

Status of unfinished legislative business on the environment



December 2024

Legislation and Governance Unit

The following commitments were made by the previous government but have not been taken forward, or they relate to the outstanding commencement of parts of existing Acts of Parliament.

Each will have a major environmental benefit when taken forward.

While it is still relatively early for the new government, we hope these commitments can be taken forward at pace soon in 2025.

Legislative commitment	Status
1. Horticultural Peat Ban	<p>Ending the sale of horticultural peat products will contribute to the delivery of the government’s climate and nature targets.</p> <p>The ban is a commitment in the 2023 Environmental Improvement Plan (“We will ban the sale of peat for use in the amateur gardening sector by 2024 when legislative time allows”, page 200), a key recommendation of the Climate Change Committee (see page 21 of the committee’s recommendations on agriculture and land use) and a commitment in the 2023 carbon delivery plan (page 102).</p> <p>It was the subject of ten minute rule motions in both the 2023-24 and the current parliamentary session but it is not included in the government’s current legislative programme.</p> <p>The new government is considering “next steps”, but is yet to explicitly recommit to the ban, or publish a timetable for implementation.</p> <p>This needs primary legislation.</p>

<p>2. Implement due diligence on forest risk commodities</p>	<p>The Environment Act 2021 gave the government powers (in Schedule 17) to establish a due diligence scheme on forest risk commodities. This would make it illegal for larger businesses operating in the UK to use certain forest risk commodities produced on land illegally occupied or used.</p> <p>The previous government announced further details of the secondary legislation at the COP28 climate summit in December 2023.</p> <p>However, more than three years after the Act received Royal Assent, the implementing regulations are yet to be laid in Parliament, despite many promises by the previous government to do this “at the earliest opportunity” and “in the near future”.</p> <p>The new government has not set a firm timetable for introducing the regulations to Parliament. It has said it will set out its approach on forest risk commodities “in due course”.</p> <p>This needs regulations to be introduced to and approved by Parliament.</p>
<p>3. Ratification of the Global Oceans Treaty</p>	<p>The Global Oceans Treaty, also known as the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement, or UN High Seas Treaty, is a legally binding agreement to protect the ocean and its biodiversity.</p> <p>It was agreed at the UN in 2023, and the UK was one of the first countries to sign the treaty when it opened for signatures in September 2023.</p> <p>A Private Members’ Bill on this topic, sponsored by Kevin Foster MP, fell at the end of 2023-24 session.</p> <p>The previous government said it planned to ratify the treaty by June 2025.</p> <p>The new government has said it is committed to ratifying the agreement but has not provided a timetable to achieve it.</p> <p>This needs primary legislation.</p>

<p>4. Introduce sustainable urban drainage systems (SUDS)</p>	<p>Schedule 3 of the Flood and Water Management Act 2010 would make the incorporation of sustainable drainage systems (SuDS) into new developments mandatory. Fourteen years later, it has still not been commenced.</p> <p>In January 2023, following a government review, then Defra minister Rebecca Pow announced that the government would implement Schedule 3 to reduce the risk of surface water flooding, pollution and help alleviate pressures on traditional drainage and sewerage systems.</p> <p>The new government’s approach is less clear. On 2 September 2024, Defra minister Emma Hardy said that “The government is considering how best to implement its ambitions on sustainable drainage”. Since then, a new line has appeared in responses to parliamentary questions, casting some doubt on whether Schedule 3 will be commenced. The new government will consider this issue “while also being mindful of the cumulative impact of new regulatory burdens on the development sector.”</p> <p>This needs a commencement order to be published.</p>
<p>5. Strengthen nature delivery in National Parks</p>	<p>Section 245(4) of the Levelling Up and Regeneration Act 2023 empowers the government to strengthen the link between National Park management plans and the delivery of legally binding targets set through the Environment Act 2021, including the 2030 goal to halt the decline in species abundance.</p> <p>No timetable has been published for the commencement of this part of section 245. This year is the 75th anniversary of the founding legislation of National Parks (the 1949 National Parks and Access to the Countryside Act) so it is a timely moment to announce one.</p> <p>The revision of the Environmental Improvement Plan, which the government has said will be complete in Spring 2025, provides helpful context for this.</p> <p>This needs regulations to be introduced to and approved by Parliament.</p>