

Appendix 5

Management Review of EMAS for 2008/9 Summary for Cabinet November 2009

Purpose

It is a requirement of the EMAS regulation for top management to review the adequacy and effectiveness of Leicester City Council's environmental management system. Appendix 5 provides elected members with a summary of this management review, as defined by the EMAS regulation, clause I-A.6.

Cabinet members will receive a summary of the management review prior to the annual visits by the external EMAS Verifiers.

The current Management review covers the time period from November 2008 to November 2009.

Summary of EMAS Management Review

a) Results of internal audits and evaluations of compliance with legal requirements and with other requirements to which the organisation subscribes.

The LRQA verifier Ted Rosser visited the authority between 16th – 27th November 2007 and 17th June 2009, to undertake EMAS verification. LRQA included schools within the November visit. The Internal Audit programme is an on-going cycle on a three year rolling programme. The current programme runs from April 2008-March 2011.

The process resulted in a recommendation to approve the authority for EMAS registration with the scope of the registration to include 71 schools. On 17 June 2009, Corporate Directors received a summary report of the major and minor non compliances raised by internal and external audits, and the corrective action proposed. Issues raised by LRQA are tracked by the Environment Team but will remain open until their next visit in November 2009. Internal issues are tracked by internal audit and all, except the following, are now signed off.

Outstanding major/ minor non compliances

External audit minor non compliances

Status of the outstanding minor non-conformities following the June 2009 "health check" visit including the verifier's comments on progress and any proposed further action where the non-conformity remains open

Non-conformity	Verifier's comment on	Status	Lead Officer
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	progress & proposed further action where non-conformity status remains "Open"		
<p>0906CER01</p> <p>Contractor control A minor non-compliance has been raised against contractor control. The verifier noted that a contractor's skip located in the visitors' car park at the New Walk Centre contained gypsum and metal containers containing waste paint thinners. All gypsum waste in any quantity is banned from normal landfill by the Environment Agency from 1 April 2009, and must now go to a separate cell for high sulphate waste. Solvent wastes are classified as Hazardous Wastes and need to be segregated from other wastes for separate disposal.</p>	<p>Verifier's comment – New finding June 2009</p> <p>Proposed action: The solvent was removed from the skip, securely stored and collected by the decorating sub-contractor as a useable product. The skip containing the gypsum waste was removed by the main contractor. The main contractor will be contacted and asked to supply (i) 'duty of care' documentation to demonstrate appropriate disposal of the gypsum waste (ii) evidence to demonstrate how waste disposal awareness has been improved amongst staff working on council projects (iii) evidence to demonstrate how sub-contractor control will be improved when using sub-contractors on council projects.</p> <p>Managers from across the council with responsibility for contracts with an associated environmental risk will be identified and trained on improving environmental management and control in their contract monitoring procedures.</p>	Open	David Lockhart Environment Team
<p>0906CER02</p> <p>Legal and other requirements A minor non-compliance has been raised against the Environment Team for not identifying a number of minor pieces of environmental</p>	<p>Verifier's comment – New finding June 2009</p> <p>Proposed action: Access the ELUS environmental legislation database at the beginning of every month and then inform relevant LCC</p>	Open	Mark Jeffcote

<p>legislation. In addition to the banning of gypsum from normal landfill, LCC has not identified a number of new regulations including The Environmental Damage (Prevention and Remediation) Regulations 2009, the Fluorinated Greenhouse Gases Regulations 2009 and the ODS (Qualifications) Regulations 2009.</p>	<p>officers of any legal compliance issues that they need to be aware of.</p>		
<p>0811DRF04 Depot management of local aspects A minor non-compliance has been raised against Blackbird Road depot because the current site inspection mechanism only addresses limited environmental aspects. A clearer system for reporting to managers is also required so that corrective action can be taken.</p>	<p>Verifier's comment - A revised checklist is under development and will follow a site aspects assessment.</p> <p>Proposed further action: A revised checklist covering all of the environmental aspects associated with activities at the depot is being developed. A schedule for site inspection will be put in place and completed checklists will be returned to the site manager. The site manager will agree corrective action with appropriate staff and ensure that this is completed before an agreed date. Staff responsible for site inspection and checklist completion will receive training.</p>	<p>Open</p>	<p>Brian Knifton</p>
<p>0811DRF09 Property Services Maintenance Schedules A minor non-compliance has been raised against Property Services because a number of buildings (eg. Contractors had not issued Evington</p>	<p>Verifier's comment - Maintenance schedules have been issued for leisure centres.</p> <p>Proposed further action: The provision of schedules for other buildings is being further</p>	<p>Open</p>	<p>Brian Pawley</p>

<p>Leisure Centre) with schedules for planned maintenance work. This is imperative to manage the legal requirements of certain maintenance activities.</p>	<p>investigated.</p>		
<p>0811DRF13 Management of local environmental aspects A minor non-compliance has been raised against the Environment Team because the corporate register of environmental aspects (activities that result in significant environmental effects) does not allow the environmental aspects associated with individual sites (eg. Blackbird Road depot) to be identified.</p>	<p>Verifier's comment - LCC is in the process of developing site aspects registers.</p> <p>Proposed further action: A procedure will be developed and used to prepare a corporate list of environmental aspects, in consultation with key services. This will be made available to service and site managers as a starting point for them to develop service or site based Aspects Registers. The Environment Team will lead the development of the corporate aspects list and support managers in preparing their own local Registers.</p>	<p>Open</p>	<p>Environment Team</p>
<p>0811DRF14 Compliance with the waste management 'Duty of Care' at Blackbird Road depot A minor non-compliance has been raised against Blackbird Road depot because the management of waste across the depot appeared fragmented and compliance with the legal 'duty of care' could not be fully demonstrated from the documentary evidence available.</p>	<p>Verifier's comment - Not reviewed</p> <p>Proposed further action: An audit of the waste produced by the depot is currently being compiled together with the associated paperwork necessary for demonstrating compliance with the 'duty of care'. Once the replacement waste officer has been appointed then they will take on responsibility for maintaining the audit and paperwork.</p>	<p>Open</p>	<p>Brian Knifton</p>
<p>0711WPS02 School Travel Plans</p>	<p>Verifier's comment - Good progress has been</p>	<p>Open</p>	<p>David Poxon</p>

<p>The LTP requires 90% of all schools to have Travel Plans by 2011. In order to more fully demonstrate their commitment to environmental management beyond the school premises, all EMAS schools should have formally developed Travel Plans to meet with LCC and governmental expectations.</p>	<p>made with the travel plans.</p> <p>Proposed further action: Extra staff resources are being allocated to School Travel Planning in order to ensure that the government's target that all schools have travel plans by 2010 is met.</p>		
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Internal audit outstanding major and minor non compliances

The Internal Audit programme is an on-going cycle on a three year rolling programme. The current programme runs from April 2008-March 2011. EMAS Internal audits are performed at 4 levels:

Level 1

- An EMAS system overview audit to assess whether all of the necessary parts of the system are in place and are operating effectively.

Level 2

- Audits of a number of the significant environmental effects that the Council has identified, assessing targets and progress towards them including compliance with relevant legislation. In 2008-9, this work was concentrated on the Regeneration & Culture Department as lead department for EMAS.

Level 3

- Audits of the range of service units and establishments (eleven establishments and eight schools), assessing whether relevant environmental legislation, Council environmental policies and EMAS procedures are complied with.

Level 4

- An audit of the draft EMAS Public Statement.

Summary of EMAS non compliances raised by Internal Audit during 2008-9

Analysis of Major and Minor Non-Compliances Raised		
Type	Major	Minor
Level 1: EMAS System	3	15
Level 2: R&C Culture Marketing & Communications	0	0
Level 2: R&C Environmental Services	1	5
Level 2: R&C Planning & Policy	6	19
Level 2: R&C Regeneration, Highways & Transportation	4	6
Level 3: Non School Establishments	10	22

Level 3: EMAS Schools	2	10
Level 4: Draft Public Statement	0	4
Total	26	81

EMAS Level 1 Overview of the EMAS System Audit: Main Conclusion: Overall Summary:

No outstanding non-compliances.

The EMAS system documentation addresses the majority of the requirements of the EMAS Regulation. However, the audit identified a number of deficiencies. Some of these related to up-dating issues and the Environment Team has a programme for completing these, although this has been delayed. The main issue, however, relates to the on-going problem of a lack of clarity in the system about which elements of activities carried out at service level must be subject to operational controls.

EMAS Level 2 R&C Significant Effects: Environmental Services 2008-9 Main Conclusion: Overall Summary:

Overall, the audit found some areas of good practice and others where improvements are needed. Strategic planning to identify, control and improve environmental impacts at service level needs to be strengthened though the Environment Team is an effective resource and management monitoring processes are in place. It remains to be seen, however, whether targets for reducing CO2 levels are met. Environmental Services, including licensing and waste management, showed a high degree of commitment to EMAS.

EMAS Level 3 Establishment audits excluding schools 2008-9 Main Conclusion: Overall Summary:

Non-School Establishments:

The level of EMAS compliance varied, with some areas of good practice especially at parks and depots. Other areas were less satisfactory. Material findings at individual locations concerned inadequate fire precautions, management of hazardous substances, water hygiene, drainage and management of waste. In all such cases, non-compliance notices have been issued to and accepted by management .

Schools:

Overall, there was a high degree of environmental awareness and compliance at the Schools. The commitment to EMAS was demonstrably high, with much good work being done by pupils' 'Eco-clubs' or equivalent to raise awareness and take a pride in, for example, wildlife areas in the school grounds. One area that a number of schools need to address is travel plans, to reduce dependence on cars.

All four non compliances raised at Judgemeanow Community College remain outstanding although, these do not relate to issues that would have been

addressed by the move to new BSF building. A follow-up audit has been sent to the school.

EMAS Level 4 Audit of the Draft Public Statement 2007-8: Main Conclusion: Overall Summary:

Though it was generally satisfactory, a number of minor errors (mainly typographical) were identified in the draft EMAS Public Statement. The majority of those were rectified prior to the publication of the Public Statement. However, there were errors in numerous items of specific data, or they were not substantiated by evidence. Internal Audit discussed these with management and earlier involvement by Internal Audit in future years will help to ensure that the published statement is fully reliable.

b) Communications from external interested parties including complaints

A new system for recording environmental complaints became live in July 08. 2 departments, Housing and Regeneration and Culture receive the majority of such complaints. During July – September, Regeneration and Culture department recorded 84 EMAS complaints which were split between the following issues:

Litter	28%
Landscape	22%
Noise	20%
Overhanging greenery	19%
Pollution	10%

Update for same period 09 to be added.

During the period, 2 complaints regarding the enforcement of domestic noise pollution were dealt with by the Ombudsman who found in favour of Leicester City Council.

No communications were received from the Environment Agency during the period of this management review.

c) The environmental performance of the organisation and d) The extent to which objectives and targets have been met

A summary of our environmental performance is given to members in the EMAS cabinet report, November 30th 2009. This is supported by:

- Appendix 1 Detailed progress towards objectives and targets
- Appendix 2 Text for the Public Statement 2007/08
- Appendix 3 The Action programme in place to support targets
- Appendix 4 Proposed new or amended targets

e) status of corrective and preventive actions

Issues raised by LRQA are tracked by the Environment Team but will remain open until their next visit in November 2009. Internal Audit tracks internal issues. Those outstanding, are listed in Section a) above.

f) follow-up actions from previous management reviews

issues raised in management review November 2008

paragraph	concern	action update 30/11/09
a)	External audit School Travel Plans The LTP requires 90% of all schools to have Travel Plans by 2011. In order to more fully demonstrate their commitment to environmental management beyond the school premises, all EMAS schools should have formally developed Travel Plans to meet with LCC and governmental expectations	Open Verifier's comment - Good progress has been made with the travel plans. Proposed further action: Extra staff resources are being allocated to School Travel Planning in order to ensure that the government's target that all schools have travel plans by 2010 is met.
a)	External audit contractor competencies Leicester city council has well established procedures for engaging contractors however the determination of the competence of the individuals who actually undertake the work is less well established	Closed Nov 2009
a)	Internal audit major non conformity because the Air Quality Action Plan does not make provision for reaching the EU Air Quality Objectives.	Downgraded Verifier's comment - The internal audit finding has been downgraded to a 'Minor' following corrective action and there is a programme in place for compliance.
a)	Internal audit NC2 Quality of the natural environment on council owned land The council is failing to conserve a significant number of sites of importance for nature conservation (SINCS)	Non Compliance closed following Management Response with evidence: On receipt of the SINC condition assessment report for 2007/08 completed by the Nature Conservation Officer a meeting was held on 14/02/08 to review each site and identify the actions

g) changing circumstances including developments in legal and other requirements related to its environmental aspects

Changes to policy and legislation during the management review period are listed below.

Covenant of Mayors

Leicester became a signatory to the covenant in 2009 and was amongst the first group of signatories at the EU Sustainable Energy Week event, in January 2009. As a signatory, Leicester will be bound to go beyond the 3 objectives set up by the EU for 2020,

- to reduce greenhouse gas emissions by 20%
- to reduce energy use by 20%
- to achieve 20% renewable energy in its energy supply

These align well with current EMAS targets and the city's overall CO₂ target exceeds the 20% level (to achieve a 50% reduction in CO₂ emissions by 2025, as part of the Climate Change Strategy and the "One Leicester" vision for the City).

National Indicators for Local Authorities (Local Government Act and Public Involvement in Health Act 2007)

2008/09 was the first year of reporting against the 198 national indicators under the Local Government Act and Public Involvement in Health Act 2007. EMAS is managing the City Council's performance against National Indicators relating to climate change (NI185, 186 and 188), Council air pollution emissions (NI194) air quality (national air quality objective values), biodiversity (NI197), waste, street cleanliness (NI195), litter, and children travelling to school.

Climate Change Act 2008

The Climate Change Act will bring into force legislation that will improve carbon management in the UK and help move towards a low carbon economy, whilst demonstrating the UK's commitment to reducing carbon emissions.

The 2008 Climate Change Act enables targets to be set for the reduction of greenhouse emissions, a target of at least 80% lower than the 1990 levels by 2050. It will provide a system of carbon budgeting; establish a committee on Climate Change; confer powers to establish trading schemes for limiting greenhouse gas emissions or encourage activities that reduce emissions or greenhouse gases; make provisions for adaption to climate change; provide financial incentive schemes; to produce less domestic waste; to amend the Energy Act 2004 regarding renewable transport fuel obligations and to make provisions for climate change and any connected purposes.

The Act will set up a framework to achieve the UK's long term goals for climate change. The six parts to the Act are; Carbon Targets and Budgeting, The Committee on Climate Change, Trading Schemes, Impact of and Adaption to Climate Change, Other Provisions and General Supplementary Provisions.

Carbon Reduction Commitment (CRC)

The Climate Change Act 2008 contains enabling powers to introduce new trading schemes, including CRC

The CRC is a new mandatory scheme intended to drive energy efficiency in both the private and public sectors, including local authorities. Participation in the scheme is mandatory if an organisation consumed more than 6,000 MWh of electricity through half hourly electricity meters (HHM) in 2008 (calendar year) or has at least one HHM settled on the half hourly market. This means that Leicester City Council qualifies.

The scheme has four key features:

- emissions trading - organisations caught within the scheme will have to pay for carbon allowances in addition to paying for their energy;
- performance league table – this will be published and revised annually, providing a reputational driver for better performance;
- revenue recycling - each organisation will receive a payment based on their organisation's proportion of the total CRC emissions in the first year of the scheme (2010/11). (For example, if Organisation X has emissions of 100 tonnes of CO₂ in 2010/11 and the total emissions from all participants in 2010/11 is 10,000 tonnes of CO₂ then Organization X's share will be 1 per cent of the total pot of revenue adjusted by a bonus or penalty based on their position in the CRC league table);
- penalties plus naming and shaming for non-compliance.

In September 2009, the Environment Agency (EA) will send out qualification packs. The registration period will run between April 2010 and September 2010, it is during this period that organisations must register for the scheme and report how much half hourly electricity they consumed during 2008. This registry will all be online.

From April 2010 it will be mandatory requirement to:

- monitor and report energy consumption (not just electricity consumption);
- purchase carbon allowances to cover your predicted energy-related CO₂ emissions;
- surrender carbon allowances to cover your actual energy-related emissions.

There will be an introductory phase running from April 2010. During this phase, it will be necessary to buy 'carbon allowances' to cover energy-related emissions. The government will sell allowances at a fixed price of £12 per tonne CO₂ (tCO₂) with no limit on the number of allowances that an individual organisation can buy.

However, from April 2013, carbon allowances will be auctioned, rather than sold at a fixed price. The government will place a 'cap' on the total CO₂ emissions (and therefore carbon allowances) within the scheme. There will be no cap on any individual organisation but the scheme cap will be less than all

participants need. In this way, the CRC creates a market for carbon but allows the market to set the price.

The third round of Government consultation on the implementation of CRC closed in June 2009.

The Environmental Damage (Prevention and Remediation) Regulations 2009 (SI 2009/153)

The regulations impose duties on operators of economic activities to take immediate steps to prevent damage occurring so as to limit its effects. Operators of the activities listed below will be liable for damage caused by this activity regardless of whether they were at fault. These Regulations apply to environmental damage to protected species or natural habitats, a site of special scientific interest (SSSI), surface water or ground water, or to land resulting from:

- A Permitted Installation as specified in the PPC regime
- Waste Management operations
- Mining waste
- Discharges requiring consent
- Water abstraction and impoundment
- Dangerous substances, plant protection products and biocidal products
- Transport of any dangerous goods
- Polluting substances
- Genetically Modified Organisms
- Transboundary shipment of waste

Local Authorities regulate Part A (2) and Part B installations and will also have responsibility for granting exemption permits.

The Ozone-Depleting Substances (Qualifications) Regulations 2009 (SI 2009/216)

These regulations revoke and replace, with amendments the Ozone Depleting Substances (Qualifications) Regulations 2006 (SI 2006/1510) as amended and give effect to the provisions of regulation EC No. 2037/2000 on substances that deplete the ozone layer. This instrument updates the minimum qualifications that have been set out in the legislation, in order to take into account changes made by the Fluorinated Gas Regulations 2009. The authority must comply with this legislation.

The Fluorinated Greenhouse Gases Regulations 2009 (SI 2009/261)

These regulations revoke and replace the Fluorinated Greenhouse Gases Regulations 2008. The regulations prescribe offences and penalties applicable to infringements of EC regulation 842/2006 (the 2006 regulations) on certain fluorinated gases (F gases). The regulations extend to England, Wales, and Scotland and in relation to Northern Ireland anything relating to importation into the UK from outside the customs territory of the community.

The 2009 regulations prescribes offences and penalties applicable to infringements of the 2006 EC regulations, they flesh out the legal requirements for companies and qualifications that were made in the revoked 2008 regulations. The authority must comply with this legislation.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (SI 2007/573)

These Regulations impose requirements and prohibitions in relation to the carriage of dangerous goods by road and by rail and, in so far as they relate to safety advisers, by inland waterway. The Regulations implement Council Directive 94/55/EC on the approximation of the laws of Member States with regard to the transport of dangerous goods by road. This Directive applies the Annexes to the 'European Agreement concerning the International Carriage of Dangerous Goods by Road as amended (ADR)'.

The Regulations implement Council Directive 96/35/EC on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway and the connected Directive 2000/18/EC on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway.

The Regulations implement Council Directive 1999/36/EC on transportable pressure equipment.

The authority must comply with this legislation. This could be relevant to council vehicles if they are carrying dangerous goods over the specified thresholds. Vehicles loaded with dangerous goods above the ADR load size thresholds are subject to the full operational provisions of the Regulations, including:

- Driver training
- Vehicle placards
- Transport documentation and emergency information in writing
- Protective and emergency equipment including fire extinguishers
- A Dangerous Goods Safety Adviser must be appointed.

Regulatory Enforcement and Sanctions Act 2008 and Commencement Orders

The Regulatory Enforcement and Sanctions Act will implement key recommendations contained in Government reports and papers. The Act comprises of four key parts:

Part 1: The Local Better Regulation Office (LBROs)

Part 2: Co-ordination of Regulatory Enforcement

Part 3: Civil Sanctions

Part 4: Regulatory Burdens

There are no specific requirements to businesses as a result of this Act; however there may be implications relating to the enforcement of law,

particularly permits in the case of environmental law. Parts 1 and 2 of the Act aim to bring greater cohesion to the enforcement of regulations across local authority borders. This is in an attempt to reduce the difficulties of organisations with multiple sites to complying with legislation that is interpreted differently in different localities. This act is relevant to the Environmental Services division.

Energy Act 2008 and Commencement Orders

This Act makes provisions for:

- Gas importation and storage;
- Electricity generated from renewable sources;
- Electricity transmission;
- Payments to small-scale generators of low-carbon electricity;
- The decommissioning of energy installations and wells;
- The management and disposal of waste produced during the operation of nuclear installations;
- Petroleum licenses;
- Third party access to oil and gas infrastructure and modifications of pipelines;
- Reports relating to energy matters;
- The duties of the Gas and Electricity Markets Authority;
- Payments in respect of the renewable generation of heat;
- Gas meters and electricity meters and provision relating to electricity safety;
- The security of equipment, software and information relating to nuclear matters; and for connected purposes.

This Act introduces provisions which will protect the UK's future energy security. It will introduce legislation reflecting any technological development and challenges whilst protecting the environment and the tax payer as energy markets change. The act will be relevant where the council is generating energy from on-site renewables.

Town and Country Planning (Environmental Impact Assessment) (England and Wales Regulations 1999 (SI 1999/293) as amended SI 2000/2867, SI 2008/2093

The Regulations implement Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC (EIA Directive).

The Regulations revoke and re-enact, with amendments, the Town and Country Planning (Assessment of Environmental Effects) and all later instruments amending them, and the Town and Country Planning (Environmental assessment and Unauthorised Development) Regulations 1995 and Regulation 22 of the Town and Country Planning (Simplified

Planning Zones) Regulation 1992, and enact provisions with similar effect.

The Regulations impose procedural requirements in connection with the consideration of applications for planning permission and applications for planning permission deemed to be made where an appeal is made against an enforcement notice.

This will be relevant to the Planning and Policy as they we assess planning applications that may require an EIA under this Directive and Regulations.

The planning authority must consider, first, whether a proposed project is likely to have a significant effect on the environment. If so, the authority must ensure that the applicant carries out an assessment and prepares and submits to the planning authority a report that identifies, describes and assesses the effects that the project is likely to have on the environment. The process is referred to as Environmental Impact Assessment (EIA), the report as the Environmental Statement (ES).

The REACH Enforcement Regulations 2008 (SI 2008/2852)

These regulations provide for the enforcement of Registration, Evaluation, Authentication and Restriction of Chemicals in the United Kingdom. The regulations cover enforcement, exemptions, offences and penalties, appeals and revocations and amendments and revocations.

Part 2, of these regulations detail the duties placed on enforcing authorities, and provisions for co-operation and information sharing between these enforcing authorities along with any enforcement agreements that are then reached.

Part 3, provides for defence exemption certificates made by the Secretary of State. Further details regarding the conditions are listed in schedule 4 of the regulations. The marketing and use of leaded paint is also exempt from the REACH regulations, provided that the provisions listed in Schedule 5 are complied with. These provisions relate to the marketing and uses of leaded paints. As listed in Article 67 of the EC Regulations.

Part 4, brings into force powers of enforcement for the relevant authorities, as listed in Schedule 6 of the regulations. The powers of enforcement give enforcing authorities; powers of entry and warrants; warrants, evidence and compensations; seizure in cases of imminent danger of serious pollution and notices.

Offences and Penalties are covered in Part 5 of the regulations, with regard to any area covered by REACH provisions. It is an offence to contravene any of the REACH provisions or to cause or permit another person to do so. The failure to provide a defence exemption certificate or related documents on demand or falsifying any such document is also an offence. The intentional obstruction of an enforcement body, false statements, failure to comply with any requirement or failure to aid enforcing authorities are also offences.

Any council division that uses chemicals may be asked to supply data on their use by the chemical suppliers.

Draft Flood and Water Management Bill

The draft Flood and Water Management Bill, designed to improve how the UK prepares for and responds to flood emergencies and better protect water supplies during drought. The aims of the draft Bill are to:

- Reduce the likelihood and impacts of flooding
- Improve our ability to manage the risk of flooding, by clarifying who is responsible for what
- Improve water quality
- Give water companies better powers to conserve water during drought
- Reduce red tape and other burdens on water and sewerage companies
- Improve the overall efficiency and management of the industry
- Reduce pollution and improve water quality

The draft Bill gives local authorities a clear leadership role in local flood risk management and introduces the requirement for a surface water management plan.

Changes to requirements for the disposal of gypsum and plasterboard wastes to landfill

From the 1st of April 2009 gypsum and plasterboard wastes could be no longer be sent to landfill mixed with biodegradable waste. This is due to the high sulphate content that can produce hydrogen sulphide gas which is both toxic and odorous. Gypsum and plasterboard wastes produced as a result of council building works should be segregated for recycling or separate disposal to landfill. Contractors working on behalf of the council should be monitored by contract monitoring officers to ensure that they are complying.

This new requirement introduced by the Environment Agency stems from the Landfill (England and Wales) Regulations.

h) Recommendations for improvement

Recommendations for improvement are given in paragraph 4 of this report to Cabinet, 17th November 2008.