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GENERAL COMMITTEES

Public Bill Committee

ENVIRONMENT BILL

Sixth Sitting

Tuesday 17 March 2020

(Afternoon)

CONTENTS

CLAUSES 1 TO 6 agreed to, one with amendments.
Adjourned till Thursday 19 March at half-past Eleven o'clock.
Written evidence reported to the House.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Saturday 21 March 2020

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The Committee consisted of the following Members:

Chairs: † SIR ROGER GALE, SIR GEORGE HOWARTH

† Afolami, Bim (*Hitchin and Harpenden*) (Con)
 † Ansell, Caroline (*Eastbourne*) (Con)
 † Bhatti, Saqib (*Meriden*) (Con)
 † Brock, Deidre (*Edinburgh North and Leith*) (SNP)
 † Docherty, Leo (*Aldershot*) (Con)
 Edwards, Ruth (*Rushcliffe*) (Con)
 † Graham, Richard (*Gloucester*) (Con)
 † Longhi, Marco (*Dudley North*) (Con)
 † McCarthy, Kerry (*Bristol East*) (Lab)
 † Mackrory, Cherilyn (*Truro and Falmouth*) (Con)
 † Moore, Robbie (*Keighley*) (Con)

† Morden, Jessica (*Newport East*) (Lab)
 † Oppong-Asare, Abena (*Erith and Thamesmead*) (Lab)
 † Pow, Rebecca (*Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs*)
 † Sobel, Alex (*Leeds North West*) (Lab/Co-op)
 † Thomson, Richard (*Gordon*) (SNP)
 † Whitehead, Dr Alan (*Southampton, Test*) (Lab)

Adam Mellows-Facer, Anwen Rees, *Committee Clerks*

† **attended the Committee**

Public Bill Committee

Tuesday 17 March 2020

(Afternoon)

[SIR ROGER GALE *in the Chair*]

Environment Bill

Clause 1

ENVIRONMENTAL TARGETS

Amendment moved (this day): 178, in 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 PM_{2.5} and PM₁₀;
- (b) average human exposure to PM_{2.5} and PM₁₀; and
- (c) annual emissions of NO_x, ammonia, PM_{2.5}, 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 Whitehead.*)

2 pm

The Chair: Good afternoon, ladies and gentlemen. Before we start proceedings, I have been advised that the ambition today is to get to the end of clause 6, which as far as I am concerned is both admirable and acceptable. The Chairman’s job is to be in the Chair, and I am prepared to do that, but if we sit rather later than we might have done, I will suspend the sitting, probably for 15 minutes at 4.30 pm—for natural causes.

Dr Alan Whitehead (Southampton, Test) (Lab): For the elucidation of the Committee, I confirm that the intention of the Opposition is to get to the end of clause 6 in reasonably good order, so it will not be necessary, I hope, for the Chair to suspend proceedings, because we will already have gone home by then. We will see whether I manage to keep my remarks suitably brief, so that we can achieve that goal.

I barely started my remarks about the amendment this morning. I will first emphasise how important the amendment is to ensuring that the priority area targets are seen as targets with content, rather than targets in theory. That is important because of the frankly rather odd way in which subsection (2) is set out:

“The Secretary of State must exercise the power in subsection (1) so as to set a long-term target in respect of at least one matter within each priority area.”

That might suggest that the Secretary of State will have a lottery choice, and will say, “Well, I’ve got to set at least one target in each area, so what’s it going to be? If I go above my limit of one target per area, I might not be able to get targets in other areas,” or perhaps, “I haven’t got enough targets in this section, so I have to beef them up.”

In reality, targets are not one per customer; they are based on what targets should be set in each area. What are the themes that one would prioritise within each area in which a target might be set? What are the priorities regarding air quality, water, biodiversity and waste and resources that would cause us to say, “Perhaps in this area there should be three or four targets, and in that area two, or more than three”?

The Bill allows the Secretary of State to set more than one target, but it at least strongly suggests that it should be one target, and implies that that should be it. I hope we can be clear today that that certainly is not it, and that the Secretary of State will be charged with looking at each area and deciding, on the basis of what is needed, what the targets for those areas should be. They might or might not be numerous.

There is a rumour that there was discussion with the Treasury about how many targets might be allowed in each area, and the Treasury said, “Maybe keep it to one each. That will be okay.” I am sure that is untrue, but nevertheless the drafting of this part of part 1 seems a little odd.

In amendment 178, we have tried to say, “What would be the general priority areas?” One might say that it was our best go at answering that. If we have time to spare this afternoon, having got through our business, we could have a little roundtable and decide whether we think those are the absolute priorities, or whether we should put in others or change them around. It is an attempt, which I think is good enough to go into the legislation, to look at what the main areas are within each priority area that we could reasonably set targets on.

Within air quality, it would be good to have targets on average human exposure to PM_{2.5} and PM₁₀, and annual emissions of nitrogen oxides, ammonia, the different PMs and non-methane volatile organic compounds. For water, the targets could be on abstraction rates,

“the chemical and biological status and monitoring of inland freshwater”

and, importantly, the marine environment, which we touched on this morning.

In the priority area of biodiversity, there could be targets on

“the abundance, diversity and extinction risk of species”

and

“the quality, extent and connectivity of habitats”.

Later in the Bill, we will talk about recreating habitats if necessary, and ensuring, through local plans, that habitats join up with each other, so that we do not have a series of island habitats with no relation to each other. Perhaps we should have a biodiversity target on ensuring that those habitats are connected.

In the priority area of waste and resources, there could be targets on

“overall material use and waste generation and pollution, including but not limited to plastics.”

As we will see later in our discussions, there could certainly be targets relating to the extent to which things are properly moved up the waste hierarchy. One of the concerns we have regarding the waste and resources part of the Bill is the extent to which there is, rightly, a concern for recycling, but not for going any further up the waste hierarchy than that.

Amendment 178 is the explanation that we would like to see after the very thin gruel served up in clause 1(3). It is by no means the last word, and we state in the amendment that the targets are not limited to those set out in it. Indeed, it would be a perfectly good idea if the Secretary of State or Minister said, “I don’t quite agree with the targets that you have set out here. There are other priority areas in these sectors, and we’d like to set targets on those instead.” We are not precious about that in any way.

I hope the Committee can accept the principle that it is not sufficient to set out single-word priority areas, particularly in clause 1(2). In the Bill, there needs to be some unpacking of the process, so that we can assure ourselves that we will get to grips with the sort of targets that we believe are necessary. That is a friendly proposal. I hope it is met with interest from Government Members, and that we can discuss how we get that right, having accepted the principle. We do not necessarily need the amendment to be accepted in its totality, but if we do not see any movement at all in its direction, we strongly feel that we ought to set down a marker to show that it is important that such a process be undertaken, and would therefore reluctantly seek to divide the Committee.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): I thank the shadow Minister for seeking to specify the targets that the Government should set within each priority area. He asked if what he said was met with interest. Of course it was. He recognises that the Bill includes a requirement, which I reiterate, to set at least one long-term legally binding target in each of four important areas: air quality; water; biodiversity; and resource efficiency and waste reduction. Those were chosen because they are the priority areas that reflect where we believe targets will drive long-lasting significant improvement in the natural environment, which is the aim of the Bill.

The four priority areas were chosen to complement the chapters of the Bill, to build on the vision in the 25-year environment plan—the first environment improvement plan in the Bill—and to facilitate the delivery of comprehensive measures, with an “s” on the end, across the natural environment; we are talking about not just one thing, but a whole raft of measures. The Bill’s framework allows long-term targets to be set on any aspect of the natural environment, or people’s enjoyment of it, beyond the four priority areas in order to drive significant improvement in the natural environment. Of course, all those things will be monitored, checked and reported on to ensure that the significant improvement is achieved, and if more targets are seen to be required, then more targets are what will happen.

I would like to reassure the shadow Minister that the Government will be able to determine the specific areas in which targets will be set via the robust and transparent target-setting process that I referred to this morning. Advice from independent experts will be sought in every case during the process. Stakeholders and the

public will also have an opportunity to give input on targets. Indeed, just now in the Tea Room, one of our colleagues asked about giving input on the deposit return scheme. I said, “Yes, there will be a lot of engagement and a lot of consultation, through the Bill.” Targets will be based on robust, scientifically credible evidence, as well as economic analysis.

We do not want to prejudge which specific targets will emerge from the process, and the Office for Environmental Protection has a role in setting targets. If the OEP believes that additional targets should be set, it can say what it thinks should be done in its annual report when it is assessing the Government’s progress. It will do that every year. The Government then have to publish and lay before Parliament a response to the OEP’s call. Any long-term targets will be set via statutory instruments, which will be subject to the affirmative procedure. That means that Parliament can scrutinise, debate, and ultimately vote on them, so everyone gets their say. I hope that will please the shadow Minister, because he will very much be part of that. This process ensures that Parliament, supported by the OEP, can hold the Government to account for the targets they set.

2.15 pm

On air quality, we are committed to tackling a diversity of air pollutants that harm human health and the environment, including those that the shadow Minister mentioned. I remind him that we already have ambitious statutory emissions reduction ceilings in place for five key pollutants, as well as legally binding concentration limits for other pollutants, and those are already starting to drive significant improvements to air quality. Those are in legislation, and we obviously have to abide by them. The case for more ambitious action on fine particulate matter is especially strong, which is why we are creating through this Bill a specific duty to set a target for PM_{2.5}, in addition to a further long-term air quality target.

Far from having a thin gruel, as the shadow Minister said—in jest, I am sure—we have a substantial porridge. That porridge will provide the building block for the whole process of setting these targets, with our main ambition being to drive and enhance a better-protected environment. I therefore ask the hon. Gentleman to withdraw his amendment.

Several hon. Members rose—

The Chair: Service on a Bill Committee such as this might seem like doing porridge, but—[*Laughter.*] Before we proceed, the normal convention is that whoever moves the motion speaks first. There is then a pause, not because I have forgotten what to do, but so that I can see whether anybody else is excited by the debate. If I pause and nobody bothers to indicate that they wish to speak, I call the Minister. Two Members have now indicated that they wish to speak. That is perfectly in order, and I have no problem with it, but traditionally, the Minister speaks last to summarise the debate. There is then the possibility of prolonging the matter further, but that is how it is usually done.

Alex Sobel (Leeds North West) (Lab/Co-op): I apologise for not rising quickly enough before the Minister spoke. I will try to do so more quickly in future.

[Alex Sobel]

I reiterate that under our current regime, it took three court cases, brought by a voluntary organisation, for Government to bring forward the clean air measures that are now being introduced. Obviously, a lot of other targets are included in amendment 178, tabled by my hon. Friend the Member for Southampton, Test—my name is not on that amendment, but I will be supporting it—but the ones about air quality are particularly close to my heart.

The fact that we had to go through those court cases under the European regulations, and that those clean air targets are not in the Bill, is deeply worrying. I am sure that we have ceilings, but for a lot of people, those ceilings are too high, and people are still going to die of breathing-related and other lung-related conditions. The ceiling in this Committee Room, for example, is very high; knowing what we now know, we would not again build this room with this ceiling height; we would have a far lower ceiling. The same is true for levels of particulate matter.

When we took evidence from ClientEarth last week, Katie Neald said:

“The cases that ClientEarth has taken against the UK Government have been key both to driving action to meet the legal limits we already have and to highlighting this as a serious issue and highlighting Government failures so far. It is really important that the Bill allows people to continue to do that against these new binding targets.”—[*Official Report, Environment Public Bill Committee*, 12 March 2020; c. 95, Q136.]

This amendment creates that framework. Without it, the Bill is insufficient.

Bim Afolami (Hitchin and Harpenden) (Con): I apologise, Sir Roger, for not indicating earlier that I wished to speak. I want to make a very quick point, which underpins quite a lot of my criticism of many of the amendments that have been tabled to this Bill.

This Bill is a framework measure. The Government have already set out their priority areas, which are listed in the Bill. To get into the level of specificity in the amendment presupposes that we could know, theoretically for 15, 20 or 25 years, all the measures we may wish to choose. There are some that might seem good now, but in future may not seem so good. Flexibility is very important and something any Government of any colour or description, or any Minister, would need in future because, as we are seeing, the science and advice can change quite quickly. Having priority areas around the broad themes set out in the Bill makes sense because air will not cease to exist—if it does, we will cease to exist. Within that, however, we need Parliament and the Government to have flexibility. On those grounds, I do not support the amendment.

The Chair: Does the Minister wish to comment on what has just been said before I go back to Dr Whitehead?

Rebecca Pow: Very briefly, thank you, Sir Roger.

I could not agree more with my hon. Friend the Member for Hitchin and Harpenden. He has hit the nail on the head in summing up the flexibility for the targets and the importance of getting and inputting the right expert advice and having the flexibility to move and change with the requirements. The environment is such a huge thing. There is no one thing; it is not a straightforward answer.

There will be lots of different targets to consider. Specifically, however, we have a requirement to set at least one long-term target.

To pick on the point made by the hon. Member for Leeds North West on air quality, we have a clean air strategy already, which the World Health Organisation has held up as an example for the rest of the world to follow. We are already taking the lead on that and have committed £3.5 billion to delivering our clean air strategy and the measures within it. They are already operating and will work part and parcel with the Bill’s new measures to have an even more holistic and comprehensive approach to air quality.

Dr Whitehead: If the Bill were just a framework Bill, it would be about a quarter as long as it is. The fact that, in various parts, it has quite a lot of detail about the things that are required within the overall framework indicates that the Bill is more than that. It seeks to set out, guide and secure a whole series of advances in environmental standards and enhancements of the natural environment in a way that hopefully we can all be proud of.

That is why I call this particular section thin gruel. I was trying to see where we can go with the porridge analogy. Although its potential is not thin gruel, the way it is set out in the Bill appears to me to turn out something that is rather more thin gruel than good porridge. Some Government Members, meanwhile, are thinking “How can we make it flower out of its bowl with all sorts of things added to it?”

Our amendment does not stop Ministers coming up with new targets—wide targets, changeover time and so on—and go with the flow of circumstances as they unfold, but it prevents the porridge from being thinner than it might otherwise be. We want to see basic, good porridge with some fruit, raspberries—

Leo Docherty (Aldershot) (Con): Nuts.

Dr Whitehead: With some nuts on top, which together makes a pleasing dish that one can understand and be secure that one is going to get a good breakfast as a result. That is the purpose of our amendment. We feel strongly about that—we all like a good breakfast. On that basis, I am not happy with the Minister’s response. I do not see how the things that she wants to get done on the Bill will in any way be undermined or diluted by the structure that we have put forward. On the contrary, I think they would be underpinned and expanded. On that basis, I will press the amendment to a Division.

Question put, That the amendment be made.

The Committee divided: Ayes 5, Noes 9.

Division No. 1]

AYES

McCarthy, Kerry	Sobel, Alex
Morden, Jessica	
Oppong-Asare, Abena	Whitehead, Dr Alan

NOES

Afolami, Bim	Longhi, Marco
Ansell, Caroline	Mackrory, Cherilyn
Bhatti, Saqib	Moore, Robbie
Docherty, Leo	Pow, Rebecca
Graham, Richard	

Question accordingly negatived.

Dr Whitehead: I beg to move amendment 80, in 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).

(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.”

This amendment seeks to ensure that targets are evidence based and have considered international best practises.

The amendment deals with what the targets must specify. As the Bill stands at the moment, that is a little vague. Subsection (4) states:

“A target set under this section 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.”

We think that that formulation does not take full account of the way in which those targets should be appraised, particularly the way they should be appraised on the basis of the best available evidence and international best practices and how the UK might be able to improve on them. We therefore suggest adding proposed new subsections (4A) and (4B) after subsection (4).

We have to look at the best available evidence. I am not saying for a moment that this would occur, but a target that was set under this procedure by the Minister, which appeared to have been conjured out of thin air on a whim and did not have much support, would be gravely undermining of those people who want those targets to be achieved and those achievements to be firmly attained.

The best available evidence and the relevant international best practices are extremely important. We should be able to say that we can learn from others and incorporate that into our practices so that we leap ahead in our achievements. That is a very good guideline to inform target setting, and it is what we offer in our amendment. Again, I would be interested to hear from the Minister whether she thinks that what is in the Bill at the moment really does the job in terms of setting targets, or whether, perhaps by using different means from the clause, there are ways in which we can make sure that the Bill stands up rather better to the target-setting task that we have set it.

2.30 pm

Rebecca Pow: Of course I recognise the shadow Minister’s desire to ensure that, when these targets are set, they are based on the highest possible standards of evidence, practice and advice. However, I believe that it is not necessary to make such explicit amendments as the one that we are considering, because we have already committed to setting targets under a robust, evidence-led process. We expect the best available evidence to inform this, including, of course, scientific data, models, historical datasets and assessment of what is feasible from a socioeconomic perspective. I can assure him that absolutely nothing will be conjured out of thin air, as he was suggesting; conducting ourselves in such a way would not be a correct way for Government to operate.

I am sure that the shadow Minister will be interested to be reminded that every two years, we will conduct a review of significant developments in international environmental legislation. I think that that was one of

the new additions to the Bill that was inserted during the process that he was outlining earlier, about how the Bill came and went, and fell, and various other things. This is an extra addition that I believe will be useful and will address exactly what he is talking about, because it is right that we consider what is happening across the rest of the world, to make sure that we are aligned, whether we want to be or not, and consider what other people are doing, and make sure we keep abreast of developments in driving forward our environmental protection legislation.

Of course, we will publish that review and make sure that any relevant findings are factored into our environmental improvement plan, and considered with the environmental target-setting process. We will also seek and consider very carefully the advice of independent experts before setting the targets. Additionally, our target proposals will be subject to the affirmative procedure in Parliament; both Houses will have the opportunity to scrutinise, debate and ultimately vote on the details and the ambition of the targets. We also expect the Select Committees to take an interest in this process and they will have an opportunity to scrutinise the Government’s target proposals. They might choose to conduct their own inquiries or publish reports, which the Government would then respond to in the usual manner.

Having given that amount of detail, I hope that it provides some reassurance. The shadow Minister is obviously raising really important issues, but I hope that my response makes it clear that we are taking this matter very seriously. I therefore ask him to withdraw the amendment.

Dr Whitehead: The Minister has said exactly what I had anticipated she might say in the best of outcomes, and that is now on the record; indeed, our purpose principally was to ensure that that kind of statement about these targets was there for all to see. I am grateful to her for setting that out and I am much happier than I would have been if she had not said that. I am happy to withdraw the amendment.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Rebecca Pow: I beg to move amendment 28, in clause 1, page 2, line 15, leave out “the National Assembly for Wales” and insert “Senedd Cymru”.

This amendment reflects the renaming of the National Assembly for Wales as “Senedd Cymru” by the Senedd and Elections (Wales) Act 2020. Similar changes are made by Amendments 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 67, 72, and 73.

The Chair: With this, it will be convenient to discuss Government amendments 29, 32 to 36, 67, 37 to 57, 72 and 73, and 58 to 64.

Rebecca Pow: Section 2 of the Senedd and Elections (Wales) Act 2020 renames the National Assembly for Wales as the Welsh Parliament or Senedd Cymru. The changes will take effect from 6 May 2020. As a consequence, amendment 28 would replace references in the Bill to “the National Assembly for Wales” with “Senedd Cymru”, and replace references to “the Assembly” with “the Senedd”—I hope I have made that quite clear. This is consistent with the approach that the Welsh Government are taking to their own legislation.

Richard Graham (Gloucester) (Con): Could the Minister clarify whether we are replacing “the National Assembly for Wales” with “Senedd Cymru” in all legislation or whether we are inserting both, as was implied in part of her statement, by saying, “the National Assembly for Wales/Senedd Cymru”? Does the National Assembly for Wales cease to exist completely, and are we always to refer to it as Senedd Cymru in all future parliamentary debates?

Rebecca Pow: That is a very perceptive question, which does not surprise me at all—my hon. Friend is always on the ball. The answer is no, the Welsh Assembly will remain. I will just add that the Government consulted the Welsh Government on how the Welsh legislature should be referred to in legislation moving forward, and using the Welsh title ensures there is a consistent approach across the statute book.

Richard Graham: For clarification, can I just confirm that we will refer to “the National Assembly for Wales” and to “Senedd Cymru” in the Bill, and that that is the format that Parliament and the Government will adopt for all legislation, and that we are not replacing “the National Assembly for Wales” with “Senedd Cymru” on every occasion?

Rebecca Pow: The answer to the first part of his question is yes.

Amendment 28 agreed to.

Amendment made: 29, in clause 1, page 2, line 16, leave out “Assembly” and insert “Senedd”.—(*Rebecca Pow.*) See Amendment 28.

The Chair: I am satisfied that clause 1 has been sufficiently debated, and I therefore do not propose to take a clause stand part debate.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2

ENVIRONMENTAL TARGETS: PARTICULATE MATTER

Dr Whitehead: I beg to move amendment 23, in clause 2, page 2, line 20, leave out subsection (2) and insert—

- “(2) The PM_{2.5} air quality target must—
- (a) be less than or equal to 10 g/m³;
 - (b) have an attainment deadline on or before 1 January 2030.”

This amendment is intended to set parameters on the face of the Bill to ensure that the PM_{2.5} target will be at least as strict as the 2005 WHO guidelines, with an attainment deadline of 2030 at the latest.

The Chair: With this it will be convenient to discuss the following:

Amendment 185, in clause 2, page 2, line 20, leave out subsection (2) and insert—

- “(2) The PM_{2.5} air quality target must—
- (a) follow World Health Organisation guidelines and;
 - (b) have an attainment deadline on or before 1 January 2030.”

This amendment ensures that the international standard on small particulate matter set by the World Health Organisation is followed, and that this target is reached by the end of the decade.

Amendment 25, in 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”.

This amendment is intended to strengthen the test against which targets are assessed, to ensure that the human health impacts of air pollution are considered, with the aim of minimising, or where possible eliminating, them.

Amendment 26, in clause 6, page 4, line 29, after “2023” insert—

“or, in the case of the PM_{2.5} 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”.

This amendment is intended to allow any new targets to reflect updated WHO guidelines.

Amendment 27, in clause 6, page 4, line 31, after “completed” insert—

“or, in the case of the PM_{2.5} 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”.

This amendment is intended to trigger an early review of the PM_{2.5} target, and other air quality targets, within 6 months of the publication of the updated WHO guidelines.

Dr Whitehead: This amendment should be discussed with amendment 185. Amendment 23 is tabled in the name of the esteemed Chair of the Environment, Food and Rural Affairs Committee, the hon. Member for Tiverton and Honiton (Neil Parish), and a number of other Members, most of whom are not on this Committee—and some of our names have been added. Amendment 185 is in the names of Members who are mostly on the Committee.

These amendments highlight a real difference between what is in the Bill about the additional environmental target on particulate matter, in addition to what is in clause 1(3), and the World Health Organisation guidelines. Clause 2 indicates why this is not just a framework Bill, as it includes some real stuff on particulate matter. But that real stuff does not get us to where we need to be on targets for particulate matter in ambient air.

One way or another, these amendments seek to equate the target guidelines to the World Health Organisation guidelines on particulate matter. Indeed, amendment 23 states that the PM_{2.5} air quality target should be,

“less than or equal to 10 g/m³”.

I understand that that would be equivalent to the World Health Organisation guidelines. In that sense, although the amendments are slightly differently worded, they do not have any different intent or purpose.

The questions are: why the WHO guidelines; what have we done so far on PM_{2.5} emissions; and where might the targets suggested in the Bill get us? One problem with how we have addressed PM_{2.5} and other particulate matter is that although the emissions expressed as density per cubic metre of air have come down very substantially over the years, levels have pretty much plateaued between the early 2000s and the present. Indeed, as I see it we will not get too much further in achieving targets on the basis of that performance over recent years. The suggested targets set out in the Bill do not take us much further down the road as far as a fall in emissions is concerned. We need to align ourselves with the WHO guidelines, so that we can ensure that we are targeting a regular and continuing reduction in emissions.

As hon. Members will know, these emissions are serious for human health. The smaller the particulate emissions, the more likely those particulates are to penetrate human tissue and lungs, and to cause long-term injury and health problems for the recipients. These finer particulates are pretty much a product of a lot of modern living, coming from, for example, tyres, brakes, diesel emissions—all sorts of things like that. It is certainly more than possible to target those factors in such a way as to get emissions down to a much more seriously depleted level than at present.

Indeed, that was the subject of a report by the Department in 2019 entitled, “Air quality: Assessing progress towards WHO guideline levels of PM_{2.5} in the UK”. That report, which was obviously a Government report, suggested in its conclusion that the analysis of progress that had been made and of future progress demonstrated that,

“measures in the Clean Air Strategy, alongside action by EU Member States, are likely to take us a substantial way towards achieving the WHO guideline level for annual mean PM_{2.5}”,
but that:

“It also helps us understand where further action is needed.”

That is probably a summary of where the Government are as far as these guidelines are concerned: we are some way towards the WHO guidelines, but we are not there yet, and we need to understand that further action is needed and where it is needed. That is why we think a target, which should run alongside the WHO guideline level, is essential in or around this Bill.

2.45 pm

What does the report state about the feasibility of getting to those WHO guideline levels in the UK? It is very clear:

“On the basis of scientific modelling...we believe that, whilst challenging, it would be technically feasible to meet the WHO guideline level for PM_{2.5} across the UK in the future.”

It goes on to say:

“Substantive further analysis is needed to understand what would be an appropriate timescale and means, and we will work with a broad range of experts, factoring in economic, social and technological feasibility to do this.”

However, the report says that this is feasible. It can be done, and it can be done on the basis of a reasonable timescale and within a reasonable set of means.

I do not think there is an argument here to say that anyone is setting an impossible task ahead of us, that this really cannot be done, or that we should not try to shoot for this because we will only fail and that would undermine the validity of targets. It is something that the Government’s own researchers have concluded is eminently feasible and doable. The only difference is that it has not been done or targeted yet.

I would be interested to hear any arguments why this should not be done and why we should not seek to put this in as our target in the Bill, because I cannot honestly think of any really good ones right at this minute. If the arguments are, “Well, it’s too hard,” or, “We shouldn’t be doing this right now,” or, “It’s something that would cost our country dearly,” I would suggest that the Government’s own advice is to the contrary. Therefore, I hope that the Committee can unite around the idea that this is where we should be going with our targets, and put this amendment on to the statute book.

Richard Graham: The hon. Gentleman says we must have guidelines; I agree with him totally, but in fact the guidelines are there in the legislation. Clause 1 lays out specifically what the standard means and the date by which it is to be achieved, which cannot be more than 15 years after the date on which the target is initially set. The guidelines are there, and clause 2, in seven crisp bullets, gives more detail about what is expected of the Secretary of State.

The hon. Gentleman’s amendment looks, on appearance, to be a modest word or two, but what he is trying to achieve is a rewriting of clauses 1, 2 and 3 altogether, setting not the guideline, but a very specific target and deadline. I cannot help wondering whether the deadline, which is before January 2030, is not linked specifically to the Labour party conference motion that called for net zero carbon by 2030—something his own Front Bench has rejected, accepting the Intergovernmental Panel on Climate Change’s target of net zero by 2050.

Dr Whitehead: Those are two different things.

Richard Graham: They are indeed, but the date is, by coincidence, the same.

Dr Whitehead: That is a bit like thinking that, if there are two bodies in different parts of the country, they must be connected because they are two bodies. It does not follow, to be honest, because they are not connected.

Richard Graham: I am interested in the hon. Gentleman saying that they are not connected. The two dates happen to be the same, so there is a connection. It is not like two bodies in different parts of the country. The key thing is that the guidelines for which he calls are there; the deadline for which he calls is a separate thing.

Rebecca Pow: The Government shares the shadow Minister’s desire to take ambitious action to reduce public exposure to air pollution and ensure that the latest evidence is taken into consideration when targets are reviewed. The Government take fine particulate matter, and air pollution as a whole, extremely seriously, and completely understand public concerns about this very serious health issue. That is why the Government are already taking action to improve air quality, backed by significant investment.

We have put in place a £3.5 billion plan to reduce harmful emissions from road transport. Last year, we published our world-leading clean air strategy, which sets out the comprehensive action required at all levels of Government and society to clean up our air. I reiterate that that strategy has been praised by the WHO as an example for the rest of the world to follow, so we are already leading on this agenda. That is not to say that there is not a great deal to do; there is, but the Government are taking it extremely seriously.

The Bill builds on the ambitious actions that we have already taken and delivers key parts of our strategy, including by creating a duty to set a legally binding target for PM_{2.5}, in addition to the long-term air quality target. That size of particulate is considered particularly dangerous because it lodges in the lungs, and can cause all sorts of extra conditions. I have met with many health bodies to discuss that. It is a very serious issue

[Rebecca Pow]

and a problem for many people. However, we are showing our commitment to tackling it by stating in the Bill that we will have a legally binding target.

It is important that we get this right. We must set targets that are ambitious but achievable. Last week, Mayor Glanville, the representative from the Local Government Association, highlighted the importance of ambitious targets, but was at pains to emphasise the need for a clear pathway to achieve them. It would not be appropriate to adopt a level and achievement date, as proposed in amendments 23 and 185, without first completing a thorough and science-based consideration of our options.

Bim Afolami: Bearing in mind that the Minister has already quoted from last week's evidence sessions, does she agree that Professor Lewis made it very clear that, once we reached the target level mentioned in the amendment, the United Kingdom would not be fully in control of the target, and it would therefore be dangerous to put such a target in the Bill?

Rebecca Pow: I thank my hon. Friend for that intervention. I was going to mention Professor Alastair Lewis. Members will remember that he is the chairman of the UK's air quality expert group. He gave stark evidence. He is obviously an expert in his field, and it was really interesting to hear what he said. He stressed the technical challenges involved in setting a target for a pollutant as complex as PM_{2.5}, which he explained is formed from diverse sources—the shadow Minister is right about that—and chemical reactions in the atmosphere. He was at pains to explain that a lot of PM_{2.5} comes from the continent, and it depends on the direction of the wind, the weather and the atmospheric conditions. My hon. Friend is right that those things are not totally within our control.

Professor Lewis explained the need to decide how we would measure progress towards the target, and that the process would be challenging and would take time. It is crucial to get it right. When developing the detail of the target, we will seek evidence from a wide range of sources and ensure we give due consideration to the health benefits of reducing pollution, as well as the measures required to meet the targets and the costs to business and taxpayers. It is really important that we bring them on board.

I want to refer quickly to the report that the shadow Minister mentioned. I thought he might bring up the DEFRA report published in July 2019, which demonstrated that significant progress would be made towards the current WHO guideline level of 2.5 by 2030. He is right about that. However, the analysis did not outline a pathway to achieve the WHO guideline level across the country or take into account the full economic viability or practical deliverability.

In setting our ambitions for achievable targets, it is essential that we give consideration to these matters—achievability and the measures required to meet it. That is very much what our witnesses said last week. If we set unrealistic targets, it could lead to actions that are neither cost effective nor proportionate. That is why we are committed to an evidence-based process using the best available science—something I know the shadow

Minister is really keen we do—and advice from experts to set an ambitious and achievable PM_{2.5} air quality target.

I reiterate that it is crucial for public, Parliament and stakeholders that they have the opportunity to comment on this and have an input in the process of developing these targets. By taking the time to carry out this important work in engagement, we will ensure that targets are ambitious, credible and, crucially, supported by society. We have the significant improvement test, which is a legal requirement, outlined in the Bill. It will consider all relevant targets collectively and assess whether meeting them will significantly improve the natural environment of England as a whole. It is intended to capture the breadth and the amount of improvement. It is very much a holistic approach and it encompasses the impacts of air pollution on the natural environment and the associated effects on human health. All these things will be taken into account in assessing the journey to the targets. I therefore surmise that the proposal in amendment 25 is not necessary.

Dr Whitehead: The Minister is quite right in pointing out that the report we mentioned did not take into account within a scientific model the full economic viability or practical deliverability of that change. If she were to commission this group to go away and do that, would she commit to the WHO guidelines after that point?

Rebecca Pow: The shadow Minister knows that I will make no such commitment here. This has to be evidence based. Get the right evidence, then the decisions can be made. That is how this Bill will operate. All the advice we took last week from the experts—the people we have to listen to—very much agreed that this was the direction that we need to take. Reviewing individual targets through the test, as proposed in amendments 26 and 27, would not be in line with the holistic approach of the Bill.

Furthermore, the fixed timetable for periodically conducting the significant improvement test provides much needed certainty and predictability to business and society. We have heard from many businesses that they want this surety. It would be inappropriate to determine the timescale for this test on the basis of one new piece of evidence. However, we recognise that the evidence will evolve as highlighted by amendments 26, 27 and 185. The Government will consider new evidence as it comes to light after targets have been set, as part of the five-yearly review of our environmental improvement plan and its annual progress report. The Office for Environmental Protection has a key role. If the OEP believes that additional targets should be set, as I have said before, or that an update to a target is necessary as a result of new evidence, it can recommend this in its annual report, assessing the Government's progress.

3 pm

I am convinced there is a very clear process for all this. The Government will then have to publish and lay before Parliament a response to any such report by the OEP. This process ensures Parliament, supported by the OEP, can hold the Government to account on the sufficiency of its measures to improve the natural environment. I therefore kindly ask the hon. Gentleman to withdraw the amendment.

Dr Whitehead: I do worry about the idea that a target should only be set if we know that the target can be achieved and exceeded immediately. If we did that all of the time, we would not have targets. We would set what we were going to do as a target and—well I never—we would always achieve it. A target has to be something that is grasping at the stars in order to be achieved. A target, among other things, should not just be based on the idea that you can do something now, easily. It should be, in part, a wake-up call and a gee-up to make sure the target is achieved once you have done the basic work that it is technically possible to do. Indeed, the Government report got us to a position of doing that. I do not accept the Minister's arguments on this. There should be a target, at the very least to keep us on the straight and narrow as far as reduction in particulate emissions are concerned, which is based on WHO guidelines. I therefore seek a division on this.

Question put, That the amendment be made.

The Committee divided: Ayes 5, Noes 9.

Division No. 2]

AYES

McCarthy, Kerry	Sobel, Alex
Morden, Jessica	
Oppong-Asare, Abena	Whitehead, Dr Alan

NOES

Afolami, Bim	Longhi, Marco
Ansell, Caroline	Mackrory, Cherilyn
Bhatti, Saqib	Moore, Robbie
Docherty, Leo	Pow, Rebecca
Graham, Richard	

Question accordingly negated.

Clause 2 ordered to stand part of the Bill.

Clause 3

ENVIRONMENTAL TARGETS: PROCESS

Dr Whitehead: I beg to move amendment 81, in 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.”

This amendment seeks to prevent the Secretary of State from breaking Articles 4 to 8 of the United Nations Aarhus Convention of which the UK is a party. It encourages the Secretary of State to set up and listen to an independent expert body, to consult with the public, and

share information. Where discrepancies between what is advised and the regulations the secretary of state chooses to make arise, it requests explanation of that discrepancy. Finally it makes suggestions for how that advisory body should be set up.

The Chair: With this it will be convenient to discuss amendment 181, in 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.”

Dr Whitehead: I was slightly taken aback as I had received an indication from the Chair's provisional grouping and selection of amendments that amendments 81 and 181 would be taken separately.

The Chair: They can be voted on separately but debated together. I hate to say it, but I am right.

Dr Whitehead: I think I probably have a provisional grouping in front of me here and things maybe have changed since then. In that case, I am very sorry that I raised that particular point.

The Chair: No problem at all. The grouping on the selection paper indicates amendment 81 with 181 and then, separately, amendment 24.

Dr Whitehead: My other problem here was that I had extensively marked up the provisional grouping with colour coding and so on, and was reluctant to set it aside. That is maybe why I brought it into the Committee. It is a nice piece of work in its own right.

We are talking about amendments 81 and 181 grouped together, which I am happy to talk to. I begin with amendment 81, which seeks to unpack the statement at the beginning of clause 3 that before “making regulations” the

“Secretary of State must seek advice from persons the Secretary of State considers to be independent and to have relevant expertise.”

That is a rather strange form of wording. Hon. Members may agree on that. It appears, at its face, that the Secretary of State could choose who—in his or her opinion—is “independent”, a subjective view from the Secretary of State, and who has “relevant expertise”. That is also a subjective view. The Secretary of State can decide on his or her advice without consultation, and can decide from whom he or she must seek that advice.

Amendment 81 seeks to make it much clearer that that is not how the process of seeking and obtaining advice would be carried out. Not only that, that it also seeks to put in place what is essentially good practice from previous legislation in this area, to guide us on how that process would be undertaken. Amendment 81 sets out that the Secretary of State would have to “obtain” and “take into account” the

“advice of a relevant independent and expert advisory body set up for this purpose”

when reviewing targets and making regulations under clauses 1 or 2. It would not just be someone who the Secretary of State thought had some relevance to the matter, or to whom they decided to go in the belief that they might be independent. They would be “independent”, they would be “expert”, and they would be separate. It would be clear who that advice was coming from.

[Dr Whitehead]

On the basis of that advice, full public consultation should be undertaken, and that advice would be published as soon as was reasonably practical. It gives the Secretary of State a get-out, and it is proper that it should. Since the advice is to be given as advice, and if the Secretary of State decided that they did not want to take that advice, or wanted to make a provision other than the one recommended by the advisory body, then the Secretary of State should

“publish the public interest reasons for those differences and make a statement to Parliament on them.”

That is what is known as a comply or explain procedure. It would be expected, in the first instance, that the Secretary of State would comply with properly given, properly expert and properly independent advice, but if they did not feel that they could comply with that advice, it would be up to them to put up a good case as to why not, to publish that good case and to make a statement to Parliament on the good case as to why they could not comply.

We have suggested that the members of the advisory body for this purpose should be nominated by two bodies, one of which is independent and the other, we hope, will very shortly be independent. We suggest that 50% of members be nominated by the Office for Environmental Protection and 50% by the Committee on Climate Change.

That brings me to the procedures that were set up under the original climate change legislation, the Climate Change Act 2008, which, as I have already mentioned in these proceedings and will undoubtedly mention again, seems to me to be a yardstick by which we should measure what we are doing in the Bill. The Bill has often been described as a Climate Change Act for the environment, and it is right that we should make that comparison, because a Bill in its best form will, first, stand the comparison and, secondly, as the Climate Change Act has, stand the test of time between Administrations and through vicissitudes and changes in scientific consideration. It will have within it the mechanism to keep a firm eye on what we are doing, but at the same time change, if necessary, with changes in circumstances.

The Climate Change Act is clear about what the Secretary of State must do in terms of either setting targets or amending target percentages. That is a comparator with what is suggested in this Bill in clause 3. The Climate Change Act states the following:

“Before laying before Parliament a draft of a statutory instrument containing an order...amending the 2050 target or the baseline year...the Secretary of State must...obtain, and take into account, the advice of the Committee on Climate Change”—

the Committee on Climate Change was set up by the Climate Change Act for that purpose of providing independent advice. The Act also says that the Secretary of State must publish that advice and, if the order that the Secretary of State lays makes provision different from that recommended by the committee,

“the Secretary of State must also publish a statement setting out the reasons for that decision.”

The “comply or explain” mode of doing things is enshrined in the Climate Change Act. Indeed, it is shot through the Climate Change Act in terms of different orders that can be made to amend targets or baseline years or to amend target percentages. When the target

percentage in the Act was, as hon. Members will recall, changed in July of last year—I was privileged to lead for Labour on the change that was put forward in, as it happened, a statutory instrument—that change went through well, in that the procedures in the Climate Change Act allowed the change to be made on the basis of proper advice and consultation and ministerial statements to that effect. All those procedures worked well in relation to the Climate Change Act and the changes made there.

There are no such procedures in this Bill. That is what we are particularly concerned about. We think that a procedure similar to that in the Climate Change Act but addressing the particular concerns of the Environment Bill—not everything can simply be squeezed in unamended and unchanged—would be the appropriate way to deal with this request for advice on setting targets and interim targets. Yes, the amendment is quite a bit more extensive than the brief mention of targets in clause 3, but it would add real lustre to the Bill, ensuring that targets would be properly set, properly consulted on and properly explained. Therefore, they would be properly and legitimately adopted.

3.15 pm

Amendment 181 seeks to expand on the advice sought under clause 3(1) and is to be taken alongside our proposals on advice. It seeks

“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.”

It therefore specifies to an extent what the content of the advice sought by the independent body would look like, and how the body could be sure to shape its advice to be consistent with the intentions of the framers of the legislation. We think both changes would be good for and strengthen the Bill, and we hope that the Government will be interested in proceeding, if not along those exact lines, then along lines similar to those in the Climate Change Act, knowing that that procedure has stood the test of time well. It would certainly be robust for the future.

Rebecca Pow: I thank the hon. Gentleman for amendments 81 and 181. I hope he has already got the impression that we are absolutely committed to setting targets under a robust evidence-led process. Independent experts, the public, stakeholders and Parliament will all play a part in informing the scope and level of target development. The Government will carefully consider advice from independent experts before setting targets.

As the Bill progresses, we will continue to consider how the role of experts is best fulfilled. A number of witnesses last week referred to the need to use experts, and they will be used constantly and continuously. Such experts could include academics, scientists and practitioners within the four priority areas included in the Bill. The expert advice we receive to support the setting of both the target for PM_{2.5} and the further long-term air quality target will include that on how targets will reduce the harmful impacts of air pollution on human health. We will rely hugely on that expert advice.

Long-term targets will be subject to the affirmative procedure, so Parliament will have the opportunity to scrutinise and analyse the target proposals. That will, of course, include the shadow Minister, because both Houses

will debate the statutory instruments that will set the targets. The Office for Environmental Protection will publish annual reports on the Government's progress towards the targets, which may include recommendations for improving progress. As I have reiterated a number of times, the Government will be required to publish a response to the recommendations.

I want to stress that the Office for Environmental Protection can advise on targets, either through its duties related to environmental law or through its annual progress report on the environmental improvement plan. For example, it has a statutory power to advise on changes to environmental law, which enables it to comment on proposed legislation on long-term targets. It also has a statutory duty to monitor progress towards meeting targets as part of its annual progress report on the environmental improvement plan, which can include recommending how progress could be improved. So there is already a very strong mechanism.

Environmental law extends to all target provisions of the Bill—for example, procedural requirements on target setting and amendments, and the requirement to achieve targets. In addition, the Government will conduct the first significant improvement test—that is a legal requirement—and report to Parliament on its outcome, three months after the deadline for bringing forward the initial priority area targets.

The significant improvement test provisions of the Bill will form part of environmental law, which is why they will come under the OEP. That means that the OEP will have oversight of the provisions, as it does over all aspects of environmental law, and will have a key role in making sure that the Government meet the targets.

The shadow Minister rightly drew analogies with the Climate Change Act 2008 and the Committee on Climate Change. I am pleased that he recognises the similarities. In designing this framework, we have learned from the successful example of the Climate Change Act—for example, the strong duty to achieve long-term targets, the requirement to report on progress and scrutiny of progress by an independent, statutory body, in this case, the Office for Environmental Protection. That mirrors the CCA. We are confident that the framework is every bit as strong as the CCA framework and that it provides certainty to society that the Government will achieve the targets, delivering significant environmental improvements.

Ongoing stakeholder engagement, expert advice and public consultation will help to inform future target areas, as part of the robust, evidence-led, target-setting process. The Government will, as a matter of course, conduct a wide range of consultations for the first set of long-term targets. I hope that that is clear. We do not need the amendments suggested by the shadow Minister, and I ask him to withdraw them.

Dr Whitehead: That is all quite terrific, but it is not quite what it says in the Bill. That is the problem. The Minister has set out a robust and wide-ranging procedure for setting targets and I hope that all the steps she mentioned are going to be followed. If they are, we have a good arrangement. However, if we look at the Bill, there is fairly scattered evidence that that is the way we are going to conduct ourselves. On the contrary, it actually appears to give a great deal of leeway for

somebody or some people not to do most of those things in setting the targets, if that is what they wanted to do.

We are perhaps back to some of the discussions we had this morning about the extent to which the Bill has to stand not just the test of time, but the potential test of malevolence. If a well-minded and dedicated Minister, such as the one we have before us this afternoon, were to conduct the procedure, that is exactly how she would conduct it, and I would expect nothing less of her, because that is the frame of mind in which she approaches the issue—but, in legislating, we have to consider that not everyone would have that positive frame of mind. I do not want to divide the Committee, but I am concerned that the procedure in the Bill is too sketchily set out for comfort. Maybe, when we draw up the regulations, we could flesh out some of the things that the Minister said this afternoon, to assure ourselves that that is what we will do, and do properly. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

The Chair: I call Alex Sobel.

Alex Sobel: I was not expecting to be called quite so soon, so I will move amendment 24 formally.

Amendment proposed: 24, in clause 3, page 3, line 20, leave out “31 October 2022” and insert “31 December 2020”.—*(Alex Sobel.)*

This amendment is intended to bring forward the deadline for laying regulations setting the PM2.5 target to December 2020.

Rebecca Pow: I could cut my speech short and just say that I am very pleased the hon. Member has withdrawn his amendment.

The Chair: He has not withdrawn it; he has moved it formally.

Rebecca Pow: I will give my speech then, Sir Roger.

The amendment would undermine the intention to ensure that we set targets via an open consultation process that allows sufficient time for relevant evidence to be gathered, scrutinised and tested. As part of that process, we intend to seek evidence from a wide range of stakeholder interests, carry out good quality scientific socioeconomic analysis, take advice from independent experts and conduct a public consultation, alongside the parliamentary scrutiny of the target SIs that I have mentioned many times before.

It is important that we get that right rather than rushing to set targets, so we do not want to bring the deadline forward from 31 October 2022. We have heard strong support for that approach from stakeholders, who are all keen to have time and space to contribute meaningfully to target development. It is critical that there is certainty about what our targets are by the time we review our environmental improvement plan. That is essential for us to set out appropriate interim targets—the ones that will get us to the long-term target—and consider what measures may be required to achieve both the interim and long-term targets. The review of the plan must happen by 31 January 2023, so to that end, the target deadline of 31 October 2022 works well.

[Rebecca Pow]

The Committee should also note that 31 October 2022 is a deadline. It does not prevent us from setting a target earlier where we have robust evidence and have received the necessary input from experts, stakeholders and the public.

Kerry McCarthy (Bristol East) (Lab): Can the Minister reassure us that the 2022 deadline does not mean that progress on those issues will not be made or that we cannot have interim targets before we reach the deadline? The whole thing is not being kicked off until 2022; we should still be doing our best to tackle the problem of clean air between now and then.

Rebecca Pow: The target deadline of 31 October 2022 works well for us to report back on our first environmental improvement plan three months later. We hope that some consultations will start during the process, so work will be under way to improve the environment, take advice, set targets and so on. Work will be under way to start the ball rolling.

3.30 pm

Alex Sobel: I thank the Minister for giving some reassurance that the date is not absolutely set in stone and that measures could be introduced earlier, although obviously the date given in the amendment is ideal from my point of view and that of the Chair of the Environment, Food and Rural Affairs Committee. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3 ordered to stand part of the Bill.

Clause 4

ENVIRONMENTAL TARGETS: EFFECT

Dr Whitehead: I beg to move amendment 82, in clause 4, page 3, line 24, at end insert

“and,

(c) interim targets are met.”

This amendment places a duty on the Secretary of State to meet the interim targets they set.

For the Committee’s further enlightenment, I can say that amendment 24 was in a different place in the provisional grouping. I landed my hon. Friend the Member for Leeds North West in it slightly by assuming that it would be debated under clause 2; it is actually a separate discussion. I am sorry to my hon. Friend for that, but he did a brilliant job under the circumstances.

Amendment 82 is deceptively small but makes an important point about interim targets in this piece of legislation. The Bill requires interim targets to be set on a five-yearly basis. In the environmental improvement plans, the Government are required to set out the steps they will take over a 15-year period to improve the natural environment. However, environmental improvement plans are not legally binding; they are simply policy documents.

Although the plans need to be reviewed, potentially updated every five years and reported on every year, that is not the same as legal accountability. Indeed, voluntary environmental targets have been badly missed on a number of occasions. The target set in 2010 to end the inclusion of peat in amateur gardening products by

2020 will be badly missed. The target set in 2011 for the Department for Environment, Food and Rural Affairs to conserve 50%—by area—of England’s sites of special scientific interest by 2020 has been abandoned and replaced with a new target to ensure that 38.7% of SSSIs are in favourable condition, which is only just higher than the current level. A number of voluntary, interim and other targets have clearly been missed because they are just reporting objects; they do not have legal accountability.

Interim targets should be legally binding to guarantee that they will be delivered, and it is vital to have a robust legal framework in place to hold the Government and public authorities to account—not just in the long term, but in the short term. As things stand, the Government could in theory set a long-term, legally binding target for 2037, as suggested in the legislation, but then avoid having to do anything whatever about meeting it until 2036.

Amendment 82 would insert the phrase, “interim targets are met.” That would effectively place a duty on the Secretary of State to meet the interim targets that they set. In that context, it is no different from the provisions of the Climate Change Act, which I keep repeating as an example for us all to follow. Indeed, how the five-year carbon budgets work is an example for all of us to follow. They were set up by the Climate Change Act effectively as interim targets before the overall target set for 2050, which is now a 100% reduction; it was an 80% reduction in the original Act.

Those five-year targets are set by the independent body—the Committee on Climate Change—and the Government are required to meet them. If the Government cannot meet them, they are required to take measures to rectify the situation shortly afterwards. Therefore, there are far better mechanisms than those in the Bill to give interim targets real life and ensure they are not just exercises on a piece of paper.

It is important that the Secretary of State is given a duty to meet the targets, because that means that they will have to introduce mechanisms to ensure that they meet those targets. That is what we anticipate would happen as a subset of these measures.

We need to take interim targets seriously, as I am sure the Minister would agree. Indeed, it is not a question of whether we take them seriously; it is a question of how we take them seriously, in a way that ensures that they are credible, achievable, workable and play a full part in the process of getting to the eventual targets that we set at the start of the Bill.

Kerry McCarthy: I will be very brief. I entirely support what my hon. Friend says about the need for interim targets. We have seen how the carbon budgets work under the Climate Change Act. There is real concern that the timetable might be slipping and that we might not manage to meet the commitments in the next couple of carbon budgets, but at least there is a mechanism.

I know that we have the environmental improvement plans, and that there is a requirement to review them and potentially update them every five years. However, there are so many strategy documents and plans. If we look at peat, for example, my hon. Friend mentioned the fact that the target set in 2010 for ending the inclusion of peat in amateur garden products by the end of this year will be missed. I know that the Government have a peat strategy, and there are various other things

kicking around that are mentioned every time we talk about peat. But there is a lack of focus, a lack of drive and a lack of certainty as to where the Government are heading on that issue. I feel that if we had legally binding interim targets in the Bill, that would give a sense of direction and it would be something against which we could hold the Government to account—more so than with what is currently proposed.

Regarding my last intervention on the Minister, I was trying to be helpful. I was just asking her to give a reassurance that all the efforts to clear up our air and to tackle air pollution are going on regardless; it is not just about setting this target and whether we set it for 2022 or 2020. That is one particular measure. All I am trying to say is that I am looking for reassurances that the Government will still be focused on cleaning up our air. All she has to do is say yes.

Rebecca Pow: I thank the hon. Gentleman for tabling this amendment. Very quickly, I can give assurances that of course work is ongoing to clean up our air, because we have our clean air strategy. A great many processes are being put in place through that strategy to tackle all the key pollutants that affect air quality. The measures in the Bill come on top of that. I hope that gives the reassurance that was sought.

It is of course critical that we achieve our long-term targets to deliver significant environmental improvement, and this framework provides strong assurances that we will do so. The Bill has this whole framework of robust statutory requirements for monitoring, reporting and reviewing, combined with the Office for Environmental Protection and parliamentary scrutiny, to ensure that meeting the interim targets is taken seriously, without the need for them to be legally binding.

Interim targets are there to help the trajectory towards meeting the long-term targets, to ensure that the Government are staying on track. We cannot simply set a long-term target for 2037 and forget about it. Through this cycle—the reporting requirement and the requirement to set out the interim target of up to five years—the Bill will ensure that the Government take early, regular steps to achieve the long-term targets and can be held to account. The OEP and Parliament will, of course, play their role too.

To be clear, we have a little mechanism called the triple lock, which is the key to driving short-term progress. The Government must have an environmental improvement plan, which sets out the steps they intend to take to improve the environment, and review it at least every five years. In step 2, the Government must report on progress towards achieving the targets every year. In step 3, the OEP will hold us to account on progress towards achieving the targets, and every year it can recommend how we could make better progress, if it thinks better progress needs to be made. The Government then have to respond.

If progress seems too slow, or is deemed to be too slow, the Government may need to develop new policies to make up for that when reviewing their EIPs. They will not wait until 2037 to do that; these things can be done as a continuous process, and that is important.

The shadow Minister rightly referred back to the Climate Change Act and the five-yearly carbon budgets, as did the hon. Member for Bristol East. He asked why, if the carbon budgets were legally binding, the interim

targets are not. That is a good question, but of course the targets in the Environment Bill are quite different from carbon budgets. Carbon budgets relate to a single metric: the UK's net greenhouse gas emissions. These targets will be set on several different aspects of the natural environment.

As I am sure hon. Members will understand, that is very complicated; it is an interconnected system that is subject to natural factors as well as to human activity. Additionally, aspects of the natural environment such as water quality or soil health might respond more quickly to some things and more slowly to others, even with ambitious interventions. It is possible that the Government could adopt extremely ambitious measures and still miss their interim targets due to external factors.

What is important, in this case, is that a missed interim target is recognised and that the Government consider what is needed to get back on track. I am convinced that the system that is there to recognising that—the reporting, analysis and so on—will highlight it. There will be reporting through the EIPs, the targets and the OEP scrutiny, and the incorporation of any new interim targets or measures; it can all be looked at in the five-yearly review of the EIP. I believe there is a strong framework there already.

Finally, of course, the OEP will have the power to bring legal proceedings if the Government breach their environmental law duties, including their duty to achieve long-term targets. Of course, we cannot reach the long-term targets unless we have achieved the interim targets first. I hope I have been clear on that; I feel strongly that we have the right process here, and I hope the shadow Minister will kindly withdraw his amendment.

Dr Whitehead: I hope the Minister will not think I am being too unkind if I say that she is describing a triple lock process rather more like a triple bunch of flowers process. Yes, what she says about the process operating under positive circumstances is good. Indeed, if it happens as she has outlined, we will have a good process in place. It may well be that as time goes by and people have more confidence in how the process works, and if the Government of the day play ball with that process in its own right, the outcome will be good.

3.45 pm

I accept the point that the Climate Change Act talks about one metric, as opposed to another. However, the point about the process adopted by that Act is that although under the law as it stands, we cannot imagine a Minister being clapped in irons and taken to the Tower for not achieving a particular carbon budget, the discipline that the legal status of that requirement places on Ministers means that they have to explain themselves to Parliament fully and carefully.

The Minister has suggested that this process substantively does the same. Ministers have to make pretty clear recompense for failings in the carbon budget. As she will know, if Ministers have slipped up in achieving a carbon budget—if they have produced a clean growth plan or low carbon plan relating to a carbon budget, and then do not achieve that budget—they are legally obliged to take measures that get it back on track. As I understand it, none of that kind of constraint applies to the Environment Bill. Although it is true that if this Bill is taken in its totality, a number of things could work

together to achieve something like that end, I would prefer it if we had something a bit stronger to make sure those ends are achieved. I am not saying that there is no evidence that those structures are effectively in the Bill; only that they do not really add up to something that can give us the same sort of certainty as the process in the Climate Change Act.

I hear what the Minister says, and I hope she is right. I am reasonably confident that with a good wind behind this legislation, those procedures will obtain the confidence of the public. However, the Bill is deficient when it comes to making fully sure that it will work over the long term in the way that the public want, and therefore that the public have confidence in it. I do not particularly want to divide the Committee, but I retain my reservations about whether the structures in the Bill will give it proper effect. I hope they will, but I reserve the right to say “I told you so” if they do not work out. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Dr Whitehead: I beg to move amendment 83, in clause 4, page 3, line 24, at end insert
“and,

(c) steps identified under section 5(5)(b) are taken.”

This amendment places a duty on the Secretary of State to do what they have said needs to be done in their report.

The amendment attempts to tidy up the procedures in clauses 4 and 5. Clause 5 talks about reporting duties, and it identifies the steps that are taken to make sure the Secretary of State does what they need to do according to their report. At present, the steps identified in clause 5 stand separate from the Secretary of State’s report, and the Secretary of State appears to report in isolation. Various things have to be done, but they are not tied in with the report.

The amendment would ensure that the “steps identified under section 5(5)(b) are taken”, which would mean that the Secretary of State’s report is not only a piece of paper. The amendment would impose a duty on the Secretary of State to do what their report says needs to be done, so the report would have real substance for future activity in this area.

Rebecca Pow: I thank the shadow Minister for tabling the amendment. I am sure he agrees that the most critical thing is the meeting of long-term targets in order to deliver significant environmental improvement, rather than the specific process of getting there. Our target framework provides strong assurance that the Government will achieve them, so the amendment is not necessary.

If a long-term target is missed, the Government’s remedial plan must set out the steps they intend to take towards meeting the missed target as soon as reasonably practicable. The Government will remain under an explicit duty to meet the target. The OEP will have a key role in holding the Government to account on the delivery of targets, both through the annual scrutiny of progress and through its enforcement functions. If a long-term target is missed, the OEP may decide to commence an investigation, which could ultimately lead to enforcement action. We expect the case for enforcement action to increase with time if the target keeps being missed, including if the Government fail to take the steps outlined in the remedial plan. I therefore ask the hon. Gentleman to withdraw the amendment.

Dr Whitehead: I am a little happier with the Minister’s consideration of that amendment. I think it might be a good idea to pull these things together, but I accept what the Minister says, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4 ordered to stand part of the Bill.

Clause 5

ENVIRONMENTAL TARGETS: EFFECT

Dr Whitehead: I beg to move amendment 84, in 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.”.

The amendment strengthens the Secretary of State’s reporting by including a timetable and analysis.

We now turn to clause 5, which sets out that the Secretary of State must

“set out the steps the Secretary of State has taken, or intends to take, to ensure the specified standard is achieved as soon as reasonably practicable.”

To give the clause a little more robustness, the amendment would add at the end that the Secretary of State’s report should

“(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.”

That sounds a little routine, but we think that without such shaping, the report could be pretty much anything. We could give the report considerable shape by requiring it to contain a timetable for the adoption, implementation and review of the chosen measures, to shape and specify them; to set out who will be responsible for doing those things; and to contain an analysis of the options that have been considered and their estimated impact. That might not necessarily be an impact assessment as we traditionally know them in legislation, but a background analysis of those options and how they would affect the delivery of progress against relevant targets would be a good net addition to the Bill. I anticipate that the Minister may think otherwise, but I am interested to hear what she has to say. I am interested to know whether she thinks that such a process, which would give reports a lot more shape, might be considered for future reports. That might be done by further secondary legislation, or by other means—not necessarily those that are laid out in the amendment.

Rebecca Pow: I am pleased that the hon. Gentleman agrees that missing a legally binding target should lead to clear consequences and next steps. I do not believe that the amendment is necessary, however, because it does not strengthen the requirements that we are creating. The Bill requires the Government to publish a remedial plan to achieve the missed standard

“as soon as reasonably practicable”.

To draw up their remedial plan, the Government would therefore have to assess both what is practicable—feasible—and what is reasonable. That would include how long the chosen measures are expected to take to achieve the missed standard, how and by whom they would be implemented, and what alternatives had been considered. To show that they had met that standard, the Government would need to set out how they had selected the measures included in the remedial plan—I think that is what the shadow Minister was getting at—as part of sound policy making and to ensure transparency.

The OEP would have a key role to play. If, for example, the Government failed to publish a remedial plan that met the relevant statutory requirements, the OEP might decide to open an investigation, which ultimately could lead to enforcement action. There are already very strong measures to back up the remedial plan, and in case standards or targets are missed. I therefore ask the hon. Member to withdraw the amendment.

Dr Whitehead: As I anticipated, I did not have an eager taker for my suggestion. Nevertheless, the Minister put on the record some of the anticipated structure following those reports. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 5 ordered to stand part of the Bill.

Clause 6

ENVIRONMENTAL TARGETS: REVIEW

Dr Whitehead: I beg to move amendment 183, in 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
- (b) that the achievement of any targets which meet the conditions specified in subsection (8) would constitute significant improvement in that matter.”

This amendment would require a review to consider whether significant improvement is achieved for the environment as a whole, as well as for certain individual aspects of the environment.

We now move to the fabled land of clause 6. We have been looking at it from afar and thinking that it might be a mirage, but it turns out that, like the targets we are talking about, it may be within our grasp. The amendment is important when it comes to looking at the system of the terrestrial and marine environment as a whole in the consideration of significant improvement to the natural environment.

We have talked about what we mean by significant improvement. We have discussed whether in certain circumstances, the improvement of the habitat for a particular species near Birmingham might constitute significant improvement, or whether we need a more holistic consideration of significant improvement. I think we need something more holistic, because it is important that our individual efforts—we will discuss them later in relation to local nature action plans—join up, and that they are seen as a whole and as parts of a wider process that provides systematic improvement for the whole terrestrial and marine environment. Individual improvements should therefore be judged against that wider yardstick.

4 pm

In considering that question, we want the Secretary of State to be satisfied that the same yardstick can reasonably be applied to the general and the individual, ensuring that the general is taken account of and that individual things are not only good in their own right, but achieve a wider improvement. The amendment also sets out that

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

That would bind the notion of significant improvement into the wider context, and it would be a useful improvement to the Bill.

The Minister might say that a systemic view of the overall terrestrial and marine natural environment can be inserted into the process in other ways. We probably agree that it is important for it to be done one way or the other, so that we stay focused on where we are going rather than getting distracted by things that are interesting but do not add to the whole, as far as systems are concerned. I hope that she will reassure me on that point.

Rebecca Pow: I welcome the shadow Minister’s intention of ensuring that the Secretary of State looks at whether targets will achieve significant improvement in the natural environment as a whole, as well as in individual areas of it. I do not believe that the amendment is necessary. The shadow Minister will not be surprised to hear me say that, but even in our evidence session of last week, Dr Richard Benwell, chief executive officer of Wildlife and Countryside Link, stated that

“the environment has to operate as a system. If you choose one thing to focus on, you end up causing more problems to solve.”—*[Official Report, Environment Public Bill Committee, 12 March 2020; c. 116, Q157.]*

In line with that, the significant improvement test—a legal requirement in the Bill—is intended to consider both the breadth and the amount of improvement, with the aim of assessing whether England’s natural environment as a whole would significantly improve. It is a holistic approach, and the Bill’s definition of the natural environment is drafted to be broad enough to encompass all its elements, including the marine environment, which we discussed earlier. I believe the shadow Minister and I are thinking along the same lines, as I think he was intimating that he wants this all-encompassing approach, which is explicitly highlighted in the Bill’s explanatory notes.

The Secretary of State will consider expected environmental improvement across all aspects of England’s natural environment, both terrestrial and marine, when conducting the significant improvement test. The test involves assessing whether England’s natural environment would significantly improve as a result of collectively meeting the long-term targets, which are legally binding, under the Bill, alongside any other relevant legislative environmental targets to which we are also adhering. I hope that reassures the shadow Minister, and I ask him to withdraw amendment 183.

Dr Whitehead: I am interested to know what status the Minister thinks the explanatory notes have in these proceedings. I imagine they are rather more than insignificant, and rather less than completely significant. I read the explanatory notes to any piece of legislation.

[Dr Whitehead]

Sometimes, it occurs to me that they run very close to what is in the legislation, and sometimes they depart a little, yet they come before us in the same form on all occasions. They are a sort of concordance that goes along with the legislation so that we can understand the clauses more easily.

I am not sure whether there is a consistent production line technique for explanatory notes, and whether they have at least some legal significance in terms of seeking the Minister's intention in presenting a piece of legislation or, indeed, a Committee's intention in seeking to legislate.

Rebecca Pow: The shadow Minister makes a very good point about the explanatory notes, although I always love having a look at them. Explanatory notes can obviously be used in the interpretation of the Bill and in legal proceedings, if necessary, as part of wider evidence.

Dr Whitehead: That is a very helpful intervention, and it is what I thought. It means that even if explanatory notes appear to stray a little from what one might read in the legislation, if one took it absolutely at face value, we can rely on them for clarification, for future reference. That is an important point, because this afternoon, in the Minister's response to my inquiry, she relied on what the explanatory notes said about the Bill, rather than what the Bill said. I take her point. If we are to take on board what the explanatory notes say, then that is not a bad response to my point. I wonder whether it would have been a better idea to put that stuff in the legislation, but hey, no one is perfect. We probably have a reasonably good framework to proceed with, in the light of the Minister's explanation. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Dr Whitehead: I beg to move amendment 86, in 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.”

This amendment prevents the targets from meeting the significant improvement test through virtue of being out of date and so more easily achieved.

The amendment seeks to ensure that—

Richard Graham: On a point of order, Sir Roger, am I right in thinking that we have got roughly halfway down page 1 of the selection list, and still have more than three full pages to go? By your calculation, are we on time to complete this business by 6 pm? If we are not, would it be possible for the Opposition to consider which of the amendments they most want to discuss, debate in detail and to push to a vote?

The Chair: Mr Graham, there is a wonderful organisation known as the usual channels, and I think you and I should allow them to do their job.

Dr Whitehead: I think we were aiming to get to the end of clause 6, so this is the last amendment that we want to raise this afternoon.

This amendment seeks to ensure that measures that are considered in carrying out a review are timely and in date. For example, the Secretary of State cannot carry out a review when things are out of date, and so more easily achieved than they would have been if the tests were in date. The amendment requires the Secretary of State to consider whether the targets that relate to the priority areas in clause 1 have expired or are required to be achieved by a date that has passed. That sounds a little like sell-by dates on cartons of milk, but it is more important than that, because a review could address targets that have expired, have been changed or have been achieved, and then the effect of that review could be pretty null.

This amendment puts at the end of the clause the requirement that

“the Secretary of State must consider whether any targets...have expired.”

If either of the considerations in proposed new subsection (9) apply, then under proposed new subsection (10),

“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.”

That is to say, if, in carrying out a review, the Secretary of State considers a target to have expired, or to have been required to be achieved by a date which has passed, then the significant environmental improvement test is met only if that is rectified.

As hon. Members said this morning, this is a moving and creaking ship. Things can change over time. New targets can be put in place, and existing targets can be changed, amended and improved. This amendment reflects the fact that over time, that may well happen. Indeed, some targets might be achieved and exceeded. If a Secretary of State is reporting on a target that has been exceeded, but is saying how a target should be reached, then clearly that report does not make a great deal of sense. The amendment rectifies that possibility, and puts in place a requirement that new targets be sought through the target-setting process discussed this morning. It allies these targets with the significant improvement test, and allows them to be met in a coherent way.

4.15 pm

Again, the Minister may well decide that the amendment is not exactly what she wants this afternoon, but she may have information that will allow me to think, “Well, the Government have thought about this, and have a method of making sure that the problems are solved by means other than this amendment.”

Rebecca Pow: I thank the hon. Member. If I may say so, he tables slightly tortuous amendments and it is often a case of trying to get one's head around them. I reassure him that this is not a creaking ship. This is a buoyant ship sailing towards a bright new blue environmentally enhanced horizon. As this is the last amendment today, I feel I can slip that in.

Dr Whitehead: Perhaps I can clarify the issue. My understanding of the term “creaking ship” is that it is a ship that is under sail, flourishing and driving through the water, and whose timbers are creaking as it is propelled to new horizons.

The Chair: I think the answer is, when you are in a hole, stop digging.

Rebecca Pow: I feel a bit of backtracking going on here.

Amendment 86 would mean that the significant improvement test could be met only if any targets within the four priority areas that have expired have been replaced by new targets. I reassure the hon. Member that the Government would consider current targets—not expired targets—only when conducting the significant improvement test. That test involves assessing whether England’s natural environment would improve significantly as a result of meeting the longer-term legally binding targets. That has taken up a large part of today’s discussion and is set under the Bill, as well as any other relevant legislation relating to environmental targets.

If the test is not passed, the Government must set out how they plan to use their new target-setting powers to close that gap. In practice, that will most likely involve plans to modify existing targets, make them more ambitious, or set new targets. That helps the Government to focus on the most pressing environmental issues of our time, rather than simply replacing targets that have expired. Some expired targets might, for example, no longer be the key issues on which we should focus in our long-term goals.

The Office for Environmental Protection has a key role through the exercising of its scrutiny functions, and it could publish a report if it disagreed with the Government’s conclusions that the existing targets were sufficient to pass the significant improvement test. The Government would then have to respond to that OEP report, and that response must be published and laid before Parliament. That is a clear pathway. The process ensures that Parliament, supported by the OEP, can hold the Government to account on the sufficiency of their measures to significantly improve the natural environment. I hope that clarifies the situation, and I ask the hon. Member kindly to withdraw amendment 86.

Dr Whitehead: I think that does provide clarification, to a reasonable extent. The amendment sought to copper-bottom guarantees, but the ship can sail quite well under the circumstances set out by the Minister, while perhaps not being fully caulked. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 6 ordered to stand part of the Bill.

The Chair: Before everybody leaves, the expectation is that the Committee will sit at 11.30 on Thursday 19 March. I say “expectation” because, as we all know, we live in rather strange times, and I feel I owe it to Mr Graham, having slapped him down a bit, to answer the question properly.

The timetable for the Bill is agreed by the usual channels, in consultation with the Minister and shadow Minister. There should be more than adequate time to thoroughly debate the Bill, given the programme we have. I have no problems with that whatsoever. However, I understand that discussions are taking place that may affect the progress not only of this Bill, but of other legislation. That remains to be seen. We may find this extremely important piece of legislation going on ice for a week, a month or six months.

Before we part—in case we do not meet even on Thursday—I want to say two things. The proceedings today have been slightly ramshackle around the edges, but I can live with that. You have been immensely courteous, thorough and good-humoured about the proceedings, and I am grateful to you for that.

Ordered, That further consideration be now adjourned.
—(Leo Docherty.)

4.20 pm

Adjourned till Thursday 19 March at half-past Eleven o'clock.

Written evidence reported to the House

EB13 WWF UK	EB19 ClientEarth
EB14 Countryside Alliance	EB20 London Councils
EB15 City of London Corporation	EB21 Cllr Andrew Western, Leader of Trafford Council and Greater Manchester Green City Region Lead
EB16 Peter Silverman MA MSc, Clean Highways	EB22 British Heart Foundation
EB17 Greener UK and Wildlife and Countryside Link (supplementary submission)	EB23 Global Witness
EB18 British Lung Foundation	EB24 Global Canopy
	EB25 Broadway Initiative