



Leicester  
City Council

**WARDS AFFECTED: All**

**Overview Scrutiny Management Board  
Cabinet**

**8<sup>th</sup> November 2007  
12<sup>th</sup> November 2007**

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**ECO-MANAGEMENT AND AUDIT SCHEME (EMAS)  
Review of 2006/07, Proposed Action for 2007/08**

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**Report of the Corporate Director of Regeneration and Cultural Services**

**1 Purpose of Report**

1.1 This annual report provides Cabinet with information on the Council's environmental progress through the Eco-Management and Audit Scheme (EMAS). This year sees the integration of the council's Climate Change Action Plan into the EMAS system, enabling all targets and actions to be performance managed through EMAS. EMAS Registration requires cabinet to see and endorse the Council's compliance with its EMAS targets. The information is important for driving improvements in the Council's environmental performance. The report also presents the draft text of the tenth EMAS public statement covering the financial year 2006/07 and the proposed actions to be included in the 2007/08 action programme.

**2 Summary**

2.1 EMAS is being used to manage and improve the environmental performance of the Council. Maintaining EMAS registration and meeting EMAS improvement targets will contribute towards achieving the vision for a green city as set out in the Corporate Plan. EMAS also provides a mechanism for delivering the council's environmental responsibilities in the emerging Local Area Agreement and Community Strategy.

2.2 The council launched its first Climate Change Action Plan in March 2007. The action to mitigate Climate Change will now be integrated into the EMAS system to enable the Council to have a single environmental performance management system. In particular, the 2 carbon dioxide reduction targets for the council and city are now incorporated within the system and will be reported on as part of the annual EMAS public statements.

2.3 The City Council continues to take a national lead by including 50 schools within the scope of its EMAS registration. This is a partnership project with Groundwork Leicester & Leicestershire, which was successfully mainstreamed during 2006/07. The report addresses issues raised by the

EMAS Verifier in 2006, concerning the lack of profile given to the schools within the system. This year forms the baseline year for several new school targets, with 2 targets already providing positive progress in table 1 (appendix 1). The public statement also contains a number of case studies of positive action from schools.

- 2.4 EMAS drives improvements in environmental performance, reduces the risk of breaching environmental legislation and demonstrates a level of performance management that has been viewed favourably in several inspections and awards (e.g., Comprehensive Performance Assessment, Beacon Status for a Quality Environment). Appendix 5 provides a summary review of the management of EMAS during 2006/7 and the corrective action required from audits.
- 2.5 EMAS has 21 corporate environmental improvement objectives and 12 new objectives for schools which were added in November 2006. This report presents progress towards the targets associated with 15 of the objectives (appendix 1, table 1). Targets and data collection are under development for the other 18 objectives (appendix 1, table 4).
- 2.6 Progress in 2006/7 towards the EMAS targets continues to be of concern with respect to the next EMAS Verification visit in November 2007. LRQA raised the following issue in their May 2006 report:
- “Repeated failure to achieve targets or that the data is inconclusive would ultimately affect LCC’s ability to participate in EMAS if continual improvement in environmental performance cannot be sustained. This is not an immediate problem, but has become more evident in 2005/6.”*  
**(LRQA May 2006)**
- 2.7 The Council is able to demonstrate that 4 targets are successfully on track to be met. Positive progress was made towards 5 other targets, but not sufficient to meet the target. Progress towards 5 targets is inconclusive, or not yet known. There are 2 targets of particular concern. The amount of the council’s energy from renewable sources has gone down since the last reporting period representing a move away from the target. Energy use in council buildings since the last reporting period has gone down but despite this representing a move towards the target the reduction is well below that required to meet the target. The key strengths and weaknesses are described in more detail in section 4. Appendix 1 provides a detailed review of our overall progress towards all the objectives and any changes since last year. A summary of progress with the active targets is given in appendix 1, table 1.
- 2.8 Proposed amendments to existing targets are presented in appendix 4.
- 2.9 The monitoring exercise has informed the tenth annual EMAS public statement (appendix 2). The statement is a requirement of the EMAS regulation. This time, the Statement gives a greater profile to schools environmental work. However, this has extended the length of the

document considerably and for this reason, the full statement will now be placed on the Internet only (or available on request from the Environment Team). A new summary leaflet will be printed for wider circulation. These changes are in response to concerns raised by the EMAS Verifiers.

- 2.10 Elected members should note that the next EMAS Verification will take place on the 16<sup>th</sup> – 27<sup>th</sup> November.

### 3. Recommendations

Cabinet members are recommended to:

1. Note progress towards the EMAS targets during 2006/07 (see appendix 1)
2. Agree amendments to existing corporate targets (see appendix 4)
3. Agree the implementation of the proposed 2007/08 action programme (see appendix 3)
4. Agree the draft text for the 10<sup>th</sup> EMAS Public Statement (see appendix 2)
5. Agree the management review of EMAS (appendix 5)

### 4. Report

#### **Climate Change management within EMAS**

- 4.1 During 2006/07, the issue of climate change came to the forefront of environmental concern within the council. A Climate Change Action Plan has been produced for the whole council. Whilst EMAS has been the mechanism for implicitly managing action to mitigate against climate change since its inception, it makes sense and prevents duplication that more formal recognition be given to the Climate Change agenda within the system. It is therefore recommended to cabinet that climate change be formally recognised within the EMAS system by adopting two new significant effects on carbon dioxide reduction for the city council and the city as a whole. The carbon dioxide reduction targets, and consequent actions, endorsed by the council and Leicester Partnership, will then fall under these headings. *(To achieve 50% reduction in respective CO2 emissions, from the 1990 levels by 2025)* (See Appendix 4 – recommendations for new targets). The existing Climate Change and EMAS action plans will be integrated.

#### **Positive Progress towards existing targets**

- 4.2 Performance is satisfactory on water use in council buildings (appendix 1, table 1, 7.1), the provision of accessible green space to the public (10.1), street cleanliness (12.1) and the council's own carbon dioxide emissions (15.1), although the reduction in carbon dioxide emissions is mainly due to the switch from coal to gas in the early years of the target and reducing emissions further through the Climate Change Action Plan will be more difficult.

## **Areas of concern**

### **Council's total building energy consumption**

- 4.3 During 2006/07 there was a reduction in the amount of energy used by council buildings, which represents a decrease of 5.7% from last year. However, the reduction since the base year of 1990 has only been 3.2%, well below that required to meet the target of a 50% reduction by 2025. In order to meet the target an average reduction of approximately 1.4% per year would be required meaning a reduction since the base year of 24% in 2006/07. This target is being addressed through the Climate Change Action Plan.

### **Council's use of renewable energy in corporate buildings**

- 4.4 This target was identified as an area of concern in last year's report to Cabinet. In 2006/07, only 0.6% of the Council's total energy use came from renewable sources (see app 1, table 1, target 1.2), which is down still further from the 3.7% reported previously. This is due to changing energy supply contract conditions. There are a number of key actions to address this target within the Climate Change Action Plan.
- 4.5 A new energy contract will be in place from December 2007. The new contract will be for a period of between 12 months and 2 years and will seek the same or improved % of renewable energy as the pre-June 2006 contract with the remaining energy requirement from CHP (Combined Heat and Power, which although is not renewable is energy efficient). Unfortunately, the renewable energy cannot be guaranteed due to the shortage of favourably priced renewable energy in the market place. A paper outlining options for renewing the contract is currently being produced.
- 4.6 However, achieving the target will also require a greater commitment to generating our own electricity from renewable resources. Members should note that the current target figure does not include the contribution from our existing generation schemes (previously deemed insignificant). Steps are being taken to address this by providing a full inventory of these schemes and their contribution, by the end of the financial year.

### **Staff travel at work**

- 4.7 Fuel use by the fleet in 06/07 was slightly less than fuel use in 2005/06 (see app 1, table 1, 1.3a). However, this would suggest that mileage is actually increasing because the fleet as a whole is becoming more fuel efficient due to the gradual replacement with newer, more fuel efficient vehicles. The miles travelled by the fleet in 06/07 was 5.6 million miles (excluding parks services, household waste service, street lighting and other contracted-out services).
- 4.8 Private staff vehicle mileage increased between 2005/06 and 2006/07 (see app 1, table 1, 1.3b), although there has still been a small reduction since 1999/00.

The City Council staff travel plan is due to be launched in 2008. An aim of the travel plan will be to reduce car-use, both at work and commuting. New targets will be developed in line with travel plan objectives.

### **Air Quality**

- 4.9 Across the four air quality monitoring sites included in the air quality target, there was a reduction in nitrogen dioxide levels over the monitoring period. However, nitrogen dioxide levels are subject to considerable variation as a result of the weather and other factors (e.g. road works) making trends difficult to establish. Nitrogen dioxide levels are predicted to be lower in 2010, but not by enough to ensure that the air quality target is met in all areas. However, the recent statutory Detailed Analysis of air quality in the Abbey Lane area shows deterioration since the year 2000 and an enlarged Air Quality Management Area will need to be designated by Order before November to meet statutory obligations.
- 4.10 The general downward trend is mainly attributable to improvements in vehicle technology rather than to other interventions and is not as great as was predicted at the beginning of the decade. Offsetting factors include increased levels of summer ozone and the increasing penetration of diesel cars, light vans and SUV's into the fleet.

There is now evidence in some areas of the City that particulate levels are deteriorating and starting to breach the Objective criterion. It should be noted that the introduction of bio-diesel is not helpful in this regard.

### **Climate Change**

- 4.11 Carbon dioxide emissions from the City of Leicester fell approximately 10% between 1990 and 2004. This is likely to be primarily due to industrial decline and increased industrial efficiency. Residential and transport emissions have risen. Emissions should have decreased by 20% to be on track to meet this target. A Climate Change Officer has been appointed specifically to support the Leicester Partnership's response to the issue.
- 4.12 Carbon dioxide emissions from the Council fell approximately 25% between 1990 and 2006 and demonstrate good progress towards the target. However, this is mainly due to a switch of fuel from coal to gas and does not reflect a big decrease in energy use by the council. The use of energy in council buildings is decreasing slowly, but not in line with the big reductions necessary to achieve the target (see 4.3 above) and staff mileage at work is likely to be increasing rather than decreasing (see 4.7 & 4.8 above). Reducing carbon dioxide emissions further through the Climate Change Action Plan will be more difficult.

### **Further Development of Targets and Monitoring Systems**

- 4.13 Eighteen EMAS targets remain under development as given in appendix 1, table 1. Half of these relate to schools as the current year will provide baseline data for these new targets.

- 4.14 Amended wording for targets is proposed in appendix 4.

**Management review of EMAS and progress with the issues raised in the EMAS Cabinet Report, November 2006**

- 4.15 Appendix 5 provides an overview of the EMAS management system in accordance with the EMAS regulation. It draws attention to the major outstanding non conformity issues, from internal and external audits. Many of these issues are service specific, but attention is drawn to the following two corporate issues:

**Monitoring of environmental clauses in council contracts.**

- 4.16 Evidence will need to be provided to the EMAS verifier in November from a range of corporate contracts, to satisfy the concern over lack of effective *monitoring* of environmental clauses in council contracts. Failure to provide this will result in this issue being escalated to a major non-conformity and consequent loss of EMAS registration

- 4.17 **Compliance with council policy on paper.**

Internal audit have raised a non-conformity from having sampled council publications and found a low level of adherence to the council policy to use 100% recycled paper. A new corporate contract started in September which will start to bring greater control over the out-sourcing of printed documents. This will be followed by a further contract for designing of publications. However, in the short term, departments need to remind staff that they must actively specify the use of recycled paper in all printed publications.

- 4.18 The previous EMAS progress report identified the lack of progress towards meeting the energy and water targets as areas of concern. The council's use of renewable energy continues to be of concern and is commented upon in section 4.4. The target to reduce water consumption has shown some improvement in this reporting period. The target to reduce building energy consumption has also shown some improvement in this reporting period, but still remains a concern and is commented upon in section 4.3. The Energy Team remain committed to outstanding actions to normalise energy and water data and to benchmark with other authorities.

**Proposed EMAS Action Programme for 2007/08**

- 4.19 Appendix 3 (draft) reports on progress towards actions in the EMAS programme and recommends their continued inclusion in the 2007/08 action programme. In addition new actions have been suggested where appropriate.

**The text for the tenth EMAS Environmental Statement**

- 4.20 EMAS requires us to keep the public informed of the City Council's environmental progress. We do this by publishing an annual EMAS public statement. The text is checked for its accuracy by the external EMAS Verifier before being made available to the public.

The proposed draft text for the tenth annual statement is attached in appendix 2 (in draft). The statement reports progress towards the EMAS targets during 2006/07. The statement also provides a commentary on the key issues influencing our progress and presents some of the important future actions.

- 4.21 The EMAS schools have a greater profile in the 10th Statement and this will increase further in subsequent years once the new school EMAS targets are being actively monitored. This is in response to concerns raised by the EMAS Verifiers in May 2006.
- 4.22 The Environment Team presented a review of best practice to LRQA during their May visit and agreed that future statements will be viewed only on the internet, with the option of obtaining a printed version from the Environment Team. This is in response to a desire to minimise paper consumption and also a reflection of the increased length of the statement now that schools information is included. However, an annual summary leaflet will be printed which contains extracted "validated" information of most interest to the general public. This leaflet can then be distributed widely in public libraries etc.

#### **Next Steps**

- 4.23 The next steps are as follows:
1. The proposed action programme will be implemented from November 2007.
  2. External re-verification of EMAS will take place during November 2007, including the validation of the public statement.
  3. The tenth EMAS public statement will be published following validation.
  4. Members will receive the next annual report on progress towards the targets in November 2008.

## **5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **5.1. Financial Implications**

EMAS is managed by the staff in the Environment Team and is financed through the Team's budget. This covers the verification costs and all associated printing of documents required for the process, including publication of the annual public statement. Several other officers from across the authority are involved in the implementation of EMAS. The implementation of the proposed 2007/08 action programme will be met from resources that are already committed (e.g., through the Local Transport Plan).

*Author Martin Judson– Head of Finance, R&C (ext. 29 7390)*

## 5.2 Legal Implications

The corporate environmental policy commits the organisation to "fulfil our statutory environmental responsibilities". A prosecution for breaching the relevant legislation would result in automatic removal from the EMAS register. The Council does take effective measures to ensure that its contractors comply with the EMAS obligations by ensuring it is an evaluation criteria in the procurement process and including clauses requiring compliance within all standard and bespoke contract terms.

*Author Rebecca Jenkyn – Senior Solicitor, RAD (ext. 29 6378)*

## 6. Other Implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN THE REPORT
Equal Opportunities	No	
Policy	Yes	EMAS is the management system we use to implement the corporate environmental policy
Sustainable and Environmental	Yes	EMAS is the management system we use to implement the corporate environmental policy
Crime and Disorder	No	
Human Rights Act	No	
Older People on Low Income	No	

## 7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
<p><b>1 – Failure to take corrective action necessary to meet our EMAS targets</b></p> <p>Meeting the EMAS targets is not a requirement of the EMAS regulation, but progress needs to be reviewed regularly and corrective action taken as necessary to improve performance.</p>	L	L	Progress is reviewed annually by members at Cabinet and corrective action agreed through the review of the EMAS Action Plan. The process of closing out non-compliances raised by internal EMAS audits provides another mechanism for taking corrective action.



<b>2 – Failure to maintain an EMAS Action programme</b> The EMAS action programme is a requirement of the EMAS regulation. Without this EMAS registration could not continue.	L	H	Env Team have work instructions in place to review the action programme every 6 months and to report annually to members.
<b>3 – Failure to produce a verifiable public statement</b> The EMAS public statement is a requirement of the EMAS regulation. Without this EMAS registration could not continue.	L	L	The text of the Public Statement is presented to members at Cabinet for agreement and subjected to checking by internal audit prior to verification taking place.

L - Low  
M - Medium  
H - High

L - Low  
M - Medium  
H - High

## 8. Background Papers – Local Government Act 1972

- LRQA EMAS Verification reports November 2006, March 2007, May 2007
- EMAS Progress for 2005/6, proposed action for 2007/8. Cabinet, November 2006.

## 9. Consultations

### Consultee

Individual officers named in the action programme (appendix 2)

### Date Consulted

September 2007

## 10. Report Author

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## Appendices

- Appendix 1 – Progress Towards EMAS Targets 2006/07
- Appendix 2 – Environmental Statement April 2006–March 2007
- Appendix 3 – Updated EMAS Action Programme 2008/09
- Appendix 4 – Proposed Amendments to EMAS Targets 2006/07
- Appendix 5 – Management Review 2006/07

## DECISION STATUS

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)