

## Written evidence submitted by Broadway Initiative (EB25)

### Summary

1. The Broadway Initiative welcomes the Environment Bill.
2. The Bill's potential power is to establish a long-term framework that gives business and wider society the confidence to plan, invest and collaborate in managing and improving the environment, by:
  1. [giving society a shared vision](#) for the environment both at national and local levels
  2. [clarifying who's responsible for what](#) in a more granular way, either directly or through its policy development framework, with policies to support responsibilities
  3. [holding successive governments to account](#) to keep society on track to meet the objectives.
3. The Bill, alongside the Climate Change Act, already has the main building blocks – largely but not exclusively in Chapter 1 – of a target setting mechanism, environmental improvement plans, environmental principles, metrics, responsibility mechanisms (biodiversity net gain and extended producer responsibility) and oversight arrangements.
4. However, it would need some priority amendments to give business and local communities the direction and confidence to mobilise action and investment at scale. These are to:
  1. Include [environmental objectives to give direction for applying the governance processes](#)
  2. Require that [government considers the OEP's advice and specified criteria when setting targets](#)
  3. Align [government policy and activity with the direction of the targets](#)
  4. Ensure that [Local Nature Recovery Strategies coherently cover the whole environment](#) in an integrated way rather than adding a new silo
  5. Provide, subject to review, for [a simplified business planning mechanism for the environment](#)
5. Further background is in Broadway's [5 changes to unlock market and local solutions to environmental challenges](#) and its [Blueprint for an Environment Act](#).

### The Broadway Initiative

6. The Broadway Initiative is an alliance of business organisations working with professional, academic and environmental groups on the frameworks, plans and partnerships needed to meet net zero emissions and wider environmental goals. These proposals are Broadway's developed through a process of dialogue with partner organisations.
  7. Partner organisations include: Federation of Small Businesses, the CBI, Make UK, Water UK, the Home Builders Federation, Environmental Industries Commission, Environmental Services Association, Tech UK, British Retail Consortium, Construction Products Association, Food and Drink Federation, Energy UK, Mineral Products Association, Association for Consultancy and Engineering, CECA, the Aldersgate Group, UK Sustainable Investment and Finance Association, the Institute of Environmental Management and Assessment (IEMA), Society for the Environment, the Wildlife Trusts and United Kingdom Accreditation Service.
1. **Objectives to give direction to the governance processes**

Currently there is no clear direction for the governance processes in the Bill. The business community is worried that this will exacerbate random and piecemeal targets that will quickly need correction (note for example that there have been 8 Environment Secretaries in the past 10 years). The proposal is that the

Bill should have succinct objectives to govern at least the targets, Environmental Improvement Plans, environmental principles and Office for Environmental Protection (OEP) and to which everyone can relate.

In a survey carried out by the Institute of Environmental Management and Assessment (IEMA) 95% of 370 responses (over 50% working in businesses) supported the inclusion of objectives to guide targets in the Bill. Broadway suggests amendments to:

### **Establish environmental objectives**

Clause 1, page 1, line 2, after “ENVIRONMENTAL GOVERNANCE” to move a new clause –

#### **1 Purpose**

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.

*This amendment is to give clear and coherent direction for applying targets and the other governance mechanisms contained in the first Part of the Environment Bill.*

**This amendment has been proposed by Neil Parish and Alex Sobel as [New Clause 6.3](#).**

**We have had further advice from a parliamentary draftsman on how best to frame the objectives which we will provide as supplementary evidence.**

### **Link targets to environmental objectives**

Clause 1, page 1, line 11, after 1(1) insert –

(2) 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.

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.

*Linked to amendment [1], this amendment is specifically to bind the target setting processes into the environmental objectives.*

**This amendment has been proposed by Neil Parish, Alex Sobel and Philip Dunne.**

## 2. Transparent advice and criteria to inform targets

Business and other stakeholders are consistently of the view that targets will only carry widespread legitimacy if they are developed through an inclusive process of engagement that properly understands how environmental improvement is achieved through the economy. The proposal is that the Bill should explicitly require the Secretary of State, before proposing any targets, to seek the advice of the OEP. This will help ensure a rigorous, transparent and inclusive approach to developing targets, akin to the role of the Climate Change Committee under the Climate Change Act which commands public and stakeholder confidence. The Bill should also include criteria for setting targets like those in the Climate Change Act. Broadway suggests amendments to include:

### OEP advice on targets

Clause 3, page 2, line 33, delete 3(1) and insert –

(1) Before making regulations under sections 1 or 2, setting interim targets under section 10, reviewing targets under section 6 or considering actions required to achieve those targets, the Secretary of State must—

(a) obtain the advice of the Office for Environmental Protection and publish that advice as soon as is reasonably practicable.

(b) consult such persons as the Secretary of State considers appropriate.

(c) take into account any advice and consultation results obtained under this subsection in developing any targets or actions for action them.

*This amendment is to give the Office for Environmental Protection a formal role in advising on the setting and meeting of targets.*

**A similar amendment has been tabled by Dr Alan Whitehead.**

### Criteria to inform targets

Clause 3, page 2, line 38, at the end insert –

and must take into account the following matters:

a) Scientific knowledge relevant to the environment, including pressures from a changing climate;

b) Economic circumstances, and in particular how to maintain and enhance economic competitiveness;

c) Social circumstances and in particular the health and wellbeing of communities;

d) Fiscal circumstances, and in particular the likely impact on taxation, public spending and public borrowing;

e) Analysis of the scenarios for how the target will be met;

f) The coherence of environmental targets as a whole and how they inter-relate at relevant spatial scales;

g) The potential impact on or contribution to achieving carbon budgets set under the Climate Change Act 2008;

h) targets in place or under consideration in, as well as any implications of targets set under this Bill on, Northern Ireland, Scotland and Wales, and the desirability of UK common standards

i) The UK's International obligations and responsibilities, including under Treaties and the SDGs and the potential to demonstrate international leadership on the environment; and

k) any advice provided by the OEP.

*This amendment is to establish the criteria that must be considered before setting targets.*

### 3. **Aligning government policy and activity with the targets**

Targets will only drive private sector activity and investment at scale if there is confidence that government is serious about them and puts in place supporting policies. Currently the Secretary of State must ensure that targets are met but this is only determined long into the future. This will not give investors sufficient confidence to invest in time. Broadway proposes that:

- Environmental Improvement Plans, taken together with all other measures in place, should enable the targets to be met;
- Secretary of State should have to account if an interim target is missed;
- Public authorities should have regard for the targets and objectives to avoid different arms of government unnecessarily pulling in different directions.

#### **Linking environmental improvement plans to targets and objectives**

Clause 7, page 5, line 7, delete 7(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 subsection 1.1 and that meet the criteria at 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.

*This amendment is to create a link between the environmental improvement plans and the targets.*

**This amendment has been proposed by Neil Parish and Alex Sobel.**

#### **Secretary of State accountability for interim targets**

Clause 8, page 6, line 8, at the end insert –

(9) In a case where an interim target has not been achieved on the date by which it is to be achieved, the SoS must make a statement to Parliament setting out:

- a) the reasons the interim target has been missed;
- b) whether sufficient measures are in place to enable the relevant target under section 1 or 2 to be met;
- c) additional action the SoS will take to ensure the long-term target can be met; and
- d) how SoS has taken into account the advice of the OEP.

*This amendment is to require the SoS to account for where an interim target has been missed.*

#### **Public authority regard for targets and objectives**

Clause 6, page 4, line 41, after the end insert -

##### **7 Functions of relevant public authorities**

Relevant public authorities must have regard to the environmental objectives and targets when exercising their functions.

#### 4. A coherent approach to Local Nature Recovery Strategies

Collectively local activity and investment (for example housing, infrastructure, water management, land management, community and voluntary activity and public funding) will only contribute positively, efficiently and durably to the ambition to leave the environment in a better state, if there is a shared spatial framework for improving local environments. Local Nature Recovery Strategies provide the basis for a new approach. However, LNRSs risk introducing a new silo in an already piecemeal landscape of environmental plans, without providing clear direction for economic decision-making. To ensure a coherent approach to environmental planning, Broadway proposes that:

- 1) Either: [Local Nature Recovery Strategies should coherently cover the whole environment \(including for example, water, flooding, soil and air quality\) incorporating existing mechanisms into a coherent approach.](#)

This proposal could be achieved by incorporating the provisions of LNRSs into chapter 1 of the Bill to cover the full scope of environment and with some minor adjustments.

- 2) Or, if the government cannot immediately make those changes: [the Bill should require the SoS to review how to develop a coherent environmental planning framework.](#) Legislative proposal below:

Clause 18, Page 11, line 21, at the end insert –

**19 Framework for place-based environmental planning: review**

1. The Secretary of State shall commission a review into place-based environmental planning
2. The review in subsection (1) shall consider:
  - a. the nature and effectiveness of existing arrangements for place-based environmental planning
  - b. the extent to which existing arrangements support the achievement of targets in sections (1) and (2) and the target in section (1) of the Climate Change Act 2008; and contribute towards the objectives
  - c. recommendations for creating a coherent framework for place-based environmental planning
3. Within 2 years of this Act coming into force, the Secretary of State shall publish the review and lay before Parliament a report explaining steps the Government will take to implement the recommendations in subsection (2c)

*This amendment is to require SoS to review whether the place-based planning framework is fit for purpose.*

Experience over the last 15 years suggests that, because of the number of parties involved, this problem will not be resolved without a legal commitment.

## 5. Simplified business planning mechanism for the environment

The Bill contains 2 specific new responsibilities – biodiversity net gain for new development and extended producer responsibility to make producers of products responsible for 100% of the net costs of disposal. Meeting the government’s twin commitments to net zero and to leave the environment in a better state, and addressing the UK’s global environmental footprint, will require business to take on further new responsibilities. Yet there are already many overlapping regulatory or market driven environmental risk frameworks with significant gaps in responsibility.

Rather than add to this piecemeal picture, this proposal, subject to review, is to introduce a simplified framework that consistently, and without duplication, gives organisations the responsibility to manage their climate and environmental risks. This would include due diligence to bear down on supply chain risks of deforestation, rather than introduce a siloed requirement. The detailed mechanism would be designed with users to make sure it is both proportionate and effective. Public bodies could be subject to this requirement or, as a separate mechanism, the Secretary of State could designate where public bodies need to have regard to the targets.

Clause 18, Page 11, line 21, at the end insert –

### **20 Framework for organisation-level environmental management: review**

1. The Secretary of State shall commission a review into whether to introduce a framework for organisation-level environmental management.
2. The review in subsection (1) shall consider:
  - a. the nature and effectiveness of existing organisation-level mechanisms for managing environmental risks and opportunities
  - b. how a framework for organisation-level environment management would operate, the extent to which it could enable organisations to manage environmental risks and opportunities in an administratively coherent way
  - c. whether such a framework would be proportionate and effective in supporting the achievement of targets in sections (1) and (2), the target in section (1) of the Climate Change Act 2008 and risks to deforestation caused by international supply chains.
  - d. the relative costs and benefits to organisations
  - e. the sectors, size and legal status of organisations that may fall within the scope of the framework in subsection (1)
3. Within [X period] of this Act coming into force, the Secretary of State shall publish the review and lay before Parliament a report explaining whether the Government will introduce a framework for organisation-level environmental management.

*This amendment is to require SoS to review whether to introduce a common framework for organisation-level management of environmental risks.*