



Environment Act 2021

2021 CHAPTER 30

PART 1

ENVIRONMENTAL GOVERNANCE

CHAPTER 1

IMPROVING THE NATURAL ENVIRONMENT

Environmental improvement plans

8 Environmental improvement plans

- (1) The Secretary of State must prepare an environmental improvement plan.
- (2) An “environmental improvement plan” is a plan for significantly improving the natural environment in the period to which the plan relates.
- (3) That period must not be shorter than 15 years.
- (4) An environmental improvement plan must set out the steps Her Majesty’s Government intends to take to improve the natural environment in the period to which the plan relates.
- (5) It may also set out steps Her Majesty’s Government intends to take to improve people’s enjoyment of the natural environment in that period (and if it does so references in this Part to improving the natural environment, in relation to that plan, include improving people’s enjoyment of it).
- (6) The Secretary of State’s functions in relation to environmental improvement plans are not exercisable in relation to the natural environment in Wales.
- (7) The document entitled “A green future: our 25 year plan to improve the environment” published by Her Majesty’s Government on 11 January 2018 is to be treated as an environmental improvement plan prepared by the Secretary of State under this section.

Status: This is the original version (as it was originally enacted).

(8) References in this Part—

- (a) to the first environmental improvement plan, are to that document;
- (b) to the current environmental improvement plan, are to the environmental improvement plan for the time being in effect.

9 Annual reports on environmental improvement plans

- (1) The Secretary of State must prepare annual reports on the implementation of the current environmental improvement plan.
- (2) An annual report must—
 - (a) describe what has been done, in the period to which the report relates, to implement the environmental improvement plan, and
 - (b) consider, having regard to any data obtained under section 16, whether the natural environment has, or particular aspects of it have, improved during that period.
- (3) In considering the matters in subsection (2)(b) an annual report must consider the progress that has been made towards achieving—
 - (a) any targets, or any relevant targets, set under sections 1 to 3, and
 - (b) any interim targets, or any relevant interim targets, set under sections 11 and 14.
- (4) The first annual report on the first environmental improvement plan may relate to any 12 month period that includes the day on which this section comes into force.
- (5) The first annual report on a subsequent environmental improvement plan must relate to the first 12 months of the period to which the plan relates.
- (6) Subsequent annual reports on an environmental improvement plan must relate to the 12 month period immediately following the 12 month period to which the previous annual report relates.
- (7) An annual report must be laid before Parliament before the end of the 4 month period beginning immediately after the last day of the period to which the report relates.
- (8) The Secretary of State must publish annual reports laid before Parliament under this section.

10 Reviewing and revising environmental improvement plans

- (1) The Secretary of State must—
 - (a) review the current environmental improvement plan in accordance with this section, section 11 and section 12, and
 - (b) if the Secretary of State is required to revise the plan under section 11, or considers it appropriate to revise the plan as a result of the review, revise the plan.
- (2) The period to which a revised plan relates must end at the same time as the period to which the current plan relates.
- (3) The first review of the first environmental improvement plan must be completed by 31 January 2023.

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- (4) The first review of a subsequent environmental improvement plan must be completed before the end of the 5 year period beginning with the day on which it replaces the previous plan (see section 13(4)).
- (5) Subsequent reviews of an environmental improvement plan must be completed before the end of the 5 year period beginning with the day on which the previous review was completed.
- (6) If as a result of a review the Secretary of State revises the environmental improvement plan, the Secretary of State must lay before Parliament—
 - (a) the revised environmental improvement plan, and
 - (b) a statement explaining the revisions and the reasons for them.
- (7) If as a result of a review the Secretary of State does not revise the environmental improvement plan, the Secretary of State must lay before Parliament a statement explaining that and the reasons for it.
- (8) The Secretary of State must publish the documents laid under subsection (6) or (7).
- (9) A review is completed when the Secretary of State has laid and published the documents mentioned in subsection (6) or (7).
- (10) References in this Act to an environmental improvement plan include a revised environmental improvement plan.

11 Reviewing and revising plans: interim targets

- (1) On the first review of the first environmental improvement plan, the Secretary of State must revise the plan so as to—
 - (a) set at least one interim target in respect of each relevant matter, and
 - (b) secure that there is at all times, until the end of the 5 year period beginning with the relevant date, an interim target set by the plan in respect of each relevant matter.
- (2) On any other review of an environmental improvement plan, the Secretary of State must make any revisions to the plan which are necessary in order to—
 - (a) set at least one interim target in respect of any matter that has become a relevant matter since the previous review, and
 - (b) secure that there is at all times, until the end of the 5 year period beginning with the relevant date, an interim target set by the plan in respect of each relevant matter.
- (3) A “relevant matter” means any matter in respect of which there is a target under sections 1 to 3.
- (4) Subsection (2)(b) does not apply in respect of a matter if the specified date for the target under sections 1 to 3 in respect of that matter is before the end of the 5 year period beginning with the relevant date.
- (5) On a review of an environmental improvement plan, the Secretary of State may revise or replace any interim targets set by the plan in respect of a relevant matter (subject to subsection (2)(b), where it applies in respect of the matter).
- (6) An interim target in respect of a matter must specify—

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- (a) a standard to be achieved, which must be capable of being objectively measured, and
 - (b) a date by which it is to be achieved.
- (7) The date must be no later than the end of the 5 year period beginning with—
- (a) for the first interim target in respect of a matter, the relevant date;
 - (b) for subsequent interim targets in respect of a matter, the later of the relevant date and the date specified for the previous interim target.
- (8) Before setting or revising an interim target in respect of a matter the Secretary of State must be satisfied that meeting the target, or the revised target, would make an appropriate contribution towards meeting the target under sections 1 to 3 in respect of that matter.
- (9) The “relevant date” is the date on which the review is completed.

12 Reviewing and revising plans: other requirements

- (1) In reviewing an environmental improvement plan under section 10, the Secretary of State must consider—
- (a) what has been done to implement the plan in the period since it was published or (if it has been reviewed before) last reviewed,
 - (b) whether, having regard to data obtained under section 16 and reports made by the OEP under section 28, the natural environment has, or particular aspects of it have, improved during that period, and
 - (c) whether Her Majesty’s Government should take further or different steps to improve the natural environment (compared to those set out in the plan) in the remainder of the period to which the plan relates.
- (2) In considering the matters in subsection (1)(b) the Secretary of State must consider the progress that has been made towards meeting—
- (a) any targets, or any relevant targets, set under sections 1 to 3, and
 - (b) any interim targets, or any relevant interim targets, set under sections 11 and 14.
- (3) In considering the matters in subsection (1)(c) the Secretary of State must consider whether Her Majesty’s Government should take further or different steps towards meeting those targets (compared to those set out in the plan).

13 Renewing environmental improvement plans

- (1) Before the end of the period to which an environmental improvement plan (the “old plan”) relates, the Secretary of State must prepare a new environmental improvement plan (the “new plan”) for a new period in accordance with this section, section 14 and section 15.
- (2) The new period must begin no later than immediately after the end of the period to which the old plan relates.
- (3) At or before the end of the period to which the old plan relates the Secretary of State must lay before Parliament, and publish, the new plan.
- (4) The new plan replaces the old plan when—

- (a) it has been laid and published, and
- (b) the period to which it relates has begun.

14 Renewing plans: interim targets

- (1) A new plan prepared by the Secretary of State under section 13 must—
 - (a) set at least one interim target in respect of each relevant matter, and
 - (b) secure that there is at all times, until the end of the 5 year period beginning with the relevant date, an interim target set by the plan in respect of each relevant matter.
- (2) A “relevant matter” means any matter in respect of which there is a target under sections 1 to 3.
- (3) Subsection (1) does not apply in respect of a matter if the specified date for the target under sections 1 to 3 in respect of that matter is before the end of the 5 year period beginning with the relevant date.
- (4) An interim target in respect of a matter must specify—
 - (a) a standard to be achieved, which must be capable of being objectively measured, and
 - (b) a date by which it is to be achieved.
- (5) The date must be no later than the end of the 5 year period beginning with—
 - (a) for the first interim target set by the new plan in respect of a matter, the relevant date;
 - (b) for subsequent interim targets set by the new plan in respect of a matter, the date specified for the previous interim target.
- (6) Before setting an interim target in respect of a matter, the Secretary of State must be satisfied that meeting it would make an appropriate contribution towards meeting the target under sections 1 to 3 in respect of that matter.
- (7) The “relevant date” is the first day of the period to which the new plan relates.
- (8) In this section references to the “new plan” are to be read in accordance with section 13.

15 Renewing plans: other requirements

- (1) In preparing a new plan under section 13 the Secretary of State must consider—
 - (a) what has been done to implement the old plan,
 - (b) whether, having regard to data obtained under section 16 and reports made by the OEP under section 28, the natural environment has improved since the beginning of the period to which the old plan relates, and
 - (c) whether Her Majesty’s Government should take further or different steps (compared to those set out in the old plan) to improve the natural environment in the period to which the new environmental improvement plan relates.
- (2) In considering the matters in subsection (1)(b) the Secretary of State must consider the progress that has been made towards meeting—
 - (a) any targets set under sections 1 to 3, and
 - (b) any interim targets set under sections 11 and 14.

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- (3) In considering the matters in subsection (1)(c) the Secretary of State must consider whether Her Majesty’s Government should take further or different steps (compared to those set out in the old plan) towards meeting any targets set under sections 1 to 3.
- (4) In this section references to the “new plan” and the “old plan” are to be read in accordance with section 13.