

## Environment Bill

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House of Commons  
Report Stage  
26 January 2021

### About the BMA

The BMA (British Medical Association) is a professional association and trade union representing and negotiating on behalf of all doctors and medical students in the UK. It is a leading voice advocating for outstanding health care and a healthy population. It is an association providing members with excellent individual services and support throughout their lives.

The BMA is also founding member of the UKHACC ([UK Health Alliance on Climate Change](#)). The coalition of major health institutions is committed to increasing awareness and encouraging better approaches to tackling climate change that protect and promote public health, whilst also reducing the burden of climate change's impact on health services. Read UKHACC's briefing on the Bill here: [UKHACC briefing](#).

### BMA key briefing points:

- **Air quality:** The Bill's provision to require a PM2.5 target is very welcome – the UK's current legal limit for PM2.5 is twice as high as limits recommended by the WHO (World Health Organisation). However, we believe the target-setting should specify adopting the WHO's recommended limit for PM2.5 so that the UK's legislative framework is based on the highest health standards. **We urge MPs to support Amendment 2 to this effect.**
- **The OEP (Office for Environmental Protection):** We echo concerns that the Bill does not give the OEP adequate independence to scrutinise the Government's performance on the environment in a robust and impartial way. We urge ministers to consider recommendations<sup>1</sup> for closer ties between the green watchdog and Parliament.
- **Future-proofing:** Provisions in the Bill to amend targets should guard against any potential weakening of environmental standards. The UK Government must deliver its stated ambition to become the first generation to leave the environment in a better state than it was found.

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<sup>1</sup> Former EFRA Committee Chair, Neil Parish MP (Oct 2019): <https://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/news-parliament-2017/environment-bill-inquiry-launch-19-20/>  
Former Environmental Audit Committee Chair, Mary Creagh (Oct 2019): [www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news-parliament-2017/draft-environment-bill-government-response-19-20/](http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news-parliament-2017/draft-environment-bill-government-response-19-20/)



## Air quality

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### PM2.5

**We are supportive of Amendment 2 tabled by Neil Parish MP, EFRA select committee chair, which would ‘set parameters on the face of the Bill to ensure that the PM2.5 target will be at least as strict as the 2005 WHO guidelines, with an attainment deadline of 2030 at the latest’.**

**The Bill’s provision to require a target for an annual mean concentration level of fine particulate matter (PM2.5) is welcome. However, we believe this provision should specify adopting the WHO’s recommended limit, on the face of the Bill, so that the UK’s legislative framework is based on the highest health standards.**

According to the WHO (World Health Organisation), current estimates indicate that outdoor air pollution is responsible for 4.2million premature deaths per year globally. This mortality is due to exposure to small particulate matter of 2.5microns or less in diameter (PM2.5), which can penetrate deep into lung passageways and enter the bloodstream.<sup>2</sup>

Tackling air pollution is vital for protecting some of the most vulnerable in society, whilst also reducing the burden on health services. Exposure to air pollution is associated with negative impacts on different parts of the body, at every stage of life – from adverse birth outcomes and negative impacts on neurological development in children, to exacerbating existing health conditions, like COPD, asthma, and coronary heart disease, to cognitive impairment in older people.

The UK’s current legal limit for PM2.5 is twice as high as limits recommended by the WHO. The Bill creates a specific duty for the UK to set a target for PM2.5, in recognition of the ‘compelling case’ to reduce public exposure as far as practically possible.<sup>3</sup> However, it does not reflect the Government’s own appraisal<sup>4</sup> based on scientific modelling that it would be ‘technically feasible’ for the UK to meet the WHO’s target in the future.

### Target setting

**The Bill’s provision to require target setting for air pollution, as one of four priority areas, is welcome. However, the fine print about when key targets must be set, and delivered, is disappointing and should be strengthened if it is to truly deliver ‘a gold standard for improving air quality’<sup>5</sup>.**

It has been estimated that as many as 40,000 deaths a year in the UK are attributable to outdoor air pollution in the UK. By 2035, the health and social care costs of air pollution have been estimated to reach up to £18.6 billion.<sup>6</sup> As highlighted by the former chair of the Environmental Audit Select Committee<sup>7</sup>, it is regrettable that targets created as a result of this Bill, including at least one long-term target to improve air quality, will have a ‘needlessly long timeframe’ for

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<sup>2</sup> WHO, ‘Ambient (outdoor) air pollution’, May 2018: [www.who.int/news-room/fact-sheets/detail/ambient-\(outdoor\)-air-quality-and-health](http://www.who.int/news-room/fact-sheets/detail/ambient-(outdoor)-air-quality-and-health)

<sup>3</sup> DEFRA, ‘Assessing progress towards WHO guideline levels of PM2.5 in the UK’, July 2019 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825472/air-quality-who-pm25-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825472/air-quality-who-pm25-report.pdf)

<sup>4</sup> *ibid*

<sup>5</sup> DEFRA news story, Jan 2020, available at: [www.gov.uk/government/news/environment-bill-sets-out-vision-for-a-greener-future](http://www.gov.uk/government/news/environment-bill-sets-out-vision-for-a-greener-future)

<sup>6</sup> UKHACC, Briefing for Environment Bill in the last parliamentary session. More about UKHACC here: [www.ukhealthalliance.org/](http://www.ukhealthalliance.org/)

<sup>7</sup> Letter from Mary Creagh, Former Chair of the Environmental Audit Select Committee (Oct 2019): [www.parliament.uk/documents/commons-committees/environmental-audit/correspondence/191022-Chair-to-Theresa-Villiers-Env-Bill.pdf](http://www.parliament.uk/documents/commons-committees/environmental-audit/correspondence/191022-Chair-to-Theresa-Villiers-Env-Bill.pdf)

implementation. According to the Bill, details of the air quality target will not need to be in place until October 2022, and there will be no requirement to meet such a target before at least 2037.

## Future enforcement

### Protecting environmental standards

**We are concerned that the Bill does not adequately guard against possible future weakening of the UK's environmental protections. We urge the Government to ensure the Bill, notably clause 3, does not allow any scope for the UK's environmental standards to regress.**

The EU has been a leader in environmental legislation over the last 40 years, with the UK playing an important part. The Environment Bill is a crucial opportunity to ensure environmental protections in the UK are maintained and enhanced after our exit from the EU.

Clause 3 permits the Secretary of State to lower or revoke a long-term target for air quality created from this Bill, and to lower (but not revoke) the target for PM2.5. Provisions in the Bill, such as these, to amend targets must not have the scope to derail the UK Government's stated ambition to become the first generation to leave the environment in a better state than we found it.<sup>8</sup>

### Independence of the OEP (Office for Environmental Protection)

**We are concerned that the Bill does not give the OEP adequate independence to scrutinise the Government's performance on the environment in a robust and impartial way. We urge ministers to consider select committees<sup>9</sup> previous recommendations for closer ties between the OEP and Parliament.**

Schedule 1 of the Bill stipulates that non-executive members of the OEP, including the Chair, will be chosen by and accountable to the Secretary of State.<sup>10</sup> Both the former Environmental Audit Select Committee and former EFRA Select Committee advised that the non-executive roles ought to involve the oversight of their select committees – strengthening the links between the OEP and Parliament 'to enhance the independence of the body'.

We believe that greater links with Parliament could be more effective at protecting the OEP's independence than schedule 1's inclusion of a duty for ministers to 'have regard' to the need to protect the OEP's independence.

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<sup>8</sup> UK Government, 'A green Future: our 25 year plan to improve the environment', 2018: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/693158/25-year-environment-plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf)

<sup>9</sup> Former EFRA Select Committee Chair, Neil Parish MP (Oct 2019): [www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/news-parliament-2017/environment-bill-inquiry-launch-19-20/](http://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/news-parliament-2017/environment-bill-inquiry-launch-19-20/)  
 Former Environmental Audit Select Committee Chair, Mary Creagh (Oct 2019): [www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news-parliament-2017/draft-environment-bill-government-response-19-20/](http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news-parliament-2017/draft-environment-bill-government-response-19-20/)

<sup>10</sup> DEFRA explanatory notes on the Environment Bill (pp. 124), Jan 2020: <https://publications.parliament.uk/pa/bills/cbill/58-01/0009/en/20009en.pdf>