



House of Commons

Thursday 26 November 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

ENVIRONMENT BILL

[FIRST TO TWENTY-SECOND SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Added: New Clause agreed without a vote and added to the Bill.

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

FIRST AND SECOND SITTINGS

Leo Docherty

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 9.25am on Tuesday 10 March) meet—
 - (a) at 2.00pm on Tuesday 10 March;
 - (b) at 11.30am and 2.00pm on Thursday 12 March;
 - (c) at 9.25am and 2.00pm on Tuesday 17 March;
 - (d) at 11.30am and 2.00pm on Thursday 19 March;
 - (e) at 9.25am and 2.00pm on Tuesday 24 March;
 - (f) at 11.30am and 2.00pm on Thursday 26 March;

Environment Bill, continued

- (g) at 9.25am and 2.00pm on Tuesday 31 March;
 - (h) at 4.00pm and 7.00pm on Tuesday 21 April;
 - (i) at 11.30am and 2.00pm on Thursday 23 April;
 - (j) at 9.25am and 2.00pm on Tuesday 28 April;
 - (k) at 11.30am and 2.00pm on Thursday 30 April;
 - (l) at 9.25am and 2.00pm on Tuesday 5 May;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 10 March	Until no later than 10.30am	Aldersgate Group; Broadway Initiative
Tuesday 10 March	Until no later than 11.25 am	Food and Drink Federation; Federation of Small Businesses; Veolia
Tuesday 10 March	Until no later than 2.30 pm	Local Government Association
Tuesday 10 March	Until no later than 3.30 pm	Natural England; Wildlife Trusts; Country Land and Business Association; NFU
Tuesday 10 March	Until no later than 4.00 pm	National Federation of Builders
Tuesday 10 March	Until no later than 5.00 pm	Greener UK; Greenpeace; Royal Society for the Protection of Birds
Thursday 12 March	Until no later than 12.15 pm	Asthma UK and British Lung Foundation; UNICEF; Air Quality Expert Group; ClientEarth
Thursday 12 March	Until no later than 1.00 pm	Water UK; Blueprint for Water; Marine Conservation Society
Thursday 12 March	Until no later than 2.45 pm	George Monbiot; Wildlife and Environment Link
Thursday 12 March	Until no later than 3.15 pm	Keep Britain Tidy; Green Alliance
Thursday 12 March	Until no later than 4.00 pm	Chem Trust; Chemical Industries Association; Unite
Thursday 12 March	Until no later than 5.00 pm	Scottish Environment LINK; Environmental Protection Scotland; Law Society Scotland

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 21; Schedule 1; Clauses 22 to 45; Schedule 2;

Environment Bill, *continued*

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;

- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 5 May.

Leo Docherty

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.

Agreed to

Leo Docherty

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

Agreed to

The following witnesses gave oral evidence:

Signe Norberg, Public Affairs Manager, Aldersgate Group; Edward Lockhart-Mummery, Project Convenor and Principal Investigator, and Martin Baxter, Chief Policy Advisor, Broadway Initiative.

David Bellamy, Senior Environment Policy Manager, Food and Drink Federation; Andrew Poole, Deputy Head of Policy, Federation of Small Businesses; and Martin Curtois, External Affairs Director, Veolia.

Mayor Philip Glanville, Mayor of Hackney, Local Government Association.

Dr Diane Mitchell, Chief Environment Adviser, NFU; Alan Law, Deputy Chief Executive, Natural England; Dr Sue Young, Head of Land Use Planning and Ecological Networks, Wildlife Trusts; and Judicaelle Hammond, Director of Policy, Country Land and Business Association.

Rico Wojtulewicz, Head of Housing and Planning Policy, House Builders Association (HBA).

Ruth Chambers, Senior Parliamentary Affairs Associate, Greener UK; Rebecca Newsom, Head of Politics, Greenpeace UK; and Ali Plummer, Senior Policy Officer, Royal Society for the Protection of Birds

THIRD AND FOURTH SITTINGS

The following witnesses gave oral evidence:

Sarah MacFadyen, Head of Policy, Asthma UK and British Lung Foundation Partnership; Liam Sollis, Head of Policy, UNICEF UK; Katie Nield, UK Clean Air Lawyer, ClientEarth; and Professor Alastair Lewis, Chair, Air Quality Expert Group

Environment Bill, continued

Stuart Colville, Director of Strategy, Water UK; Ian Hepburn, Chair, Blueprint for Water; and Chris Tuckett, Director of Programmes, Marine Conservation Society
George Monbiot, Journalist and Environmental Campaigner; and Dr Richard Benwell, CEO, Wildlife and Environment Link
Libby Peake, Head of Resources, Green Alliance; and Richard McIlwain, Deputy Chief Executive, Keep Britain Tidy
Dr Michael Warhurst, Executive Director, Chem Trust; Bud Hudspith, National H&S Adviser, Unite; and Nishma Patel, Policy Director, Chemical Industries Association
Lloyd Austin, LINK Honorary Fellow and convener of LINK's Governance Group, Scottish Environment LINK; Alison McNab, Policy Executive, Law Society of Scotland; John Bynorth, Policy and Communications Officer, Environmental Protection Scotland

FIFTH AND SIXTH SITTINGS

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Withdrawn after debate 79

Clause 1, page 1, line 7, leave out “may” and insert “must”

Neil Parish
 Alex Sobel
 Philip Dunne

Withdrawn after debate 103

Clause 1, page 1, line 10, at end insert—

- “(1A) The Secretary of State must exercise the power in subsection (1) with the aim of establishing a coherent framework of targets he or she considers would, if met:
- (a) make a significant contribution towards the environmental objectives, and
 - (b) ensure continuous improvement of the environment as a whole.
- (1B) Where the Secretary of State considers that a target is necessary but the means of expressing the target is not yet sufficiently developed, he or she must explain the steps being taken to develop an appropriate target.”

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

Jessica Morden

Alex Sobel

Withdrawn after debate 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”.

Environment Bill, *continued*

Kerry McCarthy
Alex Sobel

Withdrawn after debate 76

Clause 1, page 1, line 17, at end insert—
“(e) global footprint.”

Dr Matthew Offord

Not selected 106

Clause 1, page 1, line 17, at end insert—
“(3A) Targets set within the priority area of waste and resources must include matters relating to the reduction of overall material use and waste generation and pollution including, but not limited to, plastics.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Negated on division 178

Clause 1, page 1, line 17, at end insert—
“(3A) Targets set within the priority area of air quality must include targets for—
(a) the ambient 24 hour mean concentration of PM2.5 and PM10;
(b) average human exposure to PM2.5 and PM10; and
(c) annual emissions of NO_x, ammonia, PM2.5, PM10, SO₂ and non-methane volatile organic compounds.
(3B) Targets set within the priority area of water must include, but are not limited to, matters relating to—
(a) abstraction rates; and
(b) the chemical and biological status and monitoring of inland freshwater and the marine environment.
(3C) Targets set within the priority area of biodiversity must include, but are not limited to, matters relating to—
(a) the abundance, diversity and extinction risk of species; and
(b) the quality, extent and connectivity of habitats.
(3D) Targets set within the priority area of waste and resources must include, but are not limited to, matters relating to the reduction of overall material use and waste generation and pollution, including but not limited to plastics.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Withdrawn after debate 80

Clause 1, page 2, line 4, at end insert—
“(4A) A target under this section must be set on the basis of the best available evidence and any advice given under section (3)(1).”

Environment Bill, *continued*

- (4B) In setting targets under this section, the Secretary of State must take into account relevant international best practices and seek to improve on them.”

Rebecca Pow

Clause 1, page 2, line 15, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* **28**

Rebecca Pow

Clause 1, page 2, line 16, leave out “Assembly” and insert “Senedd” *Agreed to* **29**

Kerry McCarthy

Clause 1, page 2, line 16, at end insert— *Not called* **77**
“(10) Without prejudice to subsection (6), the global footprint target is required to be met with regard to ecosystem conversion and degradation, and to deforestation and forest degradation, by 31 December 2020.”

Clause, as amended, agreed to.

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

Derek Thomas
Geraint Davies
Philip Dunne
Luke Pollard
Jessica Morden
Alex Sobel

Rob Roberts
Sir Robert Neill
Caroline Nokes
Ruth Jones
Abena Oppong-Asare

David Warburton
Anne Marie Morris
Dr Alan Whitehead
Daniel Zeichner
Thangam Debbonaire

Clause 2, page 2, line 20, leave out subsection (2) and insert— *Negated on division* **23**
“(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.”

Environment Bill, continued

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Not called **185**

Clause 2, page 2, line 20, leave out subsection (2) and insert—

- “(2) The PM2.5 air quality target must—
- (a) follow World Health Organisation guidelines and;
 - (b) have an attainment deadline on or before 1 January 2030.”

Clause agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Withdrawn after debate **81**

Clause 3, page 2, line 33, leave out subsection (1) and insert—

- “(1) Before making regulations under sections 1 or 2, reviewing targets under section 6, setting interim targets under section 10, or considering actions required to achieve targets set under sections 1, 2, or 10, the Secretary of State must—
- (a) obtain, and take into account, the advice of a relevant independent and expert advisory body set up for this purpose;
 - (b) carry out full public consultation;
 - (c) publish that advice as soon as is reasonably practicable.
- (1A) If regulations laid under sections 1 or 2 or interim targets make provision different from that recommended by the advisory body, the Secretary of State must both publish the public interest reasons for those differences and make a statement to Parliament on them.
- (1B) Any advisory body set up under subsection (1)(a) must comprise 50 per cent of members nominated by the OEP and 50 per cent of members nominated by the Committee on Climate Change.”

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Not called **181**

Clause 3, page 2, line 35, at end insert—

“(1A) The advice sought under section 3(1) must include advice on how the scope and level of targets should be set to significantly improve the natural environment and minimise, or where possible eliminate, the harmful impacts of pollution on human health and the environment.”

Neil Parish
Geraint Davies
Alex Sobel

Withdrawn after debate **24**

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

Clause agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Withdrawn after debate **82**

Clause 4, page 3, line 24, at end insert “and,
(c) interim targets are met.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Withdrawn after debate **83**

Clause 4, page 3, line 24, at end insert “and,
(c) steps identified under section 5(5)(b) are taken.”

Clause agreed to.

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire Alex Sobel

Withdrawn after debate **84**

Clause 5, page 4, line 1, at end insert—

- “(c) include a timetable for adoption, implementation and review of the chosen measures, and the authorities responsible for their delivery, and
- (d) an analysis of the options considered and their estimated impact on delivering progress against the relevant targets.”

Clause agreed to.

Neil Parish
 Geraint Davies
 Sir Robert Neill
 Anne Marie Morris
 Alex Sobel

Not called **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”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire Alex Sobel

Not called **85**

Clause 6, page 4, line 21, at the end insert “on land, and at sea.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Withdrawn after debate **183**

Clause 6, page 4, line 21, at end insert—

- “(3A) In considering whether the natural environment would be significantly improved, the Secretary of State must be satisfied that—
 - (a) the terrestrial and marine natural environment in England has improved as a system; and

Environment Bill, *continued*

- (b) that the achievement of any targets which meet the conditions specified in subsection (8) would constitute significant improvement in that matter.”

Neil Parish
Geraint Davies
Alex Sobel

Not called 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”

Neil Parish
Geraint Davies
Alex Sobel

Not called 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”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Alex Sobel

Withdrawn after debate 86

- Clause 6, page 4, line 41, at end insert—
“(9) In carrying out a review under this section, the Secretary of State must consider whether any targets relating to the priority areas in section 1 that are contained in legislation which forms part of the law of England and Wales—
 (a) have expired, or
 (b) are required to be achieved by a date which has passed.
(10) If paragraph (a) or (b) applies, then the significant environmental improvement test is only met if a new target or targets are set relating to the same matters which specify a new standard and a future date by which such standards must be reached.”

Clause agreed to.

Environment Bill, continued*SEVENTH SITTING*

Rebecca Pow

To move, That, notwithstanding the Committee's order of 10 March, the Committee, at the conclusion of proceedings at the sitting starting at 11.30am on 19 March, do adjourn to a time and date to be fixed by the Chair.

Agreed to

EIGHT AND NINTH SITTINGS

Leo Docherty

Agreed to

That the order of the Committee of 10 March be varied as follows—

- (5) In paragraph (1)(d), leave out “and 2.00pm”.
- (6) In paragraph (1), leave out sub-paragraphs (e) to (l).
- (7) After paragraph (1), insert—
 - “(1A) the Committee shall (in addition to its meeting at 9.25am on Tuesday 3 November) meet—
 - (a) at 2.00 pm on Tuesday 3 November;
 - (b) at 11.30 am and 2.00 pm on Thursday 5 November;
 - (c) at 9.25 am and 2.00 pm on Tuesday 10 November;
 - (d) at 11.30 am and 2.00 pm on Thursday 12 November;
 - (e) at 9.25 am and 2.00 pm on Tuesday 17 November;
 - (f) at 11.30 am and 2.00 pm on Thursday 19 November;
 - (g) at 9.25 am and 2.00 pm on Tuesday 24 November;
 - (h) at 11.30 am and 2.00 pm on Thursday 26 November;
 - (i) at 9.25 am and 2.00 pm on Tuesday 1 December;”.
- (8) In paragraph (4), leave out “5 May” and insert “1 December”.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Negatived on division **88**

Clause 7, page 5, line 7, leave out subsection (4) and insert—

- “(4) The environmental improvement plan must include, as a minimum—
- (a) measures which, taken together, are likely to achieve any targets set under sections 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;

Environment Bill, *continued*

- (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.”

Neil Parish
Alex Sobel

Not moved 112

Clause 7, page 5, line 7, leave out subsection (4) and insert—

- “(4) An environmental improvement plan must set out the steps Her Majesty’s Government intends to take in the period to which the plan relates, which the Secretary of State considers will—
 - (a) enable targets set under section 1(1) and that meet the conditions at section 6(8) to be met, and
 - (b) make a significant contribution to meeting the environmental objectives irrespective of whether targets are in place to cover all matters relating to the environmental objectives.”

Richard Graham

Withdrawn after debate 201

Clause 7, page 5, line 10, leave out “may” and insert “must”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 87

Clause 7, page 5, line 13, at end insert—

- “(5A) It may also set out the 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 agreed to.

Environment Bill, continued

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 89

Clause 8, page 5, line 32, at end insert “and,

- (c) consider biodiversity reports published by authorities under section 40A of the Natural Environment and Rural Communities Act 2006 (as amended by section 94 of this Act).”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 90

Clause 8, page 5, line 32, at end insert “and,

- (c) include an analysis of whether the policies and measures set out in the environmental improvement plan will ensure that any targets set under sections 1 and 2 and any interim targets set under sections 10 and 13 are likely to be met.”

Clause agreed to.

Clause 9 agreed to.

Clauses 10 to 15 agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 91

Clause 16, page 10, line 6, leave out “proportionately”

Clause agreed to.

Clause 17 agreed to.

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Alex Sobel Lloyd Russell-Moyle
Negated on division 92
Clause 18, page 11, line 13, leave out subsection (2)

Deidre Brock
Negated on division 114
Clause 18, page 11, line 19, leave out paragraph (a)

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Alex Sobel Lloyd Russell-Moyle
Negated on division 93
Clause 18, page 11, line 19, leave out “the armed forces, defence or”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Deidre Brock Alex Sobel
Lloyd Russell-Moyle
Negated on division 94
Clause 18, page 11, line 20, leave out paragraph (b)

Clause agreed to.

Clause 19 agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Gill Furniss

Negated on division 195
Clause 20, page 12, line 16, at end insert—
“(1A) The Secretary of State must—
(a) consult on the criteria and thresholds to be applied in determining
significance for the purposes of subsection (1), and

Environment Bill, *continued*

- (b) publish guidance on those matters reflecting the results of the consultation.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Not called 196

Clause 20, page 12, line 19, at end insert—

“(2A) The report must include—

- (a) the results of an independent assessment of developments in international environmental protection legislation, and
 (b) the Government’s proposed response to those developments.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 95

Clause 20, page 12, line 32, at end insert—

“(7) The Secretary of State must—

- (a) keep under consideration whether there are any steps which they could take which would or might secure better or further effect full compliance with the Aarhus Convention, and
 (b) if they consider it appropriate to do so, take any of the steps identified by that consideration.
 (8) A report under this section must set out what steps have been taken during the reporting period to secure better or further effect full compliance with the Aarhus Convention and what steps the Secretary of State intends to take during the next reporting period to that effect.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Not called 197

Clause 20, page 12, line 32, at end insert—

“(7) The Secretary of State must make an oral statement to Parliament about the report as soon as reasonably practicable following the laying of the report.”

Clause agreed to.

Clause 21 agreed to.

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Negated on division **179**

Schedule **1**, page **121**, line **16**, at end insert “with the consent of the Environmental Audit and Environment, Food and Rural Affairs Committees of the House of Commons”

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle

Not moved **15**

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

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division **154**

Schedule **1**, page **122**, line **11**, leave out sub-paragraph (3)

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate **155**

Schedule **1**, page **122**, line **15**, at end insert “;but an appointment may be made in reliance on this sub-paragraph only with the approval of the Chair.”.

Deidre Brock

Negated on division **188**

Schedule **1**, page **124**, line **26**, at end insert—

“10A Where the function is being exercised in relation to Scotland or in Scotland the OEP must—

Environment Bill, *continued*

- (a) delegate the function to an environmental governance body designated by the Scottish Ministers, and
- (b) provide the resources for that function to be exercised.”

TENTH AND ELEVENTH SITTINGS

Dr Alan Whitehead
 Luke Pollard+
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Negated on division 157

Schedule 1, page 124, line 40, at end insert—

“12A(1) At the start of each five-year period, the Secretary of State must publish and lay before Parliament an indicative five-year budget for the OEP.

(2) In sub-paragraph (1) “five-year period” means—

- (a) the period of five financial years beginning with the financial year that begins after the commencement of this Schedule, and
- (b) each subsequent period of five financial years.

12B If the OEP requests additional funding, due to a change in the nature or extent of its functions, the Secretary of State must publish and lay before Parliament a statement responding to the request.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 156

Schedule 1, page 126, line 2, leave out “have regard to the need to”

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle

Not called **97**

Clause **22**, page **13**, line **8**, at end insert—

“(c) respect, protect and fulfil the rights contained in the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.”

Deidre Brock

Withdrawn after debate **189**

Clause **22**, page **13**, line **16**, leave out subsection (5)

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle

Withdrawn after debate **105**

Clause **22**, page **13**, line **18**, at end insert—

“(5A) The Energy Act 2013 is amended in accordance with subsections (5B) and (5C).

(5B) In section 131(1), for “may” substitute “must”.

(5C) In section 131(2), after subsection (c), insert—

“(d) the duty of the Authority in assisting the delivery of greenhouse gas emissions targets as set out in the Climate Change Act 2008.”

(5D) This section comes into force at the end of the period of three months beginning with the day on which this Act is passed.”

Rebecca Pow

Agreed to **203**

Clause **22**, page **13**, line **22**, after “33(1)(b)” insert “, 35(1)(b)”

Rebecca Pow

Agreed to on division **204**

Clause **22**, page **13**, line **22**, after “36(1)” insert “and (6A)”

Clause, as amended, agreed to.

Clause 23 agreed to.

Environment Bill, continued

Deidre Brock

Withdrawn after debate 190

- Clause 24, page 14, line 29, at end insert—
 “(g) a Scottish local authority,
 (h) a Scottish housing association, or
 (i) a Scottish environmental regulator.”

Clause agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 98

- Clause 25, page 15, line 26, at end insert “including setting out what action will be taken”

Clause agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 99

- Clause 26, page 15, line 31, at end insert “(including international environmental law)”

Rebecca Pow

Agreed to 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.”

Clause, as amended, agreed to.

Environment Bill, *continued*

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 4

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

Clause agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 117

Clause 28, page 16, line 30, after “means a” insert “Minister of the Crown, a government department and public body, including a local authority, or any”

Deidre Brock

Not called 191

Clause 28, page 16, line 39, at end insert—
“(f) a Scottish local authority,
(g) a Scottish housing association, or
(h) a Scottish environmental regulator.”

Clause agreed to.

Deidre Brock

Withdrawn after debate 192

Clause 29, page 17, line 5, leave out subsection (4)

Clause agreed to.

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 5

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

Clause agreed to.

Clause 31 agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 6

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

Rebecca Pow

Agreed to 205

Clause 32, page 19, line 2, at end insert—

“(aa) explains why the OEP considers that the alleged failure, if it occurred, would be serious, and”

Clause, as amended, agreed to.

Rebecca Pow

Agreed to 206

Clause 33, page 19, line 36, at end insert—

“(aa) explains why the OEP considers that the failure is serious, and”

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 118

Clause 33, page 19, line 39, at end insert—

“(2A) A decision notice may also direct the public authority to rectify the failure to comply with environmental law.

(2B) A public authority must comply with a direction under subsection (2A).”

Clause, as amended, agreed to.

Clause 34 agreed to.

Rebecca Pow

Clause 35, page 20, line 40, leave out “Upper Tribunal” and insert “court”

Agreed to 207

Rebecca Pow

Clause 35, page 20, line 40, at end insert “, but only if—

(a) it is satisfied, on the balance of probabilities, that the authority has failed to comply with environmental law, and

(b) it considers that the failure is serious.”

Agreed to 208

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 123

Clause 35, page 20, line 40, at end insert—

“(1A) Where the OEP has given a decision notice to a public authority but has not applied for an environmental review, any person with sufficient interest may apply for an environmental review.”.

Rebecca Pow

Clause 35, page 21, line 1, leave out paragraph (b)

Agreed to on division 209

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 119

Clause 35, page 21, line 2, at end insert—

- “(2A) The purpose of an environmental review is to promote the integrity of environmental law and the achievement of environmental improvement in accordance with the law.
- (2B) When considering an environmental review, the Tribunal may review any finding of fact on which the decision in question was based and, where relevant, whether the achievement of environmental improvement required, had been achieved.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 120

Clause 35, page 21, line 14, at end insert—

- “(4A) In the case of an environmental review, the Upper Tribunal shall treat notices issued by the OEP as authoritative in respect of any relevant issues.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 124

Clause 35, page 21, line 14, at end insert—

- “(4A) A person who has made a complaint under section 29 may intervene in an environmental review which relates to that complaint or an issue which the Upper Tribunal considers is related to the issue in that complaint.
- (4B) Any person with sufficient interest may make an application to the Upper Tribunal to intervene in an environmental review.
- (4C) The Upper Tribunal may not order an intervener to pay the costs of any relevant party to the proceedings in connection with the proceedings.
- (4D) The Upper Tribunal may not order a relevant party to the proceedings to pay the intervener’s costs in connection with the proceedings.”

Rebecca Pow

Clause 35, page 21, line 15, leave out “Upper Tribunal” and insert “court” *Agreed to* 210

Environment Bill, *continued*

Rebecca Pow
Clause 35, page 21, line 18, leave out “Upper Tribunal” and insert “court” *Agreed to* 211

Rebecca Pow
Clause 35, page 21, line 23, leave out “Upper Tribunal” and insert “court” *Agreed to* 212

Rebecca Pow
Clause 35, page 21, line 24, leave out “the court” and insert “it” *Agreed to* 213

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare Lloyd Russell-Moyle
Clause 35, page 21, line 24, leave out from “review” to end of line 28. *Withdrawn after debate* 121

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Lloyd Russell-Moyle
Clause 35, page 21, line 28, at end insert— *Not called* 180
“(8A) Where the Upper Tribunal makes a statement of non-compliance, it may issue ongoing financial penalties where it deems these to be necessary.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire Lloyd Russell-Moyle
Clause 35, page 21, line 28, at end insert— *Negated on division* 184
“(8A) Where the Upper Tribunal makes a statement of non-compliance it may impose a remediation requirement to take such steps as it may specify, within such period as it may specify, to secure that the net environmental position is restored to what it would have been if the offence had not been committed.”

Rebecca Pow
Clause 35, page 21, line 29, leave out “Upper Tribunal” and insert “court” *Agreed to* 214

Environment Bill, continued

Rebecca Pow

Agreed to **215**

Clause 35, page 21, line 31, leave out from “review” to end of line 32

Rebecca Pow

Agreed to **216**

Clause 35, page 21, line 33, leave out “Upper Tribunal” and insert “court”

Clause, as amended, agreed to.

Rebecca Pow

Agreed to on division **217**

Clause 36, page 22, line 11, at end insert “, and
(b) the urgency condition is met.”

Rebecca Pow

Agreed to **218**

Clause 36, page 22, line 12, leave out from beginning to “(rather” in line 13 and insert “The urgency condition is that making an application under subsection (1)”

Rebecca Pow

Agreed to **219**

Clause 36, page 22, line 14, after “35)” insert “is necessary”

Rebecca Pow

Agreed to **220**

Clause 36, page 22, line 29, leave out subsection (6) and insert—
“(6) Subsection (6A) applies to proceedings (including any appeal) that—
(a) are in respect of an application for judicial review or a statutory review, and
(b) relate to an alleged failure by a public authority to comply with environmental law (however the allegation is framed in those proceedings).
(6A) If the OEP considers that the alleged failure, if it occurred, would be serious, it may apply to intervene in the proceedings (whether it considers that the public authority has, or has not, failed to comply with environmental law).”

Clause, as amended, agreed to.

TWELFTH AND THIRTEENTH SITTINGS

Clauses 37 to 40 agreed to.

Geraint Davies
Mr Barry Sheerman

Not moved **113**

Clause 41, page 25, line 35, leave out “(except buildings or other structures)”

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 126

Clause 41, page 25, line 35, after “structures” insert “but including sites of archaeological, architectural, artistic, cultural or historic interest insofar as they form part of the landscape”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 125

Clause 41, page 25, line 35, after “water” insert “, including the marine environment”

Deidre Brock

Not called 193

Clause 41, page 25, line 35, at end insert—
“(d) the marine environment,”

Clause agreed to.

Rebecca Pow

Agreed to 31

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

Clause, as amended, agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 127

Clause 43, page 26, line 6, leave out “mainly”

Environment Bill, continued

- Deidre Brock
 Clause 43, page 26, line 10, leave out paragraph (b) *Negated on division* 115
- Deidre Brock
 Clause 43, page 26, line 11, leave out paragraph (c) *Withdrawn after debate* 116
- Rebecca Pow
 Clause 43, page 26, line 16, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 32
- Rebecca Pow
 Clause 43, page 26, line 21, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 33
- Rebecca Pow
 Clause 43, page 26, line 22, leave out “Assembly” and insert “Senedd” *Agreed to* 34
Clause, as amended, agreed to.
-
- Rebecca Pow
 Clause 44, page 27, line 7, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 35
- Rebecca Pow
 Clause 44, page 27, line 17, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 36
- Kerry McCarthy
 Alex Sobel
 Clause 44, page 27, line 24, at end insert—
 “global footprint” means—
- (a) direct and indirect environmental harm, caused by, and
 - (b) human rights violations arising in connection with the production, transportation or other handling of goods which are imported, manufactured, processed, or sold (whether for the production of other goods or otherwise), including but not limited to direct and indirect harm associated with—
 - (i) greenhouse gas emissions;
 - (ii) ecosystem conversion and degradation;
 - (iii) deforestation and forest degradation;
 - (iv) biodiversity loss;
- Negated* 78

Environment Bill, continued

- (v) water pollution and abstraction; and
- (vi) air pollution.”

Clause, as amended, agreed to.

Clause 45 agreed to.

Claire Hanna
Colum Eastwood

Negated 194

Schedule 2, page 127, line 6, leave out sub-paragraph (4) and insert—

- “(4) An environmental improvement plan must set out—
 - (a) the steps that the Department intends to take to improve the natural environment;
 - (b) any steps that any other Northern Ireland department intends to take to improve the natural environment;
 - (c) long-term targets, setting a measurable standard which must be achieved by a specified date that is no less than 15 years after the target is set; and
 - (d) interim targets relating to each long-term target, setting a measurable standard which must be achieved by a specified date that is—
 - (i) no more than 5 years after the target is set; and
 - (ii) no more than 5 years after the most recent review of the environmental improvement plan.
- (4A) It is the duty of the Department to ensure that all long-term and interim targets set in an environmental improvement plan are met and the Department must publish an annual report stating how it is meeting these targets.”

Richard Graham

Not called 202

Schedule 2, page 127, line 11, leave out “may” and insert “must”

Rebecca Pow

Agreed to 65

Schedule 2, page 132, line 1, after “considering” insert “advising”

Schedule, as amended, agreed to.

Clause 46 agreed to.

Rebecca Pow

Agreed to 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.

Environment Bill, *continued*

- (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.”

Rebecca Pow

Agreed to 221

Schedule 3, page 146, line 24, at end insert—

“22A(1) Section (*Guidance on OEP’s enforcement policy and functions*) (guidance on OEP’s enforcement policy and functions) is amended as follows.

- (2) At the end of subsection (1) insert “, so far as relating to the OEP’s Part 1 enforcement functions.”
- (3) In subsection (2)—
 - (a) in paragraph (a) after “policy,” insert “so far as relating to its Part 1 enforcement functions,”;
 - (b) in paragraph (b) for “enforcement functions” substitute “Part 1 enforcement functions”.
- (4) In subsection (5) for “enforcement functions” substitute “Part 1 enforcement functions”.

Rebecca Pow

Agreed to 67

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

Schedule, as amended, agreed to.

Clause 47 agreed to.

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 16

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

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 158

Schedule 4, page 151, line 16, after “waste” insert “, reducing the consumption of virgin materials,”

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Negated on division **159**
Schedule 4, page 151, line 32, after “be” insert “prevented, reduced,”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Withdrawn after debate **160**
Schedule 4, page 154, line 38, leave out “any” and insert “specified”

Schedule agreed to.

Clause 48 agreed to.

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

Jessica Morden Alex Sobel Lloyd Russell-Moyle
Withdrawn after debate **17**
Schedule 5, page 157, line 9, leave out “may” and insert “must”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Negated on division **161**
Schedule 5, page 157, line 13, leave out from first “the” to end of sub-paragraph (2) and insert “social costs incurred throughout the lifecycle of the products or materials.”

Schedule agreed to.

Environment Bill, continued

Rebecca Pow

Clause 49, page 29, line 35, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 37

Rebecca Pow

Clause 49, page 29, line 36, leave out “Assembly” and insert “Senedd” *Agreed to* 38

Clause, as amended, agreed to.

Dr Alan Whitehead

Luke Pollard

Ruth Jones

Daniel Zeichner

Thangam Debbonaire

Abena Oppong-Asare

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle

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

Dr Alan Whitehead

Ruth Jones

Daniel Zeichner

Gill Furniss

Fleur Anderson

★ Schedule 6, page 162, line 7, after “product” insert “and the expected total environmental impact the product will have throughout its life” *Withdrawn after debate* 226

Schedule agreed to.

FOURTEENTH AND FIFTEENTH SITTINGS

Rebecca Pow

Clause 50, page 30, line 20, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* 39

Rebecca Pow

Clause 50, page 30, line 21, leave out “Assembly” and insert “Senedd” *Agreed to* 40

Clause, as amended, agreed to.

Environment Bill, *continued*

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

Jessica Morden

Lloyd Russell-Moyle

Withdrawn after debate 19

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

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 162

Schedule 7, page 165, line 35, leave out sub-sub-paragraph (a)

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Negated on division 163

Schedule 7, page 166, line 13, at end insert “taking into account social dimensions such as human rights, public health and fair working conditions”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Negated on division 164

Schedule 7, page 166, line 26, leave out lines 28 to 32 and insert—

- “(b) the techniques and working conditions used in its manufacture and sourcing of resources;
- (c) the resources consumed during its production or use;
- (d) the pollutants (including greenhouse gases within the meaning of section 92 of the Climate Change Act 2008) released or emitted at any stage of the product’s production, use or disposal; with consideration of the social impacts these may result in, for example, public health concerns.”

Environment Bill, continued

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare Lloyd Russell-Moyle
Negatived on division **165**
 Schedule 7, page 167, line 22, after “environment” insert “workers or
 communities”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare Lloyd Russell-Moyle
Negatived on division **166**
 Schedule 7, page 167, line 25, after “environment” insert “workers or
 communities”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare Lloyd Russell-Moyle
Not called **167**
 Schedule 7, page 167, line 29, after “environment” insert “workers or
 communities”

Schedule agreed to.

Rebecca Pow

Agreed to **41**
 Clause 51, page 31, line 3, leave out “the National Assembly for Wales” and insert
 “Senedd Cymru”

Rebecca Pow

Agreed to **42**
 Clause 51, page 31, line 4, leave out “Assembly” and insert “Senedd”

Clause, as amended, agreed to.

Environment Bill, continued

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Negatived on division 182

Schedule 9, page 174, line 32, leave out paragraph 1(2)(b) and insert—
 “(b) are made of plastic or any other single use material, and”

Schedule agreed to.

Clause 53 agreed to.

Clause 54 agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 128

Clause 55, page 41, line 33, leave out “including” and insert “excluding”

Rebecca Pow

Agreed to 43

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

Clause, as amended, agreed to.

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 7

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

Clause agreed to.

Environment Bill, *continued*

Clause 57 agreed to.

Clause 58 agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Negatived on division 177

Clause 59, page 50, line 19, at end insert—

“(1C) The Secretary of State must by regulations make provision to prohibit the exportation of waste consisting wholly or mostly of plastic from no later than March 2025.”

Rebecca Pow

Agreed to 44

Clause 59, page 51, line 47, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Clause, as amended, agreed to.

Rebecca Pow

Agreed to 45

Clause 60, page 54, line 14, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Rebecca Pow

Agreed to 46

Clause 60, page 54, line 17, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Clause, as amended, agreed to.

Clauses 61 to 63 agreed to.

Schedule 10 agreed to.

Clauses 64 to 69 agreed to.

Schedule 11 agreed to.

Clause 70 agreed to.

Schedule 12 agreed to.

Environment Bill, continued

Clauses 71 to 74 agreed to.

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

Jessica Morden Alex Sobel Lloyd Russell-Moyle
Withdrawn after debate **8**
 Clause 71, page 61, line 25, leave out “may” and insert “must”

SIXTEENTH AND SEVENTEENTH SITTINGS

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

Jessica Morden Lloyd Russell-Moyle
Withdrawn after debate **9**
 Clause 75, page 66, line 11, leave out “may” and insert “must”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Withdrawn after debate **130**
 Clause 75, page 66, line 22, at end insert “including persons or bodies representing the interests of those likely to be affected”

Rebecca Pow

Agreed to **47**
 Clause 75, page 67, line 20, leave out “the Assembly” and insert “Senedd Cymru”

Rebecca Pow

Agreed to **48**
 Clause 75, page 67, line 32, leave out “the Assembly” and insert “Senedd Cymru”

Environment Bill, continued

Clause, as amended, agreed to.

Philip Dunne
Richard Graham
Mrs Emma Lewell-Buck
Siobhan Baillie
Derek Thomas
Mark Garnier

Huw Merriman
Steve Brine
Jonathan Edwards

Sir Oliver Heald
Mohammad Yasin
Sir Roger Gale

Michael Fabricant
Ben Lake

Negated on division 200

Clause 76, page 68, line 17, at end insert—
“(ca) the water quality and impact of the discharges of the undertaker’s
drainage system and sewerage system,”

Rebecca Pow

Agreed to 49

Clause 76, page 69, line 25, leave out “the Assembly” and insert “Senedd Cymru”

Rebecca Pow

Agreed to 50

Clause 76, page 69, line 37, leave out “the Assembly” and insert “Senedd Cymru”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Gill Furniss

Withdrawn after debate 199

Clause 76, page 70, line 4, leave out “may” and insert “must”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 131

Clause 76, page 70, line 6, at end insert “including persons or bodies representing
the interests of those likely to be affected”

Rebecca Pow

Agreed to 51

Clause 76, page 70, line 38, leave out “the Assembly” and insert “Senedd Cymru”

Environment Bill, continued

Rebecca Pow

Agreed to **52**

Clause 76, page 71, line 6, leave out “the Assembly” and insert “Senedd Cymru”

*Clause, as amended, agreed to.**Clause 77 agreed to.**Clause 78 agreed to.**Schedule 13 agreed to.**Clause 79 agreed to.*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division **132**

Clause 80, page 78, line 1, leave out “2028” and insert “2021”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated **133**

Clause 80, page 78, line 34, leave out “2028” and insert “2021”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated **134**

Clause 80, page 79, line 7, leave out “2028” and insert “2021”

Clause agreed to.

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 135

Clause 81, page 80, line 28, leave out subsection (9) and insert—

- “(9) Regulations under this section are subject to the super-affirmative resolution procedure.
- (10) In this subsection, ‘super-affirmative resolution procedure’ has the same meaning as it does in Section 18 of the Legislative and Regulatory Reform Act 2006.”

Clause agreed to.

Rebecca Pow

Agreed to 53

Clause 82, page 81, line 19, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Rebecca Pow

Agreed to 54

Clause 82, page 81, line 21, leave out “Assembly” and insert “Senedd”

Clause, as amended, agreed to.

Clauses 83 to 85 agreed to.

Clause 86 agreed to.

Rebecca Pow

Agreed to 55

Clause 87, page 85, line 9, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Clause, as amended, agreed to.

Rebecca Pow

Agreed to 56

Clause 88, page 87, line 33, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Environment Bill, *continued*

Clause, as amended, agreed to.

Rebecca Pow

Agreed to **57**

Clause **89**, page **89**, line **9**, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Clause, as amended, agreed to.

Clause 90 agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Negated on division **169**

Schedule **14**, page **207**, line **26**, leave out paragraphs (3) and (4) and insert—

“(3) The relevant percentage is a minimum of 10%.

(4) The Secretary of State may by regulations amend this paragraph so as to increase the relevant percentage.

(5) The Secretary of State shall review the relevant percentage after 5 years or sooner.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Negated on division **168**

Schedule **14**, page **209**, line **37**, leave out “maintained for at least 30 years” and insert “secured in its target condition and maintained in perpetuity”

Tracey Crouch
 Alex Sobel

Not called **75**

Schedule **14**, page **209**, line **37**, leave out “for at least 30 years” and insert “in perpetuity”

Environment Bill, *continued*

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

Jessica Morden Alex Sobel Lloyd Russell-Moyle
Withdrawn after debate **22**
 Schedule 14, page 212, line 15, leave out “may” and insert “must”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Withdrawn after debate **170**
 Schedule 14, page 212, leave out line 26

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Not called **171**
 Schedule 14, page 212, leave out lines 29 and 30

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare Lloyd Russell-Moyle
Withdrawn after debate **172**
 Schedule 14, page 212, line 32, leave out “may” and insert “must”

Schedule agreed to.

Environment Bill, *continued*

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

Jessica Morden
 Lloyd Russell-Moyle

Kerry McCarthy

Alex Sobel

Withdrawn after debate **10**

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

Tracey Crouch

Not called **74**

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

Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss
 Fleur Anderson

Negatived on division **230**

Clause **91**, page **92**, line **1**, leave out “for at least 30 years” and insert “secured in its target condition and maintained in perpetuity”

Clause agreed to.

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

Jessica Morden
 Lloyd Russell-Moyle

Kerry McCarthy

Alex Sobel

Withdrawn after debate **11**

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

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 136

Clause 92, page 94, line 5, at end insert—

- “(11) In accordance with the biodiversity metric, the Secretary of State or another person, is obliged to carry out such works as necessary to enhance the biodiversity of habitat associated with the sale of biodiversity credits.
- (12) The Secretary of State or another person is required to secure and maintain the enhancement in perpetuity after the habitat enhancement has reached its target condition.

Clause agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 140

Clause 93, page 94, line 13, after “biodiversity in England” insert “, including in particular the species and habitats listed in section 41,”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 138

Clause 93, page 94, line 18, at end insert—

- “(1ZA) A public authority which has any functions exercisable in relation to England must exercise those functions consistently with the aim of furthering the general biodiversity objective.”

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate 139

Clause 93, page 94, line 42, at end insert—

“(1G) In this part, “public authority” has the meaning given by section 28(3) of the Environment Act 2020.”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 137

Clause 93, page 95, line 1, leave out subsection (5) and insert—

“(5) After subsection (2) insert—

“(2A) the authority must act in accordance with any relevant local nature recovery strategy in the exercise of relevant public functions, including strategic and local land-use planning and decision making and in spending decisions, and in particular in complying with subsections (1) and (1A).”

Rebecca Pow

Agreed to 222

Clause 93, page 95, line 3, at end insert “and

(b) any relevant species conservation strategy or protected site strategy prepared by Natural England.”

Rebecca Pow

Question proposed 223

Clause 93, page 95, line 21, after “England))” insert—

“(a) in subsection (1), after “conserving” insert “or enhancing”;

Environment Bill, *continued*
EIGHTEENTH AND NINETEENTH SITTINGS

Clause 93, Amendment 223, Rebecca Pow *Agreed to*
 Amendment (No. 223) proposed, in page 95, line 21, after “England))” insert—
 “(a) in subsection (1), after “conserving” insert “or enhancing”;
 Question proposed, That the Amendment be made.

Clause, as amended, agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate **142**

Clause **94**, page **95**, leave out lines 28 and 29 and insert—
 “(a) all public authorities and persons or bodies exercising functions of a
 public nature, and

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called **186**

Clause **94**, page **95**, line **30**, at the end insert “(d) Natural England and the
 Environment Agency”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate **141**

Clause **94**, page **95**, line **43**, at end insert—
 “(e) an analysis of how actions taken have contributed to delivery of priorities
 identified in the Local Nature Recovery Strategies.

Environment Bill, continued

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

Jessica Morden
 Lloyd Russell-Moyle

Kerry McCarthy

Alex Sobel

Clause 94, page 96, line 27, leave out “may” and insert “must” *Withdrawn after debate* 12

Clause agreed to.

Clause 95 agreed to.

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

Jessica Morden
 Lloyd Russell-Moyle

Kerry McCarthy

Alex Sobel

Clause 96, page 97, line 27, leave out “may” and insert “must” *Withdrawn after debate* 13

Clause agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Clause 97, page 98, line 6, at end insert— *Withdrawn after debate* 143
 “(c) a statement of how the strategy is expected to contribute to achievement of relevant environmental targets”

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negatived on division **144**

Clause **97**, page **98**, line **16**, at end insert—

“(e) a description of how actions intended to meet the net gain objective and land management changes supported by public funds should be spatially targeted through Local Nature Recovery Strategies in order to contribute most effectively to environmental improvement

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate **145**

Clause **97**, page **98**, line **23**, before “are” insert “an ecologically coherent network of sites that”

Clause agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negatived on division **146**

Clause **98**, page **98**, line **45**, at end insert—

“(3A) The Secretary of State must produce a strategy to inform the development of a Nature Recovery Network, including a spatial description of the opportunities for recovering or enhancing the environment through actions to protect or restore biodiversity, in terms of habitats and species, in England.

Environment Bill, *continued*

- (3B) The Secretary of State must publish guidelines that set out a process for review and approval of Local Nature Recovery Strategies by Natural England to confirm the priorities and proposals identified in the Local Nature Recovery Strategy would contribute adequately to the delivery of a national Nature Recovery Network and relevant environmental targets.

Clause agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated 147

Clause 99, page 99, line 16, leave out “95” and insert “93”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated 148

Clause 99, page 99, line 31, at end insert—

“(4) “Public Authority” means—

- (a) a Minister of the Crown, a government department and public body (including a local authority), and
- (b) a person carrying out any function of a public nature that is not a devolved function, a parliamentary function or a function of any of the following persons—
 - (i) the OEP;
 - (ii) a court or tribunal;
 - (iii) either House of Parliament;
 - (iv) a devolved legislature;
 - (v) the Scottish Ministers, the Welsh Ministers, a Northern Ireland department or a Minister within the meaning of the Northern Ireland Act 1998.

Clause agreed to.

Clause 100 agreed to.

Schedule 15 agreed to.

Clause 101 agreed to.

Environment Bill, continued

Clause 102 agreed to.

Clauses 103 to 106 agreed to.

Rebecca Pow

Agreed to 224

Clause **107**, page **105**, line **10**, after “1975” insert “(as substituted by paragraph 3 of Schedule 5 to the Infrastructure Act 2015)”

Clause, as amended, agreed to.

Clause 108 agreed to.

Clauses 109 to 115 agreed to.

Schedule 16 agreed to.

Rebecca Pow

Agreed to 225

Clause **116**, page **109**, line **13**, after “1975” insert “(as substituted by paragraph 3 of Schedule 5 to the Infrastructure Act 2015)”

Clause, as amended, agreed to.

Clauses 117 to 120 agreed to.

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 14

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

Clause agreed to.

Clause 122 agreed to.

Environment Bill, continued

Rebecca Pow

Agreed to 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.
- (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

Environment Bill, continued

- (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.”

Schedule, as amended, agreed to.

Clause 123 agreed to.

Clause 124 agreed to.

Schedule 18 agreed to.

Clause 125 agreed to.

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 187

Schedule 19, page 229, line 9, at end insert “provided that such regulations do not regress upon the scope or purpose of REACH regulations as applied prior to the amended regulations being enacted”

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle

Negated 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

Environment Bill, *continued*

(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.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Gill Furniss

Negated on division 198

Schedule 19, page 229, line 13, at end insert “both in general and, in particular, the precautionary principle referred to in Article 1(3).”

Kerry McCarthy
Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden

Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 107

Schedule 19, page 229, line 16, leave out sub-paragraph (4)

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division 174

Schedule 19, page 229, line 32, at end insert “provided that such regulations do not regress upon the scope or purpose of the REACH enforcement regulations as applied prior to the amended regulations being enacted”

Rebecca Pow

Agreed to 72

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

Rebecca Pow

Agreed to 73

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

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Negated on division 227

Schedule 19, page 231, line 22, at end insert “and take account of all relevant scientific evidence and advice through the Agency’s science advice mechanisms”

Environment Bill, *continued*

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Negatived on division **228**

Schedule 19, page 231, line 30, at end insert “take account of all relevant scientific evidence and advice through the Agency’s science advice mechanisms, and”

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Negatived on division **229**

Schedule 19, page 231, line 31, at end insert—

“(4) The Secretary of State, or any relevant devolved authority, shall make transparent the reasons for all decisions taken under this regulation by publishing this information in the public domain.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not moved **175**

Schedule 19, page 231, line 31, at end insert—

“5A Before making regulations under this Schedule the Secretary of State must publish, and lay before Parliament, a report setting out—

- (a) the nature and extent of the consultation undertaken under paragraph 5,
- (b) a summary of consultation responses received,
- (c) a statement on how effect has been given to the responses, and
- (d) the reasons for not giving effect to those recommendations or advice contained in the responses which have not been given effect.”

Kerry McCarthy
Alex Sobel
Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss

Fleur Anderson

Negatived on division **108**

Schedule 19, page 231, line 37, at end insert—

“Article 13 (General requirements for generation of information on intrinsic properties of substances)”

Environment Bill, *continued*

Kerry McCarthy
 Alex Sobel
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Fleur Anderson

Not called 109

Schedule 19, page 231, line 38, at end insert—
 “Article 26 (Duty to inquire prior to registration)
 Article 27 (Sharing of existing data in the case of registered substances)
 Article 30 (sharing of information involving tests)”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 176

Schedule 19, page 231, line 38, at end insert—
 “Articles 32, 33 and 34 (communication in the supply chain & a right to know for consumers)”

Kerry McCarthy
 Alex Sobel
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Fleur Anderson

Not called 110

Schedule 19, page 231, line 39, at end insert—
 “Article 40(2) (third party information)”

Kerry McCarthy
 Alex Sobel
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Fleur Anderson

Not called 111

Schedule 19, page 232, line 25, at end insert—
 “save insofar as they contain endpoints for tests using animals”

Schedule added to the Bill

Environment Bill, *continued*

Rebecca Pow

Clause 126, page 113, line 28, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* **58**

Rebecca Pow

Clause 126, page 113, line 36, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* **59**

Rebecca Pow

Clause 126, page 113, line 37, leave out “Assembly” and insert “Senedd” *Agreed to* **60**

Clause, as amended, agreed to.

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Opong-Asare

Lloyd Russell-Moyle

Clause 127, page 114, line 11, leave out subsection (1)(b) *Withdrawn after debate* **149**

Rebecca Pow

Clause 127, page 114, leave out line 32 and insert “Senedd Cymru” *Agreed to* **61**

Rebecca Pow

Clause 127, page 114, line 35, leave out “the National Assembly for Wales” and insert “Senedd Cymru” *Agreed to* **62**

Clause, as amended, agreed to.

Clause 128 agreed to.

Clause 129 agreed to.

TWENTIETH AND TWENTY-FIRST SITTINGS

Rebecca Pow

Clause 130, page 116, line 31, at end insert “except that section (*Use of forest risk commodities in commercial activity*) and Schedule (*Use of forest risk commodities in*” *Agreed to* **231**

Environment Bill, *continued*

commercial activity) (use of forest risk commodities in commercial activity) extend to England and Wales, Scotland and Northern Ireland.”

Clause, as amended, agreed to.

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Withdrawn after debate 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”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 151

Clause 131, page 118, line 2, leave out “on such day as the Welsh Ministers may by regulations appoint” and insert “at the end of a period of six months beginning with the day on which this Act is passed”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 152

Clause 131, page 118, line 23, leave out “on such day as the Scottish Ministers may by regulations appoint” and insert “at the end of a period of six months beginning with the day on which this Act is passed”

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Not called 153

Clause 131, page 118, line 29, leave out “on such day as the Department of Agriculture Environment and Rural affairs in Northern Ireland may appoint” and insert “at the end of a period of six months beginning with the day on which this Act is passed”

Clause agreed to.

Rebecca Pow

Agreed to 63

Clause 132, page 119, line 38, leave out “the National Assembly for Wales” and insert “Senedd Cymru”

Rebecca Pow

Agreed to 64

Clause 132, page 119, line 39, leave out “Assembly” and insert “Senedd”

Clause, as amended, agreed to.

Clause 133 agreed to.

Rebecca Pow

Added 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 cooperate with one another and avoid overlap between the exercise by the OEP of its functions and the exercise by the Committee of its functions.”
-

Environment Bill, *continued*

Rebecca Pow

Added NC24

To move the following Clause—

“Guidance on OEP’s enforcement policy and functions

- (1) The Secretary of State may issue guidance to the OEP on the matters listed in section 22(6) (OEP’s enforcement policy).
 - (2) The OEP must have regard to the guidance in—
 - (a) preparing its enforcement policy, and
 - (b) exercising its enforcement functions.
 - (3) The Secretary of State may revise the guidance at any time.
 - (4) The Secretary of State must lay before Parliament, and publish, the guidance (and any revised guidance).
 - (5) The OEP’s “enforcement functions” are its functions under sections 29 to 38.”
-

Rebecca Pow

Added NC25

To move the following Clause—

“Species conservation strategies

- (1) Natural England may prepare and publish a strategy for improving the conservation status of any species of fauna or flora.
- (2) A strategy under subsection (1) is called a “species conservation strategy”.
- (3) A species conservation strategy must relate to an area (the “strategy area”) consisting of—
 - (a) England, or
 - (b) any part of England.
- (4) A species conservation strategy for a species may in particular—
 - (a) identify areas or features in the strategy area which are of importance to the conservation of the species,
 - (b) identify priorities in relation to the creation or enhancement of habitat for the purpose of improving the conservation status of the species in the strategy area,
 - (c) set out how Natural England proposes to exercise its functions in relation to the species across the whole of the strategy area or in any part of it for the purpose of improving the conservation status of the species in the strategy area,
 - (d) include Natural England’s opinion on the giving by any other public authority of consents or approvals which might affect the conservation status of the species in the strategy area, and
 - (e) include Natural England’s opinion on measures that it would be appropriate to take to avoid, mitigate or compensate for any adverse impact on the conservation status of the species in the strategy area that may arise from a plan, project or other activity.
- (5) Natural England may, from time to time, amend a species conservation strategy.
- (6) A local planning authority in England and any prescribed authority must co-operate with Natural England in the preparation and implementation of a species conservation strategy so far as relevant to the authority’s functions.

Environment Bill, *continued*

- (7) The Secretary of State may give guidance to local planning authorities in England and to prescribed authorities as to how to discharge the duty in subsection (6).
- (8) A local planning authority in England and any prescribed authority must in the exercise of its functions have regard to a species conservation strategy so far as relevant to its functions.
- (9) In this section—
- “England” includes the territorial sea adjacent to England, which for this purpose does not include—
- (a) any part of the territorial sea adjacent to Wales for the general or residual purposes of the Government of Wales Act 2006 (see section 158 of that Act), or
- (b) any part of the territorial sea adjacent to Scotland for the general or residual purposes of the Scotland Act 1998 (see section 126 of that Act);
- “local planning authority” means a person who is a local planning authority for the purposes of any provision of Part 3 of the Town and Country Planning Act 1990;
- “prescribed authority” means an authority exercising functions of a public nature in England which is specified for the purposes of this section by regulations made by the Secretary of State.
- (10) Regulations under subsection (9) are subject to the negative procedure.”
-

Rebecca Pow

Added NC26

To move the following Clause—

“Protected site strategies

- (1) Natural England may prepare and publish a strategy for—
- (a) improving the conservation and management of a protected site, and
- (b) managing the impact of plans, projects or other activities (wherever undertaken) on the conservation and management of the protected site.
- (2) A strategy under subsection (1) is called a “protected site strategy”.
- (3) A “protected site” means—
- (a) a European site,
- (b) a site of special scientific interest, or
- (c) a marine conservation zone,
- to the extent the site or zone is within England.
- (4) A protected site strategy for a protected site may in particular—
- (a) include an assessment of the impact that any plan, project or other activity may have on the conservation or management of the protected site (whether assessed individually or cumulatively with other activities),
- (b) include Natural England’s opinion on measures that it would be appropriate to take to avoid, mitigate or compensate for any adverse impact on the conservation or management of the protected site that may arise from a plan, project or other activity,
- (c) identify any plan, project or other activity that Natural England considers is necessary for the purposes of the conservation or management of the protected site, and

Environment Bill, *continued*

- (d) cover any other matter which Natural England considers is relevant to the conservation or management of the protected site.
- (5) In preparing a protected site strategy for a protected site, Natural England must consult—
 - (a) any local planning authority in England which exercises functions in respect of an area—
 - (i) within which any part of the protected site is located, or
 - (ii) within which a plan, project or other activity that Natural England considers may have an adverse impact on the conservation or management of the protected site is being, or is proposed to be, undertaken,
 - (b) any public authority in England—
 - (i) that is undertaking, or proposing to undertake, a plan, project or other activity that Natural England considers may have an adverse impact on the conservation or management of the protected site,
 - (ii) the consent or approval of which is required in respect of a plan, project or other activity that Natural England considers may have an adverse impact on the conservation or management of the protected site, or
 - (iii) that Natural England considers may otherwise be affected by the strategy,
 - (c) any IFC authority in England which exercises functions in respect of an area—
 - (i) the conservation or management of which Natural England considers may be affected by the strategy, or
 - (ii) the sea fisheries resources of which Natural England considers may be affected by the strategy,
 - (d) the Marine Management Organisation, where—
 - (i) any part of the protected site is within the MMO's area, or
 - (ii) Natural England considers any part of the MMO's area may otherwise be affected by the strategy,
 - (e) the Environment Agency,
 - (f) the Secretary of State, and
 - (g) any other person that Natural England considers should be consulted in respect of the strategy, including the general public or any section of it.
- (6) In subsections (4) and (5), a reference to an adverse impact on the conservation or management of a protected site includes—
 - (a) in relation to a European site, anything which adversely affects the integrity of the site,
 - (b) in relation to a site of special scientific interest, anything which is likely to adversely affect the flora, fauna or geological or physiographical features by reason of which the site is of special interest,
 - (c) in relation to a marine conservation zone, anything which hinders the conservation objectives stated for the zone pursuant to section 117(2) of the Marine and Coastal Access Act 2009, and
 - (d) any other thing which causes deterioration of natural habitats and the habitats of species as well as disturbance of the species in the protected site, in so far as such disturbance could be significant in relation to the conservation or management of the protected site.

Environment Bill, *continued*

- (7) A person whom Natural England consults under subsection (5)(a) to (e) must cooperate with Natural England in the preparation of a protected site strategy so far as relevant to the person's functions.
- (8) The Secretary of State may give guidance as to how to discharge the duty in subsection (7).
- (9) A person must have regard to a protected site strategy so far as relevant to any duty which the person has under—
- (a) the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012),
 - (b) sections 28G to 28I of the Wildlife and Countryside Act 1981, or
 - (c) sections 125 to 128 of the Marine and Coastal Access Act 2009.
- (10) Natural England may, from time to time, amend a protected site strategy.
- (11) The duty to consult a person under subsection (5) also applies when Natural England amends a protected site strategy under subsection (10) so far as the amendment is relevant to the person's functions.
- (12) In this section—
- “England” has the meaning given in section (*Species conservation strategies*);
 - “European site” has the meaning given in regulation 8 of the Conservation of Habitats and Species Regulations 2017;
 - “IFA authority” means an inshore fisheries and conservation authority created under section 150 of the Marine and Coastal Access Act 2009;
 - “local planning authority” has the meaning given in section (*Species conservation strategies*);
 - “marine conservation zone” means an area designated as a marine conservation zone under section 116(1) of the Marine and Coastal Access Act 2009;
 - “MMO's area” has the meaning given in section 2(12) of the Marine and Coastal Access Act 2009;
 - “public authority” has the meaning given in section 40(4) of the Natural Environment and Rural Communities Act 2006;
 - “sea fisheries resources” has the meaning given in section 153(10) of the Marine and Coastal Access Act 2009;
 - “site of special scientific interest” means an area notified under section 28(1) of the Wildlife and Countryside Act 1981.”
-

Rebecca Pow

Added NC27

To move the following Clause—

“Wildlife conservation: licences

- (1) In section 10 of the Wildlife and Countryside Act 1981 (exceptions to section 9 of that Act), in subsection (1)—
- (a) in paragraph (a), omit the final “or”;
 - (b) at the end insert “or
 - (c) anything done in relation to an animal of any species pursuant to a licence granted by Natural England under regulation 55 of the Conservation of Habitats and

Environment Bill, *continued*

Species Regulations 2017 (S.I. 2017/1012) in respect of an animal or animals of that species”.

- (2) In section 16 of that Act (power to grant licences), in subsection (3)—
 - (a) in paragraph (h), omit the final “or”;
 - (b) at the end insert “or
 - (j) in England, for reasons of overriding public interest”.
- (3) In that section, after subsection (3A) insert—

“(3B) In England, the appropriate authority shall not grant a licence under subsection (3) unless it is satisfied—

 - (a) that there is no other satisfactory solution, and
 - (b) that the grant of the licence is not detrimental to the survival of any population of the species of animal or plant to which the licence relates.”
- (4) In that section, in subsections (5A)(c) and (6)(b), after “two years,” insert “or in the case of a licence granted by Natural England five years,”.
- (5) In that section, in subsection (9)(c), after “to (e)” insert “or (j)”.
- (6) In the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012), in regulation 55(10), for “two years” substitute—
 - “(a) five years, in the case of a licence granted by Natural England, or
 - (b) two years, in any other case.””

Rebecca Pow

Added NC31

To move the following Clause—

“Use of forest risk commodities in commercial activity

- (1) In Schedule (*Use of forest risk commodities in commercial activity*)—
 - (a) Part 1 makes provision about the use of forest risk commodities in commercial activity,
 - (b) Part 2 makes provision about enforcement, and
 - (c) Part 3 contains general provisions.
- (2) Regulations under the following provisions of Schedule (*Use of forest risk commodities in commercial activity*) are subject to the affirmative procedure—
 - (a) paragraph 1;
 - (b) paragraph 2(4)(c);
 - (c) paragraph 5 (except for paragraph 5(2)(b) and (5));
 - (d) paragraph 7;
 - (e) Part 2.
- (3) Regulations under the following provisions of Schedule (*Use of forest risk commodities in commercial activity*) are subject to the negative procedure—
 - (a) paragraph 3;
 - (b) paragraph 4;
 - (c) paragraph 5(2)(b) and (5).”

Environment Bill, *continued*

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Negatived on division 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.”
-

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Negatived on division 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.”
-

Environment Bill, *continued*

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

Jessica Morden

Alex Sobel

Lloyd Russell-Moyle
Negatived on division 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

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

Kerry McCarthy
 Alex Sobel
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Fleur Anderson

Negatived on division NC5

To move the following Clause—

“Environmental and human rights due diligence: duty to publish draft legislation

- (1) The Secretary of State must, within the period of six months beginning with the day on which this Act is passed, publish a draft Bill on mandatory environmental and human rights due diligence which imposes a duty on specified commercial, financial and public sector persons to—

Environment Bill, *continued*

- (a) carry out due diligence in relation to all environmental and human rights risks and impacts associated with the exercise of their functions, and
 - (b) identify, assess, prevent, or mitigate (where prevention is not possible) the risks so that the impacts are negligible.
 - (2) The objective of the due diligence provided for pursuant to subsection (1) is to ensure that the target set pursuant to sub-paragraph (e) of section 1(3) is met.
 - (3) The due diligence must be undertaken by specified persons in relation to—
 - (a) risks and impacts wherever they arise, and
 - (b) the entire supply chain and investment chain of the person specified.
 - (4) In order to address, in particular, ecosystem conversion and degradation and deforestation and forest degradation (“deforestation and conversion”) the draft Bill must seek to ensure that all goods placed on the UK market are—
 - (a) sustainable;
 - (b) traceable back to source through fully transparent supply chains; and
 - (c) do not cause adverse environmental and human rights impacts including deforestation and conversion.
 - (5) The due diligence required to be carried out in accordance with subsection (1) by providers of financial services must include (but not be limited to) the risk of deforestation and conversion which may arise from or be enabled by the provision of the financial services.
 - (6) The provisions of the draft Bill relating to due diligence must require compliance with international standards and obligations relating to human rights, including the rights of indigenous peoples and local communities.
 - (7) The draft Bill must—
 - (a) establish or designate a body to oversee implementation of and compliance with the provisions of the Bill;
 - (b) provide proportionate, effective and deterrent sanctions for entities failing to comply fully and promptly with their duties under the Bill;
 - (c) provide for an independent, transparent and public complaints mechanism;
 - (d) establish a system which ensures effective and appropriate redress for any person affected by environmental impacts and human rights violations;
 - (e) require persons to report publicly on—
 - (i) their plans for due diligence,
 - (ii) the implementation of their plans, and
 - (iii) the action taken to comply with their plans including the effectiveness of the action;
 - (f) require the regulatory body or other appropriate institution to undertake periodic and public audits of the effectiveness of the due diligence requirements, focusing on specified persons, sectors or supply chains; and
 - (g) require the Secretary of State to include in the annual report on environmental improvement plans an assessment of the application of the duties imposed in accordance with subsection (1), and to review the effectiveness of those duties after 3 years (including by commissioning an independent assessment).”
-

Environment Bill, *continued*Neil Parish
Alex Sobel*Not called* NC6

To move the following Clause—

“The environmental purpose

- (1) The purpose of this Part is to provide a framework to enable the following environmental objectives to be achieved and maintained—
 - (a) a healthy, resilient, and biodiverse natural environment;
 - (b) an environment that supports human health and wellbeing for everyone; and
 - (c) sustainable use of resources.”

 Wera Hobhouse
 Ed Davey
 Dr Matthew Offord
 Caroline Lucas
 Alex Sobel
 Lilian Greenwood

 Rosie Duffield
 Stephen Doughty
 Mr Alistair Carmichael
 Daisy Cooper
 Jamie Stone

 Anna McMorrin
 Geraint Davies
 Christine Jardine
 Munira Wilson
 Sarah Olney

 Gareth Thomas
 Ruth Cadbury
 Layla Moran
 Wendy Chamberlain
 Tim Farron
Withdrawn after debate NC7

To move the following Clause—

“Waste Recycling: Duty to maintain an end use register

- (1) The Secretary of State must, within 12 months of this Act coming into force, by regulations make provision for a register of the end use of all recycled waste created, collected or disposed of in England.
 - (2) These regulations must apply to—
 - (a) public authorities; and
 - (b) private businesses.
 - (3) The register must be made available for public inspection.
 - (4) Regulations under this section are subject to the affirmative procedure.”
-

Environment Bill, *continued*

Tracey Crouch

Not moved NC8

To move the following Clause—

“Weeds Act 1959: repeal

The Weeds Act 1959 is hereby repealed.”

 Kerry McCarthy
 Alex Sobel
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Fleur Anderson

Withdrawn after debate NC9

To move the following Clause—

“Animal Testing: REACH Regulation

- (1) The Secretary of State must by regulations set targets for the replacement of types of tests on animals conducted to protect human health and the environment within the scope of the REACH Regulation, and for the reduction pending replacement of the numbers of animals used and the suffering they endure.
 - (2) A target under this section to reduce the suffering of animals must specify—
 - (a) a standard to be achieved, which must be capable of being objectively measured, and
 - (b) a date by which it is to be achieved.
 - (3) Regulations under this section must make provision about how a set target is to be measured.
 - (4) A target under this section is initially set when the regulations setting it come into force.”
-

Geraint Davies
Alex Sobel*Withdrawn after debate* NC10

To move the following Clause—

“OEP: Penalty notices

- (1) If the OEP is satisfied that a public authority has failed to comply with a decision notice, the OEP may, by written notice (a “penalty notice”) require the public authority to pay to the OEP an amount in sterling specified in the notice.
- (2) When deciding whether to give a penalty notice to a public authority and determining the amount of the penalty, the OEP must have regard to the matters listed in subsection (3).
- (3) Those matters are—

Environment Bill, *continued*

- (a) the nature, gravity and duration of the failure;
 - (b) the intentional or negligent character of the failure;
 - (c) any relevant previous failures by the public authority;
 - (d) the degree of co-operation with the Commissioner, in order to remedy the failure and mitigate the possible adverse effects of the failure;
 - (e) the manner in which the infringement became known to the OEP, including whether, and if so to what extent, the public authority notified the OEP of the failure;
 - (f) the extent to which the public authority has complied with previous enforcement notices or penalty notices;
 - (g) whether the penalty would be effective, proportionate and dissuasive.
- (4) Once collected, penalties must be distributed to the NHS and local authorities to be used for pollution reduction measures.
 - (5) The Secretary of State must, by regulations, set the minimum and maximum amount of penalty.
 - (6) Regulations under this section are subject to the affirmative procedure.”

Dr Matthew Offord
Alex Sobel
Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss

Fleur Anderson

Not called **NC11**

To move the following Clause—

“Ongoing relationship with EU-REACH

- (1) The Secretary of State must not use regulations under Schedule 19 to diminish protections provided by REACH legislation.
 - (2) The Secretary of State must by regulations seek to maintain regulatory parity with any new or amended regulations of the European Parliament and of the Council concerning the regulation of chemicals after IP completion day.
 - (3) It is an objective of Her Majesty’s Government as part of any trade negotiations with the European Union to seek to secure associate membership of the European Chemicals Agency for the United Kingdom after IP completion day to enable it to continue to participate in the EU-REACH framework.
 - (4) Regulations under subsection (2) are subject to the affirmative procedure.
 - (5) In this section, “IP completion day” has the same meaning as in section 39 of the European Union (Withdrawal Agreement) Act 2020.”
-

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate NC12

To move the following Clause—

“Duty to follow recommendations

- (1) A “public authority” must follow the course of action set out in a recommendation made by the OEP in a report issued under sections 25 or 26 unless the public authority has determined that there are reasons of public interest demonstrating that it is not necessary for it to do so in order to comply with the law.
- (2) If the authority does not follow a recommendation, it must publish a report setting out the reasons for not doing so and set out what alternative course of action it proposes to take.
- (3) In this section public authority carries the same definition as in section 28(3).”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Negated on division NC13

To move the following Clause—

“OEP register

- (1) The OEP must maintain a register of communications between it and Ministers (or government departments).
 - (2) The OEP may omit from the register communications which it considers trivial or otherwise unlikely to be of interest to the public.
 - (3) The OEP must publish the register.”
-

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Jessica Morden
Thangam Debbonaire

Abena Oppong-Asare

Lloyd Russell-Moyle

Withdrawn after debate NC14

To move the following Clause—

“Primary duty to secure resilience

- (1) Section 2 of the Water Industry Act 1991 (general duties with respect to water industry) is amended as follows.
- (2) In subsection (2A), at the end insert—
 - “(c) to contribute to achievement of any relevant environmental targets set under the Environment Act 2020.”.

Holly Lynch
Alex Sobel
Kerry McCarthy
Craig Whittaker
John McNally
Philip Davies

Jason McCartney

Negated on division NC15

To move the following Clause—

“Reservoirs: flood risk

- (1) The Secretary of State must make regulations to grant the Environment Agency additional powers to require water companies and other connected agencies to manage reservoirs to mitigate flood risk.
 - (2) Regulations under this section are subject to the affirmative procedure.”
-

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Negatived on division NC16

To move the following Clause—

“Waste hierarchy

- (1) In interpreting responsibilities under Part 3 of this Act and in all matters relating to waste and resource efficiency the Secretary of State must take account of the requirements of the waste hierarchy.
- (2) In this section, “waste hierarchy” has the same meaning as in the Waste (England and Wales) Regulations 2011 (S.I. 2011/988).”

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Withdrawn after debate NC17

To move the following Clause—

“Tree felling and planting

- (1) The Secretary of State must by regulations establish and execute in conjunction with the devolved administrations a target for the percentage of land in the UK under forest or woodland cover by 2050.
 - (2) The target shall be at least 19% of UK land under forest or woodland cover by 2050.
 - (3) The Secretary of State must by regulations establish and execute a target for the percentage of land in England under forest and woodland cover by 2050.
 - (4) The target shall be at least 14.5% of land in England under woodland or forest cover.
 - (5) The Secretary of State must by regulations establish interim targets for the increase in hectares of land in England under forest or woodland cover for each five year period up to 2050.
 - (6) The interim targets shall be not less than an additional 80,000 hectares of land under forest or woodland cover for each five year interim target period up to 2030, and not less than an additional 10,0000 hectares of land for each five year interim target period thereafter.”
-

Environment Bill, *continued*

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Jessica Morden
 Abena Oppong-Asare

Thangam Debbonaire

Lloyd Russell-Moyle

Withdrawn after debate NC18

To move the following Clause—

“Public authorities: environmental duty

When exercising any function of a public nature that could affect the achievement of—

- (a) any targets set under sections 1 or 2;
- (b) interim targets set under section 10; or
- (c) any other targets that meet the conditions in section 6(8)

public authorities must act compatibly with and, where appropriate, contribute to the achievement of those targets and the implementation of the environmental improvement plan.”

Dan Jarvis
 Lloyd Russell-Moyle
 Derek Twigg

Negatived on division NC19

To move the following Clause—

“Duty to prepare a Tree Strategy for England

- (1) The Government must prepare a Tree Strategy for England as set out in subsection (2) and (3).
- (2) The strategy must set out the Government’s vision, objectives, priorities and policies for trees in England including individual trees, woodland and forestry, and may set out other matters with respect to the promotion of sustainable management of trees in these contexts.
- (3) The Tree Strategy for England must include the Government’s targets and interim targets with respect to—
 - (a) the percentage of England under tree cover;
 - (b) hectares of new native woodland creation achieved by tree planting;
 - (c) hectares of new native woodland creation achieved by natural regeneration;
 - (d) the percentage of native woodland in favourable ecological condition; and
 - (e) hectares of Plantation on Ancient Woodland (PAWS) undergoing restoration.
- (4) The Government must keep the Tree Strategy for England under review, and may, if they consider it appropriate to do so, revise the strategy.

Environment Bill, *continued*

- (5) If the Government has not revised the Tree 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.”
-

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Negatived on division NC20

To move the following Clause—

“State of nature target

- (1) The Secretary of State must publish documents setting out how the Government will exercise the power conferred in section 1 to set a target to reverse the decline in the state of nature in England.
 - (2) The Secretary of State must publish the first such document—
 - (a) no later than 30 days before the opening plenary meeting of the next Conference of the Parties to the Convention on Biological Diversity; and
 - (b) within three months of this Bill receiving Royal Assent.
 - (3) The Secretary of State must exercise the power conferred in section 1 to set the target described in subsection (1)—
 - (a) as soon as reasonably practicable following the end of the next Conference of the Parties to the Convention on Biological Diversity; and
 - (b) no later than October 2022.
 - (4) The Secretary of State must publish an updated document as set out in subsection (1) before each Conference of the Parties to the Convention on Biological Diversity.
 - (5) In carrying out the duties in subsections (1) and (4) the Secretary of State shall consider the appropriate domestic effort to contribute to improving the state of nature globally.
 - (6) In this section, “the state of nature” includes—
 - (a) the abundance and diversity of species;
 - (b) the risk of extinction; and
 - (c) the extent and condition of habitats.”
-

Environment Bill, *continued*

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Gill Furniss

Withdrawn after debate NC21

To move the following Clause—

“Co-operation with devolved environmental governance bodies

- (1) The OEP must, for the purposes in subsection (2), co-operate with any devolved environmental governance body in Scotland or Wales.
- (2) Those purposes are the consideration of matters that—
 - (a) are common to all, or more than one, part of the UK;
 - (b) are cross-border issues; or
 - (c) affect both reserved and devolved matters.
- (3) Co-operation under subsection (1) may include—
 - (a) the exchange of information;
 - (b) the carrying out or commissioning of research, jointly;
 - (c) arrangements regarding consultation under section 24(4); and
 - (d) arrangements for one body to provide support for the work of another.
- (4) In particular, co-operation may also provide for—
 - (a) joint research;
 - (b) joint investigations; and
 - (c) joint enforcement measures.”

Dr Alan Whitehead
Luke Pollard
Ruth Jones
Daniel Zeichner
Gill Furniss

Withdrawn after debate NC22

To move the following Clause—

“Application of environmental principles

- (1) A public authority must apply the environmental principles in section 16 in the exercise of its functions.
 - (2) In this section “public authority” has the same meaning as in section 28(3).”
-

Environment Bill, *continued*

TWENTY-SECOND SITTING

Dr Alan Whitehead
 Luke Pollard
 Ruth Jones
 Daniel Zeichner
 Gill Furniss

Negated on division NC23

To move the following Clause—

“Reduction of lead poisoning from shot

- (1) The Wildlife and Countryside Act 1981 is amended in accordance with subsections (2) and (3).
- (2) After section 5(c)(viii) insert—
 - “(ix) any form of lead ammunition used in a shotgun”.
- (3) After section 11 (1)(d) insert—
 - “(e) uses lead ammunition in a shotgun for the purposes of killing or taking any wild animal”.
- (4) The provisions in this section come into force on 1 January 2023.”

Lloyd Russell-Moyle
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss
 Fleur Anderson

Grahame Morris
 Kim Johnson
 Clive Lewis
 Stephen Farry
 Mohammad Yasin
 Kate Osborne
 Tommy Sheppard
 Ed Davey
 Tim Farron
 Jamie Stone
 Sarah Olney

Claire Hanna
 Kerry McCarthy
 Olivia Blake
 Beth Winter
 Jeremy Corbyn
 Ian Byrne
 Rebecca Long Bailey
 Wendy Chamberlain
 Daisy Cooper
 Mr Alistair Carmichael
 Debbie Abrahams

Jonathan Edwards
 Mick Whitley
 Layla Moran
 Wera Hobhouse
 Nadia Whittome
 Apsana Begum
 Claudia Webbe
 Christine Jardine
 Munira Wilson
 Richard Burgon

Negated on division NC28

To move the following Clause—

“Environmental objective and commitments

- (1) In interpreting and applying this Act, any party with duties, responsibilities, obligations or discretions under or relating to it must comply with—
 - (a) the environmental objective in subsection (2); and
 - (b) the commitments in subsection (3).
- (2) The environmental objective is to achieve and maintain—
 - (a) a healthy, resilient and biodiverse natural environment;

Environment Bill, *continued*

- (b) an environment that supports human health and well-being for everyone; and
- (c) sustainable use of resources.
- (3) The commitments are—
 - (a) all commitments given by Her Majesty’s Government in the United Nations Leaders’ Pledge for Nature of 28 September 2020, including, but not limited to, the urgent actions committed to be taken by it over the period of ten years from the date of that pledge;
 - (b) any enhanced commitments given by Her Majesty’s Government pursuant to that pledge, any other pledge, and any international agreement; and
 - (c) all relevant domestic legislation, including, but not limited to, the Climate Change Act 2008, as amended from time to time.
- (4) Without prejudice to the generality of the requirement in subsection (1), that requirement applies to—
 - (a) the Secretary of State in setting, amending and ensuring compliance with the environmental targets; preparing, amending and implementing environmental improvement plans; and performing all their obligations and exercising all their discretions under this Act;
 - (b) the Office for Environmental Protection and the Upper Tribunal in performing their respective obligations and exercising any applicable discretions; and
 - (c) all other persons and bodies with obligations and discretions under, or in connection with, the subject matter of this Act.”

Lloyd Russell-Moyle
 Dr Alan Whitehead
 Ruth Jones
 Daniel Zeichner
 Gill Furniss
 Fleur Anderson

Grahame Morris
 Kim Johnson
 Clive Lewis
 Stephen Farry
 Mohammad Yasin
 Kate Osborne
 Tommy Sheppard
 Ed Davey
 Tim Farron
 Jamie Stone
 Sarah Olney

Claire Hanna
 Kerry McCarthy
 Olivia Blake
 Beth Winter
 Jeremy Corbyn
 Ian Byrne
 Rebecca Long Bailey
 Wendy Chamberlain
 Daisy Cooper
 Mr Alistair Carmichael
 Debbie Abrahams

Jonathan Edwards
 Mick Whitley
 Layla Moran
 Wera Hobhouse
 Nadia Whittome
 Apsana Begum
 Claudia Webbe
 Christine Jardine
 Munira Wilson
 Richard Burgon

Withdrawn after debate **NC29**

To move the following Clause—

“Report on climate and ecology

- (1) The Secretary of State must, no later than six months after the day of which this Act is passed, lay before Parliament a report containing an assessment of the adequacy of environmental legislation and policy for meeting the climate and ecology challenges faced by the United Kingdom and the world.

Environment Bill, *continued*

- (2) That report must include specific assessments relating to—
- (a) water quality, availability and abundance;
 - (b) biodiversity, including, but not limited to, the restoration and regeneration of biodiverse habitats, natural and human modified ecosystems, and their respective soils;
 - (c) the expansion and enhancement of natural ecosystems and agroecosystems to safeguard their carbon-sink capacity and resilience to global heating; and
 - (d) resource efficiency, waste reduction and the promotion of the circular economy.”

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Negated on division **NC30**

To move the following Clause—

“Smoking related waste

- (1) The Secretary of State will by regulations introduce a producer responsibility scheme in England to tackle smoking related waste.
- (2) The scheme will compel those tobacco companies operating in England, as defined in the regulations and subject to annual review, to provide financial support to the scheme based on a market share basis.
- (3) The scheme will ensure that those tobacco companies will have no operational or other involvement in the scheme other than to provide financial support in accordance with guidance from the World Health Organisation Framework Convention on Tobacco Control and the Department of Health and Social Care.
- (4) The regulations will set a target for a reduction in smoking related waste by 2030.
- (5) The regulations will set out an appropriate vehicle to deliver the scheme including governance and criteria for funding related initiatives.
- (6) The Secretary of State must prepare and publish an annual report of the scheme and must lay a copy of the report before Parliament.”

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Withdrawn after debate **NC32**

To move the following Clause—

“Biodiversity Gain

- (1) Section 114 of the Planning Act 2008 is amended in accordance with subsection (2).

Environment Bill, continued

- (2) At the end of subsection (2) insert—
- “(3) Before approving an application for an order granting development consent relating to nationally significant infrastructure on land, the Secretary of State must be satisfied that a biodiversity gain plan is in place in relation to that development.
 - (4) The Secretary of State must be satisfied that the biodiversity gain plan will ensure that the biodiversity gain objective is met.
 - (5) “Biodiversity gain plan” and “biodiversity gain objective” have the same meaning as in Schedule 7A of the Town and Country Planning Act 1990 if that Schedule applied to Development Consent Orders.””

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Not moved **NC33**

To move the following Clause—

“Review of Act

- (1) The Secretary of State must prepare and publish a report on the impact of this Act, including—
 - (a) its impact on biodiversity;
 - (b) its impact on local authority finances;
 - (c) whether funding is adequate; and
 - (d) whether additional monies should be provided.
- (2) The report as set out in subsection (1) must be published no later than two years after the commencement of this Act.”

Dr Alan Whitehead
Ruth Jones
Daniel Zeichner
Gill Furniss
Fleur Anderson

Withdrawn after debate **NC34**

To move the following Clause—

“Reducing Water Demand

- (1) The Secretary of State shall within 12 months of the commencement of this Act amend the Building Regulations 2010 Part G to—
 - (a) require all fittings to meet specified water efficiency requirements; and
 - (b) introduce mandatory minimum standards on water efficiency.

Environment Bill, *continued*

- (2) Standards as introduced under subsection (1)(b) shall be reviewed every 5 years to assess their contribution to meeting government objectives for reducing water demand.”

Geraint Davies
John McNally
Layla Moran
Liz Saville Roberts
Colum Eastwood
Barry Gardiner

Claire Hanna
Carla Lockhart
Sarah Olney
Christine Jardine
Mr Alistair Carmichael
Stephen Farry

Ian Byrne
Ed Davey
Wendy Chamberlain
Jamie Stone
Munira Wilson
Beth Winter

Rosie Duffield
Daisy Cooper
Tim Farron
Wera Hobhouse
Caroline Lucas

Negated on division **NC35**

To move the following Clause—

“Clean Air Duty

- (1) The Secretary of State must prepare and publish an annual policy statement setting out how the Government is working to improve air quality, and must lay a copy of the report before Parliament.
- (2) The annual policy statement in subsection (1) must include—
- (a) how public authorities are improving air quality, including indoor air quality; and
 - (b) how Government departments are working together to improve air quality, including indoor air quality.
- (3) A Minister of the Crown must, not later than three months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.”

Rebecca Pow

Agreed to **NS1**

To move the following Schedule—

“USE OF FOREST RISK COMMODITIES IN COMMERCIAL ACTIVITY

PART 1

REQUIREMENTS

Meaning of “forest risk commodity”

- 1 (1) In this Schedule “forest risk commodity” means a commodity specified in regulations made by the Secretary of State.

Environment Bill, *continued*

- (2) The regulations may specify only a commodity that has been produced from a plant, animal or other living organism.
- (3) The regulations may specify a commodity only if the Secretary of State considers that forest is being or may be converted to agricultural use for the purposes of producing the commodity.
- (4) “Forest” means an area of land of more than 0.5 hectares with a tree canopy cover of at least 10% (excluding trees planted for the purpose of producing timber or other commodities).
- (5) In sub-paragraph (4) the reference to land includes land that is wholly or partly submerged in water (whether temporarily or permanently).
- (6) The regulations may not specify timber or timber products, within the meaning of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market.
- (7) Before making regulations under this paragraph the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (8) The requirement to consult in sub-paragraph (7) may be met by consultation carried out before this paragraph comes into force.

Prohibition on using illegally produced commodities

- 2 (1) A regulated person in relation to a forest risk commodity must not use that commodity in their UK commercial activities unless relevant local laws were complied with in relation to that commodity.
- (2) A regulated person in relation to a forest risk commodity must not use a product derived from that commodity in their UK commercial activities unless relevant local laws were complied with in relation to that commodity.
- (3) In this Schedule “local law”, in relation to a forest risk commodity, means any law having effect in the country or territory where the source organism was grown, raised or cultivated.
- (4) In this Schedule “relevant local law”, in relation to a forest risk commodity, means local law—
 - (a) which relates to the ownership of the land on which the source organism was grown, raised or cultivated,
 - (b) which relates to the use of that land, or
 - (c) which otherwise relates to that land and is specified in regulations made by the Secretary of State.
- (5) The regulations may specify a local law only if it relates to the prevention of forest being converted to agricultural use.
- (6) The “source organism” means the plant, animal or other living organism from which the forest risk commodity was produced.
- (7) Sub-paragraph (1) does not apply to the use of a forest risk commodity where—
 - (a) the commodity is waste (within the meaning of article 2(1) of the Renewable Transport Fuel Obligations Order 2007 (S.I. 2007/3072)), and
 - (b) the use of the commodity is for the purpose of making renewable transport fuel—
 - (i) that qualifies for the issue of an RTF certificate under article 17 of that Order, and
 - (ii) in respect of which an additional RTF certificate may be issued under article 17A(4) of that Order.

Environment Bill, *continued*

- (8) Sub-paragraph (2) does not apply to the use of a product derived from a forest risk commodity where—
- (a) the commodity is waste (within the meaning of article 2(1) of the Renewable Transport Fuel Obligations Order 2007 (S.I. 2007/3072)), and
 - (b) the product is renewable transport fuel—
 - (i) that qualifies for the issue of an RTF certificate under article 17 of that Order, and
 - (ii) in respect of which an additional RTF certificate may be or has been issued under article 17A(4) of that Order.

Due diligence system

- 3 (1) A regulated person in relation to a forest risk commodity who uses that commodity or a product derived from that commodity in their UK commercial activities must establish and implement a due diligence system in relation to that commodity.
- (2) In this Schedule a “due diligence system”, in relation to a forest risk commodity, means a system for—
- (a) identifying, and obtaining information about, that commodity,
 - (b) assessing the risk that relevant local laws were not complied with in relation to that commodity, and
 - (c) mitigating that risk.
- (3) The Secretary of State may by regulations make further provision about the matters in sub-paragraph (2)(a) to (c), including in particular—
- (a) the information that should be obtained;
 - (b) the criteria to be used in assessing risk;
 - (c) the ways in which risk may be mitigated.

Annual report on due diligence system

- 4 (1) A regulated person in relation to a forest risk commodity who uses that commodity or a product derived from that commodity in their UK commercial activities must, for each reporting period, provide the relevant authority with a report on the actions taken by the person to establish and implement a due diligence system in relation to that commodity as required by paragraph 3.
- (2) The report must be provided no later than 6 months after the end of the reporting period to which it relates.
- (3) The Secretary of State may by regulations make provision—
- (a) about the content and form of reports under this paragraph;
 - (b) about the manner in which reports under this paragraph are to be provided.
- (4) The relevant authority must make reports under this paragraph available to the public in the way, and to the extent, specified in regulations made by the Secretary of State.
- (5) In this paragraph “relevant authority” means—
- (a) the Secretary of State, or
 - (b) if regulations made by the Secretary of State specify another person as the relevant authority for the purposes of this paragraph, that other person.
- (6) In this Schedule “reporting period” means—
- (a) the period beginning with the day on which this paragraph comes fully into force and ending with the following 31 March, and

Environment Bill, *continued*

- (b) each successive period of 12 months.

Exemption

- 5 (1) A regulated person in relation to a forest risk commodity is exempt from the Part 1 requirements in respect of their use of that commodity, or a product derived from that commodity, in their UK commercial activities during a reporting period if they satisfy the following two conditions.
- (2) Condition 1 is that before the start of the period, the person gives a notice to the relevant enforcement authority containing—
- (a) a declaration that the person is satisfied on reasonable grounds that the amount of the commodity used in their UK commercial activities during the period will not exceed the prescribed threshold, and
 - (b) the prescribed information.
- (3) Condition 2 is that the amount of the commodity used in the person's UK commercial activities during the period does not exceed the prescribed threshold.
- (4) Sub-paragraphs (5) and (6) apply where—
- (a) a regulated person gives a notice under sub-paragraph (2), but
 - (b) the amount of the commodity used in the person's UK commercial activities during the period exceeds the prescribed threshold.
- (5) If, before the relevant date, the regulated person gives a notice to the relevant enforcement authority containing the prescribed information, the person is exempt from the Part 1 requirements in respect of their use of the commodity, or the product derived from the commodity, in their UK commercial activities during the part of the reporting period—
- (a) beginning with the start of the period, and
 - (b) ending with the date the notice is given.
- (6) If the regulated person does not give a notice under sub-paragraph (5), the person is not exempt from the Part 1 requirements in respect of their use of the commodity, or the product derived from the commodity, in their UK commercial activities during any part of the reporting period.
- (7) In this paragraph—
- “prescribed” means prescribed in regulations made by the Secretary of State;
 - “relevant date” means the date during the reporting period that the amount of the commodity used in the person's UK commercial activities exceeds the prescribed threshold;
 - “relevant enforcement authority” means the enforcement authority on which the function of receiving notices under this paragraph has been conferred by Part 2 regulations.
- (8) Regulations under this paragraph may in particular—
- (a) prescribe thresholds by reference to weight or volume;
 - (b) make provision about how the amount of a forest risk commodity used in a regulated person's UK commercial activities (including in relation to a forest risk commodity from which a product is derived) is to be determined,
- and regulations under paragraph (b) may include provision for determining the amount by reference to matters determined or published by the Secretary of State or other persons.
- (9) Before making regulations under this paragraph (except under sub-paragraph (2)(b) or (5)) the Secretary of State must consult such persons as the Secretary of State considers appropriate.

Environment Bill, *continued*

- (10) The requirement to consult in sub-paragraph (9) may be met by consultation carried out before this paragraph comes into force.

Guidance

- 6 (1) The Secretary of State may issue guidance to an enforcement authority about the Part 1 requirements.
- (2) An enforcement authority must have regard to guidance issued under sub-paragraph (1) when exercising its functions under Part 2 of this Schedule.

Meaning of “regulated person”

- 7 (1) In this Schedule “regulated person”, in relation to a forest risk commodity, means a person (other than an individual) who carries on commercial activities in the United Kingdom, and—
- (a) meets such conditions in relation to turnover as may be specified in regulations made by the Secretary of State for the purposes of defining who is a regulated person in relation to that forest risk commodity, or
- (b) is an undertaking which is a subsidiary of another undertaking which meets those conditions.
- (2) Regulations under sub-paragraph (1) may make provision about how turnover is to be determined.
- (3) Before making regulations under sub-paragraph (1) the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (4) The requirement to consult in sub-paragraph (3) may be met by consultation carried out before this paragraph comes into force.
- (5) The Secretary of State may by regulations make provision for the Part 1 requirements not to apply, or to apply with modifications, in relation to a person who becomes a regulated person for such transitional period, after they become a regulated person, as may be specified in the regulations.
- (6) The Secretary of State may by regulations make provision for a group of undertakings to be treated as a regulated person, in such circumstances, for such purposes and to such extent as may be provided (and may modify the application of the Schedule accordingly).
- (7) In this paragraph—
- “group” has the meaning given by section 474 of the Companies Act 2006;
- “undertaking” has the meaning given by section 1161 of that Act, and whether an undertaking is a subsidiary of another undertaking is to be determined in accordance with section 1162 of that Act.

PART 2

ENFORCEMENT

General power

- 8 The Secretary of State may by regulations (“Part 2 regulations”) make provision about the enforcement of requirements imposed by or under Part 1 of this Schedule (“Part 1 requirements”).

Environment Bill, *continued**Powers to confer functions*

- 9 (1) Part 2 regulations may include provision conferring functions on one or more persons specified in the regulations (each of whom is an “enforcement authority” for the purposes of this Schedule).
- (2) Part 2 regulations may include provision—
- (a) conferring functions involving the exercise of discretion;
 - (b) for the functions of an enforcement authority to be exercised on its behalf by persons authorised in accordance with the regulations.
- (3) Part 2 regulations may include provision requiring an enforcement authority—
- (a) to issue guidance about the exercise of its functions;
 - (b) to consult with specified persons before issuing such guidance.

Monitoring compliance

- 10 Part 2 regulations may include provision conferring on an enforcement authority the function of monitoring compliance with Part 1 requirements.

Records and information

- 11 Part 2 regulations may include provision—
- (a) requiring persons on whom Part 1 requirements are imposed to keep records;
 - (b) requiring persons on whom Part 1 requirements are imposed to provide records or other information to an enforcement authority;
 - (c) requiring an enforcement authority to make reports or provide information to the Secretary of State.

Powers of entry etc

- 12 (1) Part 2 regulations may include provision conferring on an enforcement authority powers of entry, inspection, examination, search and seizure.
- (2) Part 2 regulations may include provision—
- (a) for powers to be exercisable only under the authority of a warrant issued by a justice of the peace, sheriff, summary sheriff or lay magistrate;
 - (b) about applications for, and the execution of, warrants.
- (3) Part 2 regulations must secure that the authority of a warrant is required for the exercise of any powers conferred by the regulations to—
- (a) enter premises by force;
 - (b) enter a private dwelling without the consent of the occupier;
 - (c) search and seize material.

Sanctions

- 13 (1) Part 2 regulations may include provision—
- (a) for, about or connected with the imposition of civil sanctions in respect of—
 - (i) failures to comply with Part 1 requirements or Part 2 regulations, or
 - (ii) the obstruction of or failure to assist an enforcement authority;
 - (b) for appeals against such sanctions.

Environment Bill, *continued*

- (2) Part 2 regulations must include provision to ensure that in a case where—
- (a) a regulated person fails to comply with a requirement in paragraph 2(1) or (2) in relation to their use of a forest risk commodity or a product derived from a forest risk commodity, but
 - (b) an enforcement authority is satisfied that the regulated person took all reasonable steps to implement a due diligence system in relation to the commodity used by the person in that particular case,
- a civil sanction may not be imposed on the regulated person in respect of the failure to comply.
- (3) Part 2 regulations may include provision—
- (a) creating criminal offences punishable with a fine in respect of—
 - (i) failures to comply with civil sanctions imposed under Part 2 regulations, or
 - (ii) the obstruction of or failure to assist an enforcement authority;
 - (b) about such offences.
- (4) In this paragraph “civil sanction” means a sanction of a kind for which provision may be made under Part 3 of the Regulatory Enforcement and Sanctions Act 2008 (fixed monetary penalties, discretionary requirements, stop notices and enforcement undertakings).
- 14 Part 2 regulations may include provision for the imposition of sanctions of that kind whether or not—
- (a) the conduct in respect of which the sanction is imposed constitutes an offence, or
 - (b) the enforcement authority is a regulator for the purposes of Part 3 of the Regulatory Enforcement and Sanctions Act 2008.

Charges

- 15 Part 2 regulations may include provision—
- (a) requiring persons on whom Part 1 requirements are imposed to pay to an enforcement authority charges, as a means of recovering costs incurred by that enforcement authority in performing its functions;
 - (b) authorising a court or tribunal dealing with any matter relating to Part 1 requirements or Part 2 regulations to award to an enforcement authority costs incurred by it in performing its functions in relation to that matter.

Consultation requirement

- 16 (1) Before making Part 2 regulations the Secretary of State must consult any persons the Secretary of State considers appropriate.
- (2) The requirement to consult in sub-paragraph (1) may be met by consultation carried out before this paragraph comes into force.

PART 3

GENERAL PROVISIONS

Review

- 17 (1) The Secretary of State must review the effectiveness of the Part 1 requirements and any Part 2 regulations (“relevant provisions”) in accordance with this paragraph.

Environment Bill, *continued*

- (2) A review must consider in particular—
 - (a) the amount of forest being converted to agricultural use for the purposes of producing commodities;
 - (b) the impact of the relevant provisions on the amount of forest being converted to agricultural use for the purposes of producing forest risk commodities;
 - (c) the impact of the relevant provisions on the use of forest risk commodities, or products derived from forest risk commodities, in UK commercial activities where relevant local laws were not complied with in relation to those commodities;
 - (d) any changes to relevant local laws in relation to forest risk commodities.
- (3) Having carried out a review the Secretary of State must lay before Parliament, and publish, a report stating—
 - (a) the conclusions of the review, and
 - (b) the steps, if any, the Secretary of State intends to take to improve the effectiveness of the relevant provisions (including whether the Secretary of State intends to make any regulations under this Schedule).
- (4) The first review must be completed during the period—
 - (a) beginning with the second anniversary of the first date on which paragraphs 2 to 4 are fully in force, and
 - (b) ending with the third anniversary of the first date on which paragraphs 2 to 4 are fully in force.
- (5) Subsequent reviews must be completed before the end of the 2 year period beginning with the day on which the previous review was completed.
- (6) A review is completed when the Secretary of State has laid and published the report.

Interpretation

- 18 (1) In this Schedule—
- “agricultural use” includes use for horticulture and aquaculture;
 - “commercial activity” includes—
 - (a) producing, manufacturing and processing;
 - (b) distributing, selling, or supplying;
 - (c) purchasing for a purpose within paragraph (a) or (b) (but not purchasing as a consumer);
 - “due diligence system”, in relation to a forest risk commodity, has the meaning given by paragraph 3;
 - “enforcement authority” has the meaning given by paragraph 9;
 - “forest” has the meaning given by paragraph 1;
 - “forest risk commodity” has the meaning given by paragraph 1;
 - “local law”, in relation to a forest risk commodity, has the meaning given by paragraph 2;
 - “Part 1 requirements” has the meaning given by paragraph 8;
 - “Part 2 regulations” has the meaning given by paragraph 8;
 - “regulated person”, in relation to a forest risk commodity, has the meaning given by paragraph 7;
 - “relevant local law”, in relation to a forest risk commodity, has the meaning given by paragraph 2;
 - “reporting period” has the meaning given by paragraph 4;

Environment Bill, *continued*

“UK commercial activity” means commercial activity carried on in the United Kingdom.

- (2) References in this Schedule to a product derived from a forest risk commodity are to a product derived from a forest risk commodity in whole or in part (and include any product of an animal fed on a forest risk commodity or a product derived from a forest risk commodity).”

Bill, as amended, to be reported.
