

# UNIVERSITY COLLEGE LONDON

*University of London*

## EXAMINATION FOR INTERNAL STUDENTS

*For the following qualifications :-*

*LL.B.*

### **LL.B. Part II: Environment, Planning and Development Law**

COURSE CODE : LAWSII12

DATE : 16-MAY-02

TIME : 10.00

TIME ALLOWED : 3 hours 15 minutes

02-N0181-3-40

© 2002 *University of London*

**TURN OVER**

## LLB ENVIRONMENT, PLANNING AND DEVELOPMENT LAW

Answer **FOUR** questions.

1. "The use of taxes as a tool of environmental policy is subject to too many limitations to be useful."  
  
Discuss.
2. "A robust and coherent definition of waste remains elusive."  
  
Discuss.
3. What are the major limitations of the civil liability provisions of the Nuclear Installations Act 1965? Could suitable amendments make liability a more useful mechanism?
4. Critically assess the benefits of criminal prosecution over negotiated solutions, in respect of environmental offences.
5. "Given the aim of environmental protection, it is entirely appropriate that section 85(1) of the Water Resources Act 1991 provides an extremely broad criminal offence."  
  
Discuss.
6. "The potential of environmental impact assessment as a means to environmentally 'radicalise' environmental decision making is only just being realised by the United Kingdom courts, in stark contrast to the European Court of Justice."  
  
Discuss.
7. How deeply embedded is the goal of environmental protection in the town and country planning system? In particular, what weight is attributed to the risk of environmental harm, and the perceived risk of environmental harm in this system?
8. "The system of Integrated Pollution Prevention and Control is legal recognition of the fact that environmental problems demand anticipatory, preventive, and integrated approaches. But, in addition, such problems also require more imaginative, participative and radical solutions."  
  
Discuss.
9. "The United Kingdom's conservation policy has long been based upon voluntariness. The Countryside and Rights of Way Act 2000 makes clear that this approach is no longer tenable as the foundation for modern conservation. However, problems with the legal protection of wild flora and fauna remain."  
  
Discuss.
10. Critically analyse the proposals for an environmental court. What difference would an environmental court make to the deliberation of evidence in environmental cases?

**END OF PAPER**