



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Friday 4 December 2020**

*New Amendments handed in are marked thus ★*

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

### CONSIDERATION OF BILL (REPORT STAGE)

### ENVIRONMENT BILL, AS AMENDED

#### NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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

Caroline Lucas

NC1

To move the following Clause—

**“Environmental Principles: public authorities**

- (1) A public authority, must, when exercising their functions (including the making of policy and legislation), act in accordance with the environmental principles currently in effect.
- (2) The duty in subsection (1) does not apply to policy relating to Wales.
- (3) In this section, “legislation” means—
  - (a) an Act of Parliament; and
  - (b) subordinate legislation.”

***Member’s explanatory statement***

*This new clause would require public authorities to act in accordance with environmental principles when exercising their functions.*

**Environment Bill, *continued***

Bill Wiggin

NC2

To move the following Clause—

**“Assessment of Plans**

- (1) The Conservation of Habitats and Species Regulations 2017/1012 are amended as follows.
- (2) In Regulation 63 (Assessment of implications for European sites and European offshore marine sites) the following are amended—
  - (a) in paragraph (1) for “must” substitute “may”;
  - (b) in paragraph (3) for “must” substitute “may”;
  - (c) in paragraph (4) for “must” substitute “may”;
  - (d) omit paragraph (5) and insert “In the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may take the assessment into account in deciding whether it will agree to the plan or project”; and
  - (e) in paragraph (6) for “must” substitute “may”.”

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Bill Wiggin

NC3

To move the following Clause—

**“Phosphates Levels**

In making decisions on planning decisions, the competent authority can disregard any impact of the potential build and its long-term consequences on the level of phosphates in the water.”

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Chris Grayling

NC4

To move the following Clause—

**“Protected species: Hedgehog**

- (1) The Wildlife and Countryside Act 1981 is amended in accordance with subsection (2).

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**Environment Bill, continued**

(2) At the end of Schedule 5 (*Animals which are protected*) insert—

“hedgehog                                  Erinaceus europaeus”

**Member’s explanatory statement**

*This new clause would add the hedgehog to the list of protected animals under the Wildlife and Countryside Act. This would introduce a legal imperative to search for hedgehogs in developments, and a legal imperative to mitigate for them.*

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Neil Parish

2

Clause 2, page 2, line 24, leave out subsection (2) and insert—

“(2) The PM2.5 air quality target must—

- (a) be less than or equal to air quality guidelines established by the World Health Organization in 2005; and
- (b) have an attainment deadline on or before 1 January 2030.”

**Member’s explanatory statement**

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

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Sir Geoffrey Clifton-Brown

4

Clause 16, page 10, line 15, at end insert—

“(3A) When applying the precautionary principle, the policy statement must comply with the provisions of the regulator’s code and must include—

- (a) a procedure for identifying and recording risk; and
- (b) a procedure for identifying and recording the social, economic and cultural impacts of action and inaction.

(3B) The policy statement in subsection (3A) must also include instructions for taking into account all activities with an environmental impact on any area of land under consideration and a procedure for ensuring that any action taken—

- (a) is proportionate to the risk posed by each activity on the land being considered; and
- (b) balances short term impacts against the achievement of the land’s conservation objectives.

(3C) The precautionary principle should only apply in response to risks that are—

- (a) more than hypothetical in nature; and
- (b) serious and irreversible.”

**Member’s explanatory statement**

*This amendment sets out the definition of the precautionary principle when it is used in accordance with the provisions of this Bill.*

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**Environment Bill, continued**

Caroline Lucas

1

Clause 18, page 11, line 20, leave out from “benefit” to end of clause and insert—  
“(3) Subsection (1) does not apply to policy so far as relating to Wales.”

***Member’s explanatory statement***

*This amendment removes the proportionality limitation and the exceptions for armed forces, defence policy, tax, spending and resources from the requirement to have due regard to the policy statement on environmental principles.*

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Sir Charles Walker  
Sir Oliver Heald  
Stephen McPartland  
Sarah Owen  
Rachel Hopkins

3

Clause 82, page 79, line 22, after “damage” insert “, including damage from low flows”

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ORDER OF THE HOUSE [26 FEBRUARY 2020, AS AMENDED 4 MAY 2020,  
22 JUNE 2020 AND 28 SEPTEMBER 2020]

That the following provisions shall apply to the Environment Bill:

*Committal*

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

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 1 December 2020.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Proceedings on Consideration and up to and including Third Reading*

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

*Other proceedings*

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