

Aspects, Impacts and Register of Legislation

The University is required as part of its Environmental Management System to identify how it interacts with the environment (its Environmental Aspects) and consider the impact of these (the damage they can cause) as well as their severity (significance). These aspects are considered under normal, abnormal and emergency situations although not all aspects will occur under each situation.

Environmental aspect = element of an organisation's activities or products or services that can interact with the environment.

Environmental impact = any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's environmental aspects

The University has considered its operations and activities and has determined that there are a multitude of aspects, for example electricity might be used in numerous different ways, but that there is little benefit to listing all of these individually as, although there may be slight variations in the significance of these aspects, those variations are negligible. It is the overarching Aspect, e.g. Use of Electricity, which Impacts the environment and where the University must assess its significance. The following table therefore identifies the University's key environmental **Aspect Areas**, the **Aspect Detail** provides a further description of the areas and operations where this occurs.

Against each Aspect Detail there is reference to environmental **Impacts** and then a calculation of **Significance** based on the **Severity** and **Likelihood**. The significance is determined by the EMS team in consultation with the Manager responsible for the relevant aspect and this document is then submitted to the Sustainability and Social Responsibility Sub Committee for approval.

There is a requirement to assess the Impact of the Aspect Details under normal, abnormal and emergency conditions, these are defined as:

- Normal – the University's operations are far from routine as our operations vary from weekday to weekend, from term time to non-term time and are often dependent upon research and event activities. Normal is therefore defined as when the University can expect to be able to reasonably control its environmental impacts through its business operations.
- Abnormal – these are circumstances when there may be a partial failure of normal routines, maintenance issues, vandalism or special activities
- Emergency conditions – these are defined as any event where the University is required to respond to an occurrence which by its very nature means that normal controls are unlikely to be able to be applied which may result in a potential increase in Severity and/or likelihood of environmental impact. If there is no assessment of impact in emergency it is because in the event of emergency this aspect would not be controlled or applied. Such circumstances could include Loss of power, water or fuel, Fire, Storms or loss of containment.

The table also identifies the instances of occurrence (the individuals, operations or schools) where these aspects arise and provides a hyperlink to the Key Action Plan (strategy) and the Operational Controls for each aspect. These have been developed in response to the legislation to which we must adhere and the legislation can be viewed by following the Chapter hyperlink.

The University reviews the Aspects and their Impacts every 2-3 years but will also undertake a review to take into account changing circumstances, including planned or new developments, and new or modified activities, products and services.

The University communicates its significant environmental aspects in a variety of ways including but not limited to:

- This document which is available on our website and is viewed by Senior Management within the Sustainability and Social Responsibility Sub Committee
- Addressing our Aspects in our Environmental Standards
- Through our Aspects and Objectives Summary
- Through our eLearning training package

All aspects have a significance, those 8 or below are low significance and not a priority for improvement, those with a significance of 9-12 are moderately significant and those with a score 15 and above are of high significance. We focus on both moderate and high significance aspects.

Change Log:

Date:	Reason for Change:	Who By:
10.03.17	Change Log introduced	NH
10.03.17	Update Aspects Register – added Building Regs 2010, removed Heat Network (metering and billing) Regs 2014	NH
25.05.17	Alteration to CCL legislation rates	NH/GW
July 17	Addition of Life Cycle Assessment	NH
July 17	Town and Country Planning Regs updated from 2011 - 2017	NH
July 17	The Environmental Permitting (England and Wales) Regulations 2016	NH
Sept 18	Updated legislation including: <ul style="list-style-type: none"> • The Conservation of Habitats and Species Regulations 2017 • The Honey (England) Regulations 2015 • Noted “Amendment” Regulations to various pieces of legislation Commenced improved link between lifecycle assessment and aspect and impact table.	NH / JS
Jan–Apr '19	Documenting any amendments to legislation listed in Ch 10.	SP
April 2019	Documenting any amendments to legislation listed in Ch 9	SP
April 2019	Documenting any amendments to legislation listed in Ch 7 and 8.	SP
June 2019	Changes to Life Cycle terms used	NH
July 2019	Documenting any amendments to legislation listed in Ch 6.	SP
July 2019	Further development of links between Life Cycle and Aspects	NH
Aug 2019	Removal of Pollution Prevention and Control Act 1999 Addition of Sustainability Leadership Scorecard Removal of LiFE Index and Aude Green Scorecard. Addition of Section at end of document listing items considered but not included	NH
15.08.19	Sign off of all changes made and upgraded to Version 10.00	NH
14.10.19	Addition of FairTrade statement (amend to version 10.01)	NH
27.04.20	Amends following review of Cedrec updates. (amended to version 10.02) includes: <ul style="list-style-type: none"> • F-Gas • Environmental Protection Act • Removal of The Carbon Reduction Commitment Energy Efficiency Scheme (CRC) from the register as this is no longer applicable. 	NH
03.06.20	Amends as follows (amended to version 10.03) <ul style="list-style-type: none"> • Removal of requirement for Carbon Management Plan • Addition of SDG Accord Commitment 	NH
08.06.20	Amends as follows (amended to version 10.04) <ul style="list-style-type: none"> • Wildlife & Countryside Act 1981, chapter 69 amends documented • Conservation of Habitats and Species Regulations 2017 amends documented • Town & Country Planning Act (Environmental Impact Assessment Regulations) • Natural Environment & Rural Communities Act 200, chapter 16 amends noted • Control of Pesticides Regulations SI 1986/1510 no relevant amends found • Plant Protection Products (Sustainable Use) Regulations SI 2012/1657 no relevant amends found 	JS
July 2021	Amends as follows (amended to version 11.00) <ul style="list-style-type: none"> • Rewrite of parts of the introduction to account for changes from EU law to UK law and retained law • Amendments to Energy Legislation in particular: <ul style="list-style-type: none"> ○ Climate Change Levy Regs ○ Energy Performance of Buildings Regs ○ Greenhouse Gas Emissions Trading Scheme Order. • Amendments to the Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regs 	

	<ul style="list-style-type: none"> • Environment (Amendment etc.) (EU Exit) Regulations SI 2019/458 changes to: <ul style="list-style-type: none"> ○ Environmental Protection Act 1990; ○ Environment Act 1995; ○ Contaminated Land (England) Regulations SI 2006/1380; ○ Environmental Damage (Prevention and Remediation) (England) Regulations SI 2015/810. • Addition of <ul style="list-style-type: none"> ○ Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations SI 2020/971 ○ Environmental Information Regulations 2004 ○ Control of Pollution (Amendment) Act 1989 • Addition of non legislative guidance on managing waste under COVID-19 • Removal of reference to EU Directive in legislation template(s) • Removal of duplicates of EU and UK legislation and of duplicates appearing in more than one section. 	
June 2022	Addition of the Environment Act 2021 in Chapter 10 – Legislation crossing over multiple areas	RR
Aug 2022	Amendment to: <ul style="list-style-type: none"> • Building Regs 2010 • Environment Act 2021 • Greenhouse Gas Emissions Trading Scheme Order 2020 Addition of: <ul style="list-style-type: none"> • Bee Diseases and Pests Control (England) Order SI 2006 • The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations SI 2018 • Medium Combustion Plant Directive 	

Life Cycle Perspective of Environmental Aspects arising from our Activities:

The activities for each aspect have been assessed across the 7 key life cycle stages and where we can control or influence these this is indicated (those we cannot are not shown).

Aspect Area	Aspect detail & Activities	Life Cycle Stages	Actions to address environmental Aspects at each stage of the Life Cycle.
Energy & Carbon	Use of Electricity from the National Grid for teaching, research, accommodation, catering and operational delivery. This includes lighting, HVAC, ICT, Data Centres, space and water heating.	Acquisition of raw materials	Reduce use of raw materials by buying from renewable sources.
		Design	Design buildings, systems and activities to require less energy
		Production	Use energy produced from renewable sources or produce on site
		Transportation	On site production reduces loss through use of national grid
		Use	Promote purchase of efficient equipment and reduced usage of energy through initiatives and campaigns
	Use of Gas from National Supply for teaching, research, accommodation and operational delivery. This includes heating and hot water provision as well as electricity production.	Design	Design buildings, systems and activities to require less gas
		Use	Promote purchase of efficient equipment and reduced usage of gas through initiatives and campaigns
	Generation of Electricity through onsite Combined Heat and Power generators. This provides electricity more efficiently whilst utilising the by-product of heat for hot water and cooling	Design	Design efficient CHP units into new large scale developments
		Production	Produce energy efficiently ensuring by-products can be used.
Use		Ensure all energy produced is used efficiently	
Waste & Resource Management	General Waste & Recycling from accommodation, teaching, research and operational delivery. Includes wood, metal, paper, plastics, cardboard, inert, mixed recyclables and general waste. Furniture Waste from offices, teaching spaces, laboratories and accommodation. Includes desks, chairs, filing cabinets, beds, wardrobes, shelving and benches. Cooking Oil Waste from catering operations in halls of residence, conference centres and retail areas Construction Waste from building, refurbishments and maintenance of the estate. This can include wood, metal, inert materials and general construction waste Sanitary Waste from toilet and bathroom facilities in academic buildings and halls of residence Clinical Waste as a result of research and other limited activities such as first aid and some student needs Grounds and Gardens Waste as a result of maintenance of the estate. This can include pruning's, grass cuttings, leaves, used plants and other such similar wastes. Hazardous Waste as a result of teaching, research, accommodation and operational delivery. Can include aerosols, fuels, oils, chemicals and cleaning products. WEEE Waste from teaching, research, accommodation and operational delivery. Includes ICT, kitchen appliances, cleaning equipment, lab equipment, Bulbs, Batteries and Toner Cartridges.	Acquisition of raw materials	Consider procuring less and better utilising existing resources to reduce waste Instruct contractors to buy raw materials in the correct volumes Don't procure more hazardous materials than you require "because it is better value for money" Buy electrical items with an appropriate life span
		Design	Seek to buy products which last longer, use less resources, require less packaging and generate less waste Seek to buy furniture which can be readily reused or recycled Buy oil which has been designed to be processed at end of life but which has a long life Design specifications should seek to minimise construction waste Design research / experiment procedures which keep hazardous / clinical waste to a minimum Specify design / durability specifications for electrical items
		Production	Promote Reduce and Reuse to produce less waste and recycling Promote management of resources to reduce amount of waste produced Contractors should be encouraged not to waste materials in the construction phase Ensure garden material generated can be composted down
		Transportation	Remove waste as efficiently as possible from site in a compliant manner which encourages segregation
		Use	Use a waste contractor who is able to process waste and use a proportion for energy recovery Use composted material on our own site
		End of life treatment	Use a waste contractor who is able to process waste to ensure maximum diversion from landfill Use a supplier who can treat waste oil and convert into biodiesel Compost material on site Use a contractor who can repair/refurbish electrical items for reuse
		Final Disposal	Ensure minimal to landfill Ensure Hazardous / Clinical waste is disposed of correctly Undertake duty of care inspections on waste contractors to ensure compliance
		Travel & Transport	Use of Fossil Fuels for research and operational delivery including emergency generators, campus agricultural vehicles, maintenance vehicles and lawn mowers Use of Fossil Fuels for commuting by staff and students from home to the campus Use of Fossil Fuels for business travel by staff to locations across the UK and worldwide. This could be by car, train or plane. Provision of Car Parking on Campus for staff, students, tenants and visitors
Use	Endeavour to encourage reduced usage Encourage car sharing Promote alternative means of travel Offer occasional user permits to encourage car sharing and alternative travel 1 or 2 days per week Encourage staff to use internal transport options and reduce number of works vehicles Promote change from staff returning to base for breaks		

Construction	Construction, Refurbishment & Maintenance of the Estate - resource use for minor and major refurbishments, new builds and maintenance of the estate. Maintenance of green spaces and natural habitats such as wild flower areas, gardens, natural habitat areas and the ancient woodlands	Acquisition of raw materials	Ensure materials are purchased effectively and are fit for purpose
		Design	Consider design in projects to ensure sustainable use of resources and efficient use of buildings Ensure green spaces and natural habitats are maintained and developed
		Production	Build sustainably
		Transportation	Ensure deliveries for works are efficient
		Use	Ensure buildings are used as intended for best sustainability.
		End of life treatment	Make sure at end of life building can be adapted
		Final Disposal	Ensure any demolition seeks opportunity to reduce, reuse, recycle.
Procurement	General purchase of non-sustainable goods & services for teaching, research, accommodation and operational delivery. Purchase of Paper and Stationery for office use Purchase of Furniture for use in offices, teaching spaces, halls of residence, laboratories, cafe's Purchase of ICT across all operating areas Purchase of Clothing for uniforms and PPE Purchase of Construction materials for maintenance and refurbishment of the estate Purchase of Catering supplies for the dining halls and retail outlets	Acquisition of raw materials	Ensure raw materials from renewable sources, sustainable crops / forest Ensure raw materials are manufactured in a socially responsible manner
		Design	Design processes to maximise use of resources Use designs which maximise opportunity for reuse / recycling
		Production	Ensure products are fit for purpose Ensure products are manufactured in a socially responsible manner Are manufacturers / suppliers ISO14001 accredited.
		Transportation	Endeavour to source goods and services locally
		Use	Use products as intended Ensure wasteful tendencies are eliminated
		End of life treatment	Ensure the waste hierarchy of reduce, reuse , recycle is applied at the end of the products life
		Final Disposal	Ensure correct waste segregation and allow for maximum opportunity to recycling and recovery.
Emissions To Air	Emissions to Air from F-Gas and other Ozone depleting substances in Air Conditioning and refrigeration systems Emissions to Air from Fume cupboards in laboratory areas. Emissions to Air from combustion activities such as the running of the CHP units and other boilers Emissions to Air from vehicles and generators including operational and research activities. Emissions to Air from building construction and maintenance such as dust or paint and varnish fumes Emissions to Air from emergency generators	Design	Try and design out the need for air conditioning Specify air conditioning which uses lowest impact F-Gas Design fume cupboards which are fit for purpose Design boilers / CHP units for maximum efficiency Ensure vehicle specifications and research facilities use fuel efficiently
		Production	Ensure only trained contractors work on systems with F-Gas
		Use	Use Air Conditioning and refrigeration systems only when required – avoid systems running all the time Ensure Fume cupboards are used for experiments only and not disposal Ensure Fume Cupboards are maintained and regularly serviced. Ensure boilers and CHP units are regularly maintained and inspected Ensure generators and research rigs are not left running unnecessarily
		End of life treatment	Ensure units are de-gassed by trained engineers
		Final Disposal	Ensure correct disposal through these companies
Water Management	Potential Pollution from accidental spills of oil, chemicals, paints, dyes, construction materials to surface water drains Surface Water Run-Off to Ground Water from car parks and buildings Trade Effluent Discharges from the Swimming Pool with a TEC and all other operations. Water Consumption for teaching, research, accommodation and normal building occupation including cleaning Water Consumption for pitch and garden irrigation Emergency Spill Response Procedures	Design	Ensure campus drainage is correctly designed to allow for interceptors and pollution response Ensure spill kit design is fit for the interned area usage Design systems to use water efficiently and in accordance with TEC's
		Use	Encourage water to be used efficiently Train staff in use of spill kits
		Final Disposal	Ensure correct route for disposal of liquids
Noise	from teaching, research and operational delivery from Halls of Residence from Sports and Events from construction and refurbishment of the estate	Acquisition of raw materials	Ensure any equipment purchased meets appropriate standards in terms of noise
		Design	Design research processes to ensure noise is minimised, mitigated or managed. Design the site to contain noise
		Use	Ensure planned activities and events have noise management controls and neighbours are informed Ensure construction activities monitor noise and manage this as well as keeping neighbours informed

Aspects:

Aspect Area	Chapter 2: Energy & Carbon	Action Plan:	Strategy				Responsibility Of:	Energy Manager	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
Use of Electricity from the National Grid for teaching, research, accommodation, catering and operational delivery. This includes lighting, HVAC, ICT, Data Centres, space and water heating.	Negative 1-4	Normal	4	4	16	Electricity usage is campus wide but higher in areas such as Facilities Management, Domestic Services, Campus Living and academic departments with high usage equipment for teaching or research. The use of electricity involves all staff, students, tenants, visitors and contractors. Energy & Carbon lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Use of Gas from National Supply for teaching, research, accommodation and operational delivery. This includes heating and hot water provision as well as electricity production.	Negative 1-4	Normal	5	4	20	The main use of gas is in the University boiler houses which provide heating and hot water but also in the CHP facilities which generate almost 50% of the campus electricity requirements. Gas is also used for some cooking in the catering facilities as well as in some academic departments. Energy & Carbon lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	5	4.5	22.5				
		Emergency	5	5	25				
Generation of Electricity through onsite Combined Heat and Power generators. This provides electricity more efficiently whilst utilising the by-product of heat for hot water and cooling.	Reduction (Positive) in 1-4	Normal	3	5	15	The University has four CHP units generating almost 50% of the campus electricity requirements. Production on site reduces losses in the grid and allows the use of the heat by-product which is normally wasted. Energy & Carbon lifecycle elements: Design, Production and Transportation			
		Abnormal	3	4	12				
		Emergency	3	3	9				
Reduction of Electricity Use through controls, reporting and campaigning.	Reduction (Positive) in 1-4	Normal	3	3	9	Reduction in electricity use is driven by the <i>It's Better Off</i> campaign and BMS controls which help manage the consumption. Campus wide metering helps inform usage levels within buildings. The Green League in the Halls of Residence also helps manage the consumption of electricity. Energy & Carbon lifecycle elements: Design and Use			
		Abnormal	3	2	6				
		Emergency	3	1	3				
Reduction of Gas Use through controls, maintenance and reporting	Reduction (Positive) in 1-4	Normal	3	3	9	The reduction in use of gas is mainly driven through the University's BMS as well as the management and monitoring of these and weather patterns. Maintenance of gas fired systems also ensures efficiency of this equipment. Energy & Carbon lifecycle elements: Design and Use			
		Abnormal	3	2	6				
		Emergency	3	1	3				

Aspect Area	Chapter 3: Waste & Resource Management	Action Plan:	Strategy				Responsibility Of:	Environmental Manager	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
General Waste & Recycling from accommodation, teaching, research and operational delivery. Includes wood, metal, paper, plastics, cardboard, inert, mixed recyclables and general waste.	Negative 1,2,5,6,8	Normal	3	4	12	General waste and recycling occur across all departments. Over 50% of the controlled waste is from Residential operations with just over 40% from Non-Residential operations. The University generates 2000 tonnes of waste per year in total. This is therefore deemed as significant despite the score of 12. Waste lifecycle elements: End of life treatment and Final Disposal			
		Abnormal	3	5	15				
		Emergency	4	5	20				
Furniture Waste from offices, teaching spaces, laboratories and accommodation. Includes desks, chairs, filing cabinets, beds, wardrobes, shelving and benches.	Negative 1,2,5,6,8	Normal	2	4	8	As part of the ongoing refurbishment of many areas the university is disposing of a lot of furniture and therefore the likelihood of occurrence is high. This would be higher if there was also maintenance and an emergency situation could result in less of this being recycled increasing the severity. Waste lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	2	5	10				
		Emergency	3	5	15				
Cooking Oil Waste from catering operations in halls of residence, conference centres and retail areas	Negative 1,2,5,6,8	Normal	3	3	9	Cooking oil is used in the catering departments for frying purposes, the occurrence is not high and the waste is reused as a biofuel. The volume could increase in the event of a usage or product failing but unlikely to occur in an emergency situation. Waste lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	4	12				
		Emergency	N/A						
Construction Waste from building, refurbishments and maintenance of the estate. This can include wood, metal, inert materials and general construction waste	Negative 1,2,5,6,8	Normal	3	3	9	Construction waste can occur whether as part of a new building, a refurbishment or just as part of ongoing maintenance of the estate. This type of waste is highly recyclable but can increase under abnormal and as a result of emergency situations Waste lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	4	12				
		Emergency	3	5	15				
Sanitary Waste from toilet and bathroom facilities in academic buildings and halls of residence	Negative 1,2,5,6,8	Normal	2	3	6	Sanitary waste bins are provided in bathrooms across the campus academic, sport and accommodation buildings. There are unlikely to be circumstances which would generate increased likelihood and disposal requirements mean that the severity cannot alter. Waste lifecycle elements: Final Disposal			
		Abnormal	N/A						
		Emergency	N/A						
Clinical Waste as a result of research and other limited activities such as first aid and some student needs	Negative 1,2,5,6,8	Normal	3	3	9	Clinical waste is generated by a limited number of departments, this include key producers such as Chemistry, School of Sport Exercise and Health Science and the Centre for Biological Engineering. The likelihood can increase when controls fail but disposal routes have to remain consistent Waste lifecycle elements: Final Disposal			
		Abnormal	3	4	12				
		Emergency	3	5	15				
Grounds and Gardens Waste as a result of maintenance of the estate. This can include pruning's, grass cuttings, leaves, used plants and other such similar wastes.	Negative 1,2,5,6,8	Normal	4	3	12	This waste occurs only in Facilities Management and is processed on site. There are not considered to be any abnormal and emergency situations which would affect this waste type. Waste lifecycle elements: Use, End of life treatment and Final Disposal			
		Abnormal	N/A						
		Emergency	N/A						

Hazardous Waste as a result of teaching, research, accommodation and operational delivery. Can include aerosols, fuels, oils, chemicals and cleaning products.	Negative 1,2,5,6,7, 8	Normal	4	3	12	Hazardous waste can occur in many areas and departments but there are a number of key producers such as Facilities Management, School of the Arts, Chemistry, Chemical Engineering and Materials Engineering. Under abnormal and emergency situations the likelihood and severity can increase. Waste lifecycle elements: Final Disposal
		Abnormal	4	4	16	
		Emergency	4	5	20	
WEEE Waste from teaching, research, accommodation and operational delivery. Includes ICT, kitchen appliances, cleaning equipment, lab equipment, Bulbs, Batteries and Toner Cartridges.	Negative 1,2,5,6,7, 8	Normal	3	4	12	WEEE is common place across the campus but key producers are the likes of Campus Living and IT intensive departments. In the event of abnormal and emergency conditions the likelihood could increase as could the severity as reuse potential could decrease. Waste lifecycle elements: Refer to all lifecycle elements detailed
		Abnormal	4	4	16	
		Emergency	5	5	25	
Management of Waste through controls, reporting and campaigning.	Reduction (+ve) 1, 2,5,6,7,8	Normal	4	3	12	The management of all wastes is driven by infrastructure, operational controls and engagement campaigns. The Green League in the Halls of Residence also helps encourage recycling. Under abnormal and emergency situations the engagement in these controls decreases. Waste lifecycle elements: Promote all lifecycle elements detailed
		Abnormal	4	2	8	
		Emergency	4	1	5	

Aspect Area	Chapter 4: Travel & Transport	Action Plan:	Strategy Strategy				Responsibility Of:	Sustainability Manager & Sustainable Travel Officer	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
Use of Fossil Fuels for research and operational delivery including emergency generators, campus agricultural vehicles, maintenance vehicles and lawn mowers	Negative 1,3,4,9,10	Normal	4	3	12	Several departments have one or two vehicles but the largest contributors are Facilities Management, Security and Campus Living. Under abnormal and emergency situations usage could both decrease or increase but the latter would be more likely as a result of increased activity. Travel & Transport lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	3.5	14				
		Emergency	4	4	16				
Use of Fossil Fuels for commuting by staff and students from home to the campus	Negative 1,3,4,9,10	Normal	3	4	12	Most students live on/close to campus and commuting is minimal. Staff travel from across the East Midlands with some from further afield. In abnormal situations this may increase as additional staff may be required but under emergency situations this aspect decreases as staff would stay away. Travel & Transport lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	5	15				
		Emergency	3	3	9				
Use of Fossil Fuels for business travel by staff to locations across the UK and worldwide. This could be by car, train or plane.	Negative 1,3,4,9,10	Normal	3	4	12	Business travel arises in all schools and departments and can be via a range of transport types. No abnormal circumstances would impact on this but under emergency situations this aspect decreases as staff would be discouraged from travelling unless essential. Travel & Transport lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	N/A						
		Emergency	3	3	9				
Provision of Car Parking on Campus for staff, students, tenants and visitors	Negative 11-16	Normal	3	3	9	All staff, students (limited amount) and visitors parking on campus contribute to this and the University has a significant amount of parking on campus. In abnormal situations this may increase as additional staff may be required but under emergency situations this aspect decreases as staff would stay away. Travel & Transport lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	4	12				
		Emergency	3	3	9				
Travel Reduction Initiatives through controls, reporting and campaigning.	Reduction (Positive) 1,3,4,9-16	Normal	3	4	12	This is delivered through the Car Park Management Strategy, Lift Share, University Shuttle, Cycle to Work Scheme and a number of smaller Active Travel initiatives. All encourage a reduction in travel or shared / lower emission forms of travel. Abnormal and emergency conditions are unlikely to impact. Travel & Transport lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	N/A						
		Emergency	N/A						

Aspect Area	Chapter 5: Construction	Action Plan:	Strategy Strategy				Responsibility Of:	Sustainability Manager & Environmental Manager	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
Construction, Refurbishment & Maintenance of the Estate - resource use for minor and major refurbishments, new builds and maintenance of the estate.	Negative 1,2,5-8, 11-16	Normal	4	4	16	This aspect mainly occurs within the Facilities Management department, particularly the Development Team. Resource use for new buildings is fairly significant and the likelihood is fairly high as well, under abnormal and emergency conditions this likelihood would increase Construction lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Construction & Refurbishment of the Estate – in a sustainable manner in order to reduce the long term environmental impact of the estate.	Reduction (+ve) 1,2, 5-8,11-16	Normal	3	4	12	Sustainable Construction is undertaken in accordance with BREEAM Assessments and the University has agreed standards to which it operates. Abnormal and emergency conditions may prevent these BREEAM standards being met resulting in lower standards. Construction lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	3	9				
		Emergency	3	2	6				
Contaminated Land from accidental spills of oil, chemicals, paints, dyes, construction materials to ground	Negative 5, 11-16	Normal	N/A			The University does not currently have any contaminated land identified so this will only arise in the event of contaminate land being identified or an emergency situation arising from a spill on open ground. Construction lifecycle elements: Design, Use and End of Life Treatment			
		Abnormal	N/A						
		Emergency	3	2	6				

Effect on biodiversity as a result of building construction and maintenance. This could include plants and animals across a range of areas whether green space, woodland or water courses.	Negative 11	Normal	3	3	9	The University has a variety of important biodiversity areas across the campus and these are considered when undertaking developments. As there is a requirement to comply with legislation the impact of this aspect does not alter under abnormal and emergency conditions. Construction lifecycle elements: Design, Production, Use, End of life treatment and Final Disposal
		Abnormal	N/A			
		Emergency	N/A			
Maintenance of green spaces and natural habitats such as wild flower areas, gardens, natural habitat areas and the ancient woodlands	Reduction (Positive) 1,11,17	Normal	2	4	8	The University takes great pride in its campus and maintenance of the green spaces by Facilities Management. However under abnormal and emergency conditions this level of maintenance may decrease. Construction lifecycle elements: Design and Use
		Abnormal	2	3	6	
		Emergency	2	2	4	
Promotion & Protection of Biodiversity through controls, reporting and campaigning. Also green roofs or walls and bees.	Reduction (Positive) 1,11,17	Normal	4	3	12	Activities in this area include projects such as the Campus Apiary, Adopt a Species and the Fruit Route significantly promote the promotion and protection of biodiversity along with the Biodiversity Action & Woodland Management Plan. Abnormal and emergency conditions do not apply in this area. Construction lifecycle elements: Design and Use
		Abnormal	N/A			
		Emergency	N/A			

Aspect Area	Chapter 6: Procurement	Action Plan:	Strategy				Responsibility Of:	The University Procurement Team	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
General purchase of non-sustainable goods & services for teaching, research, accommodation and operational delivery.	Negative 1-5,8-10	Normal	4	4	16	The purchase of goods and services occurs across all departments and the University spends over £70M p/a therefore this has the potential to be significant. Under abnormal and emergency situations procurement practices may be short cut resulting in increased likelihood. Procurement lifecycle elements: Use, End of life treatment and Final Disposal			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Purchase of Sustainable Products & Services through controls.	Negative 1-5,8-10	Normal	2	4	8	Less of the goods and services we purchase are of this nature but again this occurs across the campus. Although purchasing sustainable products and services is preferable there is still an impact to these. Purchases of these goods may decrease under abnormal and emergency situations Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	2	3	6				
		Emergency	2	2	4				
Purchase of Paper and Stationery for office use	Negative 1-5,8-10	Normal	2	4	8	The purchase of paper and stationery occurs across all departments under normal circumstances. The impact of this aspect does not really alter under Abnormal or Emergency circumstances. Procurement lifecycle elements: Acquisition of raw materials, Production, Transportation, Use, End of life treatment and Final Disposal			
		Abnormal	N/A						
		Emergency	N/A						
Purchase of Furniture for use in offices, teaching spaces, halls of residence, laboratories, cafe's	Negative 1-5,8-10	Normal	4	4	16	The University purchase a significant quantity of furniture across all departments under normal circumstances. An Abnormal or Emergency situation could result in additional purchases. Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Purchase of ICT across all operating areas	Negative 1-5,8-10	Normal	3	4	12	The purchase of ICT occurs to a great extent across all departments under normal circumstances. The impact of aspect does not really alter under Abnormal or Emergency circumstances. Procurement lifecycle elements: Design, Production, Use, End of life treatment, Final Disposal			
		Abnormal	N/A						
		Emergency	N/A						
Purchase of Catering supplies for the dining halls and retail outlets	Negative 1-5,8-10	Normal	4	4	16	The purchase of catering supplies occurs mainly in Campus Living and under normal circumstances is both significant and highly likely. Under both abnormal and emergency situations this could increase in support of additional activity. Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Purchase of Clothing for uniforms and PPE	Negative 1-5,8-10	Normal	4	3	12	The purchase of clothing occurs across most department and is moderately likely under normal circumstances. The impact of aspect does not really alter under Abnormal or Emergency circumstances. Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	N/A						
		Emergency	N/A						
Purchase of Construction materials for maintenance and refurbishment of the estate	Negative 1-5,8-10	Normal	4	4	16	The purchase of construction materials mainly occurs in the Facilities Management department although other departments may do minor works. The amount of work means the likelihood is high normally and under abnormal and emergency conditions this likelihood would increase. Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	4.5	18				
		Emergency	4	5	20				
Policies and procedures to promote sustainable procurement	Reduction (Positive) 1-5,8-10	Normal	2	3	6	The University procurement procedures are currently being improved to encourage greater sustainability and there is support from the Student body in some areas. Under abnormal and emergency situations procurement practices may be short cut resulting in decreased likelihood. Procurement lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	2	2.5	5				
		Emergency	2	2	4				

Aspect Area	Chapter 7: Emissions to Air	Action Plan:	Strategy				Responsibility Of:	Environmental Manager	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
Emissions to Air from F-Gas and other Ozone depleting substances in Air Conditioning and refrigeration systems	Negative 2,5,6,7,8	Normal	4	2	8	Air Conditioning and refrigeration systems occur across the campus and are on the whole managed by Facilities Management and Campus Living. Under normal circumstances these gases are controlled but under abnormal and emergency these can leak and impact on the environment Emissions to Air lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	3	12				
		Emergency	4	4	16				
Emissions to Air from Fume cupboards in laboratory areas.	Negative 5,6,7,8	Normal	2	3	6	Fume cupboards in laboratory areas are common place across a number of Schools and are only to be used for venting experiments rather than disposing of chemicals. In normal conditions the severity is therefore low but under abnormal this could increase. Emergency situations would not occur. Emissions to Air lifecycle elements: Design and Use			
		Abnormal	2	4	8				
		Emergency	N/A						
Emissions to Air from combustion activities such as the running of the CHP units and other boilers	Negative 1,2,5,6,9	Normal	3	3	9	CHP's and other boilers are overseen by Facilities Management and are dispersed across the campus. Emissions are moderate under normal circumstances but can increase under abnormal and emergency conditions. Emissions to Air lifecycle elements: Design and Use			
		Abnormal	3	4	12				
		Emergency	3	5	15				
Emissions to Air from vehicles and generators including operational and research activities.	Negative 1,3-6,8,9	Normal	3	3	9	These sort of activities are generally limited in nature to certain schools and key operational departments. The likelihood is moderate under normal circumstances but could increase under abnormal and emergency circumstances. Emissions to Air lifecycle elements: Design and Use			
		Abnormal	3	4	12				
		Emergency	3	5	15				
Emissions to Air from building construction and maintenance such as dust or paint and varnish fumes	Negative 5,6,8	Normal	2	2	4	There is a consistent level of both maintenance and construction works under normal circumstances and these are generally well managed resulting in low severity and likelihood. Under abnormal circumstances the likelihood may increase but works are more likely to be suspended in emergencies. Emissions to Air lifecycle elements: Design and Use			
		Abnormal	2	3	6				
		Emergency	N/A						
Emissions to Air from emergency generators	Negative 1,3-6,8,9	Normal	N/A			The use of emergency generators is restricted to key locations, such as security and IT and these are only used in Emergency situations (they may be fired up for occasional testing but this would not be for any length of time). Emissions to Air lifecycle elements: Design and Use			
		Abnormal	N/A						
		Emergency	2	5	10				

Aspect Area	Chapter 8: Water Management	Action Plan:	N/A				Responsibility Of:	Environmental Manager & Energy Manager	Op Controls
Aspect Detail	Impacts	Significance	S	L	=	Instances of occurrence			
Potential Pollution from accidental spills of oil, chemicals, paints, dyes, construction materials to surface water drains	Negative 1,2,15,16,18	Normal	4	2	8	This aspect could occur across the campus as many departments are undertaking operations which pose a risk. In the event of a spill the severity could be high but under normal circumstances the likelihood is low increasing under normal and emergency situations. Water Management lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	4	3	12				
		Emergency	4	5	20				
Surface Water Run-Off to Ground Water from car parks and buildings	Negative 13-16,18	Normal	2	3	6	This aspect occurs across the campus and under normal circumstances is not severe but is moderately likely. Under both abnormal and emergency circumstances this would increase. Water Management lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	2	4	8				
		Emergency	2	5	10				
Trade Effluent Discharges from the Swimming Pool with a TEC and all other operations.	Negative 15,16	Normal	2	4	8	Trade effluent discharges occur across the campus as part of everyday operations and under normal circumstances are likely but not very severe. Under abnormal and emergency situations the likelihood does not alter as such but the severity does. Water Management lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	3	4	12				
		Emergency	4	4	16				
Water Consumption for teaching, research, accommodation and normal building occupation including cleaning	Negative 1,2,18	Normal	2	3	6	Water usage occurs across all departments but is higher in areas such as the halls of residence. Under normal circumstances the severity is low and the likelihood moderate. In abnormal and emergency situations this is likely to increase. Water Management lifecycle elements: Design and Use			
		Abnormal	2	4	8				
		Emergency	2	5	10				
Water Consumption for pitch and garden irrigation	Negative 1,2,18	Normal	2	3	6	This water usage occurs within Facilities Management only. In normal circumstances the severity is low and the likelihood moderate. In abnormal situations the likelihood would increase but in emergency situations this is likely to decrease as such activities would be restricted. Water Management lifecycle elements: Design and Use			
		Abnormal	2	4	8				
		Emergency	2	2	4				
Emergency Spill Response Procedures	Reduction (+ve) 1, 2, 15,16, 18	Normal	N/A			There are good controls in place and there is strong evidence of training and engagement with the spill response controls. These are only applied in emergency situations, i.e. when a spill occurs but because of the controls the likelihood and severity have been reduced. Water Management lifecycle elements: Refer to all lifecycle elements detailed			
		Abnormal	N/A						
		Emergency	4	3	12				

Reduction of Water Use through controls, reporting and campaigning.		Reduction (Positive) 1,2,13-18,	Normal	2	4	8	Water reduction initiatives are driven through the It's Better Off campaign led by the Energy Technician and supported by the Sustainability Team as well as the Environmental Champions and Enthusiasts. In abnormal and emergency situations controls may not easily be applied. Water Management lifecycle elements: Refer to all lifecycle elements detailed	
			Abnormal	2	3	6		
			Emergency	2	2	4		
Aspect Area	Chapter 9: Noise	Action Plan:	N/A			Responsibility Of:	Environmental Manager	Op Controls N/A
Aspect Detail		Impacts	Significance	S	L	=	Instances of occurrence	
Noise Pollution from teaching, research and operational delivery		Negative 8	Normal	1	1	1	This can occur across the estate but under normal circumstances is minor both in terms of significance and likelihood. Under abnormal and emergency both significance and likelihood could increase. Noise lifecycle elements: Refer to all lifecycle elements detailed	
			Abnormal	2	2	4		
			Emergency	3	3	9		
Noise Pollution from Halls of Residence		Negative 8	Normal	1	1	1	This would occur in areas where there are halls of residence only but under normal circumstances is minor both in terms of significance and likelihood. Under abnormal and emergency both significance and likelihood could increase. Noise lifecycle elements: Design and Use	
			Abnormal	2	2	4		
			Emergency	3	3	9		
Noise Pollution from Sports and Events		Negative 8	Normal	2	1	2	This would occur in areas where there are Sports Pitches, stadium or open spaces and under normal circumstances are minor both in terms of significance and likelihood. Under abnormal circumstances these are likely to increase but in emergency situations such events are unlikely to happen. Noise lifecycle elements: Design and Use	
			Abnormal	3	2	6		
			Emergency	N/A				
Noise Pollution from construction and refurbishment of the estate		Negative 8	Normal	1	1	1	This can occur across the estate but under normal circumstances is minor both in terms of significance and likelihood. Under abnormal and emergency both significance and likelihood could increase. Noise lifecycle elements: Refer to all lifecycle elements detailed	
			Abnormal	2	2	4		
			Emergency	3	3	9		
Aspect Area	OTHER	Action Plan:	N/A			Responsibility Of:	Sustainability Manager	Op Controls N/A
Aspect Detail		Impacts	Significance	S	L	=	Instances of occurrence	
Environmental Awareness Raising through campaigning.		Positive 19-20	Normal	3	3	9	Delivered through It's Better Off Campaign as well as the Green League, both are longstanding campaigns which have shown good success and will continue to be developed. We also raise awareness through our network of Champions and Enthusiasts as well as through Social Media.	
			Abnormal	3	2	6		
			Emergency	3	1	3		
Environmental Research and Teaching		Positive 21	Normal	3	3	9	As a top 10 Research University in England the University undertakes a significant amount of research including areas such as Energy, low carbon vehicles, water, Engine efficiency, noise control, the Environment, Building sustainably.....and much more besides.	
			Abnormal	3	2	6		
			Emergency	3	1	3		

S is Severity, L is Likelihood, = is S x L

Operational delivery – office operations, support services, maintenance of the estate.
 Accommodation – provision of accommodation and catering services

Adverse environmental impacts = risks
 Beneficial environmental impacts = opportunities

Negative

Severity

Very limited environmental harm / little legislation

Moderate environmental harm / average legislation

Significant environmental harm / considerable legislation

SEVERITY	LIKELIHOOD				
	1	2	3	4	5
1	2	2	3	4	5
2	3	4	6	8	10
3	3	6	9	12	15
4	4	8	12	16	20
5	5	10	15	20	25

Likelihood

1	Very limited likelihood of aspect arising
2	
3	Moderate likelihood of aspect arising
4	
5	Significant likelihood of aspect arising

Mitigation

No or limited controls in place

Reasonable controls in place

Extensive controls in place

0
-1
-2

Positive

Severity

Limited controls in place

Moderate controls in place

Significant controls in place

SEVERITY	LIKELIHOOD				
	1	2	3	4	5
1	2	2	3	4	5
2	3	4	6	8	10
3	3	6	9	12	15
4	4	8	12	16	20
5	5	10	15	20	25

Likelihood

1	Limited evidence of engagement and adoption of controls
2	
3	Moderate evidence of engagement and adoption of controls
4	
5	Significant evidence of engagement and adoption of controls

IMPACTS

1. Production of greenhouse gases (e.g. CO₂ / methane) leading to climate change and global warming resulting in sea level rise, changing weather patterns, increased incidence of pest / diseases, damage to human health / quality of life and biodiversity.
2. Depletion of finite resources.
3. Production of oxides of nitrogen leading to photochemical smog formation, resulting in damage to human health, damage to plants and reduction of biodiversity.
4. Production of sulphur dioxide leading to damage to human respiratory health and formation of acid rain resulting in forest decline and lake acidification.
5. Pollution of Land (soil contamination due to use as landfill), air (odour) and water (leachate or spills) and subsequent effect on habitat loss and reduced biodiversity
6. Reduced local air quality (VOCs) can lead to the risk to human health.
7. Contribution to climate change through greenhouse gases and ozone depletion (HFCs, CFCs, HCFCs),
8. Nuisance to the local community from odour, dust, detritus and noise
9. Production of carbon monoxide and volatile organic carbons resulting in damage to human respiratory health.
10. Production of PM10 and PM2.5 particulates resulting in damage to human respiratory health.
11. Potential habitat loss and damage to local biodiversity
12. Potential loss of former amenity and sports area detracting from health facilities for staff and students
13. Risk of contamination of groundwater with petrol, diesel, oil, antifreeze, hydraulic oils, suspended solids, grease, salt and heavy metals such as lead and platinum.
14. Potential loss of ground water as a resource.
15. Possible entry of the pollution into drinking water supplies – damaging human health.
16. Possible entry into freshwater and soil ecosystems leading to reduction in species diversity.
17. Provision of green spaces leads to benefits for human and animal health and greater environmental awareness
18. Use of chlorine / ozone in treatment and potential risk of damage to human health and ecosystems
19. Increase in environmental awareness in the community, support for environmental projects and volunteering activities have had a positive impact on local habitats and biodiversity, positive social impacts
20. Environmental awareness raising leads to increased level of environmental responsibility and performance on individual basis as well as University basis
21. Embedding sustainability into other subjects through educational association.

Chapter 1 – Introduction and Guidance

1.1 Introduction

The Loughborough University Register of Environmental Legislation has been prepared to highlight and describe pieces of environmental legislation that are likely to impact the University. Understanding and monitoring legislation is a core component of our Environmental Management System (EMS) and the University endeavours to ensure that the contents of this register are appropriately communicated across the University to all relevant stakeholders. On the basis of this legal register, the University has a series of robust operational control procedures to ensure legislative requirements are met and effectively monitored.

This chapter provides initial guidance and information on the structure of the register and describes the process for its development, presentation and communication. Subsequent Chapters contain the contents of the legal register against the following nine core environmental impact areas, there is then a Chapter for other drivers and external factors:

- Chapter 2 – Use of Gas and Electricity (including carbon and energy management).
- Chapter 3 – Waste Management and Use of Dangerous Chemicals and Substances.
- Chapter 4 – Transport
- Chapter 5 – Construction, Development and Land Use (including biodiversity)
- Chapter 6 – Procurement
- Chapter 7 – Emissions to Air
- Chapter 8 – Water Management
- Chapter 9 – Noise
- Chapter 10 – Legislation crossing over multiple areas
- Chapter 11 – Other drivers and external factors

1.2 Structuring and Communicating the Legal Register

There are more than 250 pieces of environmental legislation in the UK. Collating and understanding which of these pieces of legislation impact the University and its wide remit of activities is a significant undertaking. In order to undertake this task effectively, a robust procedure has been followed to complete the analysis and present the register. Undertaking a comprehensive analysis is meaningless if it cannot be collated in a format that can be communicated effectively. The following Process Flow diagram (next page) is presented with information on each stage presented subsequently.

As a footnote to the diagram overleaf, the register will include additional analysis as follows:

- **Use of Gas and Electricity** – this Chapter (2) will also examine relevant legislation relating to the management of energy and carbon.
- **Waste Management** – this Chapter (3) will also examine relevant legislation relating to the management of dangerous chemicals and substances.
- **Construction, Development and Land Use** – this Chapter (4) will also examine relevant legislation relating to conservation, biodiversity management and the use of pesticides and biocides and wider land use and maintenance activities.
- **Noise Pollution** – this Chapter (9) also examines noise related statutory nuisance legislation.

The following Process Flow diagram is presented with information on each stage presented subsequently.

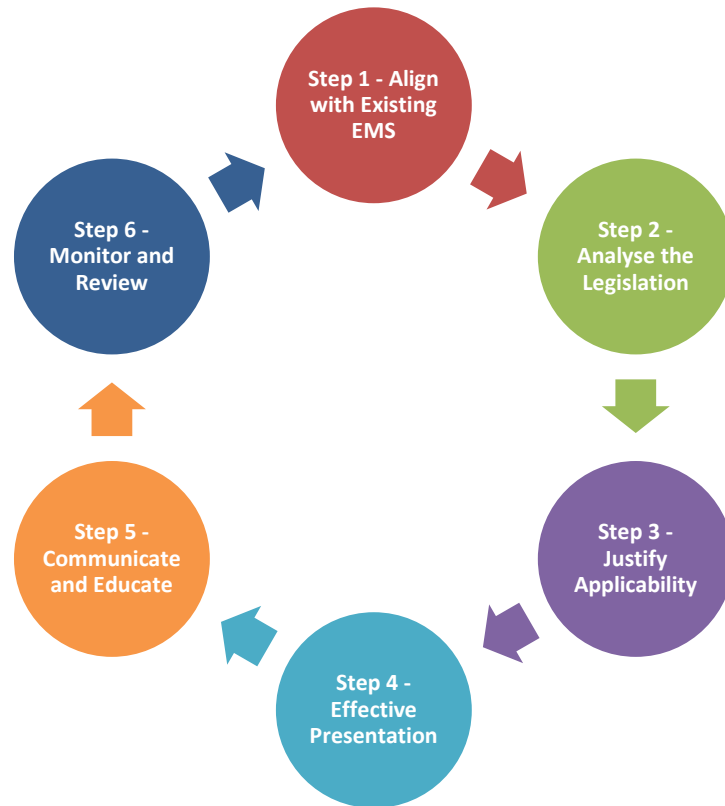


Figure 1 – Legal Register Production and Communication Process

Step 1 – Align with Existing Environmental Management System

In order to structure the document effectively, the register has been aligned with the existing EMS structure. The EMS is structured around eight key environmental impact areas as presented in the following diagram.



Figure 2 – Core environmental impact areas as communicated in the EMS

Step 2 – Review and Analyse the Legislation and Produce Succinct Synopses

There are numerous pieces of environmental legislation within the UK. Many of these have been developed to protect, conserve or enhance the natural environment. Other legislation exists to regulate specific activities that could cause pollution or damage to the environment, such as waste management, water management, construction and emissions related activities.

Legislation Types

Legislation that is referenced within Loughborough University legal register is now based on:

- Existing UK law
- Existing UK law (which may have previously referenced EU law)
- New UK law based on EU law copied into UK law as Retained Law.

UK Acts and Regulations, are binding on individuals and effectively form part of domestic law as soon as they are made. Not all UK Regulations are directly aligned with a wider Directive or Act of Parliament.

In the UK, an Act is the primary legislation passed by Parliament. Acts can only be amended by another Act of Parliament and they aim to set out the broad legal principles and overarching legal statement of that piece of law. Regulations are commonly known as ‘subsidiary legislation’ and provide guidelines and details of the specific requirements for implementing requirements of, and ensuring compliance with, the wider Acts or Directives. UK Legislation may apply to the whole of the UK or England, Scotland, Wales, N.Ireland or a combination of these.

There are three core ways in which environmental legislation may impact the University; directly, indirectly and through enforcement action. The legal register encompasses all applicable legislation, whether it requires direct action from the University, or whether it relates indirect actions but extends to include wider duty of care or due diligence from the University.

Direct and Indirect Legislation

Direct legislation is legislation which directly relates to the University and its activities and operations. This legislation requires the University to take specific action to ensure it meets the requirements of this legislation.

Indirect legislation is legislation which impacts the University indirectly, for example through its wider duty of care and due diligence responsibilities. Most of this legislation is likely to relate to activities undertaken by contractors or suppliers. This legislation may not require any specific action by the University, but it is still applicable and reasonable measures must be taken to ensure requirements are being met by relevant stakeholders.

Enforcement legislation is legislation which does not require any specific action by the University, but outlines enforcement actions that can be taken against the University should it be deemed non-compliant.

Information Sources

Several sources of information have been utilised to compile a list of legislation against the key impact areas. These include:

- CEDREC – A legislation update service at www.cedrec.co.uk
- The Environment Agency website, which has now been incorporated into the wider UK Government website at: <https://www.gov.uk/>
- The [website](#) for the Department for Environment, Food and Rural Affairs (Defra).

- The National Archives of UK Legislation at: <http://www.legislation.gov.uk/>
 - The University of Loughborough's previous Register of Legislation and its revisions.
- Following research undertaken only those pieces of legislation that appear to impact the University materially, have been retained within the legal register. A succinct synopsis has been produced to describe the fundamental components of each piece of legislation. Where Acts or Regulations have been amended, they will be cited as 'XXXX Act or Regulations (As Amended)'.

Step 3 - Justify Applicability in the Context of our Activities and Key Stakeholders

Following collation of those pieces of legislation and the succinct synopses, the next step is to justify why the legislation has been included in the legal register and which stakeholders, or functions of the University are impacted. This is included against each aspect area in the table at the start of this document.

Step 4 – Present in an Easy-to-Read, De-Jargonised Format

The main barrier to understanding legislation is often due to the legal jargon used. Every attempt has been made to simplify this in the relevant legislation synopsis to aid effective communication.

Step 5 - Communicate and Educate Key Stakeholders

Updates to the legal register will be circulated to key staff who need to be appraised of the particular change. This may include Heads of Schools or Departments, Operation Managers, Technicians, Facilities Management staff, Energy and Environmental staff, Procurement staff and University Senior Management. Training will be provided where required.

The legal register will be publicly available on the University's Sustainability website at <http://www.lboro.ac.uk/sustainability/policy/> and will be referenced in relevant University Policy, Strategy, Objectives and Targets, and wider Procedures and Operational Controls.

Step 6 – Monitor and Review

Legislative changes are monitored on a regular basis. The legal register is an organic, evolving tool of great importance to the University. The University also commissions an external review and audit on an annual basis for additional robustness.

Chapter 2: Energy & Carbon

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to the use of gas and electricity at the University as well as legislation relating to wider energy use and carbon management. It is all applicable because of the energy we use across all operations and the environmental impact as a result of it.

The following legislation is covered within this Chapter:

- [The Climate Change Act 2008 \(As Amended\)](#)
- [The Energy Act 2013 \(As Amended\)](#)
- [Climate Change and Sustainable Energy Act 2006 \(As Amended\)](#)
- [Climate Change Levy \(General\) Regulations 2001 \(As Amended\)](#)
- [Energy Performance of Buildings \(England and Wales\) Regulations 2012 \(As Amended\)](#)
- [Greenhouse Gas Emissions Trading Scheme Order SI 2020 \(As Amended\)](#)
- The Medium Combustion Plant Directive (See Chapter 7)

Legislation	Climate Change Act 2008 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/3888/index_o.htm
Overarching Principle	
<p>The Climate Change Act establishes a long-term framework, and the world's first legally binding climate change targets, including a target to reduce the UK's greenhouse gas emissions by at least 80%, compared to 1990 levels, by 2050.</p> <p>It also aims to strengthen the UK's leadership internationally by highlighting the role it would take in contributing to urgent collective action to tackle climate change under the Kyoto Protocol.</p>	
Key Features	
<p>The Climate Change Act commits the UK to reducing emissions by at least 80% in 2050 from 1990 levels. This target was based on advice from the CCC report: Building a Low-carbon Economy. The 80% target includes GHG emissions from the devolved administrations, which currently accounts for around 20% of the UK's total emissions.</p> <p>The Act also requires the Government to set legally binding 'carbon budgets'. A carbon budget is a cap on the amount of greenhouse gases emitted in the UK over a five-year period. The Committee provides advice on the appropriate level of each carbon budget which are designed to reflect cost effective path to achieving the long terms objectives. The first four carbon budgets have been put into legislation and run up to 2027.</p> <p>The Committee on Climate Change was set up to advise the Government on emissions targets, and report to Parliament on progress made in reducing greenhouse gas emissions. It includes the Adaptation Sub-Committee (ASC) which scrutinises and advises on the Government's programme for adapting to climate change.</p> <p>A National Adaptation Plan also requires the Government to assess the UK's risks from climate change, prepare a strategy to address them, and encourage critical organisations to do the same. For more detail, visit the UK adaptation policy page.</p>	
Amendments	
<p>The Climate Change Act 2008 (2020 Target, Credit Limit and Definitions) Order SI 2009/1258 came into force in 2009 and makes amendments to the Climate Change Act 2008 such that the Secretary of State can only set a budget for the 2018-2022 budgetary period which is equivalent to a 34% reduction in the net UK carbon account in 2020. It also sets a limit on the net amount of carbon units that may be credited to the net UK carbon account for the 2008-2012 budgetary period of zero carbon units (with some exceptions to the limit).</p>	

The Climate Change Act 2008 (Credit Limit) Order SI 2016/786 came into force in 2016 and sets a limit of the net amount of carbon units that may be credited to the net UK carbon account for the 2018-2022 budgetary period of 55,000,000 carbon units.

The Climate Change Act 2008 (2050 Target Amendments) Order SI 2019/1056 came into force in 2019 and amends the Climate Change Act 2008 in order to impose a duty on the Secretary of State to make sure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. This target has been raised from 80%.

Legislation	The Energy Act 2013 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/19300/index_s.htm
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Overarching Principle

This Energy Act 2013 establishes a legislative framework for delivering secure, affordable and low carbon energy. It amends previous Energy Acts, including The Energy Act 2010 and the Energy Act 2011.

The Act focuses on several key items including decarbonisation, electricity market reform and nuclear regulation. It also continues to implement the requirements of former Acts to aim to regulate energy usage and markets (including gas and electricity) and sets out requirements associated with carbon capture storage and regulation and schemes for reducing fuel poverty.

Key Features

The Act addresses the following core provisions:

- Decarbonisation (enabling the Secretary of State to set a 2030 decarbonisation target range for the electricity sector in secondary legislation).
- Electricity market reform (putting in place long-term contracts to provide stable and predictable incentives for companies to invest in low-carbon generation (Contracts for Difference, CFDs) and measures to attract the £110 billion investment which is needed to replace current generating capacity and upgrade the grid by 2020).
- Powers in relation to domestic energy tariffs and licensable activities.
- Creation of the Office for Nuclear Regulation (ONR).
- An amendment to the Feed-in Tariff Order to extend the maximum capacity that community projects can install from 5MW to 10MW.
- The sale of the Government Pipe-line and Storage System (GPSS).

It also provides for: setting a limit on the number of energy tariffs offered to domestic consumers and requires the automatic move of customers from poor value closed tariffs to cheaper deals; and requiring the provision of information by suppliers to consumers on the best alternative deals available to them.

The Act also includes a provision that enables the Department of Energy and Climate Change (DECC) to charge fees for providing energy resilience services in the event of a disruption, or threatened disruption to energy supplies and amends the Warm Homes and Energy Conservation Act to propose a new target for fuel poverty to be set through secondary legislation.

Certain provisions (relating to decarbonisation, CFDs and closure of support under the renewables obligation, for example) come into force immediately; others (access to markets, transition to certificate purchase scheme and consumer redress orders, for example) after two months; and the remainder “on such day as the Secretary of State may by order made by statutory instrument appoint”.

Amendments

The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order SI 2014/469 came into force in 2014, and makes consequential amendments to existing legislation in order to include the role of the Office of Nuclear Regulation (ONR) as established by the Energy Act 2013.

Legislation	Climate Change and Sustainable Energy Act 2006 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/3818/index_o.htm
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Overarching Principle

The Climate Change and Sustainable Energy Act 2006 is an Act of UK Parliament which aims to boost the number of heat and electricity micro-generation installations in the UK and therefore helping to lead to reductions in carbon emissions and fuel poverty. The fundamental purposes of the Act are to enhance the UK's action on global climate change, understanding the risks of and alleviate fuel poverty and securing long-term energy supplies for the nation.

Key Features

Micro-generation technologies involve the local production of electricity by homes and businesses from low-energy sources including small scale wind turbines, ground source heat pumps and solar electricity installations. The principal measures in the act are to:

- Require the Secretary of State to report annually on greenhouse gas emissions during the year plus steps taken to cut them.
- Require local authorities to take into account the content of a new 'energy measures report' that the Secretary of State will be required to publish within one year from the signing of the Act.
- Require the Secretary of State to set national micro-generation targets.
- Require the Secretary of State to expand the annual reports on progress towards sustainable energy aims (under the Sustainable Energy Act 2003), to include progress in meeting a range of energy efficiency and carbon targets.
- Give the Secretary of State the power to impose a duty on energy companies to buy energy from micro-generation schemes, if the industry fails to create a voluntary scheme within one year.
- Introduce a statutory review that, it is hoped, may change permitted development orders to allow certain domestic micro-generation without the need for planning permission. A consultation period on the proposed changes ends on June 27, 2007.[4]
- Make changes to the Building Regulations to:
 - Include micro-generation within their scope;
 - Increasing to two years the time limit for prosecuting contraventions of the Building Regulations relating to energy use, energy conservation or carbon emissions;
 - Change the energy efficiency provisions of the Gas Act 1986 and the Electricity Act 1989 to carbon emission based targets.
 - Permit parish councils and community councils to incur expenditure (under the Local Government Act 1972) to encourage or promote micro generation, biomass production biomass fuels, and energy efficiency measures.
 - Modify the Electricity Act 1989 to enable Renewables Obligation Certificates to be issued to a wider range of people and organisations.
 - Modify the Energy Act 2004 with the aim of capping charges for the transmission of renewable electricity produced in the Scottish islands, so reducing production costs and encouraging wind power and wave power.
 - Require the Secretary of State to report on compliance with these aspects of the Building Regulations and steps proposed to increase compliance; to report on the contribution that can be made by dynamic demand technology to cutting greenhouse gas emissions.
 - Require the Secretary of State to promote community energy projects and to promote the use of heat from renewable sources.

Amendments

The Climate Change and Sustainable Energy Act 2006 (Sources of Energy and Technologies) Order SI 2008/1767 came into force on 23 July 2008 and applies to England, Scotland and Wales. It amends the Climate Change and Sustainable Energy Act 2006, by adding heat from air, water or the ground to the list of sources and technologies which generate or produce electricity or heat and constitute microgeneration. In order to constitute microgeneration, plants which generate electricity or heat must rely wholly or partly on certain listed sources or technologies.

Legislation

Climate Change Levy (General) Regulations 2001 (As Amended)

http://www.cedrec.co.uk/environmental/summary/regulation/si/1836/index_s.htm

Overarching Principle

The climate change levy (CCL) is a tax on energy delivered to non-domestic users in the United Kingdom. Its aim is to provide an incentive to increase energy efficiency and to reduce carbon emissions.

The Regulations were introduced under the Finance Act 2000 it was forecast to cut annual emissions by 2.5 million tonnes by 2010, and forms part of the UK's Climate Change Programme.

Key Features

The Regulations sets out who the Climate Change Levy (CCL) applies to, who is exempt and the procedures to registering, returns and tax credits under the system.

The CCL is a tax charged at a specific rate per unit of energy and is charged on supplies of electricity, gas and solid fuel. It aims to encourage businesses to become more energy efficient and reduce their greenhouse gas emissions.

The Regulations also provide an exemption from the CCL for renewable electricity.

The levy applies to most energy users, with the notable exceptions of those in the domestic and transport sectors. Electricity generated from new renewables and approved cogeneration schemes is not taxed. Electricity from nuclear is taxed.

The levy rates are fixed each year from the 1st April, the published CCL rates can be found at:

<https://www.gov.uk/guidance/climate-change-levy-rates>

Amendments

The Climate Change Levy (General) (Amendment) Regulations SI 2007/2903 make various amendments to the Climate Change Levy (General) Regulations SI 2001/838, in order to change the system for administering Climate Change Levy reliefs. They abolish half-rate supplies; fully integrate reduced-rate supplies into the existing system for administering the levy's reliefs; abolish the requirement for the energy supplier to receive a certificate claiming levy reliefs before the time of the supply; and abolish the requirement for certifying authorities to disregard figures received after a prescribed time as part of the levy's certification process for electricity from renewable sources and combined heat and power stations.

The Climate Change Levy (General) (Amendment) Regulations SI 2010/643 came into force on 1 April 2010 and amend the Climate Change Levy (General) Regulations SI 2001/838 by changing the time limits that apply to Climate Change Levy claims and assessments for taxes administered by HM Revenue and Customs – increasing them from 3 to 4 years.

The Climate Change Levy (General) (Amendment) Regulations SI 2011/684 make amendments with regards to changing requirements for supplier certificates to the HM Revenue and Customs.

The Climate Change Levy (General) (Amendment) Regulations SI 2012/943 make amendments to take account of the removal of an exemption from the climate change levy for a commodity supplied for use in a recycling process for which there is a relevant competing process, and the introduction of a lower rate of climate change levy for such supplies ("recycling lower-rate supplies").

The Climate Change Levy (General) (Amendment) (No. 2) Regulations SI 2012/3049 make amendments as a consequence of the removal of the exemption from the climate change levy (CCL) for electricity that is generated in a combined heat and power (CHP) station and is supplied to an energy consumer by an electricity utility ("the CHP indirect supplies exemption").

The Climate Change Levy (General) (Amendment) Regulations SI 2013/713 make amendments as a result of the introduction of a carbon floor price, which involves the establishment of new carbon price support rates (CPS rates) of climate change levy (CCL) on coal and other solid fossil fuels, gas and liquefied petroleum gas (LPG) used to generate electricity. They also reflect the change to the reduced rate of CCL to 10% of the main levy rate on electricity for supplies of electricity made to those businesses with climate change agreements.

The Climate Change Levy (General) (Amendment No.2) Regulations SI 2013/1716 make amendments to replace a formula and this means that fuels used in a CHP station to produce mechanical outputs of the station are not treated as being referable to the production of electricity and are therefore not subject to the carbon price support rates of the climate change levy.

The Climate Change Levy (General) (Amendment) Regulations SI 2015/947 insert a new formula to be used to determine the quantity of carbon price support rate commodities used to generate electricity in a CHP station that are subject to the carbon price support rates of the climate change levy.

The Climate Change Levy (General) (Amendment) Regulations SI 2018/118 make amendments to the formula used to calculate relief entitlement, and align the Regulations with changes made in the Finance Act 2016.

CCL is provided for by the Finance Act (FA) 2000. The main rates are set out in paragraph 42(1) of Schedule 6 to the Act.

Paragraph 42(1) (ba) and (c) of Schedule 6 to FA 2000 provides that, for supplies of electricity, only 7% of the main rate is payable where a supply is a reduced-rated supply. For supplies of other taxable commodities, 22% of the main rate is payable where a supply is reduced-rated supply.

Paragraph 2 of Schedule 1 to the Climate Change Levy (General) Regulations 2001 (SI 2001/838) ('the Regulations') sets out the formula used by businesses in the Climate Change Agreements scheme to calculate their CCL relief entitlement, including the reduced rate.

Legislation	Energy Performance of Buildings (England and Wales) Regulations 2012 (As amended) http://www.cedrec.co.uk/planning/summary/regulation/si/17435/index_s.htm
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Overarching Principle

These Regulations consolidate the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 ("the 2007 Regulations") with subsequent amendments to them since the 2007 Regulations came into force. The 2007 Regulations enacted for England and Wales requirements of EC Directives, European Parliament and of the Council. They were subsequently amended to add other provision not required by the original Directive. The EPB Directive lays down requirements regarding energy performance certificates, display of certificates in large public buildings, and regular inspection of air-conditioning systems.

For the purposes of transposition of the recast Directive, these Regulations should be read in conjunction with the Building Regulations 2010 ("the Building Regulations") as amended by the Building Regulations etc (Amendment) Regulations 2012.

Only Parts 1, 2 and 3 of these Regulations contain new provision enacting requirements of the recast Directive.

Key Features

The Regulations require an Energy Performance Certificate (EPC) to be made available to the owner or to the prospective buyer or tenant when a building is constructed, marketed for sale or rent and that air-conditioning systems are to be regularly inspected.

An Energy Performance Certificate (EPC) provides information on the energy efficiency of a building, giving the building an energy rating from A (the most efficient) to G (the least efficient). It also makes recommendations on how a building's energy use and carbon emissions can be reduced.

The Regulations also require large public buildings providing a service to and frequently visited by the public, to display a Display Energy Certificate (DEC).

The Directive covers four main areas:

- Design of new buildings.
- Renovation of existing buildings.
- Introduction of Energy Performance Certificates (EPCs).
- Assessment of boilers and air-conditioning units every 5 years using a TM44 inspection.

From 9 January 2013 certain commercial premises, where an EPC already exists, are now required to display the EPC in a prominent place to all visiting members of the public. Whether or not this obligation applies to a premises will depend upon whether the property:

- Is a commercial building.
- Has a useful floor area of more than 500m².
- Is frequently visited by the public.

The Regulations state that responsibility to display an EPC lies with the occupier.

Amendments

The Energy Performance of Buildings (England and Wales) etc. (Amendment) Regulations SI 2013/10 amendments make sure that information about green deal plans are included in the Energy Performance Certificate (EPC) for a property with a green deal plan.

The Energy Performance of Buildings (England and Wales) (Amendment) (Fees) Regulations SI 2013/603 amendments set new fees for entering documents on the register which the Secretary of State must maintain under those Regulations.

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2014/880 make amendments regarding the keeper of the register in terms of disclosure of documents and data.

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2015/609 clarifies who it is the relevant person, or someone acting on that person's behalf, who must make sure that the energy performance indicator of the building is included in any commercial advertisements of the property for sale or rent, and makes some changes regarding data packs.

The Energy Performance of Buildings (England and Wales) (Amendment) (No. 2) Regulations SI 2015/1681 insert a new regulation that requires local authorities to arrange for the enforcement of obligations in relation to their own buildings by agreement with the local weights and measures authority of another area, provides for the collection by enforcement authorities of sufficient information concerning buildings to enable them to plan effective enforcement action in accordance with guidance from the Secretary of State; provides for annual reporting to the Secretary of State by enforcement authorities of action taken in relation to enforcement.

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2016/284 make some amendments to consolidate legislation and make provisions regarding energy performance certificates (EPCs), display energy certificates and recommendation reports.

The Energy Performance of Buildings (England and Wales) (Amendment) (No. 2) Regulations SI 2016/888 make provision for the discloser from the registrar of energy performance certificates of data used to prepare certificates to stated persons and bodies for purposes related to Government policy to promote the energy efficiency of buildings.

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2017/368 and SI2018/362 revise the fees for entering data onto the register of energy performance certificates, display energy certificates and air conditioning inspection reports.

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2020/1422 make amendments to this legislation by retaining the threshold for air conditioning inspections and diverge from the European Commission proposal to raise the threshold to 70kW. The existing threshold for the inspection of the energy efficiency of air-conditioning systems will remain at an effective rated output of more than 12kW.

Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2021/439. These Regulations came into force on 1 April 2021 and apply to England and Wales. They amend the Energy Performance of Buildings (England and Wales) Regulations SI 2012/3118 by updating the fees for entering data in the register of energy performance certificates, display energy certificates and air conditioning inspection reports.

Legislation	Greenhouse Gas Emissions Trading Scheme Order SI 2020 (As amended) https://cedrec.com/environmental/summary/regulation/si_order/50344/index_o.htm
Overarching Principle	
<ul style="list-style-type: none">This Order came into force on 31 December 2020 and apply to England, Wales, Scotland and Northern Ireland.It establishes a UK Greenhouse Gas (GHG) Emissions Trading Scheme (ETS) that will become operational from 1 January 2021.	
Key Features	
Legislative background The UK ETS was established by the Greenhouse Gas Emissions Trading Scheme Order SI 2020/1265 as a UK-wide greenhouse gas emissions trading scheme to encourage cost-effective emissions reductions which will contribute to the UK's emissions reduction targets and net zero goal. It runs for ten "scheme years" beginning in 2021, divided into two "allocation periods", the 2021-2025 allocation period and the 2026-2030 allocation period. Operators of certain industrial installations and certain aircraft operators are required to monitor, report on, and surrender "allowances" equivalent to, their greenhouse gas emissions in each scheme year. This Order amends the Greenhouse Gas Emissions Trading Scheme Order SI 2020/1265 and other legislation, to provide for a registry for the UK ETS and for the free allocation of allowances.	
Amendments	
<p>The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2020/1557 make further provision for the UK Emissions Trading Scheme (the "UK ETS"), in particular for the free allocation of allowances and for a registry for the UK ETS.</p> <p>The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2021 amends the Greenhouse Gas Emissions Trading Scheme Order SI 2020 to make various technical and operational amendments</p> <p>The Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2022 amends the Greenhouse Gas Emissions Trading Scheme Order SI 2020 to allow inspection of premises and related controls, offences and penalty's.</p>	

Chapter 3 – Waste Management and Dangerous Chemicals/Substances

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to the generation and disposal of waste at the University as well as legislation relating to wider pollution prevention. It is all applicable because the generation of waste is an environmental aspect which occurs across all our operations and has the potential for significant environmental impact as a result of it.

The following pieces of legislation are covered within this Chapter.

- [Animal By-Products \(Enforcement\) \(England\) Regulations 2013 \(As Amended\)](#)
- [The Controlled Waste \(England and Wales\) Regulations 2012 \(As Amended\)](#)
- [The Hazardous Waste \(England and Wales\) Regulations 2005 \(As Amended\)](#)
- [Control of Pollution \(Oil Storage\) Regulations 2001 \(As Amended\)](#)
- [The Scrap Metal Dealers Act 2013 \(As Amended\)](#)
- [The Transfrontier Shipment of Waste Regulation 2007 \(As Amended\)](#)
- [The Waste \(England and Wales\) Regulations 2011 \(As Amended\)](#)
- [Waste Batteries and Accumulators Regulations 2009 \(As Amended\)](#)
- [The Waste Electrical and Electronic Equipment Regulations 2013 \(As Amended\)](#)
- [The Control of Asbestos Regulations 2012 \(As Amended\)](#)

- [The Control of Substances Hazardous to Health Regulations 2002 \(COSHH Regulations\) \(As Amended\)](#)
- [The Environmental Protection \(Disposal of Polychlorinated Biphenyls and other Dangerous Substances\) \(England and Wales\) Regulations 2000 \(As Amended\)](#)
- [Environmental Protection Act \(EPA\) 1990 Part II \(Waste on Land\) \(As Amended\)](#)
- [The Hazardous Waste \(Miscellaneous Amendments\) Regulations 2015 \(As Amended\)](#)
- [The Waste \(Circular Economy\) \(Amendment\) Regulations SI 2020](#)
- [Environmental Protection \(Plastic Straws, Cotton Buds and Stirrers\) \(England\) Regulations SI 2020](#)
- [The Control of Pollution \(Amendment\) Act 1989](#)
- [Littering From Vehicles Outside London \(Keepers: Civil Penalties\) Regulations SI 2018](#)

Legislation	Animal By-Products (Enforcement) (England) Regulations 2013 (As Amended) http://cedrec.com/environmental/summary/regulation/si/19132/index_s.htm
Overarching Principle	
<p>These Regulations came into force on 12 December 2013 and apply to England only. They streamline legislation on by-product controls by revoking and replacing legislation relating to animal by-products in England. In doing so, they enforce Regulation (EC) 1069/2009, which lays down health rules on animal by-products and derived products not intended for human consumption, along with its accompanying implementing Regulation (EU) 142/2011. (Both these pieces of EU/EC legislation have been retained).</p>	
Key Features	
<p>Animal by-products are entire bodies, parts of animals and products of animal origin not intended for human consumption. They can present a risk to human and animal health, and their use and disposal has been controlled for many years.</p> <p>The key implication for the University is that animal by-products, including catering waste, must not be brought onto any premises if farmed animals would have access to them. This means we must dispose of our catering waste in a specific manner. Any part of a body of a farmed animal that has not been slaughtered for human consumption must be held until it is consigned or disposed of in a way that no animal or bird has access to it.</p>	
Amendments	
<p>Amendment Regulations 2015 permit operators to dispose of small quantities of former foodstuffs without the normal controls that apply to other animal by-products.</p>	

Legislation	The Controlled Waste (England and Wales) Regulations 2012 (As Amended) http://cedrec.com/environmental/summary/regulation/si/15303/index_s.htm
Overarching Principle	
<p>These Regulations help to classify waste as household, industrial or commercial waste, and as a result further determine the meaning of "controlled waste" which is already established in Part 2 of the Environmental Protection Act 1990. Essentially, they extend the definition of controlled waste contained in the Act, to cover wastes that may not be covered within that definition and to set out exemptions where various wastes will not be classified as controlled waste.</p>	
Key Features	
<p>These Regulations give local authorities powers to charge for waste disposal from a wider range of non-domestic premises including Universities where, under the Environmental Protection Act 1990 waste was defined as household waste. The Regulations also enable a charge to be made for litter collected on educational premises; as well as for other non-hazardous waste generated on the site.</p>	
Amendments	
<p>No other new amendments as of 24/07/2019 & 27/07/2021</p>	

Legislation	The Hazardous Waste (England and Wales) Regulations 2005 (As Amended)
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http://cedrec.com/environmental/summary/regulation/si/2236/index_o.htm

Overarching Principle

The aim of the Regulations is to set out a new regime to identify, control and track the movement of **hazardous waste**. They work in conjunction with the List of Wastes (England) Regulations [SI 2005/895](#), which reproduce the list of wastes from Decision [2000/532/EC](#), which contains the current version of the [European Waste Catalogue](#).

Key Features

The Environment Agency must be notified of all premises where hazardous waste is produced or removed, unless the premises in question are exempt.

A consignment note must be completed where hazardous waste is removed from any premises. There is also a schedule of carriers for when more than one carrier transports the consignment and separate provisions for multiple collections.

The List of Wastes (England) Regulations SI 2005/895 outlines the different categories of waste which are classified by two-digit and four-digit chapter headings. Each waste under these respective headings is assigned its own specific six-digit code and any waste marked with an asterisk is considered to be hazardous. This six-digit code must be quoted on the consignment note.

It is prohibited for anyone to mix hazardous waste without a permit and it is the responsibility of the holder of the waste to make arrangements for the separation of any waste that has been mixed.

The Environment Agency must develop a coding standard which enables each consignment of hazardous waste to be given a unique code. The producer of the waste can then assign a consignment code in accordance with this standard.

If the consignment of hazardous waste is not accepted, for whatever reason, the relevant part of the consignment note must be completed by the consignee.

Records must be kept of:

- all tipped hazardous waste;
- the disposal or recovery of hazardous waste by other means;
- all producers', holders', consignors' and carriers' of hazardous waste.

Amendments

The regs have been amended as follows:

2009 – increasing notification volume from 200-500Kg in 12 months, extends exemptions to notify around specific premises and clarify certain other provisions.

The Hazardous Waste (England and Wales) (Amendment) Regulations SI 2016/336 came into force in 2016. They revoke the requirement that premises where hazardous waste is produced, or from which hazardous waste is removed, must notify the Environment Agency if this is more than 500kg of hazardous waste per year. Furthermore, the format of the consignment note will change whereby the first six characters of the consignment note code which currently represent the premises registration number, will be replaced by the first six letters or numbers of the business name.

A final change involves the requirement for the SIC code on the consignment note. From 1 April 2016 SIC 2007 must be specified, but the use of NACE codes will continue to be allowed.

Legislation

Control of Pollution (Oil Storage) Regulations 2001 (As Amended)

http://www.cedrec.co.uk/environmental/summary/regulation/si/1886/index_o.htm

Overarching Principle

The Control of Pollution (Oil Storage) Regulations 2001, also known as the Oil Storage Regulations, regulate the storage of oil and require anyone in England who stores more than 200 litres of oil, to provide more secure containment facilities.

The Regulations aim to control the way all oil is stored within the UK and to prevent its escape into, and pollution of, the environment.

<p>Key Features</p> <p>All oils are covered within the Regulations, including petrol, solvents, mineral oil, heating oil, lubricating oil, vegetable oil and waste oil.</p> <p>The Regulations apply to oil stored in above ground containers outside including tanks (AST's), intermediate bulk containers (IBC), oil drums and mobile bowsers.</p> <p>The Oil Storage Regulations apply to:</p> <ul style="list-style-type: none"> • Industrial and commercial businesses and institutional sites who store oil above ground in containers holding >200 litres; and • Private dwellings with containers storing >3,500 litres. <p>The Oil Storage Regulations do not apply if:</p> <ul style="list-style-type: none"> • The container has a capacity of 200 litres or less. • The oil is stored in a container wholly underground. • The container is located inside a building. • The premises are used for refining or the onward distribution of oil. • The oil is stored on a farm and used for agricultural purposes. • The oil is stored at a private dwelling in a container with a capacity of 3,500 litres or less. <p>Certain requirements for the storage of oil are established:</p> <ul style="list-style-type: none"> • Oil must be stored in a container which will not leak or burst, and must additionally be bunded • The bund must have the capacity of at least 110% of the container's storage, must be impermeable to water and oil and not penetrated by anything. • Anything attached to the container must be within the bund, and any pipes must have a drip tray to catch any oil spilled. • If a drum is used to store oil and uses a drip tray, the tray must have a capacity of at least 25% of the total drum's storage capacity.
<p>Amendments</p> <p>No new amendments found as of 24/07/2019 & 27/07/2021</p>

<p>Legislation</p> <p>The Scrap Metal Dealers Act 2013 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/17895/index_s.htm</p>
<p>Overarching Principle</p> <p>This Act revokes and replaces the Scrap Metal Dealers Act 1964 and introduces a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries. It provides local authorities with more powers to allow them to better regulate these industries.</p> <p>Supported by:</p> <ul style="list-style-type: none"> • Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations SI 2013/2258 • Scrap Metal Dealers Act 2013 (Prescribed Documents and Information for Verification of Name and Address) Regulations SI 2013/2276
<p>Key Features</p> <p>Anyone who is a scrap metal dealer must hold a license issued by the relevant local authority. They are also required to keep records.</p>
<p>Amendments</p> <p>No new amendments found as of 24/07/2019 & 27/07/2021</p>

<p>Legislation</p> <p>The Transfrontier Shipment of Waste Regulation 2007 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/2947/index_s.htm</p>
<p>Overarching Principle</p> <p>These Regulations apply to England, Scotland, Wales and Northern Ireland.</p>

<p>They are made in accordance with and deal with the enforcement of Retained Regulation (EC) 1013/2006, on shipments of waste, which sets out details for the supervision and control of shipments of waste.</p>
<p>Key Features</p> <p>These Regulations enforce a number of international Regulations and offences concerning waste shipments that include:</p> <ul style="list-style-type: none">• An offence for shipping waste in breach of the requirements of the EU Regulation to manage shipments in an environmentally sound manner and without endangering human health;• Offences for failure to comply with the procedural requirements in the EU Regulation that apply to shipments of waste to or from the UK, or to or from other Member States;• Offences for failure to comply with the prohibitions and procedural requirements in the EU Regulation that apply to exports of waste from the UK to third countries;• Offences for failure to comply with the prohibitions and procedural requirements in the EU Regulation that apply to imports of waste into the UK from third countries;• Offences for failure to comply with the procedural requirements in the EU Regulation that apply to the transit of waste through the UK to and from third countries;• Offences for failure to comply with the additional duties in the EU Regulation of notifiers, persons who arrange shipments of waste subject to the general information requirements, operators of facilities, consignees and laboratories in respect of the shipment, recovery or disposal of waste in the UK.
<p>Amendments</p> <p>Transfrontier Shipment of Waste (Amendment) Regulations SI 2008/9 – minor amends to support (EC) 1013/2006, and (EC) 1418/2007</p> <p>Transfrontier Shipment of Waste (Amendment) Regulations SI 2014/861 – minor amends to redefine competent authorities.</p>

Legislation	The Waste (England and Wales) Regulations 2011 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/13788/index_o.htm
Overarching Principle	<p>The Regulations implement Retained Directive 2008/98/EC, on waste, by replacing waste regulation relating to the registration of waste carriers, the transfer of waste and the waste strategy. They also introduce new provisions which put greater emphasis on the life-cycle of waste.</p>
Key Features	<p>These regulations impose a duty on businesses to apply the waste hierarchy when transferring waste. Carriers and brokers of, and dealers in, controlled waste must be registered with the Environment Agency), unless they are exempt, and failing to do so is an offence. Provisions also specify what should be included in written waste information and how long it should be kept. It is an offence under the Regulations not to comply with the:</p> <ul style="list-style-type: none">• waste hierarchy duty; or• collection of waste duty; <p>Waste hierarchy duty</p> <p>A business which imports, produces, collects, transports, recovers or disposes of waste, or as a dealer or broker has control of waste must, on transferring the waste, take all available measures to apply the following waste hierarchy:</p> <ul style="list-style-type: none">• prevention; preparing for re-use; recycling; other recovery (e.g energy recovery); disposal. <p>However, a business can depart from the above priority order so as to achieve the best overall environmental outcome.</p> <p>Collection of waste duty</p> <p>From 1 January 2015, an establishment or undertaking collecting waste paper, metal, plastic or glass, must do so by separate collection.</p>
Amendments	

The Waste (England and Wales) (Amendment) Regulations 2012 impose a duty on establishments and undertakings, from 1 January 2015, for the separate collection of waste paper, metal, plastic and glass; they also impose a duty on waste collection authorities, from the same date, when making arrangements for the collection of such waste to make sure that those arrangements are by way of separate collection. This revokes the Regulations 2011 which confirmed that in cases where separate collection is not practicable, co-mingled collections will satisfy the requirements of Directive 2008/98/EC.

The Waste (England and Wales) (Amendment) Regulations 2014 clarify that the transfer of controlled waste can be recorded on alternative documentation, such as invoices, instead of waste transfer notes.

Legislation	Waste Batteries and Accumulators regulations 2009 (As Amended) http://cedrec.com/environmental/summary/regulation/si/3591/index_o.htm
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Overarching Principle

The Regulations set out the legislative framework for the collection, treatment and recycling of waste portable, industrial and automotive batteries and accumulators in the UK. They complement the existing Batteries and Accumulators (Placing on the Market) Regulations [SI 2008/2164](#), which establish the requirements for placing new batteries onto the market. They implement the waste provisions of Retained Directive [2006/66/EC](#), on batteries and accumulators and waste batteries and accumulators, and establish the scope of producer responsibility for batteries.

Key Features

Key requirements are set for all batteries, for:

- anyone placing batteries on the market to register as a producer of batteries, and report on waste batteries collected and sent for recycling;
- the treatment and recycling of waste batteries.

For portable batteries:

- there are interim collection targets to assess progress towards the Directive's targets of collecting waste portable batteries equivalent to 25% of sales by 2012 and 45% by 2016;
- producers can meet their responsibilities for collection and recycling by joining a Battery Compliance Scheme (BCS). BCSs also carry out publicity aimed at consumers informing them how they can return their waste household batteries for recycling;
- producers who put less than 1 tonne of portable batteries on the market must register with the appropriate authority but do not have to fund collection, treatment and recycling;
- from February 2010, certain retailers of household batteries must collect in-store such batteries when they become waste.

For industrial and automotive batteries:

- from 1 January 2010, it is prohibited to dispose of waste industrial and automotive batteries by landfill or incineration;
- producers of industrial and automotive batteries must arrange for their separate collection and recycling when they become waste.

Amendments

The Waste Batteries and Accumulators (Amendment) Regulations 2015 reduces regulatory burdens on businesses and allows for an increased focus on the key aims of the Regulations which include delivery of environmental benefits. It removes the requirement to provide operation plans and submit independent audit reports, as well as allowing an "approved person" to delegate responsibility for signing off reports.

Legislation	The Waste Electrical and Electronic Equipment Regulations 2013 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/19233/index_o.htm
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Overarching Principle

These Regulations apply to England, Scotland, Wales and Northern Ireland. They revoke and replace the Waste Electrical and Electronic Equipment Regulations [SI 2006/3289](#) and implement Retained Directive [2012/19/EU](#), on waste electrical and electronic equipment (recast), by introducing a waste management system for waste electrical and electronic equipment (WEEE).

They aim to:

- minimise the disposal of WEEE as unsorted municipal waste by creating a network of designated collection facilities;
- ensure that all WEEE from private households that is collected at those facilities is sent for treatment, recovery or recycling to an approved authorised treatment facility;
- achieve the recovery targets in Retained Directive [2012/19/EU](#);
- provide that those who produce EEE are registered with the Member State authorities and are responsible for financing the costs of managing WEEE arising from electrical and electronic equipment (EEE) in each compliance period.

In addition, from 1 January 2019, these Regulations will cover a wider range of products in line with Retained Directive 2012/19/EU.

Key Features

Under a compliance scheme, systems must be established for the treatment and recovery of WEEE. Scheme operators must also make sure that systems are set up to prioritise the reuse of whole appliances. In addition, targets are set for the recovery, reuse and recycling of WEEE treated at the approved authorised treatment facilities.

For example, WEEE must only be:

- treated at an approved authorised treatment facility;
- recovered or recycled by a re-processor;
- exported by an approved exporter, for treatment, recovery or recycling outside the UK.

All compliance schemes must be approved by the appropriate authority, and are subject to conditions.

Distributors (retailers) who supply new EEE must provide a free WEEE take back service, where WEEE from private households can be returned providing it:

- is of an equivalent type;
- has fulfilled the same function as the supplied equipment.

Or they can choose to join a distributor take back scheme, who will provide this service for them .

Amendments

The Waste Electrical and Electronic Equipment (Amendment) Regulations 2015 provide for an adjustment to producer and producer compliance scheme financial obligations in specific circumstances, as well as make minor clarifications to meanings and correct minor drafting errors.

The Waste Electrical and Electronic Equipment (Amendment) Regulations 2018/102 clarify the rights of local authorities in relation to the collection, treatment, recovery and disposal of waste electrical and electronic equipment (WEEE) deposited at designated collection facilities; and insert a new reporting requirement relating to the amount of WEEE sent for treatment or for reuse outside the United Kingdom.

The Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018/1214 implements the open scope principle to bring all electrical and electronic equipment (EEE) into the scope of Directive 2012/19/EU unless exempt or excluded and retain the current UK WEEE system product categories. Therefore all EEE placed on the market falls into the scope, unless specifically made exempt.

Legislation	The Control of Asbestos Regulations 2012 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/15256/index_o.htm
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Overarching Principle

These Regulations revoke and replace the Control of Asbestos Regulations [SI 2006/2739](#), with some modifications, to produce a consolidated set of asbestos regulations. The reason behind this is to comply with the European Commission's reasoned opinion that Directive [83/477/EEC](#), on the protection of workers from exposure to asbestos at work, and particularly the amendments made to it by Directive [2003/18/EC](#), were under implemented.

The main changes made by these Regulations are necessary to correctly implement Directive [83/477/EEC](#), which has now been replaced by Directive [2009/148/EC](#), on the same subject, in relation to the requirements to:

- notify work to the relevant [enforcing authority](#);
- carry out medical examinations; and
- keep a register of work.

As a result, these Regulations also implement:

- Directive's [98/24/EC](#), [2004/37/EC](#),

Key Features

The regulations involve a Duty to manage asbestos in non-domestic premises and to prevent or reduce the spread of asbestos as well as a requirement to:

- identify the presence of asbestos through a risk assessment
- assess work which exposes employees to asbestos
- have written plans of work where asbestos is involved
- have a license from the HSE before they can carry out any licensable work with asbestos.
- notify the appropriate enforcing authority at least 14 days before the work begins
- Provide Information, instruction and training to the employees who are, or are likely to be, exposed to asbestos
- prevent or reduce exposure to asbestos
- ensure control measures are properly applied, used and maintained
- provide adequate and suitable protective clothing for their employees who are exposed, or likely to be exposed to asbestos
- Have in place Arrangements to deal with accidents, incidents and emergencies
- Ensure the Cleanliness of premises and plant
- designate areas in accordance with the legislation
- measure the asbestos fibres present in the air
- Only people accredited in accordance with European Standards ISO 17020 and ISO 17025 can be used for air testing and site clearance certification
- The standards for analysis are as set out in ISO 17025.
- Ensure health records and medical surveillance is maintained for employees exposed to asbestos
- Provide Washing and changing facilities where their employees are exposed to asbestos
- Store, label and dispose of Waste asbestos either in accordance with the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations [SI 2009/1348](#), if they apply, or the Full Text of [Schedule 2](#) in all other cases.

Amendments

No new amendments found as of 25/07/2019 & 27/07/2021

Legislation	The Control of Substances Hazardous to Health Regulations 2002 (As Amended) (COSHH Regulations) (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/1197/index_o.htm
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Overarching Principle

The main aim of the Regulations is to control the exposure of people to hazardous substances. They do this by imposing duties on employers to carry out risk assessments, prevent or control exposure to hazardous substances and monitor the exposure of employees. They are commonly referred to as COSHH. They implement Directive's 78/610/EEC, [89/677/EEC](#), [96/55/EC](#), [98/24/EC](#), [2000/54/EC](#), [2004/37/EC](#).

Key Features

Employers must carry out risk assessments before work with hazardous substances is commenced. **This should include Environmental Risk.** Employers who employ 5 or more people must record the significant findings of the risk assessment. Employers must prevent exposure to hazardous substances by replacing them with a less hazardous substance. Where this is not possible they must control exposure by the use of protective measures such as suitable work systems and equipment; ventilation systems; PPE. Control measures must be maintained, examined and tested on a regular basis. Records must be kept of the examinations. Employers must monitor the exposure of employees to hazardous substances. Records must be kept of monitoring. Health surveillance is required where employees are exposed or are likely to be exposed to hazardous substances. Employers must provide employees with information, instruction and training on the substances they are likely to be exposed to, including the risks they pose and the precautions they can take to protect themselves. Employers must make sure that accident and emergency procedures have been prepared, which should include safety drills and the provision of first-aid facilities. There are specific provisions for fumigations.

Amendments

The Control of Substances Hazardous to Health (Amendment) Regulations 2003 make minor amendments by adding in a definition for mutagen, amending certain references to carcinogen, and adding 17 polychlorodibenzodioxins and polychlorodibenzofurans to the list of substances in Schedule 1.

The Control of Substances Hazardous to Health (Amendment) Regulations 2004 came into force in 2005 and implement Directive 2003/53/EC which amends Directive 76/769/EEC, on the marketing and use of certain dangerous substances and preparations; it also makes some legislative amendments with regards to adding a requirement to mark the packaging of cement, prohibiting the supply and use of cement and cement containing certain preparations.

Legislation	The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/2070/index_o.htm
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Overarching Principle

These Regulations deal with the disposal of Polychlorinated Biphenyls (PCBs) and other dangerous substances and identify the processes for their identification, registration and disposal. They implement Directive [96/59/EC](#), which also deals with the disposal of PCBs and the requirements of the waste management licensing regime under the [Environmental Protection Act 1990](#)

Key Features

PCB-contaminated equipment in the UK was scheduled for destruction by 31 December 2000 under the Environmental Protection (Disposal of Polychlorinated Biphenyls and Other Dangerous Substances) (England and Wales) Regulations 2000.

There are exemptions that allow holders to continue to use certain equipment if they register annually with the appropriate regulatory authority. Where such an exemption applied, the deadline for disposal was extended to January 2008.

European Directive 96/59/EC further specifies the end of 2010 as the final deadline for all PCB-contaminated equipment to be taken out of service by all Member States

Employers must ensure no person holds (with certain exemptions):

- Any PCBs, including any used PCBs.
- Any equipment that contains PCBs or which, having contained PCBs, has not been decontaminated.

If employers are subject to the exemptions that allow holders to continue to use certain equipment, they must register annually with the appropriate regulatory authority (the Environment Agency in England).

The following substances are covered in the definition of PCBs, but only those containing substances in a total of more than 0.005% by weight (equivalent to 50 ppm):

- Polychlorinated Biphenyls (PCBs).
- Polychlorinated Terphenyls (PCT).

- Monomethyl-dibromo-diphenyl methane.
- Monomethyl-dichloro-diphenyl methane.
- Monomethyl-tetrachlorodiphenyl methane.

Amendments

Amendment Regulations 2020/489 came into force 1 July 2020 and applied Regulation (EU) 2019/1021 which:

- specify that a transformer with 0.005% or less of PCBs by weight, or a total volume of 0.05dm³ or less of PCBs, can be used until the end of its useful life before being decontaminated or disposed of. The law previously stated 0.05% of PCBs by weight as the threshold, and a volume was not previously specified;
- introduce a new requirement allowing transformers with the following quantities of PCBs to be used until 31 December 2025, after which they must be decontaminated or disposed of:
 - between 0.005% and 0.05% by weight of PCBs,
 - a total volume of more than 0.05dm³ of PCBs

Legislation	Environmental Protection Act (EPA) 1990 Part II (Waste on Land) (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/3761/9885_s.htm
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Overarching Principle

These Regulations set out a regime for regulating and licensing the disposal of controlled waste on land, including any household, commercial and industrial waste. Unauthorised or harmful deposition of controlled waste is prohibited under the Regulations, and fly tipping was also made an illegal offence.

The Regulations also introduced the concept of 'Duty of Care', which places a legal responsibility on the producer of the waste to manage that waste appropriately.

Key Features

Unauthorised or harmful deposition of controlled waste is prohibited under the Regulations. It is illegal to deposit controlled waste, knowingly cause or knowingly permit controlled waste to be deposited in or on any land unless a Waste Management Licence (now an Environmental Permit) is in force and the deposit is in accordance with the licence.

The Regulations also introduced the concept of 'Duty of Care'. Duty of Care places the responsibility on the producer of the waste to ensure that the waste is stored, transported, treated and disposed in a manner which does not harm the environment.

Under the Regulations, a Waste Management Licence (now an Environmental Permit) must be obtained to treat and dispose of waste. Disposal cannot be undertaken without the appropriate Permit, and producers of waste must ensure their waste is treated or disposed a facility with an appropriate Permit.

Duty of Care also requires the producers of waste to store their waste in a manner which prevents the escape of waste to the environment, for example through the use of suitable containers and secondary containment if required. Measures must be taken to prevent spills or leaks of waste through appropriate storage and checks.

The prohibition of fly tipping is also covered within Part II Waste on Land.

Amendments

The Environmental Protection Act 1990 (Amendment of Fixed Penalty Amount) (England) Order SI 2012/1150 came into force in 2012 and applies to England only. It reduces the amount of fixed penalty for offences (non-compliance) relating to receptacles for household waste, by reducing the fixed penalty from £100 to £60. However, the fixed penalty for non-compliance with the requirements regarding receptacles for commercial or industrial waste remains at £100.

Legislation	The Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/22240/index_s.htm
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Overarching Principle

These Regulations came into force on 1 July 2015 and apply to England, Scotland, Wales and Northern Ireland.

They amend various pieces of legislation which concern hazardous waste or cross-refer to other legislation concerning hazardous waste.

They also revoke two pieces of outdated legislation on list of wastes, essentially replacing national legislation on classifying wastes with the European Waste Catalogue.

In addition, the Full Text of Schedule 2 to these Regulations sets out some modifications relating to references in a permit or standard rules permit to outdated:

- hazardous waste codes; or
- list of wastes codes.

Key Features

The main feature is that these Regulations revoke and replace the:

- List of Wastes (England) Regulations SI 2005/895;
- List of Wastes (England) (Amendment) Regulations SI 2005/1673.

However they further amend these Regulations of relevance with minor definition changes :

- Environmental Protection Act 1990;
- Hazardous Waste (England and Wales) Regulations SI 2005/894;
- Waste Batteries and Accumulators Regulations SI 2009/890;
- Environmental Permitting (England and Wales) Regulations SI 2010/675;
- Waste (England and Wales) Regulations SI 2011/988;
- Controlled Waste (England and Wales) Regulations SI 2012/811.

Amendments

No new amendments found as of 02/08/2019 & 27/07/2021

Legislation

The Waste (Circular Economy) (Amendment) Regulations SI 2020

https://cedrec.com/index.php?page=planning&category=summary&subcategory=regulation&doctype=si&doc=49866&title=index_s

Overarching Principle

These Regulations came into force on 1 October 2020 and apply to England, Scotland, Wales and Northern Ireland. They amend legislation in the UK in order to fully implement the 2020 Circular Economy Package in England and Wales and partially implement that Package in Scotland and Northern Ireland. The UK is committed to moving towards a circular economy. This will ensure that resources are used and re-used for as long as possible, and their maximum value is realised. The aim is that resources will be produced and used in a way that avoids them being disposed of quickly, ensuring they can be brought easily back into the value chain and used several times again.

The Circular Economy Package introduced a legislative framework at the EU level, and identified steps for waste reduction and established long-term paths for waste management and recycling.

Key Features

In order to implement the Circular Economy Package, changes are being made to guidance and policy, as well as to legislation through these Regulations.

As a result, various Acts and Statutory Instruments are being amended in order to:

- specify when a separate collection of waste is not necessary;
- ensure any waste collected separately so it can be prepared for re-use or recycling is not incinerated or landfilled;

- introduce an environmental permit condition on waste incinerators and landfills which restrict waste paper, metal, plastic and glass, which is collected separately for re-use or recycling, from being accepted for incineration or landfill;
- make sure unlawfully mixed hazardous waste is separated wherever technically feasible;
- prohibit the mixing of waste oils where the mixing would prevent the regeneration or recycling of the oil delivering an equivalent or better environmental outcome;
- require relevant waste operators, operating under a registered waste exemption, to record, retain and submit information on the treatment of hazardous and non-hazardous waste and the products and materials resulting from the treatment of that waste.

Some of the key Regulations these regulations amend include, the:

- Environmental Protection Act 1990;
- Environment Act 1995;
- Hazardous Waste (England and Wales) Regulations SI 2005/894;
- Waste Batteries and Accumulators Regulations SI 2009/890;
- Waste (England and Wales) Regulations SI 2011/988;
- Controlled Waste (England and Wales) Regulations SI 2012/811;
- Waste Electrical and Electronic Equipment Regulations SI 2013/3113;
- Environmental Permitting (England and Wales) Regulations SI 2016/1154;

Amendments

Legislation	Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations SI 2020/971
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https://cedrec.com/index.php?page=environmental&category=summary&subcategory=regulation&doctype=si&doc=49975&title=index_s

Overarching Principle

These Regulations came fully into force on 3 July 2021 and apply to England only. They restrict the supply of:

- single-use plastic straws;
- single-use plastic-stemmed cotton buds;
- plastic drinks stirrers,

although there are some exceptions to the ban on these products.

These measures were introduced in order to help improve the environment and to prevent needless plastic waste.

Key Features

Single-use plastics have become a significant problem to the environment. Plastics do not decompose in landfill easily, with some even lasting up to 1,000 years. Unfortunately plastic waste also ends up in water sources, harming aquatic life and polluting our environment. Furthermore, it is an expensive issue given the clean-up of the plastics is costly.

As part of the Government's commitment to the 25 year environmental plan, which aims to leave the environment in a much better state for the next generation, avoidable plastic waste will be eliminated as far as possible.

As a result, these Regulations place a ban on some single-use plastic items which are common but unnecessary given that there are more sustainable alternatives available.

Amendments

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Legislation	Control of Pollution (Amendment) Act 1989 https://cedrec.com/environmental/summary/act/uk/3763/index_s.htm
Overarching Principle	
This Act applies to England, Scotland and Wales.	
Offence of transporting controlled waste without registering.	
Key Features	
It is an offence for anyone who is not a registered carrier of controlled waste, to transport any controlled waste, in the course of their business or otherwise with a view to profit, to or from any place in Great Britain.	
A person will not be guilty of an offence in respect of the transport: <ul style="list-style-type: none"> • of controlled waste within the same premises between different places in those premises; • to a place in Great Britain of controlled waste which has been brought from outside Great Britain and is not landed in Great Britain until it arrives at that place; • by air or sea of controlled waste from a place in Great Britain to a place outside Great Britain. 	
Amendments	
No Amendments noted 27/07/21	

Legislation	Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations SI 2018 https://cedrec.com/legislation/31261/summary
Overarching Principle	
These regulations apply to England and came into force on the 1 st April 2018	
They give powers to district councils in England to require the keeper of a vehicle to pay a fixed (civil) penalty if there is reason to believe that a littering offence has been committed from the vehicle.	
Key Features	
The London Local Authorities Act 2012 gives powers to borough councils in London to impose a penalty charge on the owner of vehicles that the litter is thrown from, but previously these powers were not available in the rest of England. The Environmental Protection Act 1990 states the Secretary of State must give similar powers to the rest of England.	
The ranges and default littering penalty charges are set out in the Environmental Offences (Fixed Penalties) (England) Regulations 2017 which came into force on the same day as these Regulations. Littering is a criminal offence and action should be taken against the offender regardless of where they are - whilst it can be difficult to identify when someone has littered from a car, if it can be proven. As it is a civil fine and not a criminal penalty, it doesn't need to be proven to a criminal standard of proof.	
These regulations are relevant to the University as they can affect staff whilst travelling off site on University business both in personal vehicles but particularly in University Vehicles.	
Amendments	

These regulations were amended by the Littering From Vehicles Outside London (Keepers: Civil Penalties) (Amendment) Regulations SI 2021 which came into force on the 14th Feb 2022 in order to ensure that the process used by a litter authority to recover unpaid penalties is consistent with other traffic enforcement regimes.

Chapter 4 – Transport

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to travel and transport activities at the University as well as the wider climate impact of these. Although there is not a lot of legislation in this area they are applicable because of the travel activities at the University. Transport is a major source of greenhouse gases. Around a quarter of domestic carbon dioxide (CO₂) and other greenhouse gas emissions in the UK come from transport. Transport is also a source of other emissions and particulates which can significantly impact air quality.

The following legislation is covered within this Chapter:

- [Climate Change Act 2008 \(As Amended\)](#)
- [The Traffic Management Act 2004 \(As Amended\)](#)

The Climate Change Act 2008 – See Chapter 2

Legislation	The Traffic Management Act 2004 (As Amended) http://www.legislation.gov.uk/ukpga/2004/18/contents
Overarching Principle	
The Traffic Management Act 2004 (TMA) was introduced to tackle congestion and disruption on the road network in towns and cities. It was introduced into UK law in 2004 and addresses issues such as the designation of traffic officers, management of road networks and the civil enforcement of traffic.	
Key Features	
The Act places a duty on local traffic authorities to make sure that traffic can move freely and quickly on their roads and on the roads of nearby authorities/strategic highways company. The Act also delineates the provisions of designating traffic officers.	
Under the Act, traffic authorities or a strategic highways company must make sure road networks are managed effectively to minimise congestion, disruption to vehicles and pedestrians. They must also plan and coordinate road works and street works and consider the impact on neighbouring traffic authorities of any such works or activities.	
The TMA also provides the traffic authorities more tools to manage parking policies (such as double parking, parking at dropped footways), and additionally enforces some moving traffic offences. This includes any impacts that congestions and moving traffic may on the environment through the production of traffic emissions.	
Amendments	
Some amendments have been made to the Traffic Management Act 2004, many of which are a result of the Infrastructure Act 2015 which appoints "strategic highways companies" to manage strategic roads in England instead of the Highways Agency. The strategic highways company is also referred to as 'the network management authority'.	
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Traffic Management Act 2004.	

Chapter 5 – Construction, Development and Land Use

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to the construction and development activities and general use and management of land on the University campus. It also encompasses legislation relating to maintenance of the University campus and estate and the conservation of on-site wildlife and biodiversity, including activities that may impact on-site biodiversity. The legislation applies as we are in constant development and must ensure that the campus develops in a sustainable manner and in a way which protects and enhances biodiversity.

The following legislation is covered within this Chapter:

- [The Countryside and Rights of Way Act 2000](#)
- [Natural Environment and Rural Communities Act 2006](#)
- [Town and Country Planning Act 1990](#)
- [Protection of Badgers Act 1992](#)
- [Wild Mammals Protection Act 1996](#)
- [Wildlife and Countryside Act 1981](#)
- [The Conservation of Habitats and Species Regulations 2017](#)
- [Hedgerow Regulations 1997](#)
- [Town and Country Planning \(Environmental Impact Assessment\) Regs 2017](#)
- [The Food and Environment Protection Act 1985](#)
- [The Control of Pesticides Regulations 1986 \(As Amended\)](#)
- [Plant Protection Products \(Sustainable Use\) Regulations 2012](#)
- [The Contaminated Land \(England\) Regulations 2006](#)
- [Environmental Protection Act \(EPA\) 1990 Part IIA \(Contaminated Land\)](#)
- [Building Regulations 2010 \(As Amended\)](#)
- Honey Regulations 2015
- Bee Diseases and Pests Control (England) Order SI 2006

Legislation	The Countryside and Rights of Way Act 2000 http://www.cedrec.co.uk/environmental/summary/act/uk/3724/index_o.htm
Overarching Principle	
<p>The Countryside and Rights of Way Act 2000 (CROW) received Royal Assent on 30 November 2000. Certain provisions came into force on 30 January 2001 but the remaining provisions require the Secretary of State to make commencement orders to give them effect.</p> <p>The purpose of the Act is to create a new statutory right of access on foot to certain types of open land, to modernise the public rights of way system, to strengthen nature conservation legislation, and to facilitate better management of Areas of Outstanding Natural Beauty (AONBs). It aims to extend the public's ability to enjoy the countryside while also providing safeguards for landowners and occupiers.</p>	
Key Features	
<p>In particular, the Act:</p> <ul style="list-style-type: none"> • Creates a new statutory right of access to open country and registered common land. • From 31 October 2005, members of the public are able to walk across large areas of land across the whole of England. • Modernises the rights of way system. • From 1 October 2007, s.69 of CROW is commenced with the aim of improving the accessibility of the footpath and bridleway network to people with mobility problems. • Provides better management arrangements for areas of outstanding natural beauty (AONBs). 	

- Local authorities whose areas contain AONBs are required to prepare and publish a management plan for each AONB.
- Where there is local support, conservation boards can be created for individual AONBs to take over responsibility for the management plan and other aspects of the AONB management from the local authority.
- Public bodies, ministers, statutory undertakers and those holding public office must have regard to the purpose of conserving and enhancing the natural beauty of the AONB when doing anything so as to affect the land in an AONB.
- The various legislation relating to AONBs legislation is consolidated under CROW.
- Strengthens wildlife enforcement legislation.

Amendments

The Countryside and Rights of Way Act 2000 (Review of Maps) (England) Regulations SI 2013 came into force on 6 April 2013 and amend the Countryside and Rights of Way Act 2000 in relation to time limits as to when Natural England is required to review the conclusive maps prepared under the Act showing all registered common land and all open country in England.

Legislation

Natural Environment and Rural Communities Act 2006

http://www.cedrec.co.uk/environmental/summary/act/uk/3847/index_o.htm

Overarching Principle

The Act received Royal Assent on 30 March 2006 and mainly applies to England and Wales. It is primarily intended to implement key aspects of the Government's Rural Strategy and is designed to help achieve a rich and diverse natural environment and thriving rural communities.

The Act established Natural England to be the responsible body for conserving, enhancing and managing England's natural environment for the benefit of current and future generations.

Key Features

Key elements of the Act are:

- The establishment of Natural England will unite in a single organisation the responsibility for enhancing biodiversity and landscape — in rural, urban and coastal areas — with promoting access and recreation.
- Establishment of the new Commission for Rural Communities to act as an independent advocate, adviser and watchdog for rural people.
- Curtailment of the inappropriate use of byways by motor vehicles by putting an end to claims for motor vehicle access on the basis of historical use by horse-drawn vehicles.
- Powers for the Secretary of State to directly fund activities within Defra's remit.
- Powers to allow both the Secretary of State, and designated bodies, to delegate Environment, Food and Rural Affairs (EFRA) functions to one another by mutual consent, to provide simple and more effective access to customers. These powers are limited so that regulatory and enforcement functions cannot be delegated to private bodies.
- The Act also contains a number of additional measures designed to help streamline delivery and simplify the legislative framework.

The Act also provides some measures relating to biodiversity, pesticides harmful to wildlife and the protection of birds.

Amendments

No new amendments found as of 16/04/19.

Natural Environment & Rural Communities Act chapter 16. Makes slight amendments to powers given to Public Bodies.

Legislation

Town and Country Planning Act 1990

<http://www.legislation.gov.uk/ukpga/1990/8/contents>

Overarching Principle

The Town and Country Planning Act 1990 is a very comprehensive piece of legislation that regulates development of land in [England and Wales](#). The Act was introduced in 1990 and contains 15 parts with 337 sections, plus 17 Schedules. It serves as an incomplete, but expansive code of planning regulations in England and Wales.

Key Features

Under the Act (except in London and other Metropolitan areas) a development plan as produced by the local planning authority has two parts, the structure plan drawn up by the county council and a local plan drawn up by the district council. The structure plan:

- States the policies and general proposals for the development and other use of land in its area;
- Takes account of the policies at national and regional level insofar as they affect the physical and environmental planning of its area; and
- Provides the framework for local plans.

The local plan:

- Develops the policies and general proposals of the structure plan and relates them to a precise area of land;
- Provides a detailed basis for development control; and
- Brings local planning issues before the public.

Under this Act 'development' is defined as the carrying out of any building, engineering, mining or other operations in, on and over or under land or the making of any material change in the use of any building or other land. Under this act there are three categories of development that do not require planning permission:

- Certain building, engineering or other similar operations which are specifically excluded from the definition of development by s 55(2); an example being the use of land and buildings for agriculture or forestry.
- Types of development which are permitted either under the Town and Country Planning Act 1990 itself or by a general consent laid down in the General Development Order 1988 as amended; examples include development by the Crown, most mining operations and developments in planning zones and enterprise zones.
- In relation to change of certain buildings these restrictions are exempted, this includes, for example the change of an industrial building.

The Part VIII of the Act also covers Tree Preservation Orders. A Tree Preservation Order (TPO) is a ruling made by a local planning authority that is used to protect a tree(s) or woodland from being damaged (this includes protection from cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of trees) without the local council's consent.

A TPO can cover single standing Trees & Woodland, potentially including trees growing within hedges (or old hedges that are of a considerable height and have become a line of trees & is not currently managed as a hedgerow).

Amendments

Town and Country Planning (General Permitted Development) Order SI 1995/418
 Town and Country Planning (Trees) Regulations SI 1990/1892
 Town and Country Planning (Tree Preservation) (England) Regulations SI 2012 came into force in 2012 and largely revoke and replace the Town and Country Planning (Trees) Regulations SI 1999/1892 and outline the procedures connected with tree preservation orders that protect trees.
 Town and Country Planning (General Permitted Development) (England) Order SI 2015/596
 Town and Country Planning (Permission in Principle) Order SI 2017/402
 Town and Country Planning (Environmental Impact Assessment Regulations) SI 2017 571

Legislation	Protection of Badgers Act 1992 http://www.cedrec.co.uk/environmental/summary/act/uk/3712/index_o.htm
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Overarching Principle

The Protection of Badgers Act 1992 consolidates and improves previous legislation and aims to protect badgers and their setts within the UK. The Act makes it a serious offence to kill, injure or take a badger, or to damage or interfere with a sett unless a licence is obtained from a statutory authority.

Key Features

Badgers and their setts are protected under the [Protection of Badgers Act 1992, which makes it](#) illegal to kill, injure or take badgers or to interfere with a badger sett.

<p>The term 'badger sett' is normally understood to mean the system of tunnels and chambers, in which badgers live, and their entrances and immediate surrounds. The 1992 Act specifically defines a sett as 'any structure or place which displays signs indicating current use by a badger'. Interference with a sett includes blocking tunnels or damaging the sett in any way.</p> <p>Activities affecting badgers or their setts which would otherwise be illegal can be carried out under licence where there is suitable justification and the problem cannot be resolved by alternative means. National and Regional measures are currently in place for the management of Bovine TB and badger control in the UK.</p>
<p>Amendments</p> <p>No new amendments found as of 16/04/19 & 27/07/2021</p>

<p>Legislation</p>	<p>Wild Mammals Protection Act 1996 http://www.cedrec.co.uk/environmental/summary/act/uk/3735/index_o.htm</p>
<p>Overarching Principle</p> <p>This Act makes it an offense for any person to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.</p>	
<p>Key Features</p> <p>Under the Wild Mammals Protection Act, any person who mutilates kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates a wild mammal with intent to inflict unnecessary suffering is guilty of an offence. A "wild mammal" means any mammal which is not a domestic or captive animal within the meaning of the Protection of Animals Act 1911. Some exemptions are outlined within the legislation. Exemptions apply when:</p> <ul style="list-style-type: none"> • The attempted killing of any such wild mammal as an act of mercy if he shows that the mammal had been so seriously disabled otherwise than by his unlawful act that there was no reasonable chance of its recovering; • The killing in a reasonably swift and humane manner of any such wild mammal if he shows that the wild mammal had been injured or taken in the course of either lawful shooting, hunting, coursing or pest control activity; • Doing anything which is authorised by or under any enactment; • Any act made unlawful by section 1 if the act was done by means of any snare, trap, dog, or bird lawfully used for the purpose of killing or taking any wild mammal; or • The lawful use of any poisonous or noxious substance on any wild mammal. 	
<p>Amendments</p> <p>No new amendments found as of 16/04/19 & 27/07/2021</p>	

<p>Legislation</p>	<p>Wildlife and Countryside Act 1981 http://www.cedrec.co.uk/environmental/summary/act/uk/3764/index_o.htm</p>
<p>Overarching Principle</p> <p>The Wildlife and Countryside Act is the primary piece of legislation for the protection of wildlife and the countryside in Great Britain. The Act deals with the protection of wildlife, including wild animals, birds and plants, and prohibits the release of non-native species. The Act also relates to the countryside and national parks, including the designation of protected areas (SSSIs), and public rights of way. The Act also bans certain methods of killing or taking wild animals, including birds, and restricts the introduction and sale of certain non-native animals and plants. Also sets out the amended laws relating to public rights of way.</p>	
<p>Key Features</p> <p>The Wildlife and Countryside Act (WCA) 1981 creates measures which protect individual species of plant and animal, as well as making provision for the designation of habitats which give further protection to specific sites (Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs).</p>	

Under the WCA 1981 it is an offence to: kill, injure, take any wild bird, take, damage, destroy any nest while in use, or destroy eggs. It is also an offence to possess a wild bird (dead or alive), or its eggs, or to sell / advertise for sale.

Schedule 5 of the WCA 1981 lists wild animals (bats, reptiles, amphibians and rare mammals, fish, butterflies) similarly protected.

Wild plants are also protected making it an offence to intentionally uproot any wild plant with the exclusion of owners, occupiers or authorised persons. Schedule 8 of the WCA 1981 lists plant species where it is an offence to: intentionally pick, uproot, destroy, sell or advertise them for sale.

Further species of plant and animal (generally exotic/invasive species) are listed in schedules within the WCA 1981, the release/propagation of these is an offence.

The WCA 1981 also empowers Nature Conservancy Councils (English Nature/Countryside Commission for Wales) to designate SSSIs and serve Nature Conservation Order (NCOs) where it is an offence to carry out potentially damaging operations without first notifying the NCC.

The Wildlife and Countryside (Amendment) Act 1985 makes references to offences related to killing, injuring or taking badgers, and amends notifications relating to SSSIs.

The Wildlife and Countryside (Amendment) Act 1991 makes word changes to the 1981 Act relating to offences if the person causing the offence knowingly caused or permitted the offence to take place.

The 2010 Order inserts and removes entries from Schedule 9 of the Wildlife and Countryside Act 1981. Schedule 9 animals and plants which are prohibited for release in the wild.

Amendments

The Wildlife and Countryside (Amendment) Act 1985 came into force on 26 June 1985. It makes minor amendments to some time periods and specifications regarding notification periods provided by the Nature Conservancy Council on areas of land that are of special interest and plans by which operations can be carried out on land designated as such.

The Wildlife and Countryside (Amendment) Act 1991 came into force 25 July 1991 and makes grammatical amendments to the Wildlife and Countryside Act 1981, inserts a paragraph on those found guilty of an offence of killing or taking wild birds and their defence, and delineates further offences with regards to the above.

The Wildlife and Countryside (Amendment) Act 1991 chapter 69. It makes minor amendments to offences by bodies corporate where neglect is attributable to an officer of the body corporate and makes them liable to be proceeded against and punished accordingly.

Wildlife and Countryside Act 1981 (Variation of Schedule 2) (England) Order SI 2020 amends Schedule 2 to the Wildlife and Countryside Act 1981, which lists birds that may be killed or taken outside the close season, meaning to do so would not be an offence under the Act.

Wildlife and Countryside Act 1981 (Variation of Schedule 9) (England) Order SI 2020/236 & 548 amends Schedule 9 to the Wildlife and Countryside Act 1981, which lists species that may not be released or allowed to escape and plans which may not be planted or otherwise caused to grow in the wild, 3 species removed meaning to do so would not be an offence under the Act, but also 2 species added but only in relation to areas of England that are European sites or are within 500 metres of the boundary of these sites.

Legislation

The Conservation of Habitats and Species Regulations 2017

http://www.cedrec.co.uk/environmental/summary/regulation/si/10918/index_o.htm

Overarching Principle

The [Conservation of Habitats and Species Regulations 2017](#) often referred to as the Habitats Regulations, implement Retained Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and Retained Directive 2009/147/EC on the conservation of wild birds into national legislation.

The regulations make provision for research and scientific work for the purposes of the Habitats and the Wild Birds Directives and provide that management schemes may be established for European marine sites in order to secure compliance with the requirements of both pieces of EU legislation

<p>Key Features</p> <p>The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.</p> <p>Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive.</p> <p>The Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I and II of the Habitats Directive respectively) to the European Commission.</p> <p>The Regulations enable the country agencies to enter into management agreements on land within or adjacent to a European site, in order to secure its conservation.</p> <p>The Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety).</p>
<p>Amendments</p> <p>The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations SI 2019 will come into force on exit day as defined in the European Union (Withdrawal) Act 2019 and make amendments to legislation around biodiversity protection (Directive 92/43/EEC), the conservation of natural habitats and of wild flora and fauna, and the conservation of wild birds (Directive 2009/147/EC), which will seek to address failures in the legislation when the UK leaves the EU.</p> <p>Directive <u>79/409/EEC</u>, has been replaced in order to make the law clearer and more easily accessible without changing its substance regarding Directive <u>2009/147/EC</u> on the conservation of wild birds and places particular emphasis on protection of wild bird habitat; and Directive <u>92/43/EEC</u> on the conservation of natural habitats and of wild fauna and flora.</p>

Legislation	<p>The Hedgerows Regulations 1997 http://www.cedrec.co.uk/environmental/summary/regulation/si/2244/index_o.htm</p>
EU Directive / Overarching Principle	
<p>The Hedgerow Regulations 1997 aim to protect 'important' countryside hedges from removal. To qualify as 'important', a hedgerow must be at least 30 years old and meet certain criteria, which identify hedgerows of particular archaeological, historical, wildlife and landscape value. Under the Hedgerows Regulations it is an offence to remove or destroy certain hedgerows without permission from the local planning authority.</p>	
Key Features	
<p>Under the Hedgerow Regulations 1997, it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. The local planning authority are also the enforcement body for offences created by the Regulations.</p> <p>Local planning authority permission is normally required before removing hedges that are at least 20 metres (66 feet) in length, more than 30 years old and contain certain plant species. The authority will assess the importance of the hedgerow using criteria set out in the regulations.</p> <p>Defra is the policy body for the Hedgerow Regulations in England.</p>	
Amendments	
<p>No new amendments found as of 17/04/19 & 27/07/2021</p>	

Legislation	<p>Town and Country Planning (Environmental Impact Assessment) Regs 2017 https://cedrec.com/environmental/summary/regulation/si/26140/index_s.htm</p>
Overarching Principle	

These Regulations revoke the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 but still implement Retained Directive [2011/92/EU](#), on environmental impact assessments.

Key Features

Retained Directive [2011/92/EU](#), on environmental impact assessments, requires authorities to carry out an environmental impact assessment for any project before consent is granted for it. This allows them to make a decision in the full knowledge of the possible effects the project may have on the environment.

In addition, it specifies that an environmental statement must be provided for projects that are likely to have a significant effect on the environment.

These Regulations implement Retained Directive [2011/92/EU](#) and contain provisions connected with environmental impact assessments for applications for planning permission for certain developments.

These are detailed regulations and are divided into the following parts:

PART 1:	GENERAL
PART 2:	SCREENING
PART 3:	PROCEDURES RELATING TO APPLICATIONS FOR PLANNING PERMISSION
PART 4:	PREPARATION OF ENVIRONMENTAL STATEMENTS
PART 5:	PUBLICITY AND PROCEDURES ON SUBMISSION OF ENVIRONMENTAL STATEMENTS AND DECISION MAKING
PART 6:	AVAILABILITY OF DIRECTIONS ETC AND NOTIFICATION OF DECISIONS
PART 7:	RESTRICTIONS OF GRANTS OF PERMISSION
PART 8:	UNAUTHORISED DEVELOPMENT
PART 9:	ROMP APPLICATIONS
PART 10:	DEVELOPMENT WITH SIGNIFICANT TRANSBOUNDARY EFFECTS
PART 11:	EXEMPTIONS
PART 12:	MISCELLANEOUS

Amendments

15/3/21 Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations SI 2020/1398 – Temporarily permit changes to how documents are viewed and publicised as a result of coronavirus.

Legislation	The Food and Environment Protection Act, 1985 http://www.legislation.gov.uk/ukpga/1985/48
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Overarching Principle

Statutory powers to control pesticides are contained within Part III of The Food and Environment Protection Act (FEPA). It authorises emergency orders to be made which specify activities that are prohibited as a precaution against the uptake of food that is not suitable for human consumption due to contamination with certain substances or organisms.

Section 16 of the Act describes the aims of the controls as being to protect the health of human beings, creatures and plants, safeguard the environment, secure safe, efficient and humane methods of controlling pests and make information about pesticides available to the public.

Key Features

Part III of the FEPA controls the use of pesticides. It aims to protect humans, fauna, flora and the environment. It also aims to secure safe, efficient and humane methods for pest control.

This Act makes it obligatory for prior consultation with the Environment Agency to occur, before the use of herbicides or pesticides in or near water and before aerial application of such chemicals.

The controls currently in force include:

- Only approved products may be sold, supplied, advertised or used.
- Only products specifically approved for the purpose may be applied from the air.

- A recognised storemans certificate of competence is required for stores who sell or supply pesticides for agricultural use.
- A recognised certificate of competence (BASIS) is required by anyone who gives advice when selling or supplying pesticides for agricultural use.
- Users of pesticides must comply with the conditions of approval relating to its use.
- Only adjuvants approved by Defra may be used.
- Regarding tank mixes; no person must combine or mix pesticides which are anti-cholinesterases unless the approved label of one or more of the products states that the mixture may be made.

Elements of this Act were amended by The Pesticides Act 1998 which amended the [Food and Environment Protection Act \(FEPA\)](#) of 1985 in respect of the powers to make regulations concerning pesticides and in respect of the enforcement of provisions relating to the control of pesticides.

The main purpose of the Pesticides Act 1998 is to amend [FEPA](#) section 16 giving enforcement powers and seizure rights to local authorities of pesticides in breach of prohibition.

Amendments

No new amendments found as of 25/04/19.

Legislation

The Control of Pesticides Regulations 1986

http://www.cedrec.co.uk/health-and-safety/summary/regulation/si/934/index_o.htm

Overarching Principle

The Control of Pesticides Regulations (COPR) 1986 (SI 1986/1510) define in detail those types of pesticides which are subject to control and those which are excluded. They also prescribe the approvals required before any pesticide may be sold, stored, supplied, used or advertised and allow for general conditions on sale, supply, storage, advertisement, and use, including aerial application of pesticides.

Key Features

Under these regulations, users of pesticides should be satisfied that the pesticide selected does not present undue risk to animals and the environment.

Persons using a pesticide approved for agricultural use must have a certificate of competence. COPR has largely been overtaken by EU legislation regulating plant protection products (pesticides to protect plants/crops), and only survives to regulate a few commodity substances and products used to generate ethylene (for fruit ripening) in the UK, which fall outside the scope of the EU regime. They make provision for the use, sale, supply, storage and advertising of pesticides, so as to enforce Retained Regulation (EC) 1107/2009, which prohibits the marketing and use of plant protection products containing certain active substances, in Great Britain.

Amendments

The 1986 Regulations were updated by the COPR (Amendment) Regulations 1997 (SI 1997/188). The 1997 amendment explains regulations and safe disposal. It sets out restrictions on selling, advertising, supplying, using and storing pesticides, and precautions to protect the health of humans, the environment, and particularly water, when using pesticides.

No other new amendments found as of 25/04/19 & 27/07/2021

Legislation

Plant Protection Products (Sustainable Use) Regulations 2012

http://www.cedrec.co.uk/environmental/summary/regulation/si/15800/index_s.htm

Overarching Principle

These Regulations implement Retained Directive [2009/128/EC](#), on the sustainable use of pesticides and the use of plant protection products, including the requirement for the UK to adopt a National Action Plan (NAP) and provisions to achieve the sustainable use of pesticides by reducing risks and their impacts on human health and the environment. These Regulations also set out controls over plant protection product usage and purchase, requiring certification or supervision, and use with precaution for human health and the environment, specifications for application, amount used and frequency. There are also provisions which apply to plant protection product

application equipment and necessary inspection. Professional users must carry out regular calibrations and technical checks of the plant protection product application equipment they use.
Key Features
<p>The EU regime for plant protection products has become increasingly harmonised over the years. Under the Thematic Strategy for Pesticides three recent key pieces of legislation have taken this process forward:</p> <ul style="list-style-type: none">• Retained Regulation (EC) 1107/2009, on the placing of plant protection products on the market;• Retained Regulation (EC) 396/2005, on maximum residue levels of pesticides in or on food and feed of plant and animal origin; and• Retained Directive 2009/128/EC, which controls the use of plant protection products. <p>In addition, the Plant Protection Products (Fees and Charges) Regulations SI 2011/2132 set fees and charges to recover the Government's costs of implementing the above legislation. To help support the enforcement of Regulation (EC) 1107/2009 are the:</p> <ul style="list-style-type: none">• Plant Protection Products Regulations SI 2011/2131; and• Plant Protection Products Regulations (Northern Ireland) SR 2011/295. <p>These Regulations implement Directive 2009/128/EC, and apply to all pesticides that are plant protection products. This includes pesticides used to protect plants from pests and diseases in agriculture, the amenity sector and domestic gardens. The Directive will be extended to cover pesticides that are biocidal products (such as non-agricultural pesticides, disinfectants and preservatives) in the future.</p>
Amendments
No new amendments found as of 25/04/19 & 08/06/20 & 27/07/2021

Legislation	The Contaminated Land (England) Regulations 2006 (As Amended). http://www.cedrec.co.uk/environmental/summary/regulation/si/1854/index_o.htm
Overarching Principle	<p>These regulations update the Contaminated Land (England) Regulations 2000 and the 2001 Amendment Regulations. The Regulations, which apply to England only, set out provisions relating to the identification and remediation of contaminated land under Part IIA of the Environmental Protection Act 1990 (the 1990 EPA).</p>
Key Features	<p>The Regulations make provision for an additional description of contaminated land that is required to be designated as a special site i.e. land which is contaminated land as a result of radioactive substances in, on or under that land. The Regulations identify categories of 'special' sites where the Environment Agency is to be the enforcing authority.</p> <p>The Regulations also clarify 'remediation notices' which can be served by a local authority or the Environment Agency specifying what is to be done by way of remediation and the time to be taken for action.</p> <p>The Regulations also expanded the definition of 'contaminated land' to include land contaminated by radioactive substances where harm is being caused or there is a significant possibility of harm being caused.</p> <p>In addition, the Regulations set out the regime for local authorities and the Environment Agency in identifying contaminated land and issuing remediation notices to the owners of the land. It also provides details of remediation techniques that can be applied.</p>
Amendments	<p>The Contaminated Land (England) (Amendment) Regulations SI 2012/263 came into force 6 April 2012 and amend the Contaminated Land Regulations 2006 by altering the circumstances in which contaminated land affecting controlled waters is required to be designated as a special site, and by limiting the application of the regulation relating to the modification of a remediation notice to appeals beginning before 6 April 2012.</p>

The Environment (Amendment etc) (EU Exit) regs 2019 amend these by Regs by removing references to EU member state and various EU legislation, so that the legislation remains operable after the UK leaves the EU.

Legislation	Environmental Protection Act (EPA) 1990 Part IIA (Contaminated Land) http://www.cedrec.co.uk/environmental/summary/act/uk/3761/9886_s.htm
Overarching Principle	
<p>Part IIA of the Environmental Protection Act 1990 sets out a regime for the identification and compulsory remediation action for contaminated land.</p> <p>Detailed rules for the operation of the regime are set out in the Contaminated Land (England) Regulations 2000 and DETR Circular 01/2006 on Contaminated Land.</p> <p>Part IIA aims to identify land affected by contamination that presents an unacceptable risk in its present state. If this happens, Part IIA tries to ensure that where possible, work is carried out to ensure the land is suitable for use making the level of risk acceptable.</p>	
Key Features	
<p>These Regulations lay out the regime for the designation and remediation of contaminated land. Under the regulations contaminated land is defined as: “<i>any land which appears to the Local Authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that:</i></p> <ul style="list-style-type: none">• <i>Significant harm is being caused or there is a significant possibility of such harm being caused;</i>• <i>Pollution of controlled waters is being, or is likely to be, caused.”</i> <p>Local Authorities have a duty to inspect their area and draw up a list of contaminated sites. The Local Authority must then ensure remediation of contaminated land, by issuing remediation notices to the relevant persons, which are usually those persons responsible for releasing or knowingly permitting the release of contaminants.</p> <p>For historic contamination where no directly responsible person can be identified, or where there is uncertainty of the source of contamination, it is usually the current owner or occupier of the land who is held responsible.</p> <p>It is the responsibility of the relevant persons to notify the Local Authority of any contaminated land, or potential contaminated land, on their premises so the site can be added to their register of contaminated land sites.</p> <p>The Local Authority may require further testing of the land to determine the extent of contamination and whether remediation is required.</p>	
Amendments	
<p>The Environment (Amendment etc) (EU Exit) regs 2019 amend these by Regs by removing references to EU member state and various EU legislation, so that the legislation remains operable after the UK leaves the EU.</p>	

Legislation	Building Regulations 2010 (as Amended) https://cedrec.com/environmental/summary/regulation/si/11276/index_o.htm
Overarching Principle	
<p>The Building Regs 2010 are delivered under the powers granted by the European Communities Act 1972 & the Building Act 1984. They define key minimum standards for new buildings and refurbishments and deliver the requirements of the following EU directives:</p> <ul style="list-style-type: none">• Directive 2018/2001/EU, on promoting energy use from renewable sources;• Directive 2010/31/EC, on the energy performance of buildings.	
Key Features	
<p>These Regulations came into force on 1 October 2010 and apply to England and Wales. They revoke and replace the Building Regulations SI 2000/2531, and bring together all subsequent amendments to those Regulations.</p>	

These Regulations also set out the procedures for the control of building work by [local authorities](#), a similar building control system for regulating the private sector is established by the Building (Approved Inspectors etc) Regulations [SI 2010/2215](#). They apply to altered and newly constructed buildings for domestic, commercial or industrial purposes, and cover the technical standards and procedures that need to be met and followed when building work is undertaken.

The general functional requirements for buildings are established by these Regulations and are supported by Approved Documents issued under the [Building Act 1984](#), which sets out detailed practical guidance on complying with those requirements.

These regulations are supported by approved documents on a number of key areas of which the following are of particular environmental importance:

- Part E – Resistance to the passage of sound
- Part G – Sanitation, hot water safety and water efficiency
- Part H – Drainage and Waste disposal
- Part L – Conservation of Fuel and Power
- Regulation 7 Materials and Workmanship

Amendments

The Building (Amendment) Regulations SI 2012/3119 came into force on 9 January 2013 and apply fully to England. They implement, where possible, Directive 2010/31/EU on the energy performance of buildings and make some amendments to Building Regulations SI 2010/2214 in terms of certification provisions.

The Building (Amendment) Regulations SI 2013/181 came into force on 6 February 2013 and make minor amendments to the Energy Performance of Buildings Regulations 2012.

The Building (Amendment) (No. 2) Regulations SI 2013/1959 amend the Building Regulations 2010 to add provisions relating to target fabric energy efficiency (TFEE) rates and new dwellings.

The Building (Amendment) Regulations SI 2014/579 amend the Building Regulations 2010 by introducing provisions for third party certification of electrical installations in dwellings.

The Building (Amendment) Regulations SI 2015/767 amend the Building Regulations 2010 by providing for the introduction of an optional requirement for water efficiency in certain new dwellings.

The Building (Amendment) Regulations SI 2016/285 amend the Building Regulations 2010 in order to revoke requirements relating to the provision of energy performance certificates for new and specified converted buildings, amend and supplement the implementation of Directive 2010/31/EU on the energy performance of buildings, and clarify that methodologies approved by the Secretary of State must be used in determining the energy performance of buildings under the various provisions in the Regulations.

The Building (Amendment) Regulations 2018 amend the Building Regulations 2010 in order to introduce a ban on combustable materials.

The Building (Amendment) Regulations 2021 amend the Building Regulations 2010 in order to require the installation of electric vehicle charge points or cable routes for such charge points.

The Building (Amendment) Regulations 2021 amend the Building Regulations 2010 in order to provide for a new way of measuring energy efficiency

The Building (Amendment) Regulations 2022 amend the Building Regulations 2010 in order to refine the ban on combustable materials.

Legislation	Honey Regulations 2015 http://www.legislation.gov.uk/ukxi/2015/1348/made
Overarching Principle	The Honey (England) Regulations 2015 came into force on 24 th June 2015 and provide guidance on honey production from a food safety perspective.
Key Features	The Honey Regulations 2015 provide the definition of honey type and its compositional requirements for it to be named a certain type of honey.

They also detail the labelling requirements for the product if it is to be sold; requirements include stating the country of origin in which the honey was harvested.
Amendments
No amendments noted 27/07/2021

Legislation	Bee Diseases and Pests Control (England) Order SI 2006 https://cedrec.com/legislation/50911/summary
Overarching Principle	
The Bee Diseases and Pests Control (England) Order 2006 came into force on 17 th March 2006 and amended existing disease control measures to protect the health of the English honey bee population.	
Key Features	
This order requires: Beekeepers (and others) are required to notify the Secretary of State of the suspicion of the presence of the notifiable diseases, American and European foul brood, which are already present in England, and of two new bee pests, the small hive beetle and tropilaelaps mites. Anyone in charge of a hive must immediately notify the Secretary of State if they know or suspect that: <ul style="list-style-type: none">○ any bees from the hive are infected with a notifiable disease;○ a notifiable pest is present in the hive; or○ a notifiable pest is present on or in the same premises or vehicle as the hive Anyone in charge of a hive who knows that any species of the Varroa mite (Varroosis) is present within that hive, must notify the Secretary of State as soon as is practicable. Any other person who discovers in the course of their occupation the presence of the Varroa mite (Varroosis) in a hive, must also notify the Secretary of State . Where a notification has been given to the Secretary of State , the owner or person in charge of the hive must abide by requirements pertaining to <ul style="list-style-type: none">● Prohibition,● marking of hives and appliances● Notices prohibiting removal● Disease control measures● Pest control measures● Any further requirements of the legislation	
Amendments	
This order is amended by the Bee Diseases and Pests Control (England) (Amendment) Order SI 2021 which adds notification requirements in respect of the presence in a hive of the Varroa mite (Varroosis).	

Chapter 6 – Procurement

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to purchasing and procurement activities at the University, including the procurement of goods, products and services. Due to the nature of procurement activities, and the broad range of goods and services procured by the University, there are a large number of environmental

legislative pieces that apply directly, and most often indirectly, to such procurement activities. Furthermore, the legislation listed here will impact procurement activities in vastly different ways, depending on the variety, quantity and frequency of those goods and services being purchased. For this purpose, individual justifications have not been applied to the legislation. All individual pieces have been included to purely build general awareness of the goods and services that the University may procure and the associated legislative controls that exist and may apply.

The following pieces of legislation are covered within this Chapter.

- Energy and Carbon Related Legislation
- Emissions to Air Related Legislation
- Noise Related Legislation
- Chemicals and Dangerous Substances Related Legislation
- Waste and Resource Management Related Legislation

Legislation	Energy Information Regulations 2011 http://www.legislation.gov.uk/ukxi/2011/1524/contents/made
Overarching Principle	
Came into force on 20 July 2011. These regulations implement the requirements of Directive 2010/30/EU on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products.	
Key Features	
The Energy Information Regulations 2011 SI 1524 apply to energy-related products which have a significant direct or indirect impact on energy consumption and require information to be provided to customers. They implemented the requirements of Directive 2010/30/EU subsequently replaced by Retained Regulation (EU) 2017/1369 and include powers of enforcement to improve the environmental performance of products.	

Legislation	EU Regulation on a Revised Community Eco-Label Award Scheme 1980/2000 http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32000R1980
Overarching Principle	
The objective of the Community eco-label award scheme is to promote products which have the potential to reduce negative environmental impacts, as compared with the other products in the same product group, thus contributing to the efficient use of resources and a high level of environmental protection. This objective shall be pursued through the provision of guidance and accurate, non-deceptive and scientifically based information to consumers on such products.	
Key Features	
The EU Regulation on a Revised Community Eco-Label Award Scheme 1980/2000 sets out a scheme to award an 'eco-label' to manufacturers who want to inform consumers about what they are doing to reduce the environmental impact of their products. The Community Eco-label award scheme is designed to promote products which have a reduced environmental impact and provide consumers with accurate and scientifically based information and guidance on products.	

Legislation	EU Regulation on ecodesign requirements for non-directional household lamps 244/2009 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:076:0003:0016:en:PDF
Overarching Principle	

Revoked by Retained Regulation (EU) 2019/2020 (OJ:L315/209/2019) laying down ecodesign requirements for light sources and separate control gears

This Regulation establishes ecodesign requirements for the marketing of so-called non-directional household lamps, commonly referred to as bulbs, including lamps marketed for non-household use or integrated into other products.

It implements Retained Directive 2009/125/EC, establishing a framework for the setting of ecodesign requirements for energy-related products.

Key Features

This Regulation defines the legal framework for setting ecodesign requirements on energy-related products, including fluorescent lamps, high intensity discharge lamps, ballasts and luminaires. It also includes benchmarks for office lighting products.

Ecodesign requirements are minimum requirements that the products need to fulfil if they are to display the CE marking, which is a condition for their planning on the EU market.

The original Directive from 2000 covered only energy-using products, but its scope was extended to energy-related products in 2009. The requirements on the individual product groups are set in implementing legislation.

Legislation	EU Regulation on ecodesign requirements for fluorescent and high intensity discharge lamps, and for ballasts and luminaires 245/2009 http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0245
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EU Directive / Overarching Principle

Key Features

This Regulation establishes eco-design requirements for marketing non-directional household lamps including those marketed for non-household use.

This Regulation defines ecodesign requirements in three progressive stages (2009, 2012 and 2017), each representing a gradual increase in the targets and/or extending the scope of the requirements to new sub-categories of products.

The Regulations apply to fluorescent lamps without integrated ballast, high intensity discharge lamps and ballasts and luminaires able to operate such lamps.

The [EU Regulation on Eco-design requirements for lamps 347/2010](#) amends 245/2009 by introducing new definitions and technical information, including efficacy values for fluorescent lamps.

Legislation	EU Regulation 1222/2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:342:0046:0058:en:PDF
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EU Directive / Overarching Principle

Key Features

This Regulation requires tyre suppliers to ensure that the tyres they deliver to distributors and end users are labelled with their fuel efficiency and noise levels from 1 November 2012.

The label provides information on fuel efficiency, wet grip and external rolling noise through clear pictograms. The label aims to enable consumers to make informed choices when buying tyres, ranked on a scale from A (best) to G (bad).

Legislation	Biofuels Directive 2003 (Directive on the promotion of the use of biofuels or other renewable fuels for transport) http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0028
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EU Directive / Overarching Principle

Key Features
<p>The Directive 2003/30/EC on the promotion of the use of biofuels or other renewable fuels for transport, EU established the goal of reaching a 5.75% share of renewable energy in the transport sector by 2010.</p> <p>The Directive aims to reduce dependency on the use of oil-based fuels by requiring EU Member States to legislate and report on the biofuels used for transport, and to ensure biofuels account for a minimum proportion of the fuel sold on their territories.</p> <p>Within the legislation biofuels are classed as any liquid or gaseous fuels which are produced from biomass, for example biodegradable waste and residue from agriculture and forestry.</p>

Legislation	Article 5 of the EU Energy Services Directive 2008 http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006L0032
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Overarching Principle
<p>There is a need for improved energy end-use efficiency, managed demand for energy and promotion of the production of renewable energy, as there is relatively limited scope for any other influence on energy supply and distribution conditions in the short to medium term, either through the building of new capacity or through the improvement of transmission and distribution.</p>

Key Features
<p>The Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006 on energy end-use efficiency and energy services requires public sector organisations to take an exemplary role as well as undertaking two measures from a 'shopping list' of six measures.</p> <p>This list includes measures such as purchasing equipment and vehicles based on lists of energy-efficient product specifications and purchasing equipment that has energy efficient consumption in all modes, including in standby mode.</p> <p>The Directive applies to the distribution and retail sale of energy, the delivery of measures to improve end-use energy efficiency, with the exception of activities included in the greenhouse gas emissions trading scheme.</p>

6.3.2 Emissions to Air Related Legislation

Legislation	Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012 https://cedrec.com/environmental/summary/regulation/si/15833/index_s.htm
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Overarching Principle
<p>These Regulations came into force on 27 July 2012 and apply to England, Scotland, Wales and Northern Ireland.</p>

They revoke and remake the Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations SI 2005/2773, and in doing so, continue the implementation of Directive 2004/42/EC, on the limitation of emissions of volatile organic compounds (VOCs) due to the use of organic solvents in certain paints, varnishes and vehicle refinishing products (the VOCs in Paints Directive).

In particular, these Regulations implement, through the Full Text of Schedule 3 to these Regulations, the new analytical methods for determining VOC content introduced into Directive 2004/42/EC, as a result of amendments made to it by Directive 2010/79/EU.

Key Features

These Regulations apply to the paints, varnishes and vehicle refinishing products set out in the Full Text of Schedule 1 to these Regulations ("relevant products").

Relevant products must not be marketed unless they:

- have a VOC content which does not exceed the limit values set out in the Full Text of Schedule 2 to these Regulations; and
- carry a label that indicates the:
 - sub-category of the product and the relevant VOC limit values, measured in g/l, and
 - maximum content of VOC in g/l of the product in a ready to use condition.

Legislation	The Aerosol Dispensers Regulations 2009 (As Amended) https://www.legislation.gov.uk/ukxi/2009/2824/contents
Overarching Principle	
The Aerosol Dispensers Regulations 2009 apply the requirements of the Aerosol Dispensers Directive 75/324/EEC (the ADD) which relates to the safety of aerosol dispensers. Commission Directive 2013/10/EU of 19 March 2013 amends the ADD to include several changes.	
Key Features	
These Regulations require all aerosol dispensers to be clearly marked to confirm they satisfy the safety measures laid down in the Annex to the Directive. The Regulations cover aerosol dispensers defined as "non-reusable containers made of metal, glass or plastic and containing a gas compressed, liquefied or dissolved under pressure, with or without a liquid, paste or powder, and fitted with a release device allowing the contents to be ejected as solid or liquid particles in suspension in a gas, as a foam, paste or powder or in a liquid state.	

Legislation	The Sulphur Content of Liquid Fuels (England and Wales) Regulations 2007 https://cedrec.com/environmental/summary/regulation/si/2909/index_s.htm
Overarching Principle	
These Regulations came into force on 16 February 2007 and apply to England and Wales. They make provisions which prohibit the use of various liquid fuels which exceed a certain sulphur content and implement Directive 99/32/EC, on a reduction in the sulphur content of certain liquid fuels. As a result of being amended by Sulphur Content of Liquid Fuels (England and Wales) (Amendment) Regulations SI 2014/1975, these Regulations also implement Directive 2012/33/EU, amending Directive 1999/32/EC as regards the sulphur content of marine fuels.	
Key Features	
They aim to aim to reduce emissions of sulphur dioxide by limiting sulphur content in heavy fuel oils and gas oil, and prohibiting the use of oil containing sulphur above these limits. The Regulations prohibit the use of any heavy oil which has a sulphur content greater than 1% by mass and the use of any gas oil which has a sulphur content greater than 0.1% by mass.	

6.3.3 Noise Related Legislation

Legislation	Household Appliances Noise (Emission) Regulations SI 1990/161 https://cedrec.com/environmental/summary/regulation/si/2265/index_s.htm
Overarching Principle	
These Regulations came into force on 28 February 1990 and apply to England, Scotland, Wales and Northern Ireland. They prohibit the marketing of any household appliance, unless the level of airborne noise is determined accordingly. As a result, they implement Retained Directive 2009/125/EC , on airborne noise emitted by household appliances.	

Key Features
It is prohibited for any manufacturer or importer to market any appliance which does not comply with the requirements of the Directive.

Legislation	Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001 https://cedrec.com/environmental/summary/regulation/si/22/index_o.htm
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Overarching Principle
The Regulations implement the requirements of the Outdoor Noise Directives 2000/14/EC and 2005/88/EC (Directive on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors). The requirements are implemented through the Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001 (SI 2001/1701), as amended by SI 2001/3958 and SI 2005 No3525.

Key Features
This legislation aims to control and monitor noise of equipment for use outdoors so as to reduce noise nuisance and protect human health and the environment. They establish maximum noise levels for equipment used outdoor, such as those within construction and land maintenance activities. The Regulations also revoke all previous Construction Plant and Equipment Regulations. They place requirements on persons supplying equipment listed in the regulations to ensure the equipment does not exceed maximum noise levels, and includes methods of measurement. It applies to a wide range of construction plant and equipment, such as pumps, drills, saws, compactors, generators, lawn mowers and concrete breakers. In total, 57 different pieces of equipment are named within the Regulations. Before equipment and machinery subject to noise limits can be used outdoors, it must pass an inspection carried out by a notified body to ensure they comply with the limitations set out in the Regulations. Notified bodies are approved by the Department for Business, Innovation & Skills (BIS) through the UK Accreditation Service (UKAS). If the equipment or machinery is subject to noise limits, the notified body will inspect the production facilities to assess quality assurance procedures in accordance with the regulations. It will test the equipment or machinery and issue a technical file.

6.3.4 Chemicals and Dangerous Substances Related Legislation

Legislation	The Detergents Regulations 2010 https://cedrec.com/environmental/summary/regulation/si/10775/index_f.htm
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Overarching Principle
These Regulations enforce the EU Regulation 648/2004. They revoke and re-enact with amendments the Detergents Regulations 2005. This Regulation establishes rules in order to achieve the free movement of detergents and surfactants for detergents, in the internal market, whilst ensuring a high degree of protection for the environment and human health. It requires that detergents and cleaning products meet minimum levels of biodegradability and also increases consumer protection through more complete labelling which includes any substance that could cause allergies.

Key Features

Manufacturers must list on the labelling all components in decreasing order of concentration as well as the address of a website where consumers can obtain the complete list of ingredients.

Essentially, it harmonises the following rules for marketing detergents:

- the biodegradability of surfactants in detergents;
- restrictions or bans on surfactants, because of biodegradability;
- additional labelling of detergents;
- the information that manufacturers must hold;

limitations on the content of phosphates and other phosphorus compounds in consumer laundry detergents and consumer automatic dishwasher detergents.

The Regulations introduce requirements for the composition and labelling of detergents. Introduces a ban from 1 January 2015 on sale of domestic laundry cleaning products containing inorganic phosphates.

Legislation	The Chemicals (Hazard Information and Packaging for Supply) Regulations 2009 http://www.legislation.gov.uk/ukxi/2009/716/contents/made
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EU Directive / Overarching Principle

Key Features

CHIP is the abbreviated name for the Chemicals (Hazard Information and Packaging for Supply) Regulations 2009 SI 716 (HSE)

CHIP implements two European Directives:

- The Dangerous Substances Directive (No. 67/548/EEC).
- The Dangerous Preparations Directive (No. 99/45/EC).

The Dangerous Substances Directive and the Dangerous Preparations Directive are being replaced by the direct-acting European CLP Regulation. From 1 June 2015, both Directives will be fully withdrawn and will no longer have any legal effect.

As a result, the CHIP Regulations will also be repealed. There are transitional arrangements in place to help suppliers make the move to the CLP system. From 1 June 2015, chemical suppliers must comply with the CLP Regulation.

Legislation	REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Enforcement Regulations 2008 https://cedrec.com/environmental/summary/regulation/si/3502/index_f.htm
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Overarching Principle

These Regulations came into force on 1 December 2008 and apply to England, Scotland, Wales and Northern Ireland.

They create an enforcement regime for Regulation (EC) 1907/2006, on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH). REACH came into force on 1 June 2007 and were brought into force in stages up to 1 June 2018.

Key Features

The main aim of REACH is to improve the protection of human health and the environment through the better and earlier identification of the intrinsic properties of over 30,000 chemical substances. It will make those who market chemicals responsible for providing information on them so that any hazards are understood and the risks associated with their use are properly managed. It applies to manufacturers, importers, professional users and distributors of chemicals.

6.4.5 Waste and Resource Management Related Legislation

Legislation	Packaging (Essential Requirements) Regulations 2015 https://cedrec.com/environmental/summary/regulation/si/22870/index_s.htm
Overarching Principle	
<p>These Regulations came into force on 1 October 2015 and apply to England, Scotland, Wales and Northern Ireland.</p> <p>They revoke and replace the Packaging (Essential Requirements) Regulations SI 2003/1941, setting the essential requirements packaging must meet before it can be placed on the market. They provide enforcement authorities with powers for the enforcement of those obligations.</p> <p>These Regulations implement and work alongside the essential requirements for packaging set by the following legislation:</p> <ul style="list-style-type: none"> • Retained Reference Directive Directive 94/62, on Packaging and Packaging Waste; • Retained Reference Directive Decision 99/177, on derogations for plastic crates and plastic pallets in relation to heavy metal concentration levels; • Retained Decision 2001/171, on glass packaging in relation to heavy metal concentration levels. 	
Key Features	
<p>These Regulations apply to any business responsible for filling packaging with products, placing own brand products onto the UK market or importing products in packaging into the UK. They set a number of requirements and minimum amounts relating to packaging volume and weight so as to maintain necessary levels of safety, hygiene and acceptance for the packed product and for the consumer.</p> <p>Packaging must also be manufactured so as to permit reuse or recovery in accordance with specific requirements. It also set requirements for noxious or hazardous substances in packaging to ensure they are minimised in emissions, ash or leachate from incineration or landfill.</p>	
Legislation	Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (As amended) https://cedrec.com/environmental/summary/regulation/si/2436/index_s.htm
Overarching Principle	
<p>These Regulations came into force on 16 March 2007 and apply to England, Scotland and Wales.</p> <p>They impose obligations on producers to recover and recycle packaging waste in order to implement and achieve the targets set under Retained Reference Directive 94/62, on packaging and packaging waste. In doing so, they consolidate and revoke the Producer Responsibility Obligations (Packaging Waste) Regulations SI 2005/3468.</p>	
Key Features	
<p>They apply to those producers who have an annual turnover of more than £2 million and handle packaging or packaging materials weighing more than 50 tonnes per year.</p> <p>These Regulations make some technical changes and set out the National Packaging Waste Database. As a result, they provide for the electronic submission of packaging waste recycling notes (PRNs) and packaging waste export recycling notes (PERNs).</p>	

Chapter 7 – Emissions to Air

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to emissions to air and their impact on air quality and air quality standards. It includes legislation relating to emissions generated from energy production, traffic and other fuel combustion activities. It also covers emissions, smoke, dust and particulates from other sources, such as research, maintenance and construction activities. This legislation is applicable because of the activities the University undertakes which could or do occur across all our operations some of which have the potential for significant environmental impact.

This Chapter of the Legal Register focuses on those pieces of environmental legislation relating to

The following UK Acts and Regulations are covered within this Chapter:

- [Clean Air Act 1993](#)
- [Ozone Depleting Substances Regulations 2015](#)
- [The Fluorinated Greenhouse Gases Regulations 2015 \(As Amended\)](#)
- The Medium Combustion Plant Directive

Legislation	Clean Air Act 1993 http://www.cedrec.co.uk/environmental/summary/act/uk/3852/index_s.htm
Overarching Principle	
This Act provides a comprehensive control mechanism to reduce air pollution and protect the environment from smoke, dust and fumes and brings together and replaces the previous provisions in the 1956 and 1968 Clean Air Acts	
Key Features	
The following Parts of this Act have particular significance:	
PART 1: DARK SMOKE	
PART 2: SMOKE, GRIT, DUST AND FUMES	
PART 3: SMOKE CONTROL AREAS	
PART 4: AIR POLLUTION	
PART 1: DARK SMOKE	
Chimneys - It is an offence to emit dark smoke from a chimney:	
<ul style="list-style-type: none"> • of a building; • serving the furnace of a fixed boiler or industrial plant; • of a vessel. 	
PART 2: SMOKE, GRIT, DUST AND FUMES	
Installation of furnaces	
The local authority must be notified of a proposal to install a furnace (other than a domestic furnace) in any building. This will only be approved if it can operate continuously without emitting smoke when burning its normal fuel.	
Grit and dust emissions	
It is an offence to emit grit or dust from a chimney of a furnace (other than a domestic furnace) in excess of the limits set out in the Clean Air (Emission of Grit and Dust from Furnaces) Regulations SI 1971/162 , for England and Wales;	
PART 3: SMOKE CONTROL AREAS	
Smoke control areas	
A local authority may use a 'smoke control order' to declare the whole or part of its area a smoke control area.	
PART 4: AIR POLLUTION	
Regulations about sulphur content of oil fuel for furnaces or engines	

In order to limit and reduce air pollution, the Secretary of State has produced the Sulphur Content of Liquid Fuels (England and Wales) Regulations [SI 2007/79](#),

Amendments

The Clean Air (Miscellaneous Provisions) (England) Regulations SI 2014/3318 came into force on 7 January 2015 and consolidates six sets of regulations relating to clean air and supplement provisions in the Clean Air Act 1993 on dark smoke from vessels, arrestment plant, chimney height approval and local authority powers to carry out research and publicity into air pollution.

Legislation	Ozone-Depleting Substances Regulations SI 2015/168 http://www.cedrec.co.uk/environmental/summary/regulation/si/21674/index_s.htm
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Overarching Principle

These Regulations replace and consolidate the Ozone-Depleting Substances (Qualifications) Regulations [SI 2009/216](#) and the Environmental Protection (Controls on Ozone-Depleting Substances) Regulations [SI 2011/1543](#), and provide for the execution and enforcement of Retained Regulation (EC) [1005/2009](#), on substances that deplete the ozone layer.

They also set out minimum qualifications for those working with ozone-depleting substances and prescribes offences and penalties.

Key Features

These Regulations are split into four parts.

[PART 1](#): INTRODUCTION

[PART 2](#): QUALIFICATIONS

[PART 3](#): OFFENCES, PENALTIES AND ENFORCEMENT

[PART 4](#): REVIEW AND REVOCATIONS

The key aspect is **PART 2**.

PART 2: QUALIFICATIONS

Meaning of "competent"

In the context of these Regulations, a person is competent to carry out relevant work whilst performing a task specified in the Table in the full text of Schedule 2 to these Regulations, in respect of the equipment specified if that person has obtained any of the qualifications specified in the corresponding entry in that Table. A person is competent to carry out any other relevant work to which the paragraph above does not apply if that person has obtained an in-house qualification in respect of that other relevant work.

A person is competent to carry out work with methyl bromide if that person has:

- obtained the British Pest Control Association Certificate of Proficiency for Fumigation Operators; and
- successfully completed the British Pest Control Association module referred to in the list in the full text of [Schedule 3](#) to these Regulations which relates to the work in question.

Qualifications and supervision

The employer is required to make sure that the person employed to carry out [relevant work](#) or work with methyl bromide is qualified to do so.

A person who is not competent to carry out [relevant work](#) can carry out such work if the person does so:

- under the supervision of a person who is competent; and
- with a view to obtaining relevant qualifications.

Amendments

The Ozone-Depleting Substances and Fluorinated Greenhouse Gases (Amendment etc.) (EU Exit) Regulations SI 2019/583 will come fully into force on exit day as defined in the European Union (Withdrawal) Act 2018. They make amendments to numerous Regulations relating to the restriction of ozone depleting substances (ODS) and fluorinated greenhouse gases (F-gas). The current

regulations operate to protect the ozone layer and mitigate climate change, but operate at EU level. If these were left unchanged, this would cause operational deficiencies.

Legislation	The Fluorinated Greenhouse Gases Regulations 2015 (As Amended) http://www.cedrec.co.uk/environmental/summary/regulation/si/21729/index_s.htm
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Overarching Principle

These Regulations revoke and replace the Fluorinated Greenhouse Gases Regulations [SI 2009/261](#) and help to enforce Retained Regulation (EU) [517/2014](#) on fluorinated greenhouse gases, by providing enforcement powers, setting offences and penalties and designating certification and training bodies. These new Regulations update the qualification requirements, and set out details of offences (which are greatly reduced from the previous Regulations) and how they will be enforced. This will primarily be done through [enforcement notices](#). The Regulations addresses the use of fluorinated gases, including HFCs, PFCs and SF₆.

Key Features

These Regulations cover the requirement under EU legislation to prevent emission of fluorinated greenhouse gases, undertake regular leak tests and maintain records. As these regs do not specify the actual requirements further reference is required to:

- http://www.cedrec.co.uk/environmental/summary/european/regulation/5160/index_s.htm
But in particular to:
- http://www.cedrec.co.uk/environmental/summary/european/regulation/19926/index_s.htm

Which stipulates that:

Fluorinated greenhouse gases" means the hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and other greenhouse gases that contain fluorine, listed in [Annex 1](#), or mixtures containing any of those substances.

Prevention of emissions of fluorinated greenhouse gases

The intentional release of fluorinated greenhouse gases into the atmosphere must be prohibited where the release is not technically necessary for the intended use.

Operators of equipment that contains fluorinated greenhouse gases must take precautions to prevent the unintentional release ('leakage') of those gases. They must take all measures which are technically and economically feasible to minimise leakage of fluorinated greenhouse gases.

Where a leakage of fluorinated greenhouse gases is detected, the operators must ensure that the equipment is repaired without undue delay.

Where the equipment is subject to leak checks, and a leak in the equipment has been repaired, the operators must ensure that the equipment is checked by a certified natural person within one month after the repair to verify that the repair has been effective.

Leak checks

Operators of the following equipment which contains fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more and not contained in foams must ensure that the equipment is checked for leaks:

- stationary refrigeration, air-conditioning, heat pumps or fire protection equipment;
- electrical switchgear.

Leak checks for fire protection equipment will be considered to be fulfilled provided the:

- existing inspection regime meets ISO 14520 or EN 15004 standards; and
- fire protection equipment is inspected as often as is required.

Leak checks must be carried out with the following frequency, for equipment that contains fluorinated greenhouse gases in quantities of:

- 5-50 tonnes of CO₂ equivalent or more: at least every 12 months, or where a leakage detection system is installed, at least every 24 months;
- 50-500 tonnes of CO₂ equivalent: at least every six months or, where a leakage detection system is installed, at least every 12 months;

Hermetically sealed equipment that contains fluorinated greenhouse gases in quantities of less than 10 tonnes of CO₂ equivalent, will not be subject to leak checks, provided the equipment is labelled as hermetically sealed.

Electrical switchgear will not be subject to leak checks provided it:

- has a tested leakage rate of less than 0,1 % per year as set out in the technical specification of the manufacturer and is labelled accordingly;
- is equipped with a pressure or density monitoring device; or
- contains less than 6 kg of fluorinated greenhouse gases.

By way of derogation, until 31 December 2016, equipment that contains less than 3 kg of fluorinated greenhouse gases or hermetically sealed equipment, which is labelled accordingly and contains less than 6 kg of fluorinated greenhouse gases will not be subject to leak checks.

Leakage detection systems

Operators of the following equipment and containing fluorinated greenhouse gases in quantities of 500 tonnes of CO₂ equivalent or more, must ensure that the equipment is provided with a leakage detection system which alerts the operator or a service company of any leakage:

- stationary refrigeration, air-conditioning, heat pumps or fire protection equipment;

Operators of the following equipment and containing fluorinated greenhouse gases in quantities of 500 tonnes of CO₂ equivalent or more and installed from 1 January 2017, must ensure that the equipment is provided with a leakage detection system which alerts the operator or a service company of any leakage:

- electrical switchgear;

Operators of the following equipment must ensure that leakage detection systems are checked at least once every 12 months to ensure their proper functioning:

- stationary refrigeration, air-conditioning, heat pumps or fire protection equipment;

Operators of electrical switchgear must ensure that leakage detection systems are checked at least once every 6 years to ensure their proper functioning.

Record keeping

Operators of equipment which is required to be checked for leaks must establish and maintain records for each piece of such equipment specifying the following information:

- the quantity and type of fluorinated greenhouse gases installed;
- the quantities of fluorinated greenhouse gases added during installation, maintenance or servicing or due to leakage;
- whether the quantities of installed fluorinated greenhouse gases have been recycled or reclaimed, including the name and address of the recycling or reclamation facility and, where applicable, the certificate number;
- the quantity of fluorinated greenhouse gases recovered;
- the identity of the undertaking which installed, serviced, maintained, repaired or decommissioned the equipment, including, where applicable, the number of its certificate;
- the dates and results of the leak checks carried out;
- if the equipment was decommissioned, the measures taken to recover and dispose of the fluorinated greenhouse gases.

Unless the above records are stored in a database set up by the competent authorities of the Member States the following rules apply:

- the operators must keep the records for at least five years;
- undertakings who install, service, maintain and where applicable repair or decommission the equipment must keep copies of the records for at least five years.

However the information in these needs further explanation and this can be found at:

<https://www.gov.uk/f-gas-in-refrigeration-air-conditioning-and-fire-protection-systems>

<https://www.gov.uk/calculate-the-carbon-dioxide-equivalent-quantity-of-an-f-gas>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387955/F_gases.pdf

Amendments

The Fluorinated Greenhouse Gases (Amendment) Regulations 2018 came into force on 1 April 2018, and they amend the Fluorinated Greenhouse Gases Regulations 2015 in order to provide for

the enforcement of a number of EU Regulations which were introduced to support Regulation (EU) 517/2014 on fluorinated greenhouse gases.

Noted that Annex 4 to Regulation (EU) 517/2014, on fluorinated greenhouse gases sets out the method of calculating the total global warming potential (GWP) of a mixture. This can be referred to if required.

Legislation	Medium Combustion Plant Directive https://cedrec.com/legislation/46256/summary
Overarching Principle	
<p>This Retained Reference Directive (EU Reference Directive 2015/2193) is on the limitation of emissions of certain pollutants into the air from medium combustion plants.</p> <p>In particular, it sets out rules to control emissions of sulphur dioxide, nitrogen oxides and dust into the air from such plants, reducing the risk to human health and the environment</p>	
Key Features	
<p>This Retained Reference Directive applies to combustion plants with a rated thermal input of between 1MW and 50MW, regardless of the type of fuel they use. These plants are referred to as 'medium combustion plants' in this Directive.</p> <p>This Directive had implications from the 20th Dec 2018 for new plant, permits need to be in place for existing plant by 1st Jan 2024 for 5-50MW and 1st Jan 2029 for 1-5MW with permit requirements met by 2025 and 2030 respectively.</p> <p>A medium combustion plant (MCP) includes all the following:</p> <ul style="list-style-type: none"> • a combustion unit, such as an engine, boiler or turbine • any abatement • the attached stack or flue • air cooling where it's part of the combustion unit <p>A MCP does not include:</p> <ul style="list-style-type: none"> • fuel handling or storage • waste handling equipment • external water or air cooling <p>Permits are required for plant which comes under the MCP Directive and these permits place ELV (Emission Limit Values) on the business which have to be met by the dates stipulated above.</p>	
Amendments	
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Chapter 8 – Water Management

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to water management. This includes legislation relating to the management of water as a resource and how the University protects water courses across its estate. Water legislation in England generally aims to control water quality. It covers discharges to sewers, surface waters and groundwater, water abstraction and impounding and the protection of water

against agricultural nitrate pollution. The legislation is applicable because our operations have the potential to pollute water courses if not correctly managed.

The following UK Acts and Regulations are covered within this Chapter:

- [Water Act 2003 \(As Amended\)](#)
- [Water Industry Act 1991 \(As Amended\)](#)
- [Water Resources Act 1991](#)
- [Water Supply \(Water Fittings\) Regulations 1999](#)
- [Trade Effluent \(prescribed processes and Substances\) Regulations 1989](#)

Legislation	Water Act 2003 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/3775/index_s.htm
Overarching Principle	
<p>The Act sets out the framework for abstraction licensing, regulates impoundments, increases competition in water supply and includes measures for drought management and flood defence work in England and Wales. It is aimed at protecting sustainable use of water resources.</p> <p>The Act links water abstraction licensing to local water resource availability. It moves from a licensing scheme based on purpose of use to one based on volume consumed.</p>	
Key Features	
<p>The Water Act 2003 introduced some changes to the regulation of the water industry in England and Wales under the Water Industry Act 1991, by transferring responsibility for economic regulation from an individual Director General to an Authority (which continues to be known as Ofwat), changing its statutory duties, and introducing a second-tier supply licensing system and a new regime for abstraction licences.</p> <p>The Water Act 2003 also added a second-tier licensing scheme to the Water Industry Act 1991, with a stated objective of introducing more competition in the retailing and production of water using incumbents' networks.</p> <p>The Act has three main parts:</p> <ul style="list-style-type: none">• Part 1 deals with abstraction of water and the impounding regime (dams, weirs etc).• Part 2 sets up new regulatory arrangements.• Part 3 amends certain aspects of existing legislation: the Water Industry Act 1991, the Water Resources Act 1991, the Reservoirs Act 1975, the Environmental Protection Act 1990 and the Environment Act 1995. <p>The Act links water abstraction licensing to local water resource availability. It moves from a licensing scheme based on purpose of use to one based on volume consumed. The introduction of time-limited licences will increase flexibility to make changes to abstraction rights to cope with climate change and increased demand.</p>	
Amendments	
<p>The Water Act was revised and amended in 2014.</p> <p>Key measures from the 2014 revision centred around the reform of the water market and water industry to make it more innovative and responsive to customers and to increase the resilience of water supplies to natural hazards such as drought and floods, and to bring forward measures to address the availability and affordability of insurance for those households at high flood risk and ensure a smooth transition to the free market over the longer term.</p> <p>This included new measures that enable all business, charity and public sector customers in England to switch their water and sewerage supplier and enable enabling businesses to provide new sources of water or sewerage treatment services.</p>	

It also introduced new measures to encourage the use of Sustainable Drainage Systems (SuDS) by clarifying that building and maintenance of SuDS can be a function of sewerage undertakers.

Legislation	Water Industry Act 1991 http://www.cedrec.co.uk/environmental/summary/act/uk/3714/index_o.htm
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EU Directive / Overarching Principle

The Water Industry Act 1991 **came into force on 1 January 1991** and consolidates previous enactments relating to the water supply and the provision of wastewater services in England and Wales. It regulates the discharge of Trade Effluent from trade premises to the foul sewer and requires them to be authorised to improve controls over risks to groundwater and surface water pollution. The Act Consolidates previous legislation on water supply and sewerage services (including trade effluent consents) and opens up the market to allow private sector companies to compete to be appointed as water and sewerage undertakers.

Key Features

Under the Act, Trade Effluent is defined as any liquid waste (effluent) other than surface water and domestic sewage that is discharged from premises being used for a business, trade or industry.

The only liquid wastes not classed as trade effluent are:

- Domestic sewage, which includes wastewater from kitchen sinks, washroom sinks, showers and toilets.
- Clean, uncontaminated surface water, such as clean rainwater which has not been contaminated when running over your site.

The Act also:

- Requires licences for abstraction and impoundment of water, and establishes flood defence committees. Provides for works notices and water protection zones.
- Part III deals with water supply, and requires occupiers of a premise to ensure that their fittings do not allow the mains water to be contaminated or wasted.
- Part IV deals with sewerage services, including standards for connection, and also prohibits the disposal of dangerous substances, or anything that may interfere with the free flow or treatment. Section 117 defines domestic sewerage.
- Part V deals with trade effluent, and requires occupiers to apply for consent to discharge trade effluent. It also describes the process, and conditions. Section 141 defines trade effluent.
- Part VI deals with undertakers powers, such as powers of entry for investigation or metering purposes, and powers to prosecute for tampering with undertakers apparatus.

Under the Act, it is a criminal offence to discharge trade effluent from trade premises into the foul sewer unless a trade effluent consent is obtained from the sewerage undertaker. Consents are normally granted subject to specified conditions.

If a discharge from a commercial or non-profit activity contains substances of a type that are significantly different from effluent that would arise from normal domestic activities, in terms of the treatability, quality and composition of the discharge, then the discharge will not consist solely of domestic sewage.

Trade effluent discharges must be agreed and authorised by the sewerage undertaker.

Amendments

The Water Industry Act 1999 applies to England, Scotland and Wales and makes detailed textual amendments to the Water Industry Act 1991 with regards to new constraints on water companies and the charging and metering of consumers. There are no known impacts of this amendment for this University body.

The Water Industry (Financial Assistance) Act 2012 Chapter 8 came into force on 1 July 2012 and applies to England and Wales. It makes provisions for the giving of financial assistance by the Secretary of State to assist water companies and suppliers licensed under the act to secure a reduction in water and sewerage bills, in connection with the construction of water or sewerage infrastructure, or the carrying out of works to existing water or sewerage infrastructure where the construction or works are exceptionally large or complex.

Legislation	Water Resources Act 1991 (As Amended) http://www.cedrec.co.uk/environmental/summary/act/uk/3713/index_o.htm
Overarching Principle	
The Water Resources Act defines the Environment Agency's role in water pollution, water resource management, flood defence, fisheries and navigation. It covers the control of abstracting and impounding water.	
Key Features	
The Water Resources Act defines the Environment Agency's role in water pollution, water resource management, flood defence, fisheries and navigation. It covers discharges to surface and ground waters, estuaries and coastal waters, and controls abstracting and impounding water. The Act affects all businesses in England and Wales that discharge substances to controlled waters. The Act makes it an offence for a person to abstract water from a source or supply, or to cause or permit another person to abstract water, without a licence or outside the provisions of that licence. No person shall begin, or allow another person to begin to construct or extend any well, borehole or any other work by which water may be abstracted, unless it meets the requirements of the licence. Regulation 93 provides for the designation of water protection zones with the aim of preventing or controlling the entry of any poisonous, noxious or polluting matter into controlled waters, or in areas which may result in the pollution of such areas. Regulation 94 sets out provisions for nitrate sensitive areas with the purpose of preventing or controlling the entry of nitrate into controlled waters as a result of agricultural processes on the land.	
Amendments	
The Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009 came into force on 22 December 2009 and amend the Water Resources Act 1991, by making some changes to the power to designate Water Protection Zones and the powers to carry out anti-pollution works and serve related notices. These amendments ensure that obligations imposed by Directive 2000/60/EC are complied with. This Directive establishes an integrated approach to water management, based on river basin planning and sets environmental objectives which are designed to protect and improve the ecological health of aquatic eco-systems as a whole. It also requires Member States to establish controls on all activities that can cause adverse effects on the ecology of the aquatic environment.	

Legislation	Water Supply (Water Fittings) Regulations 1999 http://www.cedrec.co.uk/environmental/summary/regulation/si/3063/index_s.htm
Overarching Principle	
The Water Supply (Water Fittings) Regulations 1999 were made under section 74 of the Water Industry Act 1991 to prevent the waste, misuse, undue consumption, contamination or erroneous measurement of drinking water. The Regulations set requirements for the design, installation and maintenance of plumbing systems and water fittings in England and Wales. They are enforced by water companies in their respective areas of supply.	
Key Features	

These regulations outline controls on water fittings installed or used where water is supplied by a water undertaker.

These regulations are made under the Water Industry Act 1991 and apply to any water fitting installed or used, or to be installed or used, in premises to which water is or is to be supplied by a water undertaker. They mainly apply to water supplied for domestic or food production purposes and do not generally apply to industrial premises, provided that:

- The water is metered;
- The supply of the water is for a period not exceeding one month, or, with the written consent of the water undertaker, three months; and
- No water can return through the meter to any pipe vested in a water undertaker.

The regulations require that, no person shall install a water fitting to convey or receive water supplied by a water undertaker, or alter, disconnect or use such a water fitting; or cause or permit such a water fitting to be installed, altered, disconnected or used,

In addition, no water fitting should be installed, connected, arranged or used in such a manner that it causes or is likely to cause waste, misuse, undue consumption or contamination of water supplied by a water undertaker; or the erroneous measurement of water supplied by a water undertaker.

Every water fitting is required to be of an appropriate quality and standard; and be suitable for the circumstances in which it is used e.g. it bears an appropriate CE marking, conforms to an appropriate standard or specification approved by the regulator.

If the following work is being conducted, approved consent from the water authority must be obtained prior to work being conducted:

- Erection of any new building or structure;
- Extension or alteration of the water system in any premises except a domestic dwelling;
- Material change in use of any premises;
- Installation of any fitting listed in section 5 of the Regulations or
- Construction of a large pond or swimming pool with automatic replenishment.

Amendments

The Water Supply (Water Fittings) (Amendment) Regulations SI 1999/1506 came into force July 1 1991 and make minor amendments to correct mistakes.

Legislation

Trade Effluent (Prescribed Processes and Substances) Regulations 1989

http://www.cedrec.co.uk/environmental/summary/regulation/si/2939/index_s.htm

Overarching Principle

These Regulations came into force on 1 September 1989 and apply to England and Wales. They were made under sections 74 and 185 of the Water Act 1989. This Act has been repealed and the relevant enabling provisions are now sections 138 and 219 of the Water Industry Act 1991. Any discharge of trade effluent to a public sewer requires a trade effluent consent from the sewerage undertaker.

Key Features

These Regulations specify the categories of trade effluent to sewers for which an authorisation is required from the Environment Agency in England.

- Red List substances;
- production of chlorinated organic chemicals;
- manufacture of pulp paper;
- asbestos cement, asbestos paper or asbestos board production;
- trichloroethylene or perchloroethylene (more than 30 kg per year).

These Regulations lay down the prescribed substances and processes and implement:

- Retained Directive 87/217/EEC, on the prevention and reduction of environmental pollution by asbestos; and
- Directive 2006/11/EC, on pollution caused by certain dangerous substances discharged into the aquatic environment.

The prescribed substances (Red List) are as follows:

- | | |
|--|--|
| <ul style="list-style-type: none"> ○ mercury and its compounds; ○ cadmium and its compounds; ○ gamma-hexachlorocyclohexane; ○ DDT; ○ pentachlorophenol and its compounds; ○ hexachlorobenzene; ○ hexachlorobutadiene; ○ aldrin; ○ dieldrin; ○ endrin; ○ carbon tetrachloride; ○ polychlorinated biphenyls; | <ul style="list-style-type: none"> ○ dichlorvos; ○ 1,2-dichloroethane; ○ trichlorobenzene; ○ atrazine; ○ simazine; ○ tributyltin compounds; ○ triphenyltin compounds; ○ trifluralin; ○ fenitrothion; ○ azinphos-methyl; ○ malathion; ○ endosulfan. |
|--|--|

Amendments

The Trade Effluents (Prescribed Processes and Substances) (Amendment) Regulations SI 1990/1629 came into force on 31 August 1990 and apply to England and Wales. The amendments were such that prescribed substances in Schedule 1 came to include compounds of pentachlorophenol, in addition to the original pentachlorophenol. Furthermore, the list of processes in Schedule 2 was amended as follows:

- processes that involve the production of cooling waters or effluents which are chlorinated was removed from the list; and
- processes involving the use of more than 100 kilograms of raw asbestos in any twelve month period are added to that list.

Chapter 9 – Noise

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation relating to noise pollution and statutory nuisances associated with the generation of noise. This legislation is applicable because the University's operations and have the potential to cause a noise or nuisance if not correctly managed. The following UK Acts and Regulations are covered within this Chapter:

- [Noise Act 1996](#)
- [Anti-Social Behaviour Act 2003](#)
- [Noise and Statutory Nuisance Act 1993](#)
- [Statutory Nuisances \(Artificial Lighting\) \(Designation of Relevant Sports\) \(England\) Order 2006](#)

Compliance Obligation	Noise Act 1996 Chapter 37 http://cedrec.com/environmental/summary/act/uk/3851/index_o.htm
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Overarching Principle
<p>The aim of the Act is to deal with noise emitted from dwellings which are residential premises in England, Wales and Northern Ireland, between 11:00pm and 7:00am, as well as certain licensed premises.</p> <p>Every local authority and district council has a discretionary power to investigate any complaints of excessive night time noise in their area. If they believe the noise exceeds the permitted level, they can serve a warning notice on the person responsible stating that they may be guilty of an offence if the noise continues. If the noise continues to exceed the permitted level, a fixed penalty notice can be served whereby the person responsible will not be convicted of an offence if they pay a set fine</p>
Key Features
<p>This Act came fully into force on the 23 July 1997 and applies to England, Wales and Northern Ireland.</p> <p>Local authority can mean council of any county or county borough and Dwelling means any building, or part of a building, used as a dwelling. Any reference to noise emitted from a dwelling, includes noise emitted from any garden, yard, outhouse or other equipment belonging to, or enjoyed, with the dwelling.</p> <p>The Authority can investigate and serve warning notices, it is an offence not to comply with the provisions of a warning notice, and anyone doing so may be liable on conviction to a fine. Offences can also be dealt with by way of a fixed penalty notice.</p> <p>In England and Wales, the maximum level of noise which may be emitted between the hours of 11:00pm and 7:00am from any dwelling or other premises can be determined by the appropriate person. Different permitted levels can be determined for different circumstances and can be done by reference to other levels of noise.</p> <p>An officer can enter a dwelling or other premises from which noise is being emitted and seize and remove any equipment they feel necessary. This can be done if they believe that although a warning notice has been served, noise is still being emitted from that dwelling or premises between the hours of 11:00pm and 7:00am, which exceeds the permitted level. It is an offence to obstruct an officer carrying out their powers under this section.</p>
Amendments
<p>No new amendments found as of 11/04/19 & 27/07/21</p>

Legislation	<p>Anti-social Behaviour Act 2003 http://www.cedrec.co.uk/environmental/summary/act/uk/3854/index_o.htm</p>
Overarching Principle	<p>The Anti-social Behaviour Act 2033 applies in England and Wales and strengthens the anti-social behaviour order and Fixed Penalty Notice provisions. It also specifically addresses graffiti, fireworks, public drunkenness and gang activity.</p> <p>Part VI of the Act is concerned with the Environment.</p> <p>Part VIII of the Act is concerned with High Hedges.</p>
Key Features	<p>The Anti-social Behaviour Act sets extends powers for local authorities to clean up the environment, and applies controls over noisy premises, advertisements and waste.</p> <p>Part VI of the Act is concerned with the Environment. Part VI contains a selection of miscellaneous provisions. It gives councils power to serve a closure order on premises causing public nuisance by noise. Councils also now have the power to serve a graffiti removal notice on the person in control (usually the owner) of any surface that is street furniture (street furniture is, usually a telephone box, letterbox, bus stop) where graffiti has been applied, this legislation does not apply to private property. There is a right of appeal to the magistrates court over such a notice, and one ground for appeal is that 'the defacement is neither detrimental to the amenity of the area nor offensive'.</p>

Part VIII of the Act is concerned with 'high hedges' which means so much of a barrier to light or access as formed by a line of two or more evergreens, or rises to more than 2 meters above ground level. The owner of occupiers of the domestic property affected by the 'high hedge' may complain to the relevant authority that their reasonable enjoyment of the property is being adversely affected by the hedge's height, and a remedial notice may therefore be served which must be complied by the hedge owner.

Amendments
 No new amendments found as of 11/04/19 & 27/07/21

Legislation	Noise and Statutory Nuisance Act 1993 http://www.cedrec.co.uk/environmental/summary/act/uk/3711/index_s.htm
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Overarching Principle
 This Act came into force in January 1994 and applies to England, Scotland and Wales. Local authorities have a duty to deal with statutory nuisances under the Environmental Protection Act 1990. For noise to amount to a statutory nuisance, it must be 'prejudicial to health or a nuisance'.

Key Features
 This Act sets out measures for street noise, operating loudspeakers in a street, intruder alarms and covers local council expenses for abating or preventing nuisance from recurring. The Legislation states that a noise constitutes a 'statutory nuisance' if the noise which is the cause of the complaint must be (or is likely to be) either detrimental to a person's health and/or it is interfering (or is likely to interfere) with a person's own enjoyment of their own property and land. The Act applies to vehicles (e.g. from car alarms but not traffic), machinery and other equipment, in the street. Local authorities have a responsibility under the legislation to investigate any complaints about noise emanating from the following:

- Building, including commercial and residential premises.
- Land, including construction sites, farms, residential gardens and parks.
- Vehicles, except general traffic noise.
- Machinery, including construction and land maintenance equipment.

An Abatement Notice can be served by the local authority if they are satisfied that a noise problem amounts to a statutory nuisance. This notice may require the noise to be stopped altogether or limited to certain times of day. The notice will be served on the person, persons or organisation responsible for the noise.

Amendments
 No new amendments found as of 11/04/19 & 27/07/21

Legislation	Statutory Nuisances (Artificial Lighting) (Designation of Relevant Sports) (England) Order 2006 http://www.cedrec.co.uk/environmental/summary/regulation/si/2903/index_s.htm
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Overarching Principle
 The Statutory Nuisances (Artificial Lighting) (Designation of Relevant Sports) (England) Order 2006 SI 781 came into force in 2006 and applies to England only. The Order designates a number of sports with regards to the use of artificial lighting which could be considered a statutory nuisance under Part III of the Environmental Protection Act 1990.

Key Features
 This Order sets out a list of 'relevant sports' and the use of artificial lighting on associated sport facilities which could be considered as a statutory nuisance.

This Order designates the sports that are “relevant sports” for the purposes of section 80(8A) of the Environmental Protection Act 1990. It also designates which sports can use the defence of best practice for artificial light nuisance, such as floodlighting, at outdoor sports facilities. In total 47 different sports are listed within the Order, including athletics, basketball, cricket, football, hockey, netball, rugby league, rugby union, tennis and swimming.

Amendments
 No new amendments found as of 11/04/19 & 27/07/21

Chapter 10 – Legislation crossing over multiple areas

Applicability of Compliance Obligations

The legislation in this chapter focuses on those pieces of environmental legislation which relate to a number of the environmental aspects covered in the previous chapters. They are generally overarching pieces of legislation and apply to the University because they cover our activities in all these areas.

The following UK Acts and Regulations are covered within this Chapter:

- [Environmental Protection Act 1990](#)
- [Environment Act 2021](#)
- [Control of Pollution Act 1974 Parts 1 and 3](#)
- [Clean Neighbourhoods and Environment Act 2005](#)
- [Environment Act 1995](#)
- [The Environmental Permitting \(England and Wales\) Regulations 2016 \(As Amended\)](#)
- [The Environmental Civil Sanctions \(England\) Order 2010 \(As Amended\)](#)
- [Environmental Damage \(Prevention and Remediation\) Regulations 2015 \(As Amended\)](#)
- [Environmental Information Regulations SI 2004](#)

Legislation	Environmental Protection Act 1990 http://cedrec.com/environmental/summary/act/uk/3761/index_o.htm
Overarching Principle	
The aim of the Act is to provide a framework, which will enable the Secretary of State to enforce regulations in order to prevent pollution from emissions to air, land or water from various processes. Crucially, it contains the main legislation relating to statutory nuisances, introduces the concept of integrated pollution control and also places a duty of care on those involved in the management of waste.	
Key Features	
Part 2 outlines the basic provisions for the management of all waste, which includes details on: <ul style="list-style-type: none"> ○ definition of waste; ○ duty of care requirements; ○ waste management licenses. Provisions are also established for waste reduction schemes. Information to be held on a public register. Part 3 determines what constitutes a statutory nuisance and what action can be taken to abate it. Part 4 sets out the basic provisions for the offence of littering. The Environmental Protection Act 1990 defines some waste from non-domestic sources (such as those generated by schools, universities and hospitals) as household waste but does not provide a mechanism to charge for disposal costs of such waste.	

A significant amount of the Environmental Protection Act 1990 in respect of waste has now been overtaken by the [Waste \(England and Wales\) Regulations SI 2011/988](#)

This Act places a duty on a local authority to investigate complaints of statutory nuisance from people living within its area. This may include complaints of nuisance, such as noise, dust, odour or other nuisances arising on industrial, trade or business premises and being prejudicial to health or a statutory nuisance.

The following issues may constitute statutory nuisances: Noise; Artificial light; Odour; Insects; Smoke; Dust; Premises; Fumes or gases; Accumulation or deposit; and Any other matter declared by any enactment to be a statutory nuisance

Where a local authority establishes any one of these issues constitutes a nuisance (i.e. is unreasonably interfering with the use or enjoyment of someone's premises) or is prejudicial to health they must generally serve an abatement notice on the person responsible. Failure to comply with the notice could result in the person being prosecuted.

Smoke nuisance is also covered by the legislation. One of the primary sources of smoke nuisance is domestic bonfires. Bonfires are not specifically prohibited but under section 79 of the Environmental Protection Act 1990, local authorities have a duty to take reasonably practicable steps to investigate complaints of statutory nuisances

Amendments

The Environmental Protection Act 1990 (Modification of Section 112) Regulations SI 1992/2617 came into force on 17 November 1992 and amends section 112 of Part 6 of the Environmental Protection Act 1990 on genetically modified organisms (GMOs). There are no known impacts of this amendment for this University body.

The Environmental Protection Act 1990 (Amendment of Fixed Penalty Amount) (England) Order SI 2012/1150 came into force on 30 May 2012 and reduces the amount of the fixed penalty for offences relating to receptacles for household waste from £100 to £60.

The Financial Assistance for Environmental Purposes (England) Order SI 2020/207 came into force on 30 March 2020 and extends the list of environmental purposes for which the Secretary of State may, with the consent of the Treasury, give financial assistance. No immediate impact for LU.

The Environment (Amendment etc) (EU Exit) regs 2019 amend these by Regs by removing references to EU member state and various EU legislation, so that the legislation remains operable after the UK leaves the EU.

Legislation	Environmental Act 2021 Environment Act 2021 (cedrec.com)
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Overarching Principle

The Act aims to protect and enhance the natural environment through a framework of environmental governance, and also through specific improvements to the environment such as through measures on waste and resource efficiency. The Act establishes the Office for Environmental Protection.

Key Features

Part 1 of the Act establishes a framework for environmental governance and requires the Secretary of State to create an environmental improvement plan for England and Wales to significantly improve the natural environment over at least 15 years with annual reporting against the long-term targets.

The Act establishes the Office for Environmental Protection (OEP) and sets out its objectives of contributing to environmental protection and the improvement of the natural environment.

Part 3 provides powers for provisions to be made to improve waste and resource efficiency. Regulations can be made regarding:

producer responsibility obligations;
payment for the costs of disposing of products and materials;
resource efficiency;
the establishment of deposit schemes;
charges for single use items.

Amendments made by Part 4 of the Act introduce penalties for emissions of smoke in smoke control areas in England and allows for regulations to recall vehicles or components of vehicles if they don't meet environmental standards.

Part 5 contains amendments to water legislation, mainly around the regulation, control and monitoring of discharges from storm overflows in England.

Part 6 focuses on nature and biodiversity:
amending planning legislation to introduce provision on biodiversity gain;
allowing regulations to be made to provide for a register of biodiversity gain;
requiring local nature recovery strategies to be made for England;
allowing Natural England to publish a strategy for improving the conservation status of any fauna or flora as well as protected site strategies.

Conservation covenants can be agreed under Part 7, which aim to conserve the natural or heritage features of land. Such agreements are voluntary between landowners and responsible bodies, but are legally binding.

Amendments

Amended by the Environment Act 2021 (commencement No.1) Regs 2021
Amended by the Environment Act 2021 (commencement No.2) Regs 2022
Amended by the Environment Act 2021 (commencement No.3) Regs 2022

Legislation

Control of Pollution Act 1974 Parts 1 and 3

http://cedrec.com/environmental/summary/act/uk/3742/index_o.htm

Overarching Principle

The aim of the Act is to deal with a variety of environmental issues, including waste on land, water pollution, abandoned mines, noise pollution and the prevention of atmospheric pollution. Much of Part 1 of the Act on waste has been revoked by Part 2 of the Environmental Protection Act 1990, but some provisions remain in force.

Update from 13/01/2017: *However, with regards to the above, Part 2 of the EPA 1990 does not say how it revoked much of Part 1 of the Control of Pollution Act 1974*

Key Features

Waste on land

Part 1 of this Act was the first legal control over the disposal of solid waste. Due to certain weaknesses within this section, it was subsequently replaced by Part 2 (Duty of Care) of the Environmental Protection Act 1990. The weakness lay in the fact that it only deals with the disposal of waste and not the keeping or treating of waste and it placed little responsibility on any licensed holder with regard to their duties. The revocation of various sections and replacement by the Environmental Protection Act 1990 ensured that various EC waste Directives were implemented and a holistic approach to waste was adopted resulting in a higher level of responsibility.

There are still sections from this Part that remain in force. These include provisions on:

- licensing of disposal of controlled waste;
- collection and disposal of controlled waste;

- waste other than controlled waste;
- reclamation of waste; and
- street cleaning and litter.

The waste disposal licensing system and the majority of the provisions above are now controlled by the Environmental Protection Act 1990, but under certain circumstances they are still relevant.

Noise pollution

Although much of this Act has now been repealed, some provisions of Part 3 on to noise pollution still remain in force. In particular, this Act (COPA) still controls:

- noise from construction sites;
- prior consents with regard to noise from construction sites;
- restrictions on the times that loud speakers can be used in streets;
- noise abatement zones;
- noise from plant and machinery.

In addition, this Act allows for the introduction of Codes of Practice with regard to certain noise generating activities and also introduces the defense of best practicable means.

Although noise is not fully defined, it does however include vibration.

This is an older piece of legislation, which has been steadily replaced and superseded over the years. References to it can still be seen in the context of older Waste Disposal Licences granted by local authorities, but generally speaking it has now been overtaken by The Environmental Protection Act 1990 and by the increasingly specific UK Regulations dealing specifically with waste (see in particular The Hazardous Waste (England and Wales) Regulations 2005, The List of Wastes (England) Regulations 2005, The Environmental Permitting (England & Wales) Regulations 2010, and The Waste (England and Wales) Regulations 2011).

Amendments

No new amendments found as of 11/04/19 & 27/07/21

Legislation

Clean Neighbourhoods and Environment Act 2005

http://cedrec.com/environmental/summary/act/uk/3822/index_o.htm

Overarching Principle

This piece of legislation covers a wide array of different environmental and waste legislation. The Act provides local authorities, parish and community councils, and the Environment Agency with more effective powers and tools to tackle poor environmental quality and anti-social behaviour.

In particular it includes sections on nuisance and abandoned vehicles, litter, graffiti, waste, noise and dogs.

Key Features

Part 3 deals with litter and refuse and extends the statutory offence for dropping litter and its application to all open places.

The main sections of relevance to the waste sector are to be found in Part 5, Chapter 2, which deals with the deposit and disposal of waste, to which there are some notable changes to the Environmental Protection Act 1990. These include:

- Removing the defence of acting under one's employer's instructions; amending the penalties available for offences under section 33 of the 1990 Act, increasing the maximum available fine on summary conviction for the illegal disposal of waste from £20,000 to £50,000 and raising the maximum term of imprisonment on conviction on indictment for non-hazardous waste offences to five years (the same as is already applied for offences involving hazardous waste).
- Inserting a new section 33A into the 1990 Act, where a person is convicted of an offence under section 33 enabling the court to make an order requiring the offender to pay the enforcing authorities' investigation and enforcement costs, and any costs associated with seizure of vehicles involved in the offence; and
- Inserting a new section 33B into the 1990 Act, where a person has been convicted of the unlawful deposit or disposal of controlled waste enabling the court to make an order requiring the offender to pay to either the Environment Agency, a waste collection authority, the

occupier of land or the owner of land, any costs incurred by them in removing waste that has been illegally deposited or disposed of in or on land, or in taking steps to eliminate or reduce the consequences of the deposit or both.

Amendments

The Clean Neighbourhoods and Environment (Amendment) Bill 2015/16 makes amendments to the Clean Neighbourhoods and Environment Act 2005 by raising the penalty for littering offences, provides for an offence that relates to dog fouling; and requires that bodies (as set out in section 89(1) of the Environmental Protection Act 1990) with a duty to keep land clear of litter must provide appropriate and convenient litter disposal units, including chewing gum and cigarette litter at the entrance of buildings, and appropriate litter disposal units being at a maximum of 4 metres from a building entrance etc.

Legislation

Environment Act 1995

http://cedrec.com/environmental/summary/act/uk/3707/index_o.htm

Overarching Principle

The aim of the Act relates to a wide range of environmental issues, from the establishment of the Environment Agency and SEPA, to provisions for contaminated land and abandoned mines, National Parks, the control of pollution, conservation of the environment, obligations relating to products and materials, and fisheries.

Key Features

Part 1 establishes the Environment Agency as a single body with the aim of achieving sustainable development and improving environmental protection.

Part 2 amends the following legislation:

- Environmental Protection Act 1990, by inserting Part 2A on contaminated land, which places a responsibility on local authorities to identify contaminated land in their area;
- Water Resources Act 1991, by inserting Chapter 2A into Part 3 on control of pollution of water resources, to provide new provisions for abandoned mines in England and Wales;
- Control of Pollution Act 1974, by inserting Part 2A to provide similar provisions for abandoned mines in Scotland.

Part 3 makes some amendments to the National Parks and Access to the Countryside Act 1949 and the Town and Country Planning Act 1990, so that National Park Authorities also act as local planning authorities for their area.

Part 4 sets out provisions for air quality management, and the Secretary of State is required to produce a National Air Quality Strategy.

Part 5 gives extra powers to the Secretary of State, with regard to:

- mineral planning permissions;
- hedgerows;
- drainage;
- fisheries;
- powers of entry.

It also sets out details for a National Waste Management Strategy and for regulations on the recovery, reuse and recycling of materials, which are in force through the Producer Responsibility Obligations (Packaging Waste) Regulations [SI 2005/3468](#).

Amendments

Commencement No 26 – No impact.

The Environment (Amendment etc) (EU Exit) regs 2019 amend these by Regs by removing references to EU member state and various EU legislation, so that the legislation remains operable after the UK leaves the EU.

Legislation

The Environmental Permitting (England and Wales) Regulations 2016 (As Amended)

https://cedrec.com/environmental/summary/regulation/si/25366/index_o.htm

Overarching Principle

These Regulations came into force on the 1 January 2017 and consolidate the system of environmental permitting in England and Wales, replacing the Environmental Permitting (England and Wales) Regulations 2010.

The aim of the Regulations is to consolidate the existing environmental permitting system, which integrates regimes covering waste management licensing, pollution prevention and control, landfill, waste incineration, the operation of large combustion plants, water discharge consents, groundwater authorisations and radioactive substances. It also includes provisions relating to mining waste and batteries.

As a result, they implement around 15 EU Directives.

Key Features

Environmental permits are required for industrial and waste activities which could harm human health or the environment unless they are controlled. They apply to installations, waste operations and mobile plants, and their resulting activities are classed as either Part A(1), Part A(2) or Part B. [Schedule 1](#) sets out the activities which need to be controlled.

Where an activity falls under these Regulations, the operator must either obtain a permit or register an exempt operation. Such operations meet the requirements of [Schedule 2](#) and fall within a description of the operations set out in [Schedule 3](#).

All applications for an environmental permit must be made by the operator of a regulated facility to the [regulator](#), who will decide whether to grant authorisation. A single site permit can be issued which authorises multiple sites under the same permit.

Standard rules can be prepared for lower risk waste activities. These are a fixed package of rules to which the operator must adhere. If at any time there is a change in the way a site operates so it falls outside of a standard rules permit, a bespoke environmental permit must be applied for which relates specifically to the facility in question.

If the [regulator](#) feels that an operator has contravened, is contravening or is likely to contravene an environmental permit condition, they can serve an enforcement notice on them. If the contravention involves a serious risk of pollution, a suspension notice can be served. In both cases, the notice will not be withdrawn until certain requirements have been met to remedy the situation.

If the [regulator](#) feels that the operation of a regulated facility under an environmental permit involves a serious risk of pollution, they can arrange for steps to be taken to prevent or remedy that risk. In such cases, the [regulator](#) can recover the costs from the operator.

Amendments

Environmental Permitting (England and Wales) (Amendment) (EU Exit) Regulations SI 2019/39. These Regulations came into force on 31 December 2020 and apply to England and Wales. They amend the Permitting Regs in order to address references to EU Directives that will not legally function once the UK leaves the EU.

Legislation

The Environmental Civil Sanctions (England) Order 2010

http://cedrec.com/environmental/summary/regulation/si/10896/index_o.htm

Overarching Principle

The Order came into force on 6 April 2010, and is made under the Regulatory Enforcement and Sanctions Act 2008; it establishes new ways to protect the environment, by focusing on investment in environmental clean-up (Civil sanctions) as opposed to simply paying a fine or serving time in prison (criminal penalties). At present, civil sanctions will be used for offences involving harm to water or wildlife, poor drainage and waste management.

It does not replace any current enforcement tools, but aims to provide a more flexible range so the most appropriate enforcement action can be taken when an offence occurs.

<p>Key Features</p> <p>The following types of civil sanctions can be imposed:</p> <ul style="list-style-type: none"> • compliance notices, which require actions to be taken to comply with the law within a certain time period; • restoration notices, which require steps to be taken to restore the damage caused by non-compliance; • fixed monetary penalties, which are fairly low fines set by legislation, that can be imposed for certain minor offences, and range from: <ul style="list-style-type: none"> ◦ £100 for an offence committed by an individual, to ◦ £300 for an offence committed by a company; • enforcement undertakings, which are a voluntary agreement, formally accepted by the regulator, to take steps that would make amends for the effects of non-compliance; • variable monetary penalties, which are a proportionate penalty imposed for more serious offences, and carry a maximum fine of £250,000; • stop notices, which require an immediate stop to an activity that is causing serious harm, or presents a significant risk of causing serious harm. <p>Enforcement by the regulator will depend on which of the above civil sanction is applied, and could include:</p> <ul style="list-style-type: none"> • legal action against anyone not complying with fixed or variable monetary penalties; • prosecution for anyone not complying with restoration notices or stop notices; • the regulator recovering costs of any investigation or legal advice, in some cases.
<p>Amendments</p> <p>The Environmental Civil Sanctions (Miscellaneous Amendments) (England) Regulations SI 2010 also came into force on 6 April 2010 – and into which other future offences will be added into. No known new offences have been added into this piece of legislation as of 04/04/2019. No further amends 27/07/21</p>

Legislation	<p>Environmental Damage (Prevention and Remediation) (England) Regulations 2015/810 (As Amended) http://cedrec.com/environmental/summary/regulation/si/21882/index_s.htm</p>
Overarching Principle	
<p>These Regulations came into force on 19 July 2015 and impose obligations on operators of certain activities requiring them to prevent or remediate environmental damage. They apply to damage to protected species, natural habitats, sites of special scientific interest (SSSIs), water and land and implemented previous EU Directives now retained in UK Law. In doing so, they consolidate, revoke and replace the Environmental Damage (Prevention and Remediation) Regulations <u>SI 2009/153</u>.</p>	
Key Features	
<p>These Regulations apply in relation to environmental damage if it is caused by an activity mentioned in the Full Text of Schedule 2 to these Regulations.</p> <p>In the case of environmental damage to a protected species or natural habitat or a site of special scientific interest, these Regulations also apply in relation to environmental damage caused by any other activity if the operator intended to cause environmental damage; or was negligent as to whether environmental damage would be caused.</p> <p>Areas of application - Damage to: surface water or groundwater / marine waters / a site of special scientific interest / a protected species or natural habitat / land</p> <p>Preventing environmental damage</p> <p>An operator of an activity that causes an imminent threat of environmental damage, or an imminent threat of damage where there are reasonable grounds to believe that the damage will become environmental damage, must immediately:</p> <ul style="list-style-type: none"> • take all practicable steps to prevent the damage; and • (unless the threat has been eliminated) send all relevant details to the appropriate enforcing authority. <p>The enforcing authority may serve a notice on an operator that:</p> <ul style="list-style-type: none"> • describes a threat of a kind as mentioned above; 	

- specifies the measures required to prevent the damage; and
- requires the operator to take those measures, or measures at least equivalent to them, within the period specified in the notice.

Preventing further environmental damage

An operator of an activity that has caused environmental damage, must immediately:

- take all practicable steps to prevent further damage; and
- notify all relevant details to the enforcing authority

The enforcing authority may serve a notice on an operator that:

- describes damage of a kind mentioned in the first paragraph of this provision;
- requires the operator to provide additional information on any damage that has occurred;
- specifies the measures required to prevent further damage; and
- requires the operator to take those measures, or measures at least equivalent to them, within the period specified in the notice.

Action by the enforcing authority

Any duty in this Part on the operator of an activity may be carried out by the enforcing authority instead of the operator:

- in an emergency;
- if the operator cannot be ascertained; or
- if the operator fails to comply with a notice issued under the two provisions immediately above.

Remediate any damage which does occur

Amendments

The Environmental Damage (Prevention and Remediation) (England) (Amendment) Regulations SI 2015/1391, 2017/1177 and 2019/1285 have no known impacts for the University body.

The Environment (Amendment etc) (EU Exit) regs 2019 amend these by Regs by removing references to EU member state and various EU legislation, so that the legislation remains operable after the UK leaves the EU.

Legislation

Environmental Information Regulations SI 2004/3391

https://cedrec.com/environmental/summary/regulation/si/2051/index_o.htm

Overarching Principle

The aim of the Regulations is to establish an access regime which allows people to request environmental information from public authorities.

Key Features

All environmental information held by a public authority must be progressively [made available](#) to the public by easily accessible electronic means.

They must make this information available on request within 20 or 40 days, depending on its complexity and volume.

A public authority can [charge a fee](#) for making environmental information publicly available, but there is no charge for allowing an applicant to:

- access any public register or list;
- examine the information at the place the public authority make it available.

Several [exemptions](#) to the Regulations are established, whereby the public authority can refuse to disclose requested environmental information. Amongst other things, this applies if the information would affect:

- international relations, defence, national security or public safety;
- the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature;
- intellectual property rights;
- the confidentiality of the proceedings of any public authority;
- the confidentiality of commercial or industrial information;

<ul style="list-style-type: none"> ○ the interests of the person who provided the information; ○ the protection of the environment.
Amendments
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Chapter 11 – Other drivers and external factors

Applicability of Compliance Obligations

The entries in this chapter focus on the areas of obligation we have which are not legislative but we are committed to adhering to or applying as an essential part of our business either in response to an environmental aspect or the management and reporting of these.

The University must consider the following other factors:

- The requirements of the standard ISO14001 and the clauses contained within this.
- Data Reporting requirements to HESA, on aspects such as Energy, Carbon, Waste and Travel.
- The requirement to have a Carbon Management Plan
- The requirement to notify NQA of any breach of legislation which may lead to a prosecution.

Compliance Obligation	ISO14001 Requirements
Overarching Principle	
The University is required to comply with the clauses of ISO14001 in order to maintain the standard. This is assessed through internal and external audits.	
Key Features	
<p>This means undertaking the appropriate elements of:</p> <ul style="list-style-type: none"> • Planning • Implementing • Operating • Checking and Correcting • Maintaining an EMS Manual. <p>Planning involves a baseline review and awareness of the site history and site set up</p> <p>Implementation requires an assessment of legal & other requirements, the identification of aspects and their impacts, the creation of objectives and targets and the establishment of an Environmental Policy.</p> <p>Operating involves the identification of resources, roles and responsibilities, the establishment of competencies, training and awareness, the monitoring and recording of communication, the control of documentation, the creation of operational controls and the establishment of emergency response procedures.</p> <p>Checking and correcting includes the identification of monitoring and measuring requirements, an evaluation of compliance, the recording of nonconformity, corrective and preventative actions, the control of records, undertaking internal audits and establishing a management review.</p> <p>An EMS Manual must also be maintained detailing the procedures required.</p>	

Compliance Obligation	Data Reporting Requirements to HESA
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Overarching Principle	
<p>The University are required to submit data to HESA through the EMR (Estates Management Return) and this includes some environmental data. The return consists of mandatory and voluntary data and the University currently completes all mandatory data and voluntary data where this information is readily available. Environmental elements of both mandatory and voluntary data are also used for assessment of the AUDE Green Scorecard and the FOI assessment by People and Planet for the Green League and therefore for as long as the University supports these assessments, and where this information is readily available it will continue to be supplied even if voluntary.</p>	
Key Features	
<p>The data reported to HESA includes data on</p> <ul style="list-style-type: none"> • Energy use • Water use • Waste produced • Travel • Carbon <p>The data is split between non-residential and residential operations across a range of factors for each area. The recording of space and staff/students numbers enables an analysis of data in comparison to other institutions</p>	

Compliance Obligation	Sustainable Development Goals (SDG) Accord
Overarching Principle	
<p>The purpose of the SDG Accord is twofold:</p> <ul style="list-style-type: none"> • First it is to inspire, celebrate and advance the critical role that education has in delivering the Sustainable Development Goals (SDGs) and the value it brings to governments, business and wider society. • Secondly, the Accord is a commitment learning institutions are making to one another to do more to deliver the goals, to annually report on each signatory's progress, and to do so in ways which share the learning with each other both nationally and internationally. An objective is that sector SDG reporting metrics will be presented at the annual UN High Level Political Forum. 	
Key Features	
<ul style="list-style-type: none"> • Align all major efforts with the Sustainable Development Goals, targets and indicators, including through our education, research, leadership, operational and engagement activities; • Aim to involve members from all key stakeholder groups in this endeavour, including students, academics, professional staff, local communities and other external stakeholders; • Collaborate across cities, regions, countries and continents with other signatory institutions as part of a collective international response; • Using our own unique ways, inform, share our learning and account to both local and global communities our progress toward the Sustainable Development Goals; • Annually report on 'how does my institution contribute to the Goals and what more can we do'. 	

Compliance Obligation	The requirement to notify NQA
Overarching Principle	
<p>There is a requirement to notify NQA of any breach of legislation which may lead to a prosecution</p>	
Key Features	
<p>It is a contractual stipulation that we notify NQA as our ISO14001 assessment body of any incident which is deemed to be a breach of legislation and which may lead to a prosecution.</p>	

Compliance Obligation	Sustainability Leadership Scorecard
Overarching Principle	
A transformational 'All in One' tool which captures data and performance from many sources and builds one definitive picture of an institutions performance.	
Key Features	
Automatically drawing on your current EMR data, plus many of the sustainability standards and accreditations you have achieved, the Sustainability Leadership Scorecard: <ul style="list-style-type: none">• Allows a coordinated whole-institution approach to sustainability.• Provides you with reports that you can use to communicate performance success within your own institution, set new targets and monitor and improve progress.• Gives you the choice over which aspects of sustainability you wish to focus on for action and improvement.• Is free and easy to use for all EAUC and AUDE member universities and colleges in the UK and Ireland.	
The University is participating in the use of this annually and the latest report from this is incorporate in the Sustainability Action Plan Annual Report.	

The following factors were considered but determined not to be compliance obligations:

The University will be assessed by the People and Planet Green League but as this uses publicly accessible information from HESA and our website the University has made no commitment to supporting this.

5.1 Building Standards

The construction of new buildings and the refurbishment of the existing buildings offer opportunities to support the aspiration to achieve net zero carbon emissions by 2050. All modern building refurbishments should consider adopting retrofit technologies during project evaluation and must aim to achieve a relevant and appropriate level of certification, this could be: BREEAM, Passivhaus, EnerPHIT or a bespoke standard. Where this is not possible, it must be demonstrated that this approach has been considered, explain why it is not possible and incorporate the best standard possible.

Passivhaus Standard

The definition of Passivhaus is driven by air quality and comfort: "A Passivhaus building is a building in which thermal comfort can be achieved solely by post-heating or post-cooling the fresh air flow required for a good indoor air quality, without the need for additional recirculation of air" – Passivhaus EnerPHit is a slightly relaxed standard for retrofit projects, where the existing architecture and conservation issues means that meeting the Passivhaus standard is not feasible. Where the Passivhaus standard is not possible, each project must show that the possibility of taking the Passivhaus approach.

We are aware of the Times Higher Education University Impact Rankings for Sustainability (SDG's) but the University has made no commitment to submit.

Fair Trade - Loughborough University (LU) was one of the first University's to be Fairtrade Accredited but in recent years the situation has changed. Fairtrade is not the only accreditation scheme which supports Sustainability and Social Responsibility which makes the decisions slightly harder. In addition LU has tried increasing the range of Fairtrade products offered but the cost of these is often somewhat greater than the alternative products. Unfortunately sales and stock figures demonstrate that our customers are, as a general rule, not willing to pay this difference. Where we have significant buying power, for example coffee purchasing, we are able to buy in sufficient volumes to maintain the use of a

Fairtrade product and present this as the only option, something we cannot do with many other products. Given the unwillingness to choose Fairtrade products, where there was a choice, and the current cost of accreditation, we feel that it is impractical to maintain the Fairtrade accreditation.

The following factors were considered but determined not to be necessary for inclusion for the reasons stated:

Item:	Reason:
ESOS (21/03/16)	The Energy Manager has evaluated the requirements of this legislation and deemed it does not apply to the University.
Duty of Care Code of Practice	The Duty of Care Code of Practice is an explanation of requirements from various pieces of legislation. As the legislation is included in the Register of Legislation this Code of Practice does not, in our opinion need to be included separately.

The following is not legislation but relates to the impact of waste management as a result of COVID-19 and therefore indirectly links to legislative and duty of care responsibilities.

Guidance	COVID-19 and Waste Management Activities cedrec link
Overarching Principle	
<p>This information document produced by the Waste Industry Safety and Health Forum (WISH) contains advice about managing COVID-19 (coronavirus) risks in the context of a range of waste management activities.</p> <p>It is intended to sit alongside other guidance and advice issued by the Government, the Health and Safety Executive (HSE) and public health bodies, related to coronavirus.</p> <p>The waste management sector has key worker status and the coronavirus pandemic poses various potential problems for the sector.</p>	
Key Features	
<p>This document seeks to address specific issues arising in waste management. It contains information on:</p> <ul style="list-style-type: none"> ○ COVID-19 and waste management; ○ symptoms and what to do if an employee shows or reports the symptoms; ○ Controlling the spread of COVID-19, including: <ul style="list-style-type: none"> ○ general precautions, ○ good hygiene, ○ social distancing, ○ cleaning procedures, ○ handling wastes, ○ personal protective equipment, and ○ vulnerable persons; ○ changes in response to COVID-19, including: <ul style="list-style-type: none"> ○ maintaining critical competencies and standards, ○ change management, and ○ inspections, testing, maintenance and repairs; ○ specific advice, on: <ul style="list-style-type: none"> ○ vehicles and collections operations, ○ bulky waste collections, 	

- mobile plant,
- transfer stations, landfills and similar,
- MRFs and recycling plants,
- civic amenity and household waste recycling centre sites,
- welfare facilities,
- weighbridges; and
- other information sources and links.

Guidance	Coronavirus (COVID-19): disposing of waste cedrec link
Overarching Principle	
The Department for Environment, Food and Rural Affairs has published guidance to help both householders and businesses decide on how to dispose of waste, including PPE, during the coronavirus pandemic.	
Key Features	
The guidance, which applies to England only, covers the following key areas: <ul style="list-style-type: none"> ● Face coverings, PPE and lateral flow devices (LFDs); ● If you're self isolating; ● If you run a business or organisation; ● Cleaning waste; ● Litter picking during coronavirus; ● Lateral flow device tests; ● Schools, the workplace and other settings. 	
Amendments	
This guidance was updated on 24 May 2021 to add a note on the new COVID-19 variant.	

Guidance	Social distancing when signing and handing over waste transfer and consignment notes in person cedrec link
Overarching Principle	
This Regulatory Position Statement (RPS) from the Environment Agency applies to those who use paper waste transfer notes, season tickets, and consignment notes when transferring waste.	
If you follow the conditions set out in this RPS you do not have to sign or hand over paper copies of waste transfer and consignment notes, in person at the same time. This has been done in order to help maintain social distancing measures that seek to minimise the spread of the coronavirus.	
Key Features	
The conditions of this RPS are: <ul style="list-style-type: none"> ○ you must ensure the appropriate person fills in the relevant sections of the waste transfer or consignment note for each waste transfer. You do not need to get a signature in the box but the responsible person should give their full name, date of birth and contact number; ○ when transferring or receiving waste, you don't need to physically hand over the waste transfer or consignment note, but you must give all the information and data normally provided for in the note, before or at the time of the waste transfer, not after; ○ you must send or receive the completed paper copy of the waste transfer or consignment note, for each waste transfer, as soon as possible, and no later than 10 days after the waste transfer has occurred. You must meet all other waste transfer requirements.	

You must also ensure records are kept of any waste you transfer or receive during the duration of this RPS. These must be kept for:

- 24 months from the date of the waste transfer for waste transfer notes; and
- 36 months from the date of the waste transfer for consignment notes.

Amendments

The expiry date for this RPS has been extended. This RPS will now be withdrawn on 30 September 2021.