

## Fact Sheet 06

# Introduction to Environmental Legislation

## An introduction

Environmental legislation generally aims to minimise the negative impact that businesses have on the environment and applies to all businesses, irrespective of size or the sector in which you operate. Breaking environmental laws can have severe consequences; you could be fined or even face a prison sentence. In some circumstances, your business could be closed down to stop you acting illegally. This factsheet is designed to provide an introduction to current environmental legislation and to signpost you to other sources of information.

## Environmental law and regulation in the UK

### 1. International treaties and agreements

The UK is a signatory to some International treaties such as the United Nations Framework Convention on Climate Change (UNFCCC, 2004); and the subsequently Kyoto Protocol (1997) which sets binding targets for 37 industrialized countries and the European community for reducing greenhouse gas (GHG) emissions. The treaties are mechanisms that are used to inform and develop legislation throughout the world.

### 2. European and national legislation

Most UK environmental legislation now originates at the European level. In the UK, legislation comprises Acts and statutory instruments (SIs) or Regulations. Acts provide the policy principles and broad requirements, while statutory instruments (SIs) or regulations are specific and detailed. SIs may be different in any of the four UK territories: England, Wales, Scotland and Northern Ireland (NI). This is important to note when operating sites in more than one UK jurisdiction.

## Identifying applicable legislation

The first step in managing compliance with legislation is to know which requirements are applicable to your organisation's activities, products and services. Various sources of information can be used to identify and assess environmental legal requirements, including:

### Government departments

Defra, Department for Environment, Food and Rural Affairs

BIS, Department for Business Information and Skills

### Local authorities

Various departments, including Environmental Health, Waste and Recycling

### National regulators

Environment Agency

English Nature

### Environmental management and law publications

The environmentalist' magazine – [www.environmentalstonline.com](http://www.environmentalstonline.com)

ENDS - Environmental Data Services – [www.ends.co.uk](http://www.ends.co.uk)

### Professional and trade bodies

IEMA - Institute of Environmental Management and Assessment

CIWM - Chartered Institution of Wastes Management

### Websites

NetRegs, Environmental Regulations on the Internet  
– [www.environment-agency.gov.uk/netregs/](http://www.environment-agency.gov.uk/netregs/)

Europa, The European Union On-Line  
– [europa.eu/documentation/legislation/index\\_en.htm](http://europa.eu/documentation/legislation/index_en.htm)

Business Link – [www.businesslink.gov.uk/bdotg/action/layer?topicId=1079068363](http://www.businesslink.gov.uk/bdotg/action/layer?topicId=1079068363)

HMSO, UK Legislation – [www.legislation.gov.uk](http://www.legislation.gov.uk)

Envirowise, WRAP – [www.envirowise.wrap.org.uk](http://www.envirowise.wrap.org.uk)

## More about NetRegs

NetRegs is an online resource designed to help organisations navigate through the maze of environmental legislation. It is also possible on NetRegs to:

- Register for environmental legislation updates by email
- Assess your environmental compliance online
- Find your nearest waste disposal site
- Get information on resource efficiency



**Summary of Environmental Legislation and Guidance; including key Acts  
(Note the actual Acts and Regulations are shown in bold)**

<b>Permits and licences</b> Check if you need a permit or licence for your business	<b>Hazardous substances</b> Managing how you keep and use hazardous substances
Environmental permits (England and Wales) Environmental Permitting (England and Wales) Regulations 2010 SI 675 Waste (England and Wales) Regulations 2011 SI 988	Asbestos Chemical storage Solvent emissions <b>Pesticides Act 1998</b> <b>Radioactive Substances Act 1993</b> <b>Radioactive Material (Road Transport) Act 1991</b>
<b>Air pollution</b> Managing your emissions to air	<b>Carbon reduction</b> Reducing your energy use and your carbon footprint
Air pollution from furnaces, boilers and bonfires Vehicle use and emissions <b>Clean Air Act 1993</b>	Biofuel for transport Climate change Energy efficiency, Energy labelling and energy efficient design Renewable energy <b>Climate Change Act 2008</b>
<b>Land and water pollution</b> Managing your impacts on land and water	<b>Nuisances</b> Preventing noise and other nuisance from your business
Trade effluent - discharges to sewers Water pollution Flood and Water Management Act 2010 Water Act 2003 Water Industry Act 1991 Water Resources Act 1991 (as amended)	Noise, odour and other nuisances <b>Clean Neighbourhoods and Environment Act 2005</b> <b>Noise and Statutory Nuisance Act 1993</b> <b>Anti-social Behaviour Act 2003</b>
<b>Waste types - What to do with the kinds of waste you produce</b>	
Animal by-products and food waste Batteries End-of-life vehicles Hazardous / special waste Packaging	<b>Waste electrical and electronic equipment (WEEE)</b> <b>Clean Neighbourhoods and Environment Act 2005</b> <b>Control of Pollution (Amendment) Act 1989 c.14</b> <b>Environmental Protection Act 1990</b>

The principal environmental regulator in the UK is the Environment Agency, but there are also other environmental regulators with related and specific responsibilities such as your Local Authority (City of Westminster), British Waterways, Natural England, DEFRA, Department for BIS, Drinking Water Inspectorate, English Heritage, Health and Safety Executive and Water companies e.g. Thames Water.

### Disclaimer

Please note that this table is a summary of the legislation and information available on the NetRegs website that is of most relevance to businesses in the Victoria BID. It is not intended to be an exhaustive list of all the legislation that applies to every business, so it is still recommended that you also carry out your own legal compliance checks against the legislation listed on the Netregs.gov.uk website and other sources.

### City of Westminster's Role

Your local authority enforce a variety of activities that may have an impact on the environment such as ensuring that you have commercial waste / recycling contracts in place, the licensing of dry-cleaning businesses, noise abatement, fly-tipping, pest control and catching stray dogs. Local authorities' enforcement responsibilities are often utilised in conjunction with national regulators such as the Health and Safety Executive (HSE), the Food Standards Authority (FSA) and the Environment Agency.

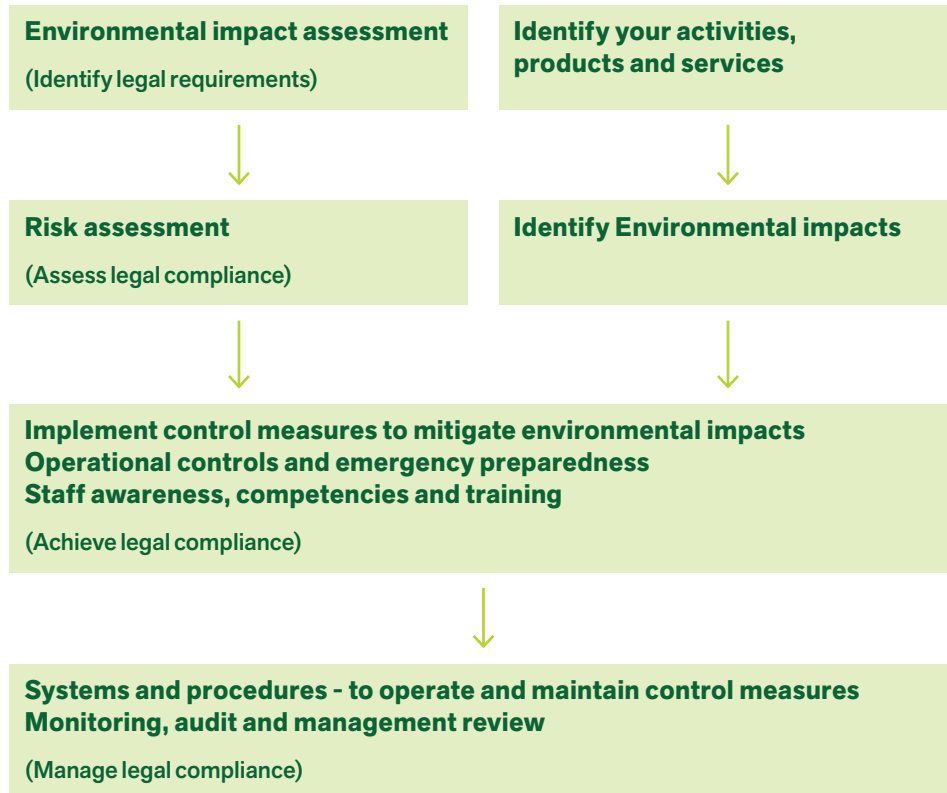
### Environmental Management Systems and Compliance

Environmental Management Systems (EMS) such as ISO14001 or BS 8555 are tools that can help businesses manage, amongst other things, their compliance with environmental legislation. Whilst an EMS cannot 100% guarantee legal compliance, it should quickly alert organisations of non-compliance so that it can be addressed. Regulators are supportive of accredited EMS's and they give them assurance that an organisation is compliant.



City of Westminster

These are the key elements of ISO14001 which help organisations become legally compliant:



### Key questions to ask yourself...

- Do you know what environmental legislation applies to your business?
- Do you now know where to find current environmental legislation?
- Do you have a 'Trade Waste Agreement' or 'Waste Transfer Notes' for your waste and recycling collections?
- How do you dispose of waste materials that cannot go in your general waste stream such as fluorescent or low energy light bulbs, electrical items or batteries for example?
- Do you import a lot of packaging (> 50 tonnes / year), if so packaging legislation may apply to you?
- Do you have any processes that have air emissions? Legislation may apply to you, even if you are a printer or dry cleaner?
- Do you discharge anything into the sewer, apart from domestic wastewater? If so, you may need a 'Trade Effluent Consent' from Thames Water.
- Do you have any half-hourly meters and use large amounts of electricity (> 6000mWh / year)? Then you may need to register for the 'CRC Energy Efficiency Scheme' introduced by the Climate Change Act 2008.

## Where can I find further information?

Type of information	Link	What you'll find
Government	<a href="http://defra.gov.uk">defra.gov.uk</a>	Guidance
Registration	<a href="http://environment-agency.gov.uk">environment-agency.gov.uk</a>	Registration
Regulators	England and Wales - <a href="http://environment-agency.gov.uk">environment-agency.gov.uk</a> Scotland - <a href="http://sepa.org.uk">sepa.org.uk</a> Northern Ireland - <a href="http://doeni.gov.uk">doeni.gov.uk</a>	Guidance
Advice	<a href="http://netregs.gov.uk">netregs.gov.uk</a> <a href="http://carbontrust.co.uk">carbontrust.co.uk</a>	Signpost to business support Carbon Trust Standard

### Disclaimer:

Every effort is made to ensure that the information given herein is accurate, but no responsibility is accepted for any errors, omissions or misleading statements.

### Factsheets available on our website – log on to [www.insw1.com/greenbusiness](http://www.insw1.com/greenbusiness) for more information.

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| 02 Energy Management for Facilities Managers | 06 Introduction to Environmental Legislation |
| 03 Environmental Management Systems          | 07 Waste Recycling                           |
| 04 Green Procurement                         | 08 Resource Efficiency                       |