

Environmental Legislation Update

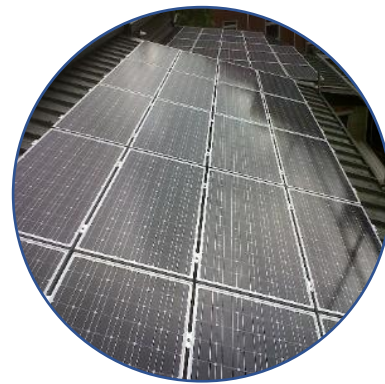
Peter Schofield

Director and Principal Environmental Consultant

M: 07920 194998

E: peters@gepenv.co.uk

W: www.gepenv.co.uk



2021 Budget at a Glance

2021 Budget at a glance

- Creation of **UK Infrastructure Bank**
 - Initial capitalisation of £12bn and expectation it will fund £40bn of investments
 - Invest in projects to help tackle Climate Change such as renewable energy, carbon capture & storage, and transportation
 - Provide low-rate loans to Councils to fund projects
- Bank of England – change of monetary policy remit to include a duty to support moves towards Net Zero Carbon economy (a move towards **sustainable finance**)
- £15bn in **green bonds** to help finance the transition to Net Zero Carbon by 2050 – opportunity to financially support climate change projects

2021 Budget at a glance

- Intention to set out proposals for **expanding the UK ETS** to cover other sector, including aviation and shipping
- Support for apprentices (but **no strong link to the low carbon skills economy**)
- Green Homes Grant Energy Efficiency Scheme
 - Offered up to £10k to insulate homes/install ASHP
 - Very low uptake due to difficulty accessing suppliers/poor structure of the scheme
 - Not clear over the **future of the scheme?**
- No obvious developments to show the use of the tax system to drive the shift to Net Zero – so did the Budget go far enough to ‘build back greener’?

Policy and Legislative Updates

Environment Bill - Postponed

Following some work on the amendments to that Bill on 26 January 2021, due to the lack of Parliamentary time as a result of the pandemic, the Government delayed any further work on the Bill until late spring 2021.

The Environment Bill will set out a legislative framework to tackle the environment and climate emergency. The four 'priority' areas:

- ✓ Air Quality
- ✓ Water Quality
- ✓ Biodiversity and Green Spaces
- ✓ Resource & Waste Efficiency

UK withdrawal from the EU

Throughout 2020 there were a significant number of legislative **EU Exit Amendments** being published to transpose EU law in UK law.

Many of these concluded on 31st December 2020 with many (hundreds) of amendments being made and coming into force to retain aspects of EU law into UK legislation.

Would expect these to be rationalised over time, but it's quite important that these were taken forward into UK legislation initially, here are some examples....



UK withdrawal from the EU

Retained EU Decisions:

- Information on the Environment
- Conservation of Migratory Species
- Movements of Wastes
- Convention on Biological Diversity
- Convention on the UN Convention on Climate Change
- Protection of transboundary watercourses

Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations SI 2020/1540

This makes amendments to requirements relating to the Ireland/Northern Ireland Protocol and amends wider legislation relating to resources and waste to ensure continuity.

- Rules for calculating and classifying waste types/volumes in the UK
- Registering waste onto national systems (for monitoring types/volumes)
- Waste labelling and description requirements
- Quality requirements for measurement of waste
- Retaining sector specific guidance on best practices in resource and waste management

These requirements are then embedded into multiple further items of UK legislation.

Energy Performance of Buildings (England and Wales) (Amendment) Regulations SI 2020/1422

Energy Performance of Building Regulations require air-conditioning systems with an effective rated output of more than 12kW a to be inspected every five years. The inspection includes an assessment of the system's efficiency and a review of sizing and advice on efficiency, improvements, and replacement or alternative solutions.

The amendment enhance inspection requirements by:

- Requiring inspections to include consideration of the capabilities of the air-conditioning system (or combined air-conditioning and ventilation) to optimise its performance under typical operating conditions.
- Not just looking at the actual equipment – this is now looking at how that equipment is being used in practice to further reduce energy consumption

Guidance: A guide to air conditioning inspections in buildings

Guidance for anyone who manages or controls an air-conditioning system to understand their obligations. Outlines how these regulations work in practice, how they be applied and responsibilities for when air conditioning inspections are required.

The guidance provides :

- AC inspection requirements
- F-Gas inspections
- Inspection reports
- Applying regulations in practice
- Enforcement
- Updated: with recent amendments



The screenshot shows the GOV.UK website interface. At the top, there is a search bar and navigation links for 'Coronavirus (COVID-19)' and 'Brexit'. Below this, a breadcrumb trail reads: 'Home > Housing, local and community > Planning and building > Energy efficiency in buildings > Air-conditioning inspections for buildings'. The main heading is 'Guidance: A guide to air conditioning inspections in buildings', updated on 28 December 2020. A table of contents is visible on the left, listing 'Introduction', 'Air conditioning inspection requirements', 'Fluorinated greenhouse gas inspections', 'Air conditioning inspection reports', and 'Obtaining an air conditioning...'. The 'Introduction' section is highlighted, stating that the guidance is intended to help anyone who manages or controls an air conditioning system to understand their obligations under the Energy Performance of Buildings (England and Wales) Regulations 2012, as amended in 2020.

Producer Responsibility Obligations (Packaging Waste)

Sets the UK National Recycling Targets – which in turn are used to calculate the Producer Responsibility Obligations (£)

UK Recycling Targets (for packaging waste):

- 2021 = 76%
- 2022 = 77%

	2020	2021	2022
Glass	80	81	82
Plastic	57	59	61
Aluminium	64	66	69
Steel	85	86	87
Paper/Board	75	79	83

Producer Responsibility Obligations (Packaging Waste)

Enforcement in Action: Zara Home and Inditex group (Pull&Bear, Bershka and Massimo Dutti).

Between 2010 and 2015 Zara Home UK Ltd broke rules which state that businesses must fund the recycling of the packaging waste that they place on the UK market. Similar enforcement has been brought to the other three retailers.

All four businesses have identified their causes of non-compliance and decided to work with the Environment Agency to address and rectify their failings.

Collectively fined £26,000 in environmental damage and breaches

- £13,000 to Keep Britain Tidy to educate children on litter and waste
- £13,000 to Marine Conservation Society to fund beach litter-picks in the UK

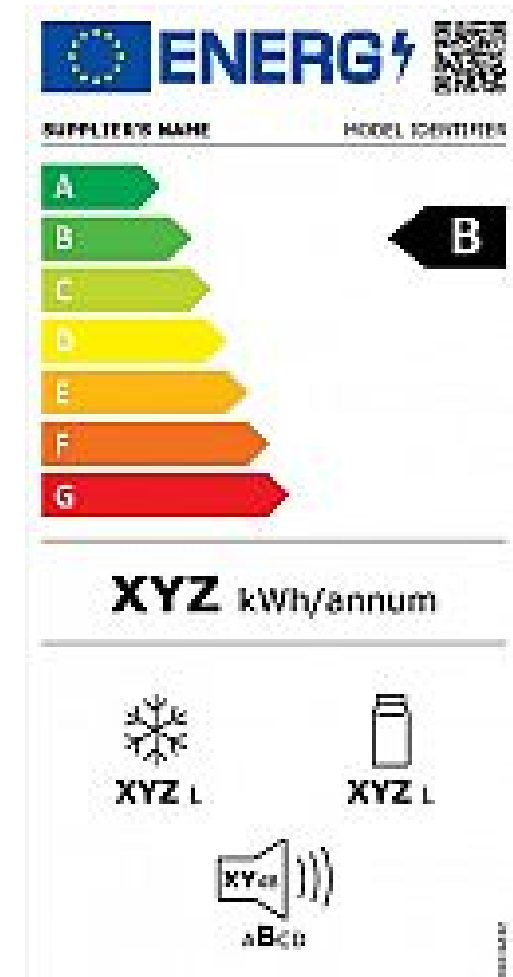
New Labelling of Appliance (Enacted)

A new framework of energy labelling, which provides harmonised product information in the form of a graphic label placed on the appliance or its packaging, applies from 1 March 2021.

Summary :

- Applies to electronic displays, light sources, dishwasher and fridges (in the EU and UK)
- New label is rescaled to a stricter A to G to account for future technological developments in energy efficiency
- Different design and a QR code to get more information
- New labels for light bulbs and lamps with fixed sources will follow on 1 September 2021

Over 90% of products were labelled A+, A++ or A+++. These items will now rank around a C, encouraging more innovation in energy efficiency.



New Ecodesign Requirements (Enacted)

New Ecodesign requirements apply from 1 March 2021.

Mainly outlines updated minimum energy efficiency requirements for various items and reinforces consumer rights to repair their appliances (and support a circular economy)

- Manufacturers or importers will be required to make a wide range of replacement parts available to professional repairers for **at least 7 to 10 years** after the last unit of an appliance has been placed on the market
- Manufacturers or importers will be required, for certain parts that are simpler to fix by the user, to be available to purchase for several years after that product has been taken off the market

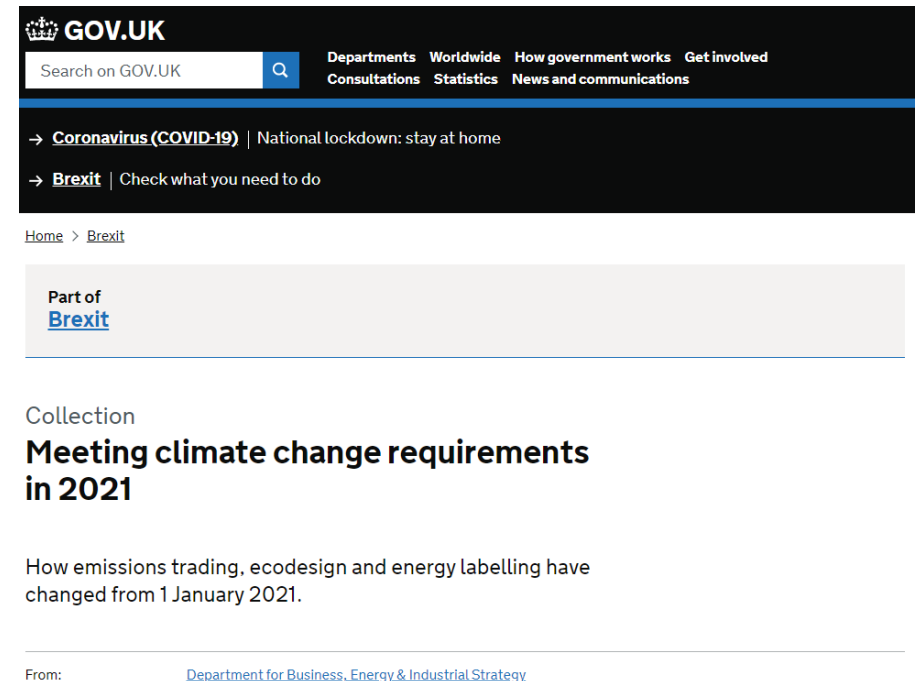
New / Updated Guidance Documents

Guidance: Participating in the UK ETS from 1 Jan 2021

BEIS Guidance that outlines how the UK ETS will work (taking over from the EU ETS).

The guidance provides :

- overview;
- who the UK ETS applies to;
- permitting, monitoring, reporting and verification;
- registry;
- free allocation;
- auctioning and market operation;
- simplified provisions for small emitters



The screenshot shows the GOV.UK website interface. At the top, there is a search bar and navigation links for Departments, Worldwide, How government works, Get involved, Consultations, Statistics, and News and communications. Below the navigation, there are links for Coronavirus (COVID-19) and Brexit. The main content area features a breadcrumb trail 'Home > Brexit', a 'Part of Brexit' section, and a collection titled 'Meeting climate change requirements in 2021'. The collection description states: 'How emissions trading, ecodesign and energy labelling have changed from 1 January 2021.' At the bottom, it lists the source as 'Department for Business, Energy & Industrial Strategy'.

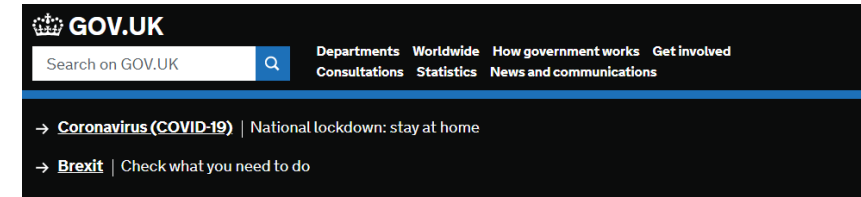
Guidance: ESOS Compliance

Guidance on ESOS and how to comply

The guidance provides :

- Overview
- Deadlines
- Qualification criteria
- Compliance for audits
- Regulation and penalties
- Registers of ESOS Assessors

Updated: with definition of ‘large undertaking’ for the third compliance period (Dec 2022)



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[Home](#) > [Energy efficiency](#)

Guidance

Energy Savings Opportunity Scheme (ESOS)

Find out if you qualify for ESOS and how to comply.

From: [Department for Business, Energy & Industrial Strategy](#) and [Environment Agency](#)
Published: 26 June 2014
Last updated: 22 January 2021, [see all updates](#)

Contents

- [About ESOS](#)
- [Deadlines for ESOS compliance](#)
- [Find out if you qualified for ESOS phase 2](#)
- [Complete an ESOS assessment](#)
- [Submit your ESOS notification of compliance](#)

Related content

- [Energy Savings Opportunity Scheme \(ESOS\): evaluation of the scheme](#)
- [Energy audits and reporting research, including the Energy Savings Opportunity Scheme](#)

For the qualification date for the third compliance period (31 December 2022) a large undertaking is any UK company that either:

- employs 250 or more people
- has an annual turnover in excess of £44 million, and an annual balance sheet total in excess of £38 million

What's on the horizon

Consultation: Future Buildings Standard

Ministry of Housing, Communities and Local Government is seeking views on proposed changes to Part L (conservation of fuel and power) of Building Regs.

Heating and powering buildings accounts for approx. 40% of UK's energy use, therefore, to achieve Net Zero Carbon by 2050, buildings need to be decarbonised.

- Vision to have a Future Buildings (non-domestic) and Future Homes (domestic) Standard from 2025
- Transition buildings to use low-carbon heat sources for heating and hot water
- Prepare buildings to be more climate resilient to a warming climate

Open until 13th April 2021 @ FutureBuildingsStandardConsultation@communities.gov.uk

Consultation: Clean Heat Grant: Further Policy Design Proposals

The Clean Heat Grant Consultation was conducted to consult on proposals for supporting heat pumps through an upfront capital grant to help address the barrier of upfront cost (in order to decarbonise buildings by retrofit and phase out fossil fuels)

Further consultation topics include:

- minimum insulation requirements
- biomass eligibility and 'hard to treat' buildings
- voucher application process (perhaps needs assessed and validity period)
- clarification on our approach to new-build eligibility

The final Clean Home Grant scheme design will be outlined later this year.

Consultation: Enabling a high renewable, net-zero electricity system

BEIS seeking evidence to inform the Government's design of renewables support schemes to achieve Net Zero Carbon emissions by 2050

The CCC outlined that the UK would need to quadruple low carbon electricity generation to meet Net Zero Carbon by 2050, so the consultation sought evidence on how schemes could:

- maintain growth in renewable deployment to meet net-zero targets;
- Ensure overall system costs are minimised for electricity consumers; and
- support and adapt to innovative technologies and business models.

This consultation should help Government to develop the right policy framework to support the financing and deployment of new technologies while minimising the cost for consumers.

Energy Efficiency Audit

- Supporting compliance
- Supporting the identification of financial and carbon savings

Energy Efficiency Audit

EMphasis3 CO2 Reductions Project



EMphasis3 CO2 Reductions (EMphasis3) is an ERDF funded SME support project

A free energy efficiency audit can be provided and help your business to shift towards a low carbon future

Contact

Peter Schofield

Director and Principal Environmental Consultant

07920 194998

peters@gepenv.co.uk