



Department
for Environment
Food & Rural Affairs

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www.gov.uk/defra

Date: 26 July 2021

Dear Colleague,

Consultation on amending the Civil Procedure Rules to establish environmental review

I am writing to invite your views on amendments to the Civil Procedure Rules (CPR) which will be required to establish environmental review in the High Court. Environmental review will be the bespoke litigation mechanism for the Office for Environmental Protection (OEP) and is provided for in the Environment Bill currently before Parliament.

In this technical consultation, we are seeking views from stakeholders and interested parties on the provision which should be made in the CPR in relation to important matters of procedure for environmental review.

This consultation will be open from 26 July to 6 September 2021.

You can view the consultation here:

- <https://consult.defra.gov.uk/environmental-governance-team/consultation-on-amending-the-civil-procedure-rules>

We welcome your views and comments. We would also be grateful if you could circulate this consultation within your networks, and to any contacts who may have relevant views and expertise to share.

Responses

To submit your consultation response please complete the consultation questionnaire provided through Citizen Space (Citizen Space is an online consultation tool) at the link above.

Responses, additional information or documents can also be sent by email to environmental.review@defra.gov.uk, or by post to:



Consultation on amending the Civil Procedure Rules to establish environmental review
Consultation Coordinator
Second floor
Foss House
Kings Pool
1 to 2 Peasholme Green
York
YO1 7PX

This consultation relates specifically to matters of procedure for environmental review. The wider policy regarding the OEP and its enforcement framework has been subject to previous consultation and scrutiny (including the government's 2018 consultation, which sought views on Environmental Principles and Governance after the United Kingdom leaves the European Union), and is set out in the Environment Bill currently before Parliament. As such, this consultation will run for six weeks.

During the consultation period, Defra will hold engagement events, where there will be opportunities for you to share your views directly with officials. We will share further details on this shortly.

Thank you for your help in this matter. Further details regarding confidentiality and data protection are provided below. If you have any queries, please contact us as above.

Yours faithfully,

A handwritten signature in cursive script that reads "Rachel Bailey".

Rachel Bailey
Deputy Director, Environmental Governance
Department for Environment, Food and Rural Affairs

Confidentiality and data protection

Please find the Consultations Privacy Notice uploaded alongside this consultation.

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA).

We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

This consultation is being conducted in line with the Cabinet Office “Consultation Principles” and be found at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>.

If you have any comments or complaints about the consultation process, please address them to:

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York
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Or email: consultation.coordinator@defra.gov.uk