



Department for International Trade

Baroness Fairhead

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23rd January 2019

Dear Lady Kramer,

Environment Bill/Office for Environmental Protection

I am writing to you in light of the discussion we had during Committee Stage of the Trade Bill regarding the Environment Bill and the Office for Environmental Protection (OEP).

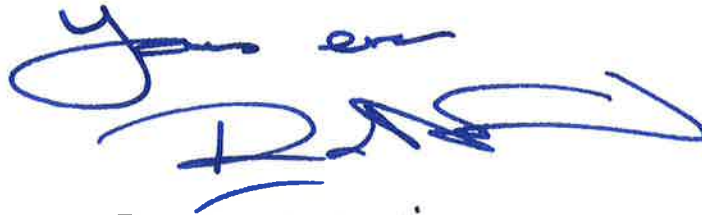
As I mentioned during Committee, the government will not weaken environmental protections when we leave the EU, but will instead maintain – and even enhance - our already high environmental standards. To this end, on 19 December, we published our draft Environment (Principles and Governance) Bill clauses. These draft clauses will be central to our new Environment Bill, the first of its kind for 20 years and one which will place environmental ambition and accountability at the heart of government. The Environment Bill will be introduced early in the second Session of this Parliament and is another key step towards achieving a Green Brexit.

The draft clauses set out how we will establish our own, world-leading, green governance body – the Office for Environmental Protection (OEP) – to champion and uphold environmental standards in England (and UK-wide for reserved environmental measures). The OEP will be an independent, statutory environmental body that will hold government to account on environmental standards once we leave the EU, replacing the current oversight of the European Commission.

As well as providing independent and impartial scrutiny and advice on environmental legislation and the government's Environmental Improvement Plan (currently the 25 Year Environment Plan), the OEP will also have a function and powers to take enforcement action where needed to make sure that government and public authorities are meeting their obligations under environmental law.

In particular, the draft clauses set out the OEP's powers to receive and investigate complaints about alleged failures by government and public authorities to comply with environmental law. Further, the draft clauses set out powers for the OEP to issue statutory information and decision notices in relation to failures to comply with environmental law, and if necessary to bring cases to legal proceedings via judicial review in the High Court. Parliament will also have an opportunity to scrutinise and amend the Environment Bill when it is introduced.

I am placing a copy of this letter in the libraries of both Houses.

A handwritten signature in blue ink, appearing to read 'Baroness Fairhead', written in a cursive style.

Baroness Fairhead

Minister of State for Trade and Export Promotion

Department for International Trade