

Leicester
City Council

WARDS AFFECTED: All

Cabinet

15th March 2004

**ECO-MANAGEMENT AND AUDIT SCHEME (EMAS)
PROGRESS FOR 02/03, PROPOSED ACTION PROGRAMME FOR 04/05
AND REVISED ENVIRONMENTAL POLICY**

Report of the Service Director Environmental Services

1 Purpose of Report

1.1 This annual report provides Cabinet with information on the Council's progress towards the corporate environmental improvement targets. The targets form part of the Eco-Management and Audit Scheme (EMAS), the corporate environmental management system. The information is important for driving improvements in the Council's environmental performance. The report also presents the draft text of the sixth EMAS public statement covering the financial year 02/03, the proposed actions to be included in the 04/05 action programme and the proposed revisions to the corporate Environmental Policy (last printed in 1999).

2 Summary

2.1 EMAS is being used to manage and improve the environmental performance of Leicester City Council and to influence improvement in the city. This is key to the successful delivery of the strategic objective in the Corporate Plan to "improve our environment". Since registering in 1999, we continue to be the largest authority in the country with a corporate EMAS system and are still considered to be at the forefront of European municipalities (which is proving influential in attracting EU funding). The system 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 (eg. Comprehensive Performance Assessment, Quality Environment Beacon Status).

2.2 EMAS has 21 environmental improvement objectives, most with associated targets. During the financial year 02/03 the council made progress towards five of the targets:

- ✓ Reduce council building energy consumption
- ✓ Increase council use of renewable energy
- ✓ Increase recycling of household waste
- ✓ Increase publicly accessible green space
- ✓ Improve cleanliness of the city centre

However, we are unlikely to meet another six targets. Progress towards one other target was inconclusive. Progress towards the other nine objectives has

not been reported, either because a target has not yet been developed, or because the monitoring data were not available.

2.3 The monitoring exercise identified three areas of concern:

1. More car travel to the city centre, an increase in fuel used by LCC staff at work, and likely failure to meet the 2005 national air quality objectives for nitrogen dioxide;
2. Deterioration in the quality and protection of Sites Important for Nature Conservation (SINCs);
3. Staff not compliant with the corporate paper policy when using printers and paper suppliers (other than Creativity Works).

2.4 The EMAS action programme for 04/05 is presented in appendix 2*. It shows the actions currently in place to deliver the EMAS targets. A monitoring exercise has also informed the sixth annual EMAS public statement (appendix 3*). The statement is a requirement of the EMAS regulation.

2.5 The corporate environmental policy (appendix 4*) has not been reprinted since 1999. Amendments are now proposed to reflect the Corporate Plan, the new set of EMAS targets and issues raised through audits.

3 Recommendations

Members are recommended to:

1. note progress towards the EMAS targets during 02/03 (see sections 2 to 5 in the main report and appendix 1*)
2. agree the implementation of the proposed 04/05 action programme (see section 6 in the main report and appendix 2*)
3. agree the draft text for the 6th EMAS Public Statement (see section 7 in the main report and appendix 3*)
4. approve the revisions to the corporate Environmental Policy under EMAS (see section 8 in the main report and appendix 4*)

4 Financial & Legal Implications

4.1 Financial Implications

4.1.1 The publication of the annual public statement and corporate environmental policy comes from the Environment Team's Action Budget. The implementation of the proposed 04/05 action programme will be met from resources that are already committed (eg through the Local Transport Plan).

4.2 Legal Implications

4.2.1 The corporate environmental policy commits the organisation to "fulfill our statutory environmental responsibilities". A prosecution for breaching such legislation would result in removal from the EMAS register.

4.2.2 Failure to achieve the national air quality objective for nitrogen dioxide by 2005 (EMAS target 4.1) may have legal implications. The City Council is not legally

*Appendices 1, 2 and 3 are available in the members library
Appendix 4 is attached

obliged to achieve the air quality objective but has a statutory duty to produce an Air Quality Action Plan. This should have been in place no more than 18 months after the date at which the City's Air Quality Management Area was designated (Dec 2000) but has not yet been produced. DEFRA expect the final version to be published in summer 2004. This is still possible with the positive news that the intention is to commence with the Leicester West Transport Scheme during 04/05.

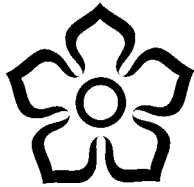
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DECISION STATUS

| | |
|--------------------------------------|----------------------------|
| Key Decision | No |
| Reason | N/A |
| Appeared in Forward Plan | No |
| Executive or Council Decision | Executive (Cabinet) |



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15th March 2004

**ECO-MANAGEMENT AND AUDIT SCHEME (EMAS)
PROGRESS FOR 02/03, PROPOSED ACTION PROGRAMME FOR 04/05
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SUPPORTING INFORMATION

Report of the Service Director Environmental Services

1. Background

- 1.1 EMAS is being used to manage and improve the environmental impact of Leicester City Council and to influence improvement in the city. This is key to the successful delivery of the strategic objective in the Corporate Plan to “improve our environment”.
- 1.2 Since registering in 1999, we continue to be the largest authority in the country with a corporate EMAS system and are still considered to be at the forefront of European municipalities (which is proving influential in attracting EU funding).
- 1.3 The system 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 (eg. Comprehensive Performance Assessment, Quality Environment Beacon Status).
- 1.4 EMAS is the key mechanism for reducing the environmental impact of our purchasing decisions. The green purchasing policy covers several areas including furniture, other office equipment, cleaning materials and paper etc.
- 1.5 This is an annual report to Cabinet to tell members about the Council’s progress towards our corporate environmental improvement targets. These targets are a key element of the EMAS system. The EMAS action programme for 04/05 shows those actions intended to deliver the EMAS targets (appendix 2*). A monitoring exercise informed the sixth annual EMAS public statement (appendix 3*). This statement is a requirement of the EMAS regulation. The paper also proposes revisions to, and a re-print of, the corporate EMAS Environmental Policy (appendix 4*) that was last printed in 1999.

2. Progress towards existing targets

*Appendices 1, 2 and 3 are available in the members library
Appendix 4 is attached

- 2.1 On March 24th 2003 Cabinet agreed 21 environmental improvement objectives, most with associated targets, covering both city-wide environmental issues and the direct environmental impacts of Leicester City Council (LCC) operations.
- 2.2 A detailed review of our progress towards the objectives is given in appendix 1*. A summary of progress is given in table 1.

The Council is able to demonstrate progress towards five of the targets. However, if the current trends continue we will not meet six targets. Progress towards the other ten objectives cannot be determined for the reasons outlined in the table.

- 2.3 Three areas of concern have been identified from the review of progress and are discussed below in greater detail.

3. Car use (travel to city centre, air quality, fuel use by LCC staff)

- 3.1 Car use generally and also car use by staff have increased. Car travel to the city centre and fuel used by staff vehicles at work are both increasing. The amount of traffic on the roads means that Leicester will not meet the 2005 national air quality objectives for nitrogen dioxide. The increase in fuel use by staff vehicles at work since 1997 has been approx 20 percent (approx 450,000 extra litres of fuel per year) costing the authority approximately an extra £300,000 per year.
- 3.2 Members should note that mitigating actions are included in the EMAS action programme for the coming year (appendix 2*). A mobility management plan for council staff is being considered and a report will be presented to Corporate Directors Board in the summer of 2004. The possibility of using regenerating particulate traps on diesel engines with Energy Saving Trust funding is being investigated. The traps will remove particulate pollution from diesel engine emissions. The value of alternatively fuelled vehicles to the authority, such as liquid petroleum gas and electric, is still being investigated. The Leicester West Park and Ride will have a beneficial effect by reducing traffic in the city centre and the intention is to commence work during 04/05. Proposals are currently being considered by ER&D Department for a city centre access strategy that will incorporate low emission zone plans. Transport Development Group are also planning projects to promote cycling and walking in the City such as Cycle City promotion and the North Leicester Walking for Health Project.

4. Quality and protection of SINCS

- 4.1 Sites of Importance for Nature Conservation (SINCS) are prime ecological sites in the City. Over the last three years, monitoring of Council-owned SINCS in Parks and Public Open Spaces has shown that the quality of a significant number of these sites is declining. The reasons for the decline are:

- lack of resources and staff
- lack of investment in site infrastructure
- lack of management, and
- inappropriate management.

*Appendices 1, 2 and 3 are available in the members library
Appendix 4 is attached

Table 1 – A summary of progress towards the corporate environmental improvement objectives.

| Target | Title | Progress |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ✓ - On track to be met X- Not on track to be met ? – Progress inconclusive Data not available - Monitoring data not available No target - Target currently being developed | | |
| target 1.1 | Council building energy consumption | ✓ |
| target 1.2 | Council use of renewable energy | ✓ |
| target 6.1 | Recycling household waste | ✓ |
| target 10.1 | Publicly accessible green space | ✓ |
| target 12.1 | Cleanliness of the city centre | ✓ |
| target 1.3 | Fuel used at work | X |
| target 4.1 | Air quality (nitrogen dioxide) | X |
| target 4.2 | Car trips to the city centre | X |
| target 7.1 | Council water use | X |
| target 9.2 | Retaining prime ecological sites (SINCs) | X |
| target 9.3 | Developing indicators of ecological quality | X |
| target 4.3 | Car journeys to school | ? - Progress is inconclusive because only two data points are available and they are based on a small comparative sample (21 schools) |
| target 5.1 | Council waste to landfill | Data not available - This will be resolved in 04/05 with the introduction of the corporate waste contract as outlined in action 5.1.2 of appendix 2* |
| target 8.1 | Council consumption of paper | Data not available - This is because staff are not compliant with the corporate paper policy as outlined in section 5 below |
| target 8.2 | Council use of recycled paper | Data not available - This is because staff are not compliant with the corporate paper policy as outlined in section 5 below |
| target 9.1 | Development of management plans for parks, open spaces, the riverside and trees and woodlands | Data not available - Work on plans is ongoing but because the total number of sites has not been finalised a % figure cannot be reported |
| target 2.1 | Energy consumption in homes across the city | No target - Target to be developed during 04/05 |
| target 3.1 | Fleet vehicle emissions | No target - New target to be developed during 04/05 |
| target 6.2 | Construction waste to landfill | No target - Target to be developed during 04/05 |
| target 11.1 | Sustainable built environment | No target - Target to be developed during 04/05 |
| target 13.1 | Environmental awareness of city residents | No target - Target to be developed during 04/05 |

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Whilst species-rich grasslands and hay meadows are generally being managed properly through the Council's grounds maintenance contracts, other important ecological habitats such as woodland, wetland and scrub/grassland mosaics have not been managed in recent years and are losing their wildlife value as a result. This decline cannot be addressed solely through the work of volunteers (although this can make a valuable contribution) or through short-term improvements funded by grants. Members have already recognised a problem with the funding of green open spaces. A budget for SINCs forms part of the CS&NR Department draft revenue strategy. By the time this report is considered by Cabinet the outcome of the budget process will be known.

5. Compliance with the corporate paper policy

- 5.1 The policy on paper requires all paper to be purchased through Creativity Works or, if purchased elsewhere, the quantity and recycled content of the paper reported to Creativity Works. This is so that accurate paper consumption figures can be reported. The purchasing of paper other than "100% post consumer waste", has to be justified as an exception. Unfortunately a lot of paper, possibly up to a quarter of all paper used by the authority, is purchased from external organisations and not reported to Creativity Works. This makes it impossible to monitor implementation of the paper policy. Active promotion of the policy has not resolved the situation. The Environment Team will work with individuals likely to be using large quantities of out-sourced printed materials during 2004/05 to better understand their reasons for non-compliance and, if required, make adjustments to the policy to ensure compliance.

6. Proposed EMAS Action Programme for 04/05

- 6.1 The final version of the action programme for 02/03 was adopted by Cabinet on March 24th 2003 along with 21 new environmental improvement objectives. Appendix 2* reports on progress towards the 02/03 actions and recommends their continued inclusion in the 04/05 action programme. In addition, new actions have been suggested where appropriate. Together the 02/03 actions recommended for retention and the new actions constitute the draft EMAS action programme for 04/05.

7. The text for the sixth EMAS Environmental Statement

- 7.1 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.
- 7.2 The proposed draft text for the sixth annual statement is attached at appendix 3*. The statement reports progress towards the EMAS targets during 02/03. The statement also provides a commentary on the key issues influencing our progress and presents some of the important future actions. We have used a new format that places greater emphasis on graphical presentation and case studies.

8. Revisions to the corporate EMAS Environmental Policy

- 8.1 The corporate policy for EMAS has not been re-printed since 1999, although it is reviewed annually.

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- 8.2 The wording of the policy is tightly controlled by the EMAS Regulation and the policy endorsed at “the highest level” in the organisation.
- 8.3 The Communications Unit has been involved to make sure that the text is as brief as possible and in "plain English".
- 8.4 This year we are proposing a re-print with amendments which reflect the following:
- the new Corporate Plan
 - the reviewed EMAS system (with new objectives and targets adopted)
 - improvement notes from both internal and external EMAS audits
 - signatories of the new political administration.
- 8.5 The revisions should be complete by the next EMAS verification (19 April).
- 8.6 Elected Members are asked to approve the proposed amendments to the text and for the Leader of the Council to sign the amended policy (see appendix 4*).

9. Next Steps

The next steps are as follows:

1. The proposed action programme will be implemented from 1st April 2004.
2. External re-verification of EMAS will take place during the week 19th to 23rd April 2004, including the validation of the public statement.
3. The sixth EMAS public statement and revised corporate environmental policy will be published following validation.
4. Members will receive the next annual report on progress towards the targets in February 2005.

10. Conclusion and Recommendations

- 10.1 Progress towards the EMAS targets was mixed during 02/03. Concerns remain about increased car use (both city-wide and by LCC staff at work), the management of sites important for nature conservation (SINCs) and compliance with the corporate paper policy.
- 10.2 Actions proposed in the 04/05 action programme should promote further progress towards the targets.
- 10.3 The draft text for the 6th EMAS Public Statement and the revised corporate environmental policy should be agreed so that publication can take place following the next EMAS verification (19th to 23rd April).

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1 Financial Implications

- 1.1 The publication of the policy and annual public statement comes from the Environment Team budget. The implementation of the proposed 04/05 action programme will be met from resources that are already committed (eg through the Local Transport Plan).

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2 Legal Implications

- 2.1 The corporate environmental policy commits the organisation to “fulfill our statutory environmental responsibilities”. A prosecution for breaching such legislation would result in removal from the EMAS register.
- 2.2 Failure to achieve the national air quality objective for nitrogen dioxide by 2005 (EMAS target 4.1) may have legal implications. The City Council is not legally obliged to achieve the air quality objective but has a statutory duty to produce an Air Quality Action Plan. This should have been in place no more than 18 months after the date at which the City's Air Quality Management Area was designated (Dec 2000) but has not yet been produced. DEFRA expect the final version to be published in summer 2004. This is still possible with the positive news that the intention is to commence with the Leicester West Transport Scheme during 04/05.

3 Other Implications

3.1

| OTHER IMPLICATIONS | YES/NO | PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS |
|-------------------------------|--------|--------------------------------------------------------------------------------------|
| 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 | |

3.2 Risk Assessment Matrix

| Risk | Likelihood L/M/H | Severity Impact L/M/H | Control Actions (if necessary/or appropriate) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 - Failure to take corrective action necessary to meet our EMAS targets 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. | 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. |

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| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 - Failure to maintain an EMAS Action programme 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. |
| 3 - Failure to produce a verifiable public statement 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. |
| 4 - Failure to adopt an environmental policy which complies with EMAS requirements | L | L | The Env Team have work instructions in place to control the production of the Policy text. |

L - Low
 Low M -
 M - Medium
 Medium H - High
 H -
 High

4 Background Papers – Local Government Act 1972

- Reviewing EMAS (Eco-Management and Audit Scheme). Cabinet, 24th March 2003.

5 Consultations

Consultee

Individual officers named in the action programme (appendix 2*)
 Team Leader (Financial Strategy), ER&D
 Assistant Head of Legal Services, RAD

Date Consulted

Nov 2003 to Jan 2004
 14th Jan 2004
 30th Jan 2004

Appendices

Appendix 1* – Progress Towards EMAS Targets 02/03
 Appendix 2* – Proposed EMAS Action Programme 04/05
 Appendix 3* – Environmental Statement April 2002–March 2003
 Appendix 4* - Existing text and proposed text for the Environmental Policy

*Appendices 1, 2 and 3 are available in the members library
 Appendix 4 is attached