

# ENVIRONMENTAL POLICY FORUM

c/o Society for the Environment

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Rt Hon Michael Gove MP  
Secretary of State for the Environment, Food and Rural Affairs  
Nobel House  
17 Smith Square  
London  
SW1P 3JR

4th September 2017

Dear Secretary of State,

## **Four Concerns Raised by the European Union (Withdrawal) Bill**

The Environmental Policy Forum (EPF) is a network of UK environmental professional bodies promoting environmental sustainability and resilience for the public benefit. The EPF's member bodies have a collective membership of around 70,000 environmental professionals, many of whom are individually chartered in environmental practice, science and engineering disciplines.

We welcome your Government's continued commitment to leave the environment in a better state than we inherited it. Exiting the EU provides opportunities which may assist in the achievement of this, but without fundamental mechanisms and assurances in place from the outset, it also gravely threatens the feasibility of such ambition. In this context we consider that the EU Withdrawal Bill fails to adequately address several issues of significant concern for our sector and that further clarification is required in relation to four particular concerns which we detail on the attached note.

It is well understood that a healthy and well-managed environment is an essential foundation for the operation of a strong and resilient economy, healthy trade and a productive society. We recognise the extent of the burden of regulatory work involved with the EU exit process. However, in order to ensure the best outcomes in a democratic society, the need for transparency, scrutiny and appropriate enforcement mechanisms are paramount. The Bill as presently drafted undermines the scope for such safety mechanisms and we would urge you to strengthen the wording in this regard. Additionally, it is of the utmost importance that appropriate governance frameworks and access to justice, currently enabled by the EU via the Commission and CJEU, are established in the UK.

We are pleased that you have recognised the importance of environmental principles such as the precautionary principle in driving environmental improvements over recent decades, and the importance of maintaining them in the UK post-EU Exit. Without explicit transposition of these principles into UK law however, there is a real risk they will not be sufficiently provided for by case law and could be diluted and lost as a driver of our environmental policy and practice.

Finally, as the UK begins to shape its direction on environmental management outside of the EU, we strongly encourage the Government to ensure that it works closely with its devolved nations to develop a set of commonly applicable policy frameworks to

manage issues which are not governed by national boundaries or otherwise require common approaches. At the same time these administrations must be enabled to develop locally relevant and innovative legislation and regulation.

As the Bill passes through parliament and as you and your Government develop the mechanisms through which the environment will be protected and enhanced, please give strong regard to the considered positions in our attached document as without improvements on these fronts, the UK and its environment will be weaker not better for future generations.

Our organisations are committed to working with Government to achieve our mutual goal of an improved environment for future generations. We would welcome the opportunity to discuss our concerns with you further and to explore how we can best work with you to inform this important transition, by accessing the collective expertise of our members.

Yours sincerely,

Professor Will Pope  
Chair, Environmental Policy Forum

Terry Fuller  
Chief Executive, The Chartered Institution of Water and Environmental Management

Dr Emma Wilcox  
CEO, Society for the Environment

Adam Donnan  
CEO, Institution of Environmental Sciences

Dr Colin Church  
CEO, The Chartered Institution of Wastes Management

Sally Hayns  
CEO, Chartered Institute of Ecology and Environmental Management

Martin Baxter  
Chief Policy Advisor, IEMA

Peter Spillett  
President, Institute of Fisheries Management

Daniel Cook  
Chief Executive, Landscape Institute