

# ClientEarth's Response to the OEP's Consultation on its Draft Strategy and Enforcement Policy

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## Introduction

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Are you responding as an individual or on behalf of an organisation?

- individual  
 organisation

If responding on behalf of an organisation, what is its name?

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- yes  
 no

## Delivering our strategic objectives

These questions relate to **part 2 of our strategy (Delivering our strategic objectives)**.

Our principal objective, set out in the Environment Act, is to contribute to environmental protection and the improvement of the natural environment. In part 2 of our strategy, we explain that in light of this principal objective, our mission is to protect and improve the environment by holding government and other public authorities to account. We also set out our four strategic objectives for how we aim to achieve this.

### **Question 1. Do you have any comments on Section 2.2 of our strategy (Sustained environmental improvement)?**

The OEP's strategic objective in Section 2.2 of the draft strategy is to hold the government to account for delivery of environmental goals and targets and to "critically assess and report on what is being achieved, what is working and the issues that need addressing".

Section 2.2 describes the OEP's aims in relation to this objective clearly. It explains that the OEP will independently assess government's progress towards environmental improvement and "critically assess and report on what is being achieved". However, Section 2.2 does not explain how government's progress will be assessed and what data will be used to measure this. For example, it is not clear if the government's progress will be assessed against the data it has provided or if the government's assessment of its own progress will also be critically assessed. It would be useful to clarify this in Section 2.2. A critical assessment of the government's progress should analyse both the quality of the data and the adequacy of the methodology the government has used to assess its progress.

Engaging with relevant stakeholders (including expert bodies) as part of the assessment process will help to ensure that the government's methodology is sound and the data presented is accurate and of sufficient quality. It will also help to provide an independent, fair and balanced assessment of the government's progress against its targets.

To ensure continuity and consistency, the OEP should also scrutinise the government's progress against its existing commitments and goals under international agreements including the EU-UK Trade and Co-operation Agreement and any 'legacy' commitments made under EU law.

**Question 2. Do you have any comments on Section 2.3 of our strategy (Better environmental law, better implemented)?**

The OEP's objective in Section 2.3 is the protection of the environment through better design and implementation of environmental laws. The OEP's aims and objectives in Section 2.3 are presented very clearly.

We welcome the acknowledgement that resourcing and choices made in administering and enforcing the law can work against effective outcomes and agree that these factors should be reviewed as part of the process of scrutinising the implementation of environmental law.

Section 2.3 of the draft strategy explains that priority subjects for scrutiny will be identified in the corporate plan and in selecting these, the OEP will "consult with practitioners, public authorities and others who implement the law or are affected by it". We welcome this approach as it is important that the OEP engages with a wide range of stakeholders at the outset when gathering evidence on the implementation of environmental law. It would be useful if the OEP could consult NGOs, businesses, industry, the academic community and members of the public as part of this process to obtain as much evidence as possible across a range of areas about how well environmental law functions in practice. As set out further in our response to Question 9, it would be beneficial if there was a process in place for stakeholders to raise concerns about the functioning of environmental law with the OEP on their own initiative.

The OEP should also play a role in assessing whether or not the government is effectively implementing the environmental governance aspects of the Environment Act (the Act), in addition to environmental laws that directly regulate environmental impacts. For example, the government has recently proceeded to consult on environmental targets required under the Act prior to finalising its environmental principles policy statement (the consultation period for the latter closed in June of 2021). The statutory purpose of the policy statement is clearly to play a fundamental role in the development of environmental policy – including long-term national targets. The government's decision to proceed with setting the targets without having regard for the final policy statement (as approved by Parliament) is somewhat incongruous; the OEP should play a key role in considering the rationale of the government in such matters and holding government to account in the event it concludes that the government is not implementing environmental governance in an effective or appropriate way.

**Question 3. Do you have any comments on section 2.4 of our strategy (Improved compliance with environmental law)?**

The OEP's objective in Section 2.4 is to "hold the government and other public authorities to account for their compliance with environmental law, and to challenge and remedy serious failings". This section describes how the OEP will use its enforcement powers to address serious breaches of environmental law.

Section 3.4 of the draft strategy states that the OEP will normally first try and resolve failure to comply with environmental law "at an early stage through dialogue and agreement". However, this is not mentioned in Section 2.4. For consistency, it would be useful to refer to the use of dialogue and agreement in the description of the OEP's approach to enforcement in Section 2.4 (see our response to Question 9 below).

**Question 4. Do you have any comments on section 2.5 of our strategy (Organisational excellence and influence)?**

The OEP's objective in section 2.5 of the draft strategy is to operate effectively and efficiently, both internally and in external engagement to "deliver the most we can for environmental protection and improvement". This section of the draft strategy is positive and ambitious. We welcome the OEP's intention to actively engage and listen and to take a broad range of views and perspectives into account. We note that the OEP will need to be adaptable and flexible, particularly in its first few years. The draft strategy and corporate plan should provide flexibility to allow the OEP to adjust its approach as appropriate.

We encourage the OEP to have regard to the advice and concerns of a range of stakeholders beyond public authorities, including environmental NGOs and other relevant persons and organisations, in relation to the full range of their functions, not just in relation to addressing complaints under section 32 of the Act. It would be a good outcome for the OEP and for all stakeholders concerned with the status and implementation of environmental law if the OEP was receptive to receiving and considering representations, recommendations and evidence from stakeholders in relation to its other functions, such as those under sections 29 and 30 of the Act to monitor environmental law and advise government in this capacity.

**Question 5. Do you have any comments on whether our four strategic objectives will lead us to pursue our principal objective and achieve our mission?**

The OEP's principal objective is to contribute to environmental protection and the improvement of the natural environment including the protection of people from the effects of human activity. The OEP's mission is to protect and improve the environment by holding government and other public authorities to account. In our view, the OEP's four strategic objectives are likely to lead the OEP to pursue its principal objective and achieve its mission, if effectively translated into action and conducted independently and objectively. Effective engagement with stakeholders and having sufficient long-term funding in place to carry out its duties will also be important factors in leading the OEP to achieve its mission.

## How we will prioritise

This question relates to **section 3.2 of our strategy (How we will prioritise)** and **section 4.3 of our enforcement policy (Step 3 - prioritisation)**.

As a small organisation we must target our capability and resources to have the most impact against our mission and objectives. Our strategy sets out our approach to prioritising. In addition, specific considerations which apply to the prioritisation of our enforcement activities are highlighted in our enforcement policy.

**Question 6. Do you have any comments on our approach to prioritisation?**

The OEP's approach to prioritisation is clear and well-presented. Section 3.2 of the draft strategy explains how the OEP will act selectively and strategically to ensure its resources have the most impact. We welcome the OEP's stated aim in principle 4A to take a broad and strategic view and take account of common and cumulative issues as this will allow the OEP to have a wider impact.

The OEP should take full advantage of its power under section 27 of the Act, which requires public bodies to co-operate with the OEP "and give it such reasonable assistance as it requests (including the provision of information)" – noting that this is not only relevant to a public body that is the subject of an OEP investigation, but also in connection with all its functions under the Act. Used strategically, the knowledge and resources of public bodies such as the Environment Agency and Natural England can be harnessed in this way to enhance the OEP's capabilities notwithstanding its limited resources.

The OEP should also keep any decisions made on prioritisation under review and reassess them periodically in order to take account of any new evidence or scientific understanding that comes to light that may impact on its decisions.

## Enforcement

These questions relate to **section 3.4 of our strategy (Enforcement)** and **section 4.2 of our enforcement policy (Step 2 - serious failure)**

Our enforcement policy sets out how we will determine whether a suspected failure to comply with environmental law by a public authority is serious. We have also set out how we will determine whether any harm to people or the environment that might be associated with such a failure could amount to serious damage. We explain that these are both important tests we must consider when we use our enforcement powers.

### Question 7. Do you have any comments on our approach to determining whether a failure is serious?

The OEP's approach to determining whether a failure is serious is clearly laid out. Section 4.2 of the draft enforcement policy provides a detailed list of relevant factors to consider when assessing seriousness. All these factors are relevant; however, it would seem natural that the level of harm or potential harm to the natural environment or human health should be the first point in the list as it a key factor in deciding whether a failure to comply is serious.

It would also be useful if Section 4.2 of the draft enforcement policy could confirm if a public authority's failure to comply due to mismanagement/misallocation of resources would be considered a compounding factor, how the government's failure to adequately fund a public authority plays into the OEP's assessment of seriousness and what action the OEP would be able to take to address this issue in such circumstances. There has been a general trend towards under-investment in environmental enforcement in recent years.

We agree with the OEP's approach outlined in Part 4 of the draft enforcement policy that where a complaint does not meet the statutory test for seriousness, the OEP should nevertheless carefully consider, based on the complaint and other information available to it, whether it should prioritise an investigation or a response to the matter through its other functions e.g. monitoring the implementation of environmental law and advice to government.

### Question 8. Do you have any comments on our approach to determining whether damage is serious?

The OEP's approach to determining whether damage is serious is also clear. Section 4.2 lists relevant factors to be taken into account in assessing seriousness of harm. Point 'e' of this list mentions the scope for recovery from the actual harm as a relevant factor. It would be worth noting here that irreversible damage caused to high value environmental features, however small in extent (such as a small area of ancient woodland), might constitute serious damage in appropriate circumstances.

A precautionary approach should be taken when assessing the level of damage in cases where there may be a lack of scientific evidence. The precautionary principle is of course an important and longstanding principle in both domestic law (e.g. as incorporated into section 17 of the Environment Act) and international law that enables good environmental decision-making and outcomes, and should be at the heart of the OEP's review of environmental decision-making where relevant.

#### **Question 9. Do you have any other comments on our approach to enforcement?**

##### Resolving non-compliance through dialogue and agreement

As already mentioned in response to Question 3 above, Section 3.4 of the draft strategy states that the OEP will normally aim to resolve non-compliance with environmental law at an early stage through co-operation, dialogue and agreement with public authorities. This approach is also mentioned in section 2.2 of the draft enforcement policy.

The OEP is likely to need to use both dialogue and its more formal enforcement powers in tackling non-compliance, depending on the circumstances. For consistency, it would be useful to clarify the role of dialogue and agreement in the enforcement process in Part 3 of the draft enforcement policy (Scope and content of our enforcement functions) and show how this approach fits into the enforcement procedure diagram in Figure 4 of the draft strategy and the OEP's decision-making framework in Figure 1 of the draft enforcement policy.

It is also important that the OEP is transparent about any non-compliance issues that are resolved through agreement so that complainants and the public are made aware of the progress and outcomes of complaints brought to the OEP.

##### Promoting compliance through improving public access to environmental law



The enforcement process relies on the OEP receiving complaints from members of the public (through the complaints procedure) to alert them to potential breaches of environmental law by public authorities. The draft strategy explains that “the complaints procedure sets out what people can complain to us about”. In fact, it is not very clear from the complaints procedure what kind of matters people can bring complaints about. The complaints procedure gives examples of the two ways in which a public authority could fail to comply with environmental law: (i) by failing to take proper account of environmental law when carrying out its activities or (ii) by unlawfully exercising, or failing to exercise, any activities it has to carry out under environmental law. The complaints procedure then goes on to give “examples” by listing subject areas that could be covered by environmental law such as air pollution, water pollution, contaminated land and nature conservation.

As most members of the public do not have a sound ‘general knowledge’ of environmental law, this information is unlikely to be sufficient to enable them to understand the large and complex body of environmental law that public authorities have to comply with and what might constitute a breach of this law. While the complaints process is described in the draft strategy as a “free-to-use” service, it seems likely that most members of public will be unable to bring a valid and useful complaint to the OEP without assistance from a professional with relevant legal knowledge.

If the OEP is relying on members of the public to alert it to potential breaches of environmental law, it should provide them with guidance and assistance on how to navigate environmental laws, identify breaches and bring effective complaints. This could take the form of guidance notes on the OEP's website and/or signposting to other websites and organisations that can provide further information. Providing guidance and assistance to members of the public will improve the quality and relevance of the complaints made and save the OEP time and resources in the long term. One example of where this has been done well is the Information Commissioner's Office website, which contains a detailed explanation of the legal framework relating to requests for information as well as detailed advice for members of the public on how to make a valid request for information.

There is also a wider opportunity for the OEP to promote the understanding and awareness of environmental law as part of its general strategy. The OEP could work with other organisations such as UKELA, to increase public awareness and perhaps even establish a database of environmental law for the public to access. Advancing the knowledge and understanding of

environmental law will help to enable more effective public participation in all the OEP's functions, not just the enforcement function.

## Scrutinising Environmental Improvement Plans (EIPs) and targets

These questions relate to **section 3.5 of our strategy (Scrutinising Environmental Improvement Plans and targets)**.

Our strategy sets out our approach to monitor progress in improving the natural environment in accordance with the UK and Northern Ireland governments' EIPs, and environmental targets set by the UK government. In addition to the specific matters addressed through the EIPs and targets, we will consider the natural environment as a whole and wider aspects of society that interact with it.

Alongside monitoring progress spanning the environment, each year we will also produce insights into selected areas of the environment in more depth. We believe we will make the most difference by having a scheduled programme of detailed assessments to complement monitoring of overall changes in the environment.

### **Question 10. Do you have any comments on our approach to balancing our activities between monitoring overall progress and monitoring selected areas in more detail?**

We agree with the OEP's approach to balancing its activities in relation to the scrutiny of targets and EIPs. While it is important that the OEP monitors the government's overall progress in meeting its targets, it will be useful for the OEP to also monitor selected areas of the environment in more detail.

### **Question 11. Do you have any other comments on our approach to scrutinising EIPs and targets?**

As already mentioned in response to Question 1, it is important that the OEP analyses the methodology that the government has used to collect and interpret the data it is using to represent its progress in relation to targets. Even if the quality of the data is found to be adequate, there are many different ways of collecting, measuring, interpreting and presenting data.

The OEP should also play a special role in advising government where lack of progress on targets is related to gaps in environmental law or the lack of implementation or enforcement in existing environmental law.

We welcome the OEP's aim to adopt a transparent approach to monitoring progress against goals and targets. Under section 28 of the Act, the OEP must publish its reports on government's progress against targets. The OEP's findings should also be published in an easily accessible summary table which also contain the government's response. This will greatly help members of the public and other interested parties to keep track of the government's progress. Details of areas where monitoring is constrained by the quality of data or the methodology used should also be published on the OEP's website. This will facilitate the OEP's aim in section 3.5 to "stimulate activity to fill these gaps by those best placed to do so".

## Scrutinising environmental law

These questions relate to section **3.6 of our strategy (Scrutinising environmental law)**.

The scope of our function to monitor the implementation of environmental law depends on what is meant by 'implementation'. We have interpreted it to mean that we will look beyond just questions of legal compliance to cover the wider context and framework of implementation. Our approach will consider relevant matters such as: design of the law and how different laws interact; the set-up of responsible institutions and their resourcing, skills, and capacity; co-ordination of delivery actions among different bodies; the role and use of guidance in implementing the law; identification of good practice; and approaches to enforcement and sanctioning by regulators.

### **Question 12. To what extent do you agree with our interpretation of how we will scrutinise the implementation of environmental law?**

We agree with the OEP's general approach to scrutinising the implementation of environmental law by both maintaining an overview and focusing on a selected number of laws to monitor and scrutinise in detail. Analysing priority areas in detail will allow the OEP to carry out a more meaningful analysis of environmental laws and focus on addressing the most pressing issues.

Deciding which areas of environmental law to analyse in detail will need careful scrutiny. As already noted in response to Question 2, engaging with a wide range of stakeholders will be a crucial part of this process.

**Question 13. Are there any other approaches to scrutinising the implementation of environmental law you think we should consider?**

As mentioned in Question 12 above, gathering information from a wide range of stakeholders will be crucial part of deciding which areas of the law to scrutinise in detail. While formal consultation will be an important part of this process, we would like to see the OEP consider and have regard to proactive briefings on the functioning of environmental law from NGOs and other stakeholders.

In order to facilitate an effective two-way engagement process, it would be useful if the OEP's website could make provision for stakeholders to proactively raise concerns about the functioning of environmental law on their own initiative, outside of the formal complaints process or any formal consultation conducted by the OEP. The existing complaints process facility is for members of the public to complain about public authorities' compliance with existing environmental law only. A separate process for raising concerns about the functioning of environmental law would be open to a far wider range of stakeholders and it would allow briefings to be submitted on a much wider range of issues.

The process could be as simple as a page on the OEP website with an email address inviting people to raise concerns about the functioning of environmental law, for example, in cases where a particular environmental law no longer delivers its intended outcomes to protect the environment or where practical delivery of the law is impeded by external factors. The OEP equivalents in Wales (the Interim Environmental Protection Assessor – link [here](#)) and Scotland (Environmental Standards Scotland – link [here](#)) both have webpages which invite members of the public to raise any concerns by email about the functioning of environmental law and how it is being applied in practice.

In deciding what recommendations to make to the government about changes to the law, it may be useful for the OEP to hold regular round table events with members of the judiciary and other legal professionals to discuss environmental law issues that have arisen in cases that are going through the courts.

**Question 14. Do you have any other comments on our approach to scrutinising environmental law?**

Section 3.6 noted that as well as scrutinising the implementation of environmental law, the OEP's approach will consider "the design of the law and how different laws interact". It would be

useful if the draft strategy could explain whether the OEP's functions will extend to scrutiny of how UK environmental law interacts with international environmental law and EU law and whether the OEP will scrutinise the implementation of international environmental laws in the UK, such as the Paris Agreement or the Aarhus Convention.

## Advice

This question relates to **section 3.7 of our strategy (Advice: How we will advise government on proposed changes to the law and other environmental matters)**.

Where we have discretion, we will carefully select where we provide advice to ensure we are addressing subjects of strategic importance. We may also respond to consultations relevant to our remit, where doing so supports our objectives. We will apply the process of prioritisation set out in section 3.2 of our strategy.

We believe we can make a significant difference if we provide advice not only to environmental ministers and officials, but also to those in other government departments. We will aim to identify synergies across government, as well as areas where there could be better join-up across policy areas.

### **Question 15. Do you have any comments on our approach to advice?**

Section 3.7 of the draft strategy explains that the OEP can give advice on any changes to environmental law proposed by the government. For completeness, it would be useful to add that the OEP can also advise the government in relation to its other functions including advising the government on how to deliver its plans for environmental improvement (section 3.5) and advising the government on better design and implementation of environmental law (section 3.6).

Given that the OEP has no powers to make or amend environmental policy or legislation, it would be helpful if the draft strategy could explain how the OEP will ensure that its recommendations to government will be taken on board and, more importantly, acted upon by the government. This is particularly important in instances where the OEP has advised the government on its own initiative.

Under section 30 of the Act, the OEP must publish the advice that it gives to government on proposed changes to environmental law and other environmental matters. It would be useful if all the OEP's advice to the government and other public bodies (including its advice to the government on the delivery of its targets and on the design and implementation of environmental

law) could be published in summary form on the OEP website along with any response received from the government. This will help the public to keep track of all the issues raised by the OEP and facilitate public participation in advocating for changes or improvements that are proposed by the OEP.

## How we will work with others

This question relates to **section 3.8 of our strategy (How we will work with others)**.

This section describes how we will work with others. This includes other public authorities, the Climate Change Committee, the ombudsman services, devolved environmental governance bodies, Parliament and the Northern Ireland Assembly and their committees, ministers and government departments, public authorities in the Republic of Ireland and the European Union.

### Question 16. Do you have any comments on how we will work with others?

Section 3.8 of the draft strategy is positive and outward-looking. We note the wide range of stakeholders listed as playing a role in the protection of the environment and we welcome the OEP's willingness to "engage, listen and learn from these stakeholders".

In the section under the heading "How we will work with other local authorities", it would be useful to add that in cases where public authorities are in breach of environmental law, the OEP will try and resolve issues in the early stages through dialogue and agreement.

In the section under the heading "Working with devolved environmental governance bodies", it would also be useful to clarify how the OEP will manage enforcement situations where an activity that is permitted or takes place in one jurisdiction has impacts in another jurisdiction.

It might be useful to add a new heading to section 3.8 which explains how the OEP will work with international environmental bodies as well as environmental governance bodies in the EU and the Republic of Ireland as this is not currently included in this section of the strategy.

## Objectivity, impartiality, proportionality and transparency

These questions relate to **section 3.9 of our strategy (Objectivity, impartiality, proportionality and transparency)**.

This section describes how we will act objectively and impartially and have regard to the need to act proportionately and transparently in delivering our functions.

**Question 17. Do you have any comments on our approach to objectivity?**

We welcome the OEP's aims to use the best information available and remain alert to new information as this will be highly relevant in the field of environmental protection.

**Question 18. Do you have any comments on our approach to impartiality?**

We agree with the OEP's approach to impartiality. The OEP's relationship with government is likely to be complex. Where this section states that the OEP "will not act to the direction or guidance of government except as the law requires", it might be useful to give an example here, in the interests of transparency, of where OEP must act to the direction of government. For example, it may be useful to refer to the Secretary of State's powers in Section 25 of the Environment Act to issue guidance to the OEP on its enforcement policy and explain how the OEP will manage this issue.

**Question 19. Do you have any comments on our approach to proportionality?**

We agree with the OEP's approach to proportionality and welcome the statement that "Proportionality involves properly valuing the natural environment and human health and making decisions that reflect those values".

**Question 20. Do you have any comments on our approach to transparency?**

We welcome the OEP's approach to transparency as it is an essential part of the OEP's role as an independent governance body. A high degree of transparency will allow maximum public participation in the OEP's functions in holding the government to account on the delivery of its targets, monitoring the implementation of environmental law and improving compliance.

This section contains a bullet point list of some of the information that will be published by the OEP in its website. For completeness, it would be helpful if this list could be more detailed to include the following items:

- The OEP's reports on the government's progress in relation to its goals and targets, any advice given by the OEP to government to help deliver those targets and the government's response to the OEP's findings and advice;
- The OEP's reports on the implementation of environmental law, any advice given by the OEP to the government on the design and implementation of environmental law and the government's response to the OEP's findings and advice;
- Advice given by the OEP to the government in respect of changes to environmental law proposed by the government and other environmental matters; and
- Investigation reports produced by the OEP on serious failures to comply with environmental law

## General comments

### Question 21. Do you have any other comments on our draft strategy?

Overall, the draft strategy is very clear and well-presented. There were some areas where further clarification would be useful but in general, the draft strategy explains the OEP's objectives in a balanced and well-structured way and sets out a positive and ambitious framework within which the OEP will pursue its objectives.

In our response to this consultation, we have identified several areas where the OEP's strategy could be enhanced as summarised below:

- There is an opportunity for the strategy to include a commitment to promoting and facilitating an improved understanding of environmental law so that members of the public can participate more effectively in the OEP's functions including the monitoring of governments targets and the scrutiny and enforcement of environmental law.
- It would be beneficial if the strategy could promote engagement with stakeholders on the functioning of environmental law by establishing and encouraging a process which allows stakeholders to proactively raise concerns about the functioning of environmental law, outside the complaints process and any formal consultation undertaken by the OEP.
- The OEP should play a role in assessing whether or not the government is effectively implementing the environmental governance aspects of the Environment Act, in



addition to environmental laws that directly regulate environmental impacts. The OEP should hold the government to account in the event it concludes that the government is not implementing environmental governance in an effective or appropriate way.

**Question 22. Do you have any other comments on our draft enforcement policy?**

In general, the draft enforcement policy was very clear and well structured. In our response, we have mentioned some potential areas where the draft enforcement policy could be improved as summarised below:

- It would be useful if the draft strategy could clarify the role of dialogue and agreement in the enforcement process, and in particular, how it fits into Part 3 and Figure 1 of the draft enforcement policy and Figure 4 of the draft strategy.
- It would be helpful if Section 4.2 of the draft enforcement policy could confirm if a public authority's failure to comply due to mismanagement / misallocation of resources would be considered a compounding factor, how the government's failure to adequately fund a public authority plays into the OEP's assessment of seriousness and what action the OEP would be able to take to address this issue in such circumstances.

Lastly, we had also some observations on the complaints procedure as set out below.

- The complaints procedure explains that complaints must be made to the OEP "within a year of the environmental law being broken". This time limit is confusing if the breach is a failure to act on the part of the public authorities. It would be useful if the complaints procedure could clarify that complaints must be made within 1 year of the date on which the breach last occurred, as set out in Section 32 (6) (a) of the Environment Act.
- The complaints procedure also contains a useful list of exceptions which describe instances where the public authority's internal complaints procedure does not have to be completed before complaint is submitted to the OEP (as required by Section 32 (5) of the Environment Act). One of these situations is where the public authority's internal procedure "appears to be open-ended so that the complainant is unable to progress to completion in a reasonable period". It would be useful if the OEP could clarify what it considers to be a "reasonable period" to progress a complaint to completion.

**Question 23. Overall how satisfied are you that the draft strategy and enforcement policy provide a sound basis for the OEP to fulfil its remit?**

- Very satisfied**
- Satisfied**
- Neither satisfied nor dissatisfied**
- Dissatisfied**
- Very dissatisfied**

## Consultee Feedback

Thank you for taking your time to participate in this consultation. It would be appreciated if you could provide us with some feedback on your experience to help us improve.

Overall, how satisfied are you with the process of completing this consultation?

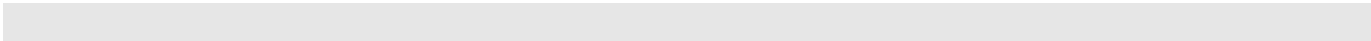
- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied

Please give us any comments you have on your experience in completing this consultation, including any suggestions on how we could improve it.

There was some overlap in the questions as follows:

- Between Question 1 and Questions 10 and 11 (the OEP's approach to monitoring government's progress against its targets)
- Between Question 2 and Questions 12, 13 and 14 (the OEP's approach to scrutinising the implementation of environmental law)
- Between Question 3 and Questions 7, 8 and 9 (the OEP's approach to enforcement)

It would have been easier to respond if these three sets of questions had been grouped together within the consultation document as they relate to the same subject areas.



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