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Stephen Hammond MP
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Dear Stephen,

Thank you for your letter of 2 July to the Secretary of State on behalf of your constituents about the Environment Bill. I am replying as the Minister responsible for this policy area.

The Government will bring forward the first Environment Bill in over 20 years. This Bill will put environmental ambition and accountability at the very heart of Government and will help us make good on our commitment to leave the natural world in a better condition than we found it.

The published draft clauses for the Environment Bill establish a new, independent environment body, the Office for Environmental Protection (OEP), create a statutory framework for environmental principles and put our flagship 25 Year Environment Plan into law.

We will not weaken environmental protection when we leave the EU, but will instead maintain, and even enhance, our already high environmental standards. The Environment Bill is another key step towards achieving a Green Brexit.

The draft Environment Bill establishes the OEP as a non-departmental public body (NDPB) which is operationally independent from Defra. Ministers cannot set its programme of activity or improperly influence its decision-making. It will be accountable to Parliament via a sponsoring Minister in the same way as other independent NDPBs such as the Equalities and Human Rights Commission and the Information Commissioner.

The Environment, Food and Rural Affairs Committee (EFRA) and the Environment Audit Committee's pre-legislative scrutiny of the draft Bill included recommendations on the appointments process for the OEP Board. We will carefully consider their recommendations and will respond in due course.

We recognise concerns that following EU Exit there could be a governance gap in relation to climate change law, particularly given the European Commission's current enforcement role in this regard. Climate change policy differs from other areas of environmental policy, in that the UK already benefits from a robust, world-leading governance framework established under the Climate Change Act. We must ensure that the vital role of the Committee on Climate Change is protected but we also recognise that it is impossible to separate climate change from other areas of environmental policy. The Government is therefore continuing to explore potential solutions to avoid a governance gap.

Environmental principles, such as that the polluter should pay or that the public should be able to participate in environmental decision-making, are fundamental to achieving our environmental ambitions. They act as guiding principles to protect the environment from damage and will encourage policy-makers to consider an approach towards the environment that protects the environment from harm. Ministers and policy makers will be required to have regard to these principles when making decisions about policies to encourage them to minimise environmental harm. Our proposed approach parallels the approach in the EU Treaties in which environmental principles are framed as policy objectives for the EU and its Member States and do not extend to public bodies.

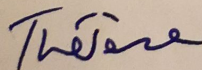
These measures are only part of a broader intended Environment Bill, which will include ambitious legislative measures to take direct action to address the biggest environmental priorities of our age: air quality, nature recovery, waste and resource efficiency, and water resource management.

The Environment Bill will introduce a new statutory cycle of environmental planning, monitoring and reporting. This will incentivise sustained improvement in our natural world and ensure that we deliver on our commitments, now and in the future.

We are exploring options for developing a framework of targets to drive environmental improvement alongside sustainable growth. Well-designed targets could offer greater certainty on the strength of the Government's ambition and drive action by businesses and wider society. Targets that already exist in EU retained law or UK domestic law will not be affected.

Regarding Natural England's funding, like all Defra sponsored bodies, Natural England receives a budget to carry out its duties and responsibilities in line with what is affordable and the Government's priorities for the natural environment. Natural England receives income from a diverse range of sources, although the vast majority of its work is funded from Grant in Aid. Natural England has been developing alternative income streams, for example through charging for services, which has already helped to offset reductions in grant funding. Defra will also be considering further funding options as well as exploring new investment mechanisms for green finance.

Yours sincerely,



DR THERESE COFFEY MP