandum of understanding, setting out how they will co-operate with one another and avoid overlap in the exercise of their functions.*

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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

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.*

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**Environment Bill, continued**

Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

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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Dr Alan Whitehead  
 Luke Pollard  
 Ruth Jones  
 Daniel Zeichner  
 Thangam Debbonaire  
 Abena Oppong-Asare

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

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**Environment Bill, continued**

- (iii) acid intended to dissolve rock; and  
“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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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 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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