

Environmental Principles Policy Statement – DRAFT Consultation Response

Overview Section

- Do you think the overview section provides an adequate foundation for policy-makers to apply the environmental principles in policy-making?

☒ Yes

☐ No

☐ Other

- Free Text for Additional info to support answer

This is satisfactory.

Step 1

- Do you think step 1 allows policy-makers to correctly assess the potential environmental effects of their policy?

☒ Yes

☐ No

☐ Other

- Free Text for Additional info to support answer

Step 1 of the Statement does a good job of setting out the basics in assessing environmental impact. The definitions used, while broad nonetheless capture meaning in a way that is accessible and useful for policy-makers.

It should be noted that in setting out these definitions, it is not possible or sensible to be too specific. First, it is important that policy-makers retain necessary flexibility to be able to define environmental affect locally. Second, the impact of issues, such as pollution, is inherently variable and requires flexibility – for example, air pollution has the capacity to dissipate over the course of a day; water contamination, over the course of months; and land contamination, over the course of years or even decades.

Step one of this Statement successfully mitigates against this issue, while underlining for policy-makers the importance of environmental impact in policy development.

- Do you think step 1 ensures that policy-making will address the most important environmental effects?

☐ Yes

☐ No

☒ Other

- Free Text for Additional

When reading through this section, it is clear that the intention is there to encourage policy-makers to address important environmental effects of policy. However, West Suffolk Council feels this could be better communicated. For instance, the sentence: "Policy-makers should take a holistic, common sense approach when thinking through the impact of a policy, to consider how adjusting the design in the early stages could result in greater environmental protection."

This represents the only specific reference in Step one of the importance of considering environmental impact at the onset of policy development. This should be underlined further, making it clear to policy-makers that assessment of environmental impact should not be an after-thought to the policy process, but an integral part of it.

Step 2

- Will step 2 assist policy-makers in selecting the appropriate environmental principles?
 - Yes
 - No
 - Other
 - Free Text for Additional

This section requires expanding. Although the definitions of the different principles are succinct, it would nevertheless be useful to include examples of where each principle would or wouldn't be relevant. For example, the Prevention Principle does not set out where this principle may not be used, or where it would be impractical.

Moreover, there are structural issues between Steps 2 and 3. The expanded explanations for each principle provided in Step 3 renders Step 2 largely redundant. If the 'Description' and 'When to use the XXXX principle' provided in Step 3 could be moved to Step 2, it will allow the framework to be more practical – with Step 2 setting out the descriptions of the principle, with examples of when to use it; and Step 3 focusing on the application of the principle.

Step 3

- Do you think step 3 provides a robust and sufficient framework for the application of each individual environmental principle:
 - Integration – Yes, No, Other
See text under question 6
 - Prevention – Yes, No, Other
See text under Rectification Principle
 - Rectification – Yes, No, Other

This requires a better explanation as to how this differs from the Prevention Principle – i.e., if prevention is preventing an action from happening due to its potential environmental impact, then rectification is where an action must happen but should be mitigated against as much as possible to limit or prevent its environmental impact. An example of this approach at West Suffolk Council is the authority's approach to cremations. As this must occur, the council has instituted environmental permits that sets out conditions under which the operator must adhere to, such as the use of filters, proper monitoring and ensuring that what is burned is not unduly environmentally harmful.

- Polluter pays – Yes, No, Other

While the Statement sets out that policy-makers should consider "Who is it fair to expect to pay for the pollution?", more could be done to recognise this as a potential equalities issue. For example, the Ultra-Low Emissions Zone implemented in London has an adverse impact on poorer residents that require the use of a vehicle, but do

not have the financial capacity to upgrade to a lower emission vehicle. This has required some local authorities in the capital to provide additional support to SMEs to help them to convert to lower emission vehicles.

In addition, this section should also elaborate further upon the cases of pollution or contamination where it is not always possible to identify the polluter. For instance, West Suffolk Councils Contaminated Land Policy uses the Polluter Pays Principle. However, in cases of historical pollution, the polluter may no longer be the landowner. The cost of this contamination can then fall to either the new owner or the council itself. Clearer indication of what course of action to take in these cases would be helpful for policy-makers.

- Precautionary – Yes, No, Other

This is satisfactory.

(All have space for free text to explain)

- Do you think the process for applying the policy statement (the 3 steps) provides a robust and sufficient framework for the application of the environmental principles as a whole?
 - Yes
 - No
 - Other
 - Additional text

This section requires expanding in order to be a fully robust framework for practical application by policy-makers. In addition to the structural changes recommended for Step 2, the application guidance for each principle in Step 3 would greatly benefit from the addition of best practice case studies.

This would achieve three things: first, it would facilitate better understanding among policy-makers concerning the application of these principles in the policy development process; second, the showcase of best practice and imaginative examples where these principles had been successfully applied would encourage innovative thinking among policy-makers; and third, the circulation of best practice among policy-makers is an effective method of improving standards, while allowing authorities and partners to retain the local flexibility they require.

This is particularly relevant regarding the Integration Principle. As this requires an 'Environment in all policies' approach, which often necessitates a culture shift in authority practice, additional support and explanation of application is needed to ensure it is practical for policy-makers to utilise. It is for this principle that there is frequently the greatest onus, but the least amount of expertise. For example, West Suffolk Council is working to better incorporate environmental considerations into the Local Plan. However, this is difficult as there is a lack of support or known best practice examples for this process. This framework could provide the vehicle for this assistance, if innovative practice was showcased appropriately.

Final Thoughts

- Do you have any other comments on the draft policy statement which are not covered by the previous questions?
 - Yes

o No

- Provide additional comment