

**COALITION
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programme for government
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PACKAGING REGULATIONS
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PROSECUTIONS**

Dear Deb,

We're settling into summer and the heat is rising - in so many ways! The coalition is starting to implement its programme for government outlined in last month's newsletter. We include an item this month on the environmental implications of the recent budget statement. There is also information about changes in German Packaging Regulations that will affect British companies exporting to Germany. The Defra consultation on Packaging Regulations (April newsletter) has now closed and we are waiting to hear when responses will be published. While this is all going on E4environment is celebrating its 10 year anniversary this week - thanks for all the support from all our Green Achievers and other readers of our newsletters. Here's to the next 20!

Mandy Stoker

***COALITION GOVERNMENT - headline budget implications for the
environment and on-going implementation of programme for
government***

There was very little specific information in last week's budget announcements relating to environmental issues. What was said was that the government will...

- Look at reforming the climate change levy "to provide more certainty and support to the carbon price". Proposals to be published in the autumn.
- "Explore changes to the aviation tax system" such as switching from a per-passenger to a per-plane levy. It will consult on major changes.
- The Office for Budget Responsibility will assess the effect of oil price fluctuations on the public finances over the summer before the government looks at options for a "fair fuel stabiliser" - which would see fuel duty fall when prices go up, and vice versa.
- Consider the case for rural fuel duty discount.

On the broad agenda of public spending cuts Defra is seeing a reduction of £162m and DECC savings of £85m, including the closure of the Low Carbon Buildings Programme.

***CHANGES TO GERMANY'S PACKAGING REGULATIONS - impacts for
exporters***



The Green Dot is the licence symbol of a European network of industry-funded systems for recycling the packaging materials of consumer goods. The system is financed by a green dot licence fee paid by the producers of the products. In simple terms, the system encourages manufacturers to cut down on packaging as this saves them the cost of licence fees.

The basic idea of the Green Dot is that consumers who see the logo know that the manufacturer of the product contributes to the cost of recovery and recycling. Fees vary by country and are based on the material used in packaging (eg paper, plastic, metal, wood, cardboard). Fees take into account the cost of collection, sorting and recycling methods. Use of the Green Dot system used to be compulsory for exporting to Germany but this

is no longer the case, and indeed hasn't been for over 1 year. It is still a requirement in many countries - France, Spain, Turkey, Portugal and Bulgaria - but not in Germany although it is still commonly used.

Companies that export goods containing packaging to Germany have to be part of a compliance scheme. Responsibility for packaging in Germany falls completely on the original producer and in regard to exports, on the company legally responsible when it crosses the border. To date there has been a relatively light touch in enforcing the regulations but it is expected that authorities will start to get tougher so evidence of compliance will be required.



PROSECUTIONS

Large scale dumping of waste costs defendants £14,000

On Friday 18 June 2010, Conrad Arnold, pleaded guilty to four offences and Woodstock UK Ltd were found guilty of two charges relating to the illegal dumping of industrial, commercial and household waste in Guarlford, Malvern. Mr Arnold was fined £8,000 and ordered to pay costs of £1,700 as well as a victim surcharge of £15. Woodstock UK Ltd, which knowingly permitted the illegal waste activity to take place on their land, were given a conditional discharge and ordered to pay costs of £4,750.

During October and November 2007 Conrad Arnold operated an illegal waste transfer station under the business name Malvern Handyman Services with the permission of the landowner, Woodstock UK Ltd. On visiting a site police found large quantities of waste deposited and partially buried in an old marl pit to the left of the wood. The waste included wooden pallets, plastic tubing, guttering, a washing machine, a bath, chipboard, tyres, plastic sheeting, glass, printers, a lawn mower, LPG cylinders, tarmac, two cars and televisions.

An Environment Agency officer involved in the investigation said: "This was not just a one-off fly-tipping incident. It was an ongoing and organised commercial disposal operation. We urge companies, businesses and members of the public to make sure that when they arrange for other people to take away their waste, they validate that they are using registered waste carriers. It is very simple to check their details are valid by using our website, or by directly calling us on 08708 506 506."

Fined for pollution that killed swans, £28,000

Plastic bottle recycling company AWS Eco Plastics has been fined a total of £19,500 and ordered to pay full Environment Agency costs of £8,447 for twice polluting a dyke with oil at Hemswell Cliff, Gainsborough. The polluted dyke is in a protected zone for water abstracted by Anglian Water for drinking. The first time oil went into the water in October 2008 two adult mute swans died as a result.

Eco Plastics had contacted the Environment Agency to tell them that there had been a spill of about 1,000 litres at its site. The oil was running into surface water drains and into an interceptor 36 metres upstream of Hemswell Cliff Sewage Treatment Works. On a visit almost two weeks later an Agency officer found that booms and absorbent pads were saturated with oil, although the drain was clear further downstream before the final boom, but the roof where the incident occurred had still not been cleaned and contaminated soil at the premises had not been removed. A month after the incident there was still a need for more cleaning.

In March 2009 there was another spill estimated to be about 740 litres of diesel. A month later there was still diesel mixed with algae on top of the lake although the water was much cleaner.

The court was told that in both pollutions there had been significant environmental impact for about 650 metres downstream, adversely affecting the amenity and chemical water quality. 'There was evidence of poor management on site.' After the hearing Environment Agency officer James Finch said: "Unfortunately oil pollution is a common problem, and a lack of infrastructure and poor management are not acceptable. Pollution Prevention should be common practice. The second incident was completely foreseeable as procedures had not been adequately improved since the first spill. We want to work with businesses to protect the environment from pollution through preventative measures. However, when the environment is damaged; the polluter must pay."

£315,000 fine Lancaster scrap metal operator

David Peters and Tracey Noble pleaded guilty to offences concerning the operation of a scrap metal yard, at Preston Crown Court. They were ordered to forfeit items from the business including a forklift truck and HGV, as well as receiving a hefty fine. The site did not have the required environmental permits in place to carry out these activities, and was undercutting legitimate businesses. Both defendants could face imprisonment if they fail to pay the debts within six months.

A site visit to Ridge Farm, Lancaster found hundreds of vehicles being held on site in various states of disrepair. The site was not set up to handle the hazardous wastes and liquids which come from vehicles. There were no sealed drainage system and vehicle parts were not stored on a suitably impermeable surface. As such, the site could cause significant harm to the environment.

Robert Smith, Crown Advocate for the Crown Prosecution Service in Lancashire said: "This was a deliberate attempt to operate a scrap metal business illegally so that they could make as much money as possible in a short space of time without having to keep to the regulations that apply to the waste management industry. As well as prosecuting them for this illegal operation, by charging them under the Proceeds of Crime Act, we are ensuring that they can't keep hold of the money they amassed in this way."

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