



Environment Act 2021

CHAPTER 30

ENVIRONMENT ACT 2021

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CHAPTER 1

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Status: This is the original version (as it was originally enacted).

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- 22 In section 24 (the OEP’s strategy: process), in subsection (1)(a)...
- 23 (1) Section 25 (guidance on the OEP’s enforcement policy and...
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- 27 (1) Section 43 (confidentiality of proceedings) is amended as follows....
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- 29 (1) Schedule 1 is amended as follows.
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Status: This is the original version (as it was originally enacted).

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- 2 In section 34B(6) of the Environmental Protection Act 1990 (constable's...)
- 3 Powers of direction in relation to waste
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- 5 (1) Section 108 (powers of enforcing authorities and their authorised...)
- 6 (1) Schedule 18 (supplemental provision about powers of entry) is...

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- 1 The Environment Act 1995 is amended as follows.
- 2 (1) Section 80 (national air quality strategy) is amended as...
- 3 After that section insert— Duty to report on air quality...
- 4 After section 81 insert— Functions of relevant public authorities etc...
- 5 (1) Section 82 (local authority reviews) is amended as follows...
- 6 After section 83 insert— Duties of English local authorities in...
- 7 (1) Section 84 (duties of local authorities in relation to...
- 8 After section 85 insert— Duty of air quality partners to...
- 9 (1) Section 86 (functions of county councils for areas for...
- 10 For section 86A substitute— Role of the Mayor of London...
- 11 (1) Section 87 (regulations) is amended as follows.
- 12 In section 88, in subsection (3), after “district councils” insert...
- 13 In section 91 (interpretation), in subsection (1)—
- 14 In Schedule 11 (air quality: supplemental provisions), in paragraph 1(2),...

SCHEDULE 12 — Smoke control in England and Wales

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- 1 The Clean Air Act 1993 is amended as follows.
- 2 After section 19 insert— Regulation of smoke and fuel in...
- 3 After Schedule 1 insert— SCHEDULE 1A Penalty for emission of...
- 4 After section 19A (as inserted by paragraph 2 above)— Acquisition...
- 5 After section 26 insert— Duty of local authority to reimburse...

- 6 After section 28 insert— Guidance for local authorities in England...
 - 7 In section 44 (vessels), after subsection (2) insert—
 - 8 In section 56 (rights of entry and inspection etc), for...
 - PART 2 — PRINCIPAL AMENDMENTS TO THE CLEAN AIR ACT 1993: WALES
 - 9 The Clean Air Act 1993 is amended as follows.
 - 10 (1) Section 20 (prohibition on emission of smoke in smoke...
 - 11 (1) Section 21 (power to exempt certain fireplaces) is amended...
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 - 13 (1) Section 18 (declaration of smoke control area by local...
 - 14 (1) Section 20 (prohibition on emission of smoke in smoke...
 - 15 (1) Section 21 (power to exempt certain fireplaces) is amended...
 - 16 (1) Section 22 (exemptions relating to particular areas) is amended...
 - 17 (1) Section 23 (acquisition and sale of unauthorised fuel in...
 - 18 In section 24 (power to require adaptations of fireplaces), in...
 - 19 In section 26 (power to make grants for fireplaces in...
 - 20 In section 27 (references to adaptations)— (a) in the heading,...
 - 21 In section 28 (expenditure on execution of works), in subsection...
 - 22 In section 29 (interpretation)— (a) in the definition of “old...
 - 23 In section 63 (orders and regulations)— (a) in subsection (2),...
 - 24 (1) Schedule 1 (coming into operation of smoke control orders)...
 - 25 Minor amendments to other legislation
 - PART 4 — SMOKE CONTROL AREAS IN ENGLAND: TRANSITIONAL PROVISION
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- SCHEDULE 14 — Biodiversity gain as condition of planning permission
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 - 2 In that Act, after Schedule 7 insert— SCHEDULE 7A Biodiversity...
 - PART 2 — CONSEQUENTIAL AMENDMENTS
 - 3 (1) The Town and Country Planning Act 1990 is amended...
- SCHEDULE 15 — Biodiversity gain in nationally significant infrastructure projects
 - PART 1 — PRINCIPAL AMENDMENTS TO THE PLANNING ACT 2008
 - 1 The Planning Act 2008 is amended as follows.
 - 2 In section 103 (Secretary of State is to decide applications),...
 - 3 (1) Section 104 (decisions in cases where national policy statement...
 - 4 (1) Section 105 (decisions in cases where no national policy...
 - 5 After Schedule 2 insert— SCHEDULE 2A Biodiversity gain Section 103...
 - PART 2 — SUPPLEMENTARY AMENDMENTS TO THE PLANNING ACT 2008
 - 6 The Planning Act 2008 is amended as follows.
 - 7 In section 37 (applications for orders for development consent), after...
 - 8 In section 120 (what may be included in development consent...
 - 9 (1) Section 232 (orders and regulations) is amended as follows....
- SCHEDULE 16 — Controlling the felling of trees in England
 - 1 Introductory
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Status: This is the original version (as it was originally enacted).

- 3 Restocking notices to be local land charges
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- 5 Further enforcement notices for new estate or interest holders
- 6 Power of court to order restocking after conviction for failure to comply with enforcement notice
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- 7 (1) The Upper Tribunal may, on the application of the...
- 8 The power under paragraph 6(1) or 7(1) does not include...
- 9 Deciding whether to modify
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- 11 (1) The Upper Tribunal may, if it considers it reasonable...
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 - 7 Modification of Part 7 in relation to obligations under certain Crown
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 - 8 References in Part 7 to an obligation of the landowner...
 - 9 (1) Section 122 has effect with the following modifications in...
 - 10 (1) Section 123 has effect with the following modifications in...
 - 11 In section 129(4)(b) and (5) the references to a successor...
 - 12 In Schedule 18— (a) the references in paragraphs 1(1) and...
 - PART 3 — OTHER MODIFICATIONS OF PART 7
 - 13 Cases where estate in land to which conservation covenant relates
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appropriate authority
 - 14 In section 122— (a) subsections (2)(b), (3) and (4) have...
 - 15 In section 123— (a) subsections (1)(b), (2) and (4) have...
 - 16 (1) In section 129(4)(b) and (5) references to a successor...
 - 17 In Schedule 18— (a) the reference in paragraph 6(1) to...
 - 18 Agreements under section 127(1) and (3)
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 - 21 (1) Sub-paragraph (2) applies where a person who—
- SCHEDULE 20 — Consequential amendments relating to Part 7
- 1 Acquisition of Land Act 1981 (c. 67)
 - 2 (1) Section 12 (notice of compulsory purchase by local and...
 - 3 (1) Paragraph 3 of Schedule 1 (notice of compulsory purchase...
 - 4 Housing and Planning Act 2016 (c. 22)
 - 5 (1) Section 203 (power to override easements and other rights)...
 - 6 (1) Section 204 (compensation for overridden easements etc) is
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 - 7 In section 205(1) (interpretation), at the appropriate place insert—
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 - 8 Neighbourhood Planning Act 2017 (c. 20)
 - 9 In section 20 (notice requirements relating to taking temporary
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 - 10 In section 23 (compensation), after subsection (5) insert—
 - 11 (1) Section 27 (powers of acquiring authority in temporary possession...
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 - 4 Requests by devolved administrations for exercise of powers under this
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