

# ENVIRONMENTAL LEGISLATION UPDATE

**This is a short guide to environmental legislation changes relevant to the University of Reading's operations.**

This guide aims to provide a concise update to environmental legislation and introduces upcoming guidance and regulations relevant to UoR's UK operations. More information is available by following the links which signpost out to official guidance. Alternatively contact Sustainability Services who can advise on compliance and procedures within the University.

Starting with the big issues we have...

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## EU GREAT REPEAL BILL

**This Bill will mirror and flip EU law into UK law "wherever practical" and be enacted immediately on the UK's EU exit**

For those aspects of EU environmental law that can't be directly converted into UK law, a certain amount of gap filling with secondary legislation will need to take place before 2019. The UK can't bring in any new legislation in to fill the gap. DEFRA's Secretary of State

Andrea Leadsome said that 25-33% of EU derived laws will not work post Brexit.

Legislation to keep an eye on include:

- REACH Regulations
- The Circular Economy
- CLP Regulations
- Renewable Energy Directive

**It should be noted that if the UK remains within the European Economic Area (EEA), most of the EU's environmental legislation will still apply.**

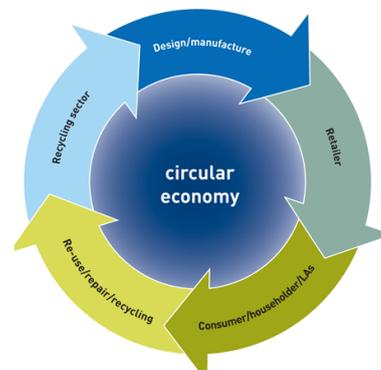
The only environmental laws that would no longer apply are the Birds Directive, Habitats Directive and Bathing Water Directive.

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## CIRCULAR ECONOMY

**Negotiations are currently taking place in Brussels to implement the Circular Economy Package (CEP).**

The circular economy is an alternative to the traditional linear economy (make, use, dispose) in which resources are kept in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life (Source: [WRAP.org.uk](http://WRAP.org.uk)).



New regulations will bring in new EU targets and aim to improve and support waste management practices in line with the waste hierarchy – reduce, reuse, recycle, recover.

Depending on the deal that is struck between the EU and UK, some aspects of the CEP may still apply and it would be in the UK's best interests to maintain policies to that effect.

View the University's Waste Strategy 2021 here:

[https://sites.reading.ac.uk/wp-content/uploads/sites/6/2017/04/Waste\\_Strategy\\_2020-21.pdf](https://sites.reading.ac.uk/wp-content/uploads/sites/6/2017/04/Waste_Strategy_2020-21.pdf)

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## AIR QUALITY

**Defra's plans to tackle air quality have come under fire from the EU as the latest submission of the Air Quality Plan was released in July.**

The case brought by Client Earth against the Government

will be familiar with most people and it is likely that they will be taking action again due to Defra's attempts to bring an appropriate plan forward.

Defra's plans are likely to effect the following activities relevant to the University:

- Infrastructure projects
- Vehicle emissions
- Generators
- Permitted activities.

More information about Defra's plan can be found on their website:

<https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

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## ENERGY AND CARBON

**Following the Paris Agreements, the UK entered into an agreement with the EU to help achieve 2°C target by 2020.**

Negotiations as to the UK allocations to the target depends on the outcome of Brexit. Either the UK continues as part of the EU team or submits its own NDC – but no back tracking is allowed.

Read more in a paper by the House of Lords Brexit: Environment and Climate Change

<https://publications.parliament.uk/pa/ld201617/ldselect/ldeduc/109/109.pdf>

### Carbon Reduction Commitments (CRC)

Due to be scrapped in 2019. The government will be putting forward an alternative scheme that is likely to be based on ESOS.

### Energy Saving Opportunity Scheme

HEPA received formal notification from the Environment Agency that universities are exempt from the ESOS Scheme if they are defined as a contracting authority under the Public Contracts Regulations.

<http://www.energylivenews.com/category/policy-legislation/>

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## JAPANESE KNOT WEED

**Invasive non-native species are one of the biggest threats to our environment. They cost the economy and some even threaten our health.**

The Wildlife & Countryside Act, Environmental Invasive Species Regulations and the Infrastructure Act are all proactive regimes that are in place to manage this threat. The Infrastructure Act now allows regulars to approach land owners to enter into an agreement (SCA) to manage JKW. If these agreement are ineffective an order can be raised (SCO). SCA and SCO are not in effect as yet as guidance needs to be released by DEFRA.



The University's [Habitat Management Plan](#) details how the University manages invasive species.

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## THAMES WATER AND NEW SENTENCING GUIDELINES

**At the beginning of the year Thames Water got a lot of press for a significant fine of £20.3 million for a number of pollution incidents on 8 sites over a long period of time.**

The Environmental Offences Guidelines published by The Sentencing Council is used by the courts to ensure consistence of sentencing across the UK. Higher fine are now being introduced as a result of the guidelines. The guide takes into account the turnover of a company to ensure that large companies are held to account. The Courts now take into account; history of offences, systems in place and environmental incident reporting procedures. It is now no longer cheaper to offend.

## DUTY OF CARE AND WASTE CRIME

Waste crimes have appeared in the news recently due to the rising occurrence and cost to the economy is over £550 million each year in clean-up costs and lost tax revenues (source: [ESAET Report 'Waste Crime – Britain's Dirty Secret'](#)). The Environment Agency have been given additional funding up to the end of March 2020 to help tackle the issue.

There is increasing enforcement action being taken by the EA as it is recognised that one way of tackling waste crime is to make sure that companies are compliant with the Duty of Care (section 34 EPA 1990).

This requires organisations to take all reasonable steps to manage waste in a way that has the lowest impact on the environment as possible this includes making sure that contractors are disposing of waste to an appropriate waste disposal site, waste carriers are licenced and that waste does not escapes control whilst it is

awaiting collection etc. This Duty of Care cannot be delegated via contractual agreements and therefore it is the waste producer's responsibility to comply.

The University manages this by having strict controls over who collects and disposes of University waste. A whole site waste management contract is currently in place with Select Environmental Services which enables the University to better control its waste disposal operations. Please contact [waste@reading.ac.uk](mailto:waste@reading.ac.uk) for more information.

A register of environmental legislation, relevant to operations on the Whiteknights and London Road campuses, is managed by Sustainability Services. If you would like more information about what environmental legislation is relevant to your area of work and the requirement there of, please get in touch with us [sustainability@reading.ac.uk](mailto:sustainability@reading.ac.uk) or call on 0118 378 6837 (Ext 6837).