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Sir Robert Goodwill, Chair
EFRA Select Committee
House of Commons
London, SW1A 0AA

14th June 2022

Dear Sir Goodwill,

In his letter of 20th May, the interim chair wrote to me setting out several questions and providing feedback on the draft Environmental Principles Policy Statement (“the EPPS”), followed by an informal discussion on 24th May.

On the support being supplied to departments, we are working across government to raise awareness and develop tools to help other departments implement the new duty within their own policy-making processes. Although the EPPS is in a draft form, it is important that Defra and other departments can prepare for the duty and engagement is therefore already ongoing. We are developing a cross government toolkit which will include online training, case studies, templates to assess policies against the principles, and advice notes to address common queries by policy teams. We also aim to provide ongoing advice and support via the Environmental Principles team in Defra.

In terms of engagement with BEIS, DfT and DLUHC, officials have had high-level engagement with these and other departments to raise awareness of the new duty and build understanding of their approach and what support would be useful. Several departments are already looking at developing their own tools, and we are working closely with them to share ideas and identify best practice as we develop the toolkit of resources.

I note the committee’s concerns regarding the implementation period. When the final policy statement is brought into effect, all policy (including developing) will be in scope. We must therefore ensure that we balance the importance of bringing the principles into force as soon as possible, with the ability of departments to properly account for any final changes to the draft statement across all developing policies. We are currently discussing the possible length of this period across government. Lessons learnt from the roll out of the Public Sector Equality Duty demonstrated that it is important to allow sufficient implementation time.

In response to the query regarding the use of Environmental Impact Assessments (EIAs), as the final EPPS will apply to all policy areas, not just effects of development, EIAs would not be an appropriate framework. In terms of having an audit trail, policymakers will need to consider what records should be kept. The most appropriate way to do this will depend on the policy, and different government departments may have different approaches, which is why neither the EPPS or the Environment Act 2021 is prescriptive. The Public Sector Equality Duty requires public authorities to publish information to demonstrate their

compliance with the duty. There is no similar requirement for Environmental principles under the Environment Act 2021. Ministers will be responsible for implementing the EPPS within their departments and our toolkit will provide template guidance and support.

I also note the concerns on the duty filtering down to those that deliver policy such as local authorities. Although the legal duty applies only to Ministers, the principles will be considered when making policies that are delivered by local authorities. The environmental protection promoted by the principles will filter down into local policy and strategic decisions, for example through the National Planning Policy Framework.

In terms of the departments exempt from the statement, work is already underway within Defence to design MOD processes that will achieve the outcomes required by the principles' duty and report on the actions taken. This work is being led by MOD's new Climate Change and Sustainability Directorate who are also responsible for their wider environmental sustainability work and who will actively work with Defra and other Government colleagues to maintain a coherent and robust approach.

With regards to HM Treasury and HMRC, officials are in contact regarding the principles. The Treasury's world-leading Green Book already mandates the consideration of environmental impacts, climate change and natural capital in spending. Taxation, spending and the allocation of resources within government are excluded from the remit of the principles duty. The exemption on the 'allocation of resources' refers to central spending decisions only; individual policies that require spending will still need to have due regard to the policy statement.

I also note that concerns were raised about the definition of the precautionary principle. The precautionary principle follows the Rio Convention definition. I can assure you that evidence is as important as ever within policymaking and we are not undermining this important and well-established principle. The principle should not hinder innovation but instead support innovative policy approaches by providing policymakers with the tools to manage risk.

Thank you again for taking the time to write. Please do not hesitate to get in touch if you have any further questions.

Yours sincerely,



REBECCA POW MP