

# Environment Bill

SIR – On Monday, the new Environment Bill that sets out provisions and structures for post-Brexit environmental governance, passed its second reading. In the debate the Government also committed itself to bringing the Bill back post-election.

The Government describes the Bill as a landmark change that will “maintain and improve” environmental protection after Britain leaves the EU. The Prime Minister said that it “enshrines the highest standards in law”.

In its existing form, the Bill does not do this. Rather, it allows for weaker environmental standards to be introduced in future. Its architecture means that binding EU standards across key areas of environmental quality could be repealed – including air and water quality standards that are currently not being met and which require urgent Government attention.

The Bill makes no commitment to non-regression in relation to existing environmental standards.

It also allows significant control to be asserted by the executive over what standards are set, who it consults about them, and whether it will be able to comply with them. The new standards will be “measurable”, mainly by “long-term” targets introduced by regulations. These targets need not adequately reflect how complex ecosystems work and could be weaker than existing EU-derived standards.

The Government will have at least 15 years to attain them and there is no guarantee that they will be met.

The Government also suggests that “environmental principles will be enshrined in law”. Again, the Bill does not currently do this. Rather, it sets out a constrained procedural mechanism for introducing a policy statement on environmental principles that will influence other Government policymaking in limited circumstances. This is a diminution of the current position under EU law, which embeds environmental principles in British law and policy.

British citizens have been promised environmental law and governance that will not allow standards to slip following our departure from the EU. As it stands, this Bill does not deliver on that promise.

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