

Environmental Audit Committee

Oral evidence: Environment in Focus, HC 1310

Wednesday 17 December 2025

Ordered by the House of Commons to be published on 17 December 2025.

[Watch the meeting](#)

Members present: Mr Toby Perkins (Chair); Julia Buckley; Jonathan Davies; Carla Denyer; Barry Gardiner; Sarah Gibson; Alison Griffiths; Manuela Perteghella; Martin Rhodes; Dr Roz Savage.

Questions 26 - 32

Witnesses

[IV](#): Ben Reynolds, Executive Director, IEEP United Kingdom; David Baldock, Honorary Fellow, IEEP.

Written evidence from witnesses:

- [Written submission from the Institute for European Environmental Policy \(IEEP UK\) \(EIF0114\)](#)

Examination of witnesses

Witnesses: Ben Reynolds and David Baldock.

Q26 Chair: We come now to pitch four, which is on the subject of the state of UK-EU co-operation on the environment. We will hear from Ben Reynolds, Executive Director of the IEEP, and David Baldock, Honorary Fellow of the same organisation. First, please introduce the organisation and then over to your pitch.

Ben Reynolds: Thank you very much. It is an honour to present to the Committee.

The Institute for European Environmental Policy in the UK is a UK-based think-tank. We are part of the IEEP family, which will be celebrating its 50-year anniversary next year. We are pitching around the question of the state of UK-EU co-operation on the environment. By that we mean the extent of what the co-operation is, whether that is concerned with international leadership, legislation and policy, data sharing and governance, tackling shared challenges or trans-boundary issues.

So what is the issue? Research that we and other organisations have done has highlighted that the UK has not kept pace with new environmental policy developed in the EU in the last five years, often in areas of critical concern in the UK such as air and water quality. Why is this important? First, the impact on the environment: the common rulebook on environment and climate policy that the EU and UK once shared up to the point of Brexit has been significantly amended by the EU.

The EU has tightened up existing laws—the ones that the UK shared with the EU when a member—but has also gone further by creating altogether new laws in a range of areas that deliver higher standards and protections for the environment and climate. This has led to changes in a number of different areas: the circular economy, such as eco-design product standards; how the EU tackles emissions from large industrial facilities; how it tackles sewage; and reducing deforestation around the world. Many of these have come into effect or are coming into effect over the next few years.

It means that things like chemicals and pesticides deemed harmful in the EU are still allowed for use in the UK. Twelve pesticides still authorised in Great Britain are banned in the EU, and seven of these are ranked as highly hazardous. With chemicals only, one new restriction has been made under UK chemicals regulation in UK REACH since Brexit, which is on lead in ammunition. On the other hand, the EU has put into place 13 new restrictions under EU REACH since the beginning of 2021.



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Brexit has not yet translated into a widespread weakening of environmental laws. It is important to point that out. We have not regressed from the levels of environmental protection that were in place in 2020. In other words, broadly speaking, the UK does not have weaker laws than it had in place. However, there is the spectre of regression that hangs heavy with the UK Government's Planning and Infrastructure Bill, which in many people's views represents a regression that undermines well-established nature protection laws.

In our 2025 state of play document, which is a summary of some of the main areas that we have looked at in terms of legislative developments that have taken place since Brexit, where we have colour-coded—sorry this is very small—some of those changes and made a qualitative assessment across nine areas of policy. There are some red areas where there are areas of regression in air and pesticides, some in amber where we have not kept pace, yellow where there is broad alignment, and green, where the UK or nations have gone further.

With many of these issues being devolved, it is notable that we see different approaches and standards emerging across the UK. This is not one way. The UK has some areas where it has taken more progressive policy decisions: so from sand deals to some Scottish air quality standards, post-Brexit farm policy and biodiversity net gain in England, those are policy areas where the European Commission is taking particular note.

To move on to the impact on the economy, not only does this matter for the impact on the UK's nature and its citizens, but in many areas a lack of alignment is creating a trade barrier for UK businesses where alignment may aid economic growth, be it on regulations relating to circular economy, deforestation, product or chemical standards. To quote from the Managing Director of Michelin UK, "An environment that encourages investment in domestic circular economy technologies could be a real driver for growth and jobs in sectors such as automotive remanufacturing". On the flip side of that, falling behind the EU in terms of product sustainability standards leaves the UK open to imported products that fail to meet those standards, which is a threat to UK industry as well as the environment.

Just touching on governance, post-Brexit governance has seen the establishment of the OEP in England and Northern Ireland, Environmental Standards Scotland, and the Interim Environmental Protection Assessor for Wales. Do those powers match those of the bodies lost? I will give you the example here of the Thames tideway tunnel, which was completed last year. It has been argued that this would never have been built if it was not for a ruling of the CJEU in 2012, which found that the UK was in breach of the Urban Wastewater Treatment Directive because of repeated spills from stormwater overflows. Do we have an equivalent body to hold the UK to account that would lead to such a significant response?

However, our post-Brexit governance issues do not stop there. On chemicals regulation, as noted before, we allow numerous chemicals now



banned by the EU, and the body of response from the UK has made the frank admission that it simply does not have the capacity to operate the same level of testing and regulations as the EU equivalents, including the European Chemicals Agency.

A notable weakness post-Brexit is the UK leaving the European Environment Agency. After more than 25 years of intense co-operation, there is now little active and formal co-operation between technical environmental experts in the UK and their counterparts across the rest of Europe. We do not need to be a member of the EU to be a member of the European Environment Agency, as signified by countries like Norway, Switzerland, and Turkey all being members. It means that environmental data on key issues such as nitrogen dioxide, as referenced earlier, is completely missing. We do not know how we compare to the rest of Europe, at least in sharing this data.

This is emblematic of a wider set of principles around why our relationship with the rest of Europe needs more scrutiny, considering that many environmental challenges and resources do not respect boundaries, and managing these should be done collectively. Many European nations offer the most similar geographies and demographics to the UK, and by collecting comparative data and outcomes of our respective approaches, we can better understand the effectiveness of our current approaches in the UK. There is also an economic value of data, which is growing in our increasingly digital world, so having access to and participation in the uptake and use of new monitoring techniques and high-value European data sets could benefit the UK.

It is also worth saying that our re-engagement in programmes, such as Copernicus and Horizon, would hugely benefit us, and being part of the European Environment Agency would help maximise the value of those programmes and pulling them into policy making. I look to my colleague David Baldock.

David Baldock: One question for the Committee is why now. Is this an ongoing topic? We suggest it is particularly pertinent now because of a number of factors, one of which is the reset discussions between the EU and the UK last year. This has triggered a process that we know is going to continue. At the same time, there is a certain amount of upheaval inside the EU process. For the first time in my working life, there has been some revision of environmental legislation. There is some uncertainty as to exactly where that is going.

What we do know will happen in the next year or so, which is relevant to this, is that we have the circular economy growth plan coming up in the UK, which is a particular alignment issue. There is another EU-UK reset meeting next summer. The UK-EU Trade and Co-operation Agreement, which governs UK-EU relations, is up for review in 2026. Then in November 2026, we have five years of the Environment Act, which would be the moment to have a little bit of a reflection potentially about: where do we want to go? Do we want to say any more in the UK about the whole issues of alignment or aversion?



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Then finally, what role could the EEC play in this? I do not think we are suggesting this is a total black hole. It is more like areas of slight murkiness on the map, where it can be quite difficult to see the wood from the trees. We don't see this as falling within the remit of other Committees, and there has not been a look across the piece in the way we are proposing. We don't think that some of these questions have been asked. DEFRA has not really been held to account. Other ministries have not been held to account.

The sort of questions we can imagine the Committee probing would include: what are the environmental and economic impacts of divergence? Should there be more strategic alignment or more policy around divergence? Is the UK actually regressing or not? Is the EU backsliding on the environment? What is the institutional capacity in the UK to do this, and what are the future possibilities for greater co-operation that could be built upon and proposed? I will stop there.

Q27 Chair: Excellent. Thank you very much. You finished 20 seconds ahead of schedule. That is an extra tick. Thank you much indeed for that.

There is a useful set of questions there for us to consider, which is tremendously helpful. Do any of my colleagues want to come in?

I will start. Where we are now is that we have come out of the EU. The EU is going ahead in a several areas. Such an area may be a priority for the Government. It may not. To an extent that was inevitable. Is it your contention that there is a strategic decision of the UK to actively seek to offer less environmental protections and, as a result, to gain economic advantage or whatever? Or is it simply that we need to keep track of whether we are falling behind almost accidentally?

David Baldock: At the time of Brexit, there was a fear that the UK would become a kind of Singapore in the Atlantic and deliberately seek to lower standards to gain competitive advantage. That has not happened, but I think, unfortunately, there is uncertainty about what the UK does want. We do not have an explicit policy here, really.

It is interesting that in the reset the Government signed up to an alignment programme around pesticides, for example, of a kind that had not even been discussed previously as being on the agenda at all, so that came as a bit of a surprise. I don't think we have had a debate, and if you are in industry you don't know what is going to happen next.

Each piece of EU legislation that comes along, the Government appear to take a fairly ad hoc decision as to whether to align with it or not, or to wait. We don't know whether they are waiting to see what is going to happen with the EU law on deforestation, for example, or if they actually don't like the look of it or what. There has not been sufficient clarity, and this is where the Committee could shed light.

Ben Reynolds: Thinking about economic advantage, it seems to me that to deliberately not align is very much outweighed by the arguments for alignment, particularly from what we have heard from many businesses,



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from our analysis into the circular economy and a number of areas where the EU has put forward new legislation.

There are calls from businesses to align with those legislations to provide clarity and certainty and a level playing field for a lot of those businesses. There probably needs to be more scrutiny on how that might affect other sectors as well.

Q28 Julia Buckley: It is interesting to hear that you talked about alignment, about enforcement, and you also talked about data sharing. I am sure if you followed the earlier pitches today, each of the different areas that we have explored all asked: what is happening in the other countries? How do we compare to the EU? It feels like that is the bit that is not happening.

On your question about exploring whether the UK should consider rejoining the environmental agency, can you talk us through what that could mean, or give an example of other countries? You talked about Switzerland. What would it mean for a non-EU member state to be in: do we get access to data sharing, to policy proposals, and would we be around the table when they are discussing this? That is the thing where we could have a deep dive to understand the pros and cons.

Ben Reynolds: We are about to release a briefing on this. I would be happy to share it with you, but I will give you some advance headlines from that. Looking at the examples of other countries, Switzerland and Turkey are probably the most similar examples where there is a parallel. They went through a five-year process to join the European Environment Agency. If we want to rejoin that might be the kind of timeframe. However, you can start getting access to some of the data and relationships from the get-go.

It would mean that we would be back on the map. We would be able to compare a lot of the data, and we would also be able to share some of the solutions and approaches. It means that it would give our agencies, civil servants, academics, access to those networks and that high-level data that we are not currently part of.

David Baldock: The UK still has tremendous expertise. The Environment Agency is easily the biggest such agency in Europe. We are the repository of a lot of the science, technical and policy expertise, and we are not necessarily conveying that or engaging because we are not part of the relevant formal committee. There is a question of the opportunity to use these non-decision-making bodies in exchange for, and in a constructive and helpful way. It would be nice to see that done in a more systematic and ambitious way.

Q29 Julia Buckley: I want to flip that. We are trying to think about how this would affect different Departments of the Government. You touched on potential alignment, which could be an outcome, but not necessarily if you are just exchanging data. There is also a business opportunity around how that affects exports and imports, and obviously DEFRA and other Departments.



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If the UK were to rejoin, would there be any requirement on Ministers, when they are developing policy, to include mainstreaming to include reference to EU counterparts, which presumably there is zero requirement for at the moment? Each new policy does not need to explain what everybody else is doing. Does that come backwards?

Ben Reynolds: I don't think there is a requirement, but jump in and correct me if I am wrong. I think it means is that there is access to a lot more data. Bearing in mind that we were part of the EEA, one of the considerations was the data systems that we have, how we collect data and how compatible they are.

When you look at some of the other countries that joined, they had to start from scratch. We were part of the European Environment Agency up to a few years ago. Therefore, it is not a huge stretch to be able to do this, but we have now developed different approaches across the four nations, and I think that having a consistent approach to collecting the data has its benefits as well.

David Baldock: If the UK rejoined the EU, we would obviously have to comply with all EU law but would have a part in its construction. The UK was quite an important player in the construction of EU law from the beginning, so it wasn't a minnow in this, so we could go back to that. It is also perhaps worth distinguishing the EU law and the national law in the different member states. Some of those member states obviously have leading practice, which isn't necessarily the same as what is required at a European level.

Q30 **Barry Gardiner:** Full disclosure: I would love to rejoin the European Environment Agency, and I would love to have full alignment. I suppose the real question to you is: is this a political push against the expressed views of the public in the Brexit referendum? I voted to remain, but I recognise that the public did not. How much of a political rapport would this be?

Can you justify it on the basis that, when we were aligned with Europe, when we were taking the European consensus, it was a very simple process to pass into legislation through delegated legislation in this country, which was not complex, which was very swift and enabled us to improve our environmental protections quickly and efficiently? At the moment, outside of that, we have to do it slowly, often by primary legislation, for which there is no time.

It seems to me that you need to be making more of a business case here, rather than just saying the European Union is doing good things that we are not benefiting from.

David Baldock: Absolutely, and we are certainly not saying that. What we are saying is that it is very important for the UK to be clear about its self-interest. That is environmental self-interest, business self-interest, and cultural self-interest. In some cases that might mean alignment. There will often be a trade-off in any kind of alignment. There will be pros and cons to it. In some cases, alignment might definitely not be in our



interest. There will be areas where we are doing things better than the EU.

Q31 **Barry Gardiner:** As we have done on pesticides?

David Baldock: Exactly. I don't think we are suggesting that any inquiry of this kind would lead to a completely black and white position. Of course, there is politics in it, and we know that the influence of Washington right now on the EU is very large and not insignificant here. I don't think you could rinse the politics out. On the other hand, I think there is a great deal to be done instead of this fear: clarity of self-interest and clarity of the dynamics inside the UK. Then there are political judgments to make that if alignment is desirable in that sense, well, are there political reasons not to proceed?

Ben Reynolds: On the point of the EEA specifically, I don't think anybody voted to leave for lower standards and having less access to data. We may have left the EU, but we did not leave Europe. This is a body. You don't have to be members of the EU. It reflects that co-operation across the whole of the continent. However, I take your point on improving the business case for it.

Q32 **Chair:** In your presentation, you identified a number of areas where we are still aligned, some where we have fallen behind, some where we have slightly gone ahead. That is just Brexit, isn't it? That was in the price when we chose to leave. We can be better in some, and we can be less good in some others. What is there to discover, really?

David Baldock: You say it is just Brexit, but Switzerland has quite a different relationship. It has never been part of the EU, and it is quite canny and self-interested in trying to identify what its interests are and then trying to negotiate those with the EU with varying levels of success. The Commission is quite a tough negotiator, so we are not necessarily going to get what we want.

Certainly, it means post-Brexit matters of self-determination have a value they did not necessarily have before, and one would not want to discount that. Nonetheless, on trying to be clear and clearer than we are about exactly where the EU is going, how it affects us, whether it is helpful to have a more explicit policy in the UK—we think the question should be asked.

Chair: Thank you very much indeed, David Baldock and Ben Reynolds, for that presentation, which we bring to a close now and invite Dr O'Leary and Dr Hillier to come and join us.