

## Appendix 5

### Management Review of EMAS for 2009/10 Summary for Cabinet December 2010

#### **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 2009 to November 2010.

#### **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 22<sup>nd</sup> - 26th November 2009 and 22<sup>nd</sup> June 2010, 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 62 schools. On 16<sup>th</sup> March 2010, Corporate Directors received a summary report of the major and minor non conformities raised by 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 2010. 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 2010 "health check" visit including the verifier's comments on progress and any proposed further action where the non-conformity remains open.

<b>Corporate Non Conformity (extracts from LRQA report June 2010)</b>	<b>Outstanding Action before November Verification visit required by</b>
<p><b>Minor non-conformity, New 0911CER01</b></p> <p>Section Annex 3.2 of EMAS requires that the EMAS Statement should include a summary of the data available on the performance of the organisation against its environmental objectives and targets with respect to its significant environmental impacts.</p> <p>The information relating Section 15.1 of the Statement 'The Waste from Leicester' was validated. However, the statement lacks any reference to LCC's current and projected performance against the Landfill Allowance Trading Scheme (LATS) targets and the financial implications of not meeting future targets. Future statements need to include this information and other information of material interest regarding Leicester's waste.</p>	<p>Environment Statement (appendix 2 of Cabinet Report) includes this information and awaits approval at Nov Verification visit.</p>
<p><b>Minor non-conformity, New 0911OJC01</b></p> <p><b>Castle Park Depot</b> - Gulley drain directly in front of tack coat store is connected to a surface water drain. Evidence of oily residue on the ground. Although drain via interceptor this design is not favourable and an alternative should be identified</p> <p>There is no drainage plan for the <b>Monks Rest</b> site</p>	<p>Operational control deemed adequate at June Verification visit. LRQA to see drainage plan at November visit.</p> <p>A drainage plan will be prepared for Monks Rest Depot. <b>Action: Parks Manager for Area 2</b></p>
<p><b>Minor non-conformity, New 0911OJC02</b></p> <p>A number of issues noted with waste management duty of care requirements at various sites:-</p> <p><b>Castle Park Depot – Highways</b> - It was stated that ad-hoc consignments of waste such aerosols by Haz Industrial Services had not been subject to duty of care checks.</p> <p><b>Castle Park Depot – Cleansing</b> - Cylinders disposed of by Aquaforce (through Acumen contract) had duty of care paperwork supplied by Acumen prior to waste leaving the site; this was not the same for disposal of chemicals from the graffiti section – taken by Augean (again via the Acumen contract) – need to ensure that duty of care checks are completed prior to waste leaving the site.</p> <p><b>Leicester Leys</b> - Paper and cardboard is taken by ENVIRON but no transfer notes are generated.</p> <p><b>Spence Street</b> - Hazardous waste is removed by Haz Environmental – there have been no quarterly returns received by the site since May and whereas a copy of the carrier license for Haz was available locally, the waste management license was not and it was unclear who was responsible for registering the site as a hazardous waste producer (no formal record on site that NEG 731 was the site number).</p> <p>At present the site is using an adjacent transfer station for disposing of paper; however fluorescent tubes are also being taken here but no paperwork is generated – as fluorescent tubes are hazardous this practice must cease and a correct disposal route set up.</p> <p><b>Monks Rest</b> - Waste generated by the activities of the grounds maintenance function such as pruning, general litter and dog waste is brought back to Monks Rest – there is no waste exemption license for this activity and LCC should confirm with the EA whether this is required. Duty of</p>	<p><b>LRQA will review duty of care awareness at the next visit</b></p>

<p>care checks for interceptor waste taken recently by Redstripe does not appear to have taken place and there are no transfer notes for scrap metal removed from the site by Burgess.</p> <p><b>There appears to be some confusion over where duty of care checks should be undertaken – locally or through the environment team. Could a central register of waste companies be set up?</b></p>	
<p><b>Minor non-conformity, New 09110JC03</b></p> <p><b>Leicester Leys and Spence Street</b> - Although there are records of servicing for air con units on both sites – there is no information on the types and quantities of refrigerant and the service sheets do not specifically state that leak checks have been completed – it was stated that this is the responsibility of the landlord (Property Services). In addition it was not clear how competency of contractors handling refrigerant is verified. Records should be held locally.</p> <p><b>Spence Street</b> - Water Monitoring – there were two instances in October and November where the cold tap temperatures were above the 20°C limit – it was unclear by local personnel who would action this – via the landlord helpdesk or James Seaton. The risk assessment on file was dated April 06 and it was not clear whether it had been reviewed since (L8 requires a review at least every two years).</p>	<p>LRQA to review gas legionella and boiler maintenance again at November visit.</p>
<p><b>Minor non-conformity, New 09110JC05</b></p> <p>Whilst the information supplied in Table 6.1a could be verified (just) – two tables provided which led to some confusion on how the numbers were generated, some of the figures in table 6.1b could not be verified (unfavourable declining and suffered significant decline / damage). All the figures in the table should be reviewed to ensure that they are correct.</p>	<p>Environment Statement (appendix 2 of Cabinet Report) includes this information and awaits approval at Nov Verification visit.</p>
<p><b>Minor non-conformity, Open 0811DRF04</b></p> <p>The site inspections mechanism currently only addresses limited environmental aspects. These could be identified and managed by a Local Aspects register. A clearer reporting system also needs to be developed so that any non conformity can be used to identify areas of weakness, trends and root causes.</p>	<p>A generic site inspection and reporting mechanism has been developed by the Environment Team and will be rolled out to sites along with site based environmental aspects registers (see below). <b>Action: Environment Team</b></p>
<p><b>Minor non-conformity, Open 0811DRF13</b></p> <p>Whilst a corporate aspects register is maintained there was limited evidence that aspect registers exist at a local level. As the aspects register is used to establish, implement and maintain the Management system, a local register would manage the local aspects and any legal requirements.</p>	<p>A corporate environmental aspects register for the council is currently being developed by the Environment Team as the basis for developing site based aspects registers, starting with the sites with higher environmental risk (eg depots and leisure centres). <b>Action: Environment Team.</b></p>

### Internal Audit EMAS Audits

Good environmental practice is central to the City Council's corporate strategic objectives. Its accreditation under the Eco-Management and Audit Scheme (EMAS) is a major part of this. EMAS is supported by a highly structured management

process that is subject to a wide-ranging programme of audits both by Internal Audit and the external EMAS Verifier, LRQA.

**EMAS audits are performed at four levels, as set below:**

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 2009-10, this work was concentrated on Housing Strategy & Options, Housing services and Reducing Our Carbonfootprint.

Level 3

- Audits of the range of service units and establishments (eleven establishments of different types such as depots, offices and residential homes plus 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 – Internal Audit EMAS Audits 2009-10:**

Levels 1, 2, 3 & 4 Audits: Summary of Non-Compliances and Observations raised

<b>EMAS Level 1, 2, 3 &amp; 4 Summary of Non-Compliances and Observations raised</b>			
<b>Level 1, 2, 3 &amp; 4</b>	<b>Major</b>	<b>Minor</b>	<b>Observations</b>
Level 1: EMAS System	3	12	24
Level 2: Housing Options & Strategy	2	16	21
Level 2: Housing Services	3	16	22
Level 2: Reducing our Carbon Footprint	0	0	12
Level 3: Establishment Audits	24	26	36
Level 3: EMAS Schools	4	8	31
Level 4: Audit of the Draft EMAS Public Statement 2008-9	3	2	0
<b>Total</b>	<b>39</b>	<b>80</b>	<b>146</b>

All 15 non-compliances raised at Level 1 are in progress. Out of the 37 non-compliances raised on Level 2, 23 are in progress and 14 have been closed following satisfactory management action. All 62 non-compliances raised at Level 3 Establishment audits including schools have been closed. 4 non-compliances issued under Level 4 have been successfully closed whilst 1 is in progress. Observations raised, generally, do not require a management response or formal sign-off.

Further detail is provided below:

## **EMAS Level 1: Overview of the EMAS system 2008-9 & Follow-up 2009-10**

### **Overall Conclusion**

The EMAS system documentation addresses the majority of the requirements of the Regulation.

However, a number of deficiencies were identified. Some of these relate to updates 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: Thematic EMAS audit of Housing Strategy & Options 2009-10**

### **Overall Conclusion**

There is a good level of commitment to the key EMAS objective of reducing carbon emissions; this is reflected within the work programmes of the various sections. Of note are the programmes to build new council houses to a high sustainability standard; efforts to continue to address energy-efficiency in private sector housing through loans and access to grants, and the new approach to embedding environmental management. Commitment to reducing travel and paper use was also evident.

Compliance with EMAS operational procedures relevant at management level is generally good.

## **EMAS Level 2: Thematic Audit - Housing Services 2009-10**

### **Overall Conclusion**

Housing Services strategies demonstrate a high level of commitment to EMAS improvement objectives, particularly to improving the energy-efficiency of council housing. Commitment to compliance with EMAS procedures is less evident, however, with findings relating to waste disposal and various items of required documentation. Contract-related matters, however, show improvement.

## **EMAS Level 2: Thematic Audit - Reducing our Carbon Footprint 2009-10**

### **Overall Conclusion**

#### The Council's Carbon Dioxide emissions

The creation of the Carbon Priority Board has raised the profile of the carbon reduction targets and provided a higher level of scrutiny. The first annual Commissioning Statement resolves previous problems with the clarity of the data and quantification of the amount of CO<sub>2</sub> savings that planned projects will deliver.

#### Leicester's Carbon Dioxide emissions

The Council is showing strong leadership within the Leicester Partnership. It is doing this by hosting staff employed by the Partnership to facilitate the delivery of the LAA carbon reduction targets through the Environmental Partnership Board and by providing significant staff resources to deliver the Council's own commitments to the Partnership. The current project to extend the district heating scheme may deliver a step-change in energy-efficiency that will benefit both the tenants of Council flats and the wider community. The Council is also showing leadership by building a number of new council houses to Level 4 of the Code for Sustainable Homes.

## **EMAS Level 3: Establishment Audits 2009-10**

### **Overall Conclusion**

#### Non-School Establishments:

The level of EMAS compliance varied, with some areas of good practice especially at parks and depots including City Highways' Castle Park depot. 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.

## **EMAS Level 4: Audit of the EMAS Public Statement**

### **Overall Conclusion**

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. Despite these, however, the draft EMAS Public Statement met its overall objectives.

#### **EMAS-related referrals to Internal Audit:**

A major non-compliance was raised following a referral by the Environment Team on concerns over a planning permission for sports pitches on Aylestone Meadows Local Nature Reserve. Following management action and response, this non-compliance has now been down-graded to a Minor Non-Compliance.

#### **Non-Compliance raised in 2008-9 still open:**

**Major Non-compliance** *(Please Note: Although this non-compliance was raised as part of the EMAS audit at Cleansing Services, Castle Park Depot, it applies to the entire Council Fleet and has a corporate implication):*

There is currently no means of identifying the location of each vehicle at any given time. In addition, there is no means of providing credible monitoring evidence about waste collections and drop-offs. Satellite navigation systems are commonly used by major waste operators and some local authorities. A suitable tracking system should be implemented to protect the Council and its operatives from legal action in cases of unidentified collections and drop-offs.

#### **Latest Management Response (21<sup>st</sup> July 2010):**

“... having regard to the budget cuts we are required to provide under the recent initiative to identify 30% service cost reductions we are unable to spend this kind of expenditure on what is a service development. However, we will keep the option open to us should the economic climate improve as *management* are keen to use it”.

### **Internal Audit Comment:**

*Given the circumstances, Internal Audit accept the above response, however, we will keep this non-compliance open at a corporate level and follow-it up on an annual basis to identify if the economic and budgetary circumstances are more favourable to allow the implementation of such tracking devices.*

### **Air Quality Non-Compliance raised in 2006-7 now downgraded to an Observation:**

A Major Non-compliance report (NCR) was issued in 2006 because the Air Quality Action Plan does not make provision for reaching the EU Air Quality Objectives by 2010 and NO2 levels are already in excess of the UK Air Quality limit values Regulations deadline of 2005.

*Internal Audit Comment: "Internal Audit accept that a re-drafting of the AQAP taking account of PG09. The February 2009 is an appropriate response from management to the non-compliance. In addition, Internal Audit also accepts that, as the legal duty under the Air Quality Standards Regulations 2010 rests with the Secretary of State, the SoS's acceptance of then new AQAP and monitoring reports should be sufficient evidence of compliance for Internal Audit to accept. The fact that the SoS has made no specific representations to LCC regarding the failure of the last AQAP to meet the targets should also be considered as evidence of compliance (albeit with the regulatory authority's requirements, rather than the AQ limit values).*

*In conclusion Internal Audit now accepts that this Non-compliance is downgraded to an Observation for further review at the next scheduled audit ". Please note that we do not expect a management response to EMAS Observations.*

### **Overall Summary**

With the importance of the environmental agenda, EMAS continues to be an important area of audit work. Despite some specific areas of concern, the level of EMAS compliance at locations across the Council continues to improve. This indicates that understanding of the importance of good environmental practice is also improving. The external verifiers, LRQA, who assess the Council's continuing accreditation for EMAS, placed reliance on Internal Audit work and made the following complimentary comment in their most recent verification report:

*'Internal Audit continue to provide an effective EMS audit function which is a valuable contribution to EMAS EMS Verification and EMAS Statement Validation'.*

The point of including this here, as well as it being a pleasing reflection on Internal Audit's work, is that the audit process is itself an important part of the Council's EMAS system. It therefore demonstrates the corporate commitment to the good practice required under the EMAS scheme.

### **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. In 2009/10, Regeneration and Culture department recorded 245 EMAS complaints which were split between the following issues:

Litter	22%
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Landscape	62%
Noise	5%
Overhanging greenery	4%
Pollution	7%

The landscape category received by far the largest volume of complaints but this category included pothole complaints which were exceptionally high due to the severe winter weather.

The following projects involved communication with external regulators during 2009/10:

### **St Barnabas Primary Capital Programme Work**

An Ecological survey as part of the BREEAM assessment of PCP work identified the presence of Great Crested Newts. Following this discovery, the council consulted Natural England. As a result the construction was delayed by one year to allow the newts to be relocated to ponds on an alternative site under the supervision of Natural England.

### **Sunningdale Road**

Following the construction of a new access road into this site, discussions were held with the Environment Agency regarding the treatment and disposal of hazardous and non hazardous waste that had resulted from the construction of an access road. It is intended that the waste is processed by the site operator when the construction and demolition recycling facility commences. The Environment Agency have agreed this and are being kept informed of progress.

### **Planning application for Football fields on part of Aylestone Meadows Nature Reserve**

Consultations are ongoing with Natural England and the Environment Agency regarding the proposal to build football playing fields on part of Aylestone Meadows Nature Reserve and the identification of suitable mitigation measures to compensate for loss of the area of nature reserve.

### **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, December 2010. This is supported by:

- Appendix 1 Detailed progress towards objectives and targets
- Appendix 2 Text for the Public Statement 2009/10
- 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 2010. 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**

<b>paragraph</b>	<b>concern</b>	<b>action update 30/11/09</b>
a)	<b>External Audit School Travel Plans</b> 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	<b>Open</b> <b>Verifier's comment</b> - Good progress has been made with the travel plans.  <b>Proposed further action:</b> 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)	<b>External Audit Contractor Competencies</b> 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)	<b>Internal Audit Major Non Conformity</b> because the Air Quality Action Plan does not make provision for reaching the EU Air Quality Objectives.	<b>Downgraded</b> <b>Verifier's comment</b> - The internal audit finding has been downgraded to a 'Minor' following corrective action and there is a programme in place for compliance.
a)	<b>Internal Audit NC2 Quality of the Natural Environment on Council Owned Land</b> The council is failing to conserve a significant number of sites of importance for nature conservation (SINCS)	<b>Non Compliance closed following Management Response with evidence:</b> 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**

**10:10 Campaign**

The Council signed up to the national campaign 10:10 earlier on this year. A baseline of 33,639 tonnes CO<sub>2</sub> for 2009/10 has been submitted to the campaign office meaning a target for reduction to be a minimum of 2,354 tonnes CO<sub>2</sub> in the year 2010/11. (The figures differ from NI 185 in that 1010 excludes schools and outsourced contracts). A report was brought to Reducing Our Carbon Footprint Priority Board in January 2010 outlining how this could be achieved.

## **2010 Changes to legislation**

### **Air Quality Standards Regulations 2010**

- Came into force 11/6/2010
- Revoke and replace Air Quality Limit Values Regs 2007
- Specify Limit Values for benzene, CO, lead, NO<sub>2</sub>, NO<sub>x</sub>, PM<sub>10</sub> and SO<sub>2</sub>
- Also set target values for other air pollutants
- Relevant to Pollution Control

### **Building and Approved Inspectors (Amendment) Regulations 2010**

- Amends some requirements relating to reporting of CO<sub>2</sub> emissions estimates to inspectors.

### **Carbon Reduction Commitment Energy Efficiency Order 2010**

- Council must register by 30/9/10.

### **Climate Change Levy (General)(Amendment) Regulations 2010**

- Increase repayment time limit from 3 to 4 years.

### **Community Infrastructure Levy Regulations 2010**

- Provides for the Planning Authority to levy a charge on new buildings above a certain size to pay for the provision of community infrastructure.

### **Conservation of Habitats and Species Regulations 2010**

- Revokes and replaces Conservation (Natural Habitats &c) Regulations 1994 as amended. No major policy changes except in relation to Marine and Coastal Access Act.
- Sets out offences to capture, kill, disturb, take eggs, damage breeding habitat, nests or resting place of a European Protected Species or pick, cut, uproot or destroy

### **EMAS III**

- Reporting on Core Indicators in the Statement
- Statement must be published within a month of renewal of registration
- Stronger requirement to have documentary evidence of legal compliance
- Requirement to include all activities in the Internal Audit programme

### **Energy Act 2010**

- Includes requirements for energy company led schemes to tackle fuel poverty. Relevant to Energy Team if they get involved in partnerships with energy suppliers to reduce fuel poverty.

### **Energy Performance of Buildings (Certificates & Inspections)(England and Wales) Regulations 2010**

- Amends requirements so that HIPs no longer needed, but those marketing residential property must still ensure an EPC is obtained.

### **Environmental Civil Sanctions (England) Order 2010**

- Gives Env Agency and Natural England new powers to impose civil sanctions for certain breaches of legislation instead of taking out criminal prosecutions.
- Relevant to all Council activities regulated by these agencies.
- Relevant to Env Team in its compiling of the Env Statement.
- Relevant to Internal Audit in relation to their investigation and recording of legal non-compliance.

### **Environmental Damage (Prevention and Remediation)(Amendment) Regulations 2010**

- Updates certain definitions in 2005 Regs
- Relevant to Pollution Control enforcement function

### **Environmental Noise (England)(Amendment) Regulations 2010**

- Minor change to 2006 regs.

### **Environmental Permitting Regulations 2010**

- Complete the single permitting regime covering waste mgt licensing, air emissions (LAIPPC and PPC), discharges to/abstraction from controlled waters and Groundwater Authorisations.
- These and previous regs replace Waste Mgt Licensing Regs, Landfill Regs, Groundwater Regulations 2009
- For waste mgt licensing side a new, more risk-based approach with detailed new guidance for operators to identify whether a license or exemption is needed.
- Existing licenses automatically became permits

### **Feed-In Tariffs (Specified Maximum Capacity and Functions) Order 2010**

- Establishes the system for administering and approving FITS.
- Applicable to Council electricity generating installations.

### **Flood and Water Management Act 2010**

- LAs must put in place strategies to manage risk of flood from surface water run-off, groundwater and watercourses.
- Provides standards for drainage systems and designates an 'approving body'
- Enables orders to be made banning non-essential water uses in times of drought – could affect Council services.

### **Infrastructure Planning – various new regulations 2010**

- These regs set out various procedures to be followed by developers and others in relation to any proposals for major infrastructure eg new power stations, major roads, waste treatment plants etc.

### **Pollution Prevention and Control (Designation of Directives)(England and Wales) Order 2010**

- Relevant to pollution control

### **Renewables Obligation (Amendment) Order 2010**

- Extends duration of Renewables Obligation and enables introduction of FITs.

### **REACH Regulations – Amended 2010**

- Several changes to detail of existing regs. Relevance to Council unclear.

### **Road Vehicles (Construction and Use)(Amendment) Regulations 2010 and (Amendment) Regulations 2010(2)**

- 2010 amendment requires certain vehicles to have tyres marked to show they comply with noise emissions requirement. Applies to much of our fleet.
- Second amendment regs relate to width of trailers.

### **Smoke Control Areas (Authorised Fuels)(England)(Amendment) Regulations 2010**

- Amends list of authorised fuels.

### **Smoke Control Areas (Exempted Fireplaces)(England) Order 2010**

- Amends list of exempted fireplaces.

### **Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005, amended 2009 and 2010**

- Part B enforcement under Env Permitting regime
- No Council sites covered(?)

### **Waste Electrical and Electronic Equipment Amendment Regulations 2010**

- Amends definition of one of the hazardous waste categories.

### **Water Supply Regulations 2010**

- Amends enforcement requirements of Water Supply Regs 2000 and Private Water Supply Regs 2009. Env Health is enforcer.

### **Wildlife and Countryside Act 1981 (Variation of Schedule 9)(England and Wales) Order 2010**

- Makes some changes to Schedule 9 parts I and II, relating to animal and plant species that can't be released or allowed to escape into the wild.

Plus several other minor amendments to existing land use planning legislation, affecting the Planning Management and Delivery service in the main.

### **2009 Changes**

Animal By-Products Regulations 2003, amended 2009

Building Regulations 2000, amended 2009, 2009(2)

Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009  
Climate Change Levy (General) Regulations 2001, amended 2009  
Energy Performance of Buildings (Certification and Inspection) (Amendment) Regs 2009  
Environmental Damage (Prevention and Remediation) Regulations 2009  
Environmental Noise (England) Regulations 2006, amended 2009  
Flood Risk Regs 2009  
Fluorinated Greenhouse Gas Regulations 2009  
Motor Vehicles (Refilling of Air Conditioning Systems by Service Providers) Regulations 2009  
Ozone Depleting Substances Qualifications Regs 2009  
Packaging (Essential Requirements) Regulations 2003, amended 2009  
Planning (Listed Buildings and Conservation Areas) Act 1990, amended 2009  
Planning (Hazardous Substances)(Amendment) Regs 2009  
Private Water Supplies Regs 2009  
Road Vehicles (Construction and Use) Regulations 1986, amended 2009  
Town and Country Planning (General Development Procedure) Order 1995 amended 2009 and 2009(2)  
Waste Batteries and Accumulators Regulations 2009  
Water Resources Act 1991 (Amendment) Regs 2009

#### **h) Recommendations for improvement**

Recommendations for improvement are given in paragraph 4 of this report to Cabinet, December 2010