

# Climate Change the Law and your Local Authority

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## Introduction

- ◆ How is the law seeking to address the consequences of Climate Change?
- ◆ Overall Aim – to reduce emissions of greenhouse gases
- ◆ Relevant Sectors
  - Waste – methane 3% of UK greenhouse gas emissions
  - Construction – 50% UK CO<sub>2</sub> emissions building related
  - Transport – fuel efficiency/renewable fuels

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## Introduction

- ◆ Implications for Local Authorities
- ◆ 2004 –public sector responsible for 5% of CO<sub>2</sub> emissions
- ◆ Government want local authorities at forefront in tackling climate change
- ◆ Nottingham Declaration
  - 216 out of 350
  - Action plan to reduce emissions
  - Energy Saving Trust
- ◆ No statutory duty in performance indicators on Climate Change – proposals in LG white paper

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### Legislative Background

- ◆ 1992 – United Nations Framework Convention on Climate Change
- ◆ 1997 – Kyoto Protocol – Feb 2005
  - Agreement to reduce greenhouse gas emissions; CO<sub>2</sub> most significant
- ◆ UK voluntary national targets
- ◆ Draft Climate Change Bill – legally binding targets

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### Legislative Background

- ◆ UK Climate Change Programme
  - Produced in 2000 and updated in 2006
- ◆ Measures to achieve targets
- ◆ Climate Change and Sustainable Energy Act 2006
  - SoS to produce annual report
  - Energy Measures Report
- ◆ Energy White Paper –May 2007

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### Waste

- ◆ WEEE Legislation
  - EC Directives
  - UK Regulations
- ◆ Waste Strategy 2007
- ◆ Clean Neighbourhoods Act
  - Site Waste Management Plans
- ◆ Landfill Tax –
  - annual escalator £8 per yr from 2008
  - £48 in 2010

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## WEEE LEGISLATION

- ◆ Waste Electrical and Electronic Equipment (WEEE) – why is it seen as a priority?
- ◆ Two Directives
  - Restriction on the Use of Certain Hazardous Substances in EEE Directive 2002/95/EC
  - WEEE Directive 2002/96/EC
- ◆ WEEE Directive implemented in UK
  - WEEE Regulations 2006
  - WEEE (Waste Management Licensing) Regulations 2006

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## WEEE LEGISLATION

- ◆ ‘Polluter Pays Principle’ – intention is that producers of EEE bear main financial burden of Regulations
- ◆ 1 July 2007 – ‘WEEE day’
- ◆ 15 March 2007 – producers need to register with an authorised PCS
- ◆ 31 March 2007 – need to register as a producer
- ◆ 1 April 2007 – need for all new WEEE to be marked



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## WEEE LEGISLATION

- ◆ PCS responsible for ensuring WEEE is taken to Approved Authorised Treatment Facility (AATF) or Approved Exporter (AE)
- ◆ Obligations to recover /recycle % WEEE
- ◆ No specific obligation on householders
- ◆ Distributors
  - Offer free in store take back; or
  - Join a collective distributor take back scheme (DTS) – Valpak’s Retail WEEE Services
- ◆ Designated Collection Facilities (DCFs)

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## WEEE LEGISLATION

- ◆ Implications for Local Authorities
- ◆ No specific obligations as WCAs /WDAs
- ◆ Government is encouraging Local Authorities to register civic amenity sites as DCFs – use existing infrastructure
- ◆ DCF – Dti Code of Practice – Feb 2007
- ◆ Contact Valpak – 4 May 2007 first deadline for registration.
- ◆ Two further dates to be announced

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## WEEE LEGISLATION

- ◆ Letter to local authorities from Dti – April 2007
- ◆ Benefits of registering as DCF
  - Recycling of WEEE will count towards recycling targets
  - Funding from DTS to support collection
  - Free collection of WEEE by PCS
  - Reduce amount of waste for disposal i.e. reduce costs of disposal
- ◆ Potential downsides? Costs?

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## WASTE STRATEGY 2007

- ◆ Key highlights
- ◆ Aim - Net reduction in greenhouse gas emissions 9.3 million tonnes CO<sub>2</sub> equivalent per year
- ◆ New target on waste reduction
- ◆ Recycle and Compost
  - 40% by 2010
  - 45% by 2015
  - 50% by 2020

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## WASTE STRATEGY 2007

- ◆ Recovery of municipal waste
  - 53% by 2010; 67% by 2015; 75% by 2020
- ◆ Proposed new national target for reduction of C&I waste to landfill
- ◆ Target to halve amount of C&D waste going to landfill by 2012
- ◆ Removal of ban on local authorities to introduce financial incentives for waste reduction and recycling – ‘revenue neutral’
- ◆ LATS scheme – Defra review

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## Site Waste Management Plans

- ◆ Voluntary Code of Practice issued by Dti – July 2004
- ◆ Potential for greater resource efficiency
- ◆ Clean Neighbourhoods Act introduced requirement for SWMPs to be compulsory
- ◆ Consultation issued in April 2007
- ◆ Minimum qualifying value - £250k?

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## Construction

- ◆ Nearly half of UK CO<sub>2</sub> emissions are building related
- ◆ 10% - associated with the manufacture and transport of building materials
- ◆ C D & E waste largest source in UK
- ◆ 90 million tonnes inert aggregate waste suitable for recycling

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## Construction

- ◆ Dti Sustainable Construction Review
- ◆ Energy Performance of Buildings Directive (EPBD) 2002
- ◆ Building Regulations 2006
- ◆ Sustainable and Secure Buildings Act 2004
- ◆ Emissions Trading Schemes
- ◆ Code for Sustainable Homes
- ◆ Aggregate Levy – financial incentive for resource efficiency

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## Construction

- ◆ Sustainable Construction Review
  - Sets targets and visions
  - Strategy later in 2007
- ◆ Focus on energy efficiency
  - Home Energy Conservation Act 1995
  - Sustainable Energy Act 2003
  - Housing Act 2004
  - Aim to be 'carbon neutral'

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## Construction

- ◆ Energy Performance of Buildings Directive
  - All new buildings and large buildings subject to renovation to meet minimum energy performance requirements
  - Energy Performance Certificates for all buildings by January 2009
  - Regular inspections of boilers /air conditioning units

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## Construction

- ◆ Energy Performance Certificates
  - Home Information Pack Regulations 2006
  - Energy White Paper – required for all business premises built, sold, rented
  - Large buildings open to public must display EPCs
- ◆ Building Regulations 2006
  - Part F (ventilation)
  - Part L (Conservation of Fuel and Power)
  - Minimum energy performance requirements
  - Major

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## Construction

- ◆ Code for Sustainable Homes
  - Sustainable building standards
  - Six levels based on star rating
  - Voluntary until April 2008
  - Amends to Building Regulations
  - New homes built by RSLs/Housing Corporation Funding – Level 3
  - Target – 2016 new homes to be zero carbon

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## Emissions Trading

- ◆ UK Emissions Trading Scheme
  - Voluntary Five year pilot scheme 2002-6
- ◆ EU Emissions Trading Scheme 2005 - mandatory
- ◆ Government consulting on new mandatory emissions trading scheme
- ◆ Energy Performance Commitment /Voluntary Benchmarking
  - Large non-energy intensive businesses not covered by EU ETS or CCA
  - Will include large local authorities if >3000MWh per year (£250k electricity bill)
  - Carbon Reduction Commitment Scheme

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## Transport

- ◆ Road Transport – 27% UK CO<sub>2</sub>
- ◆ Energy White Paper 2007
  - UK aim to have mandatory targets for fuel efficiency of new cars
  - EC intend to introduce mandatory targets
  - Low Carbon Transport Innovation Strategy
  - Tax measures to encourage cleaner fuels – Vehicle Excise Duty

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## Transport

- ◆ Biofuels Directive 2003 -5.75% by 2010
- ◆ Member States agreed binding minimum target 10% road transport fuels from bio fuels by 2020
- ◆ EC Consultation – April 2007
- ◆ Renewable Transport Fuel Obligation (RTFO) – in force April 2008
  - 5% by 2010 in three phases

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## Conclusions

- ◆ Significant legislative tools aimed at delivering reduction in greenhouse gas emissions
- ◆ Government wish to see Local Authorities at the forefront
- ◆ Public Sector responsible for 5% greenhouse gas emissions
- ◆ Relevant to all sectors within Local Authorities
- ◆ Need to develop Action Plan
- ◆ Have regard to SoS Energy Measures Report

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