REGISTER OF LEGISLATIVE, REGULATORY AND OTHER POLICY REQUIREMENTS

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ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
1	**MCLAREN ENVIRONMENTAL POLICY** The Policy contains important commitments with regard to: 1. The design, implementation and maintenance of an Environmental Management System in accordance with the ISO 14001 standard 2. Compliance with applicable environmental legislative and regulatory requirements 3. The prevention of pollution 4. Continual improvement of MCL environmental performance in regard to the significant environmental impacts associated with operations Particular consideration will be given to: • Localised nuisance (noise, dust, vibration, fumes and smoke) • Discharges to water (fuel, silt and chemicals) • Waste minimisation and management • Contaminated land • Flora and Fauna	All sites, including administration centres All project sites during the period of occupancy All construction and refurbishment operations See individual projects / sites	Objective to implement EMS and improve environmental performance. Project Environmental Plans plus Company / local objectives and targets on specific issues
2 2a	**PLANNING, CONSERVATION AND HERITAGE** **Town and Country Planning and Conservation** • Town & Country Planning Acts various • Town & Country Planning (Scotland) Act • Planning (Listed Buildings & Conservations Areas) Act 1990 • Planning (Listed Buildings & Conservations Areas) (Scotland) Act 1997	All projects as appropriate – design and construction phases	See procedures on design and planning

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2b	Development controls are defined in the Town and Country Planning Acts. Prior planning permission is required for the development of land or buildings. Local planning authorities, which normally determine planning applications, may approve conditionally or unconditionally, or reject applications altogether. More environmentally sensitive applications may also be referred to the secretary of State and subject to public enquiries or an Environmental Impact Assessment (see Item 3). The developer is responsible for obtaining all necessary planning permission, MCL and its contractors are responsible for ensuring that design, construction and where applicable operation complies with relevant planning conditions. Special conditions may apply to any works on or near to listed buildings or in designated conservation areas (Listed Building Consent, Conservation Area Consent, Notices, etc.). See also Item 15 in respect of wildlife protection. **Hazardous Substances and Planning Consents** • The Planning (Hazardous Substances) Act 1990 • The Planning (Hazardous Substances) Regulations (Amendment) 2010 • Notification of Installations Handling Hazardous Substances (Amendment) Regulations 2002 • Control of Pollution (Oil Storage)(England) Regulations 2001 The Regulations list the substances/quantities covered - whether substances are simply "present", stored, manufactured, processed, transferred or used. If applicable, the “operator” applies for hazardous substance consent or a continuation after change in control, and has to publish notice in local press and at site. A copy of application must be available on site (information in public register) and the operator must comply with all consent conditions. A minimum 4 week notice to the HSE before commencing operations involving a notifiable quantity of controlled substance. It is unlikely that such requirements will directly affect MCL but designers should be aware of any implications (e.g. hospital construction).	All projects as appropriate – design and construction phases	SHEQ Plan (MMS 046) EGN3 Permits and Consents

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2c	***Trees:*** • Town & Country Planning (Tree Preservation) (England) Regulations 2012 Unless exempt, consent must be obtained from the local planning authority before any tree protected by an order may be felled, topped, lopped, uprooted, damaged or destroyed. If a protected tree is cut down, uprooted or wilfully destroyed or damaged without permission there is a maximum fine of £20,000 (Magistrates' court) or even unlimited fine (Crown court). Planting of replacement trees will also be a normal requirement if protected trees are cut down or destroyed. It is important to establish whether any trees on their property are either "protected" or "exempt" before any tree surgery or clearance is undertaken. Note - if site is located in a designated conservation area, *all* trees are automatically protected. • EU Sustainable Timber Regulations Requires organisations to demonstrate through sustainability chains that all timber products used in the construction process is obtained from sustainable sources as confirmed by CE marking and or PEFC/FSC sourced materials.	All sites as appropriate	SHEQ Plan (MMS046) EGN3 Permits and Consents No particular species or size of tree are protected. Any tree is eligible for protection, regardless of age, species or size. But no trees are automatically protected. There are three normal ways in which a tree or woodland might have some been given some sort of legal protection: • A Tree Preservation Order (TPO) has been made at some time to cover that tree; • A planning condition has been made at some time to cover that tree; • The tree is within a **conservation area** Also, before removing any hedgerow, contact the Local Planning Authority.

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2d	**Heritage** • Burials Act 1857 • Disused Burial Grounds Act 1981 (skeletal remains) • Ancient Monuments and Archaeological Areas Act 1979 • Treasure Act 1996 (treasure trove) • Planning Policy Statement 5: Planning for Historic Environment (PPS5) With regard to site activities, unexpected archaeological finds may be subject to the Burials Act 1857, the Disused Burial Grounds Act 1981 (skeletal remains), the Ancient Monuments and Archaeological Areas Act 1979 or the Treasure Act 1996 (treasure trove). Various procedures may need to be implemented depending upon the particular circumstances.	All sites as appropriate	SHEQ Plan (MMS046) EGN11 Archaeology and the Built Heritage Consent should also be sought from the Local Authority before any works commence that may affect footpaths, cycleways or bridleways, either permanently or temporarily.
3	**ENVIRONMENTAL IMPACT ASSESSMENT (EIA)** • Town & Country Planning (Assessment of Environmental Effects) Regulations. 1988 as amended • Town & Country Planning (Environmental Assessment & Permitted Development) Regulations. 1995 • Town & Country Planning (Environmental Assessment & Unauthorised Development) Regulations. 1995 • Town & Country Planning (Environmental Impact Assessment) Regulations 1999	All projects that are subject to EIA demands – design and construction phases	Client responsibility

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
4	The legislation requires developers to assess the effects of certain private and public projects on the environment before the public authorities grant development / planning consent for them. The Regulations detail the specific types of project (i.e. Schedule 1, Schedule 2) and the application procedures: the Land Planning Authority must collect and consider information on environmental impact of specified projects when determining applications for planning permission, while the Developer must submit an Environmental Impact Assessment statement with the planning application. An Environmental Impact Assessment is usually undertaken by environmental and/or ecological specialists and, where applicable, its findings will to be considered in both the design and construction stages. **BUILDING REGULATIONS** The Building Act 1984 The Building Regulations 2010 The Building (Approved Inspector etc) Regulations 2010 The Building Regulations exist to secure the health and safety of building users, promote energy efficiency and provide easier access for the disabled. They apply to building work and cover the erection of new buildings and all significant refurbishment work, including the provision, alteration or extension of services, fittings and equipment.	All projects as appropriate – design, construction and refurbishment phases	See procedures on design and planning EGN1 Environmental Design

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
4a	The Regulations are administered by the local authority or an Approved Inspector, both require an advance notification specifying the work to be undertaken, and issue a "final certificate" upon satisfactory completion. Contraventions can lead to fines and/or a requirement to remove or remediate offending work. Note that the Technical requirements of the Regulations apply to premises occupied by the Crown but you should speak to your Approved Building Control provider regarding the need for formal notices for these types of projects as it will vary from location to location. A separate system of Building Control operates in Northern Ireland and Scotland – an application must be made to the Local Authority, there is no provision for private sector building control (except on Crown Projects). The Building Regulations contain a lot of information concerning building and material specifications, most of which has some environmental connotations – e.g. with reference to site boundaries, cabling and buried services, etc. – for designers and the various construction disciplines. However, owing to the generic nature of such requirements and their applicability to quality management, they are dealt with in the MCL Quality Management System. Nonetheless, the following topics have clear environmental implications worthy of separate note: **Energy Efficiency (Conservation of fuel and power)** • Building Regulations 2010 Parts L1 (domestic) and L2 (non- domestic) • Regulation 25A – Consideration of High-Efficiency Alternative Systems for New Buildings • Regulation 29 – Energy Performance Certificates	All projects as appropriate – design and construction phases	See procedures on design and planning

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4b	There are 4 guidance documents L1A and L1B for new build or alterations on domestic premises and L2A and L2B for new build or alterations to non-domestic premises. Key energy efficiency requirements for new buildings include minimum standards for lighting, air-conditioning, refrigeration, heat loss of buildings and hot water systems. The regulation covers four main stages in the life of a building: 1. **Design** – Compliance can be shown by demonstrating compliance of each element, the whole building or overall carbon emissions. The Emissions Calculations (SBEM or SAP) must now be submitted to building control for approval prior to any work commencing on site. 2. **From 9th July 2013** – an Alternative Energy System Assessment must be carried out and the results submitted to building contrl prior to work commencing. 3. **Construction** – Building fabric details, commissioning, testing and inspecting 4. **Energy Performance Certificate must be produced upon completion of works**. 5. **Operation** – Provision of log books for users and energy meters 6. **Work on existing buildings** – Update to current standards when replacing controlled services and fittings, materials alterations or change of use. **Water Fittings** • Water Supply (Water Fittings) Regulations 1999 (England and Wales) • Byelaws 2000 (Scotland)	All projects as appropriate – design and construction phases	See procedures on design and planning

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4c	All premises with a public water supply connection are subject to the above controls, which apply to the design and installation of water systems, their maintenance, and the use of supplied water. They apply to pipework, including the underground supply pipe connecting premises to the water main, to all fittings such as valves, pumps, etc., and to all appliances, machines, storage cisterns, hose pipes, etc. that are connected to the plumbing system or receive water from it. The water supplier should be notified in advance of any works. To breach the regulations is a criminal offence (fine, court costs and cost of any rectification work). **Disability Access** • The Equalities Act 2010 and the Equalities Act 2010 (Disability) Regulations 2010 • New Approved Documents M and K came into force on 6th April 2013 for compliance with building regulations. Service providers are required to take reasonable steps to modify physical features of premises which make it impossible or unreasonably difficult for the disabled to access the building. Where a building met the requirements of Part M of the Building Regulations at the time of its construction, and continues to meet them, no further adjustments will be necessary for a period of 10 years from the date of construction. This does not constitute a blanket exemption from the provider's duties under the EA and they must still consider how they will meet these obligations.	All projects as appropriate – design and construction phases	See procedures on design and planning

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5	**INTEGRATED POLLUTION PREVENTION AND CONTROL** • Environmental Protection Act 1990 Part I, plus subsequent amendments • Pollution Prevention and Control (PPC) Act 1999 and associated Regulations • Environmental Protection (Prescribed Processes and Substances) Regulations 1991, as amended • Environmental Protection (Applications, Appeals and Registers) Regulations 1991, as amended • Environmental Protection (Authorisation of Processes)(Determination Periods) Order 1991, as amended An Authorisation is required to operate a prescribed process either Part A = Integrated Pollution Prevention and Control (IPPC) managed by the EA, or Part B = Local Air Pollution Prevention and Control (LAPPC) managed by the local authorities (or SEPA in Scotland). Part A processes are generally those relating to heavy industries such as steel, paper, chemicals etc. Part B processes range from paint spraying to cremation (may therefore be relevant in hospital construction). The integration of the two systems of authorisation. Where Regulations indicate that a process is prescribed, the operator must apply for an authorisation within the specified time limit. It must pay the relevant fees, and if necessary publish an advisory notice in local newspapers etc. If the process is prescribed, then the authorisation will specify detailed operating requirements and possibly identify necessary improvements to be achieved. The operator must stay within the specified limits for air / water / land pollution, conduct sampling, and notify the regulator of any significant changes. Careful consideration needs to be given to the detailed clauses of any authorisation to ensure full compliance – they can specify personnel qualifications and experience levels.	Unlikely to affect normal business activities. However some projects with large boilers, incinerators or other significant sources of atmospheric emissions may require LAPPC permits.	No actions required at present **– any large scale concrete-crushing activities may require a Part B Authorisation as well as a Waste Management Licence (see also section on wastes)**

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			DOCUMENTS (INCLUDING GROUP STANDARDS)
6	**AIR QUALITY AND ENVIRONMENTAL NUISANCE** • Environmental Protection Act 1990 Part III: Statutory Nuisances and various environmental protection regulations • Clean Air Clean Air Act 1993 and various Clean Air Regulations • Control of Pollution Act 1974 and Control of Pollution (Amendment) Act 1989 • Noise and Statutory Nuisance Act 1993 • Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regs 1985 and 1988 • Air Quality Regulations 1997 Air quality legislation seeks to regulate air pollution by restriction or prohibition of certain atmospheric emissions and dark smoke through a system of prior approval by regulating authorities of furnaces, chimneys etc. Statutory nuisance procedures are also designed to provide a quick remedy to local authorities or 'aggrieved' members of the public in respect of a number of matters which are 'prejudicial to health or a nuisance' including: • Smoke • Dust, steam, smell or other effluvia • Accumulation or deposit • Noise/vibration Where local authority is convinced that a statutory nuisance exists or is likely to occur, it can serve an abatement notice on the offending person to prohibit or restrict the occurrence or recurrence of the nuisance. The abatement notice can require the implementation of necessary actions and non-compliance is a criminal offence.	All projects as appropriate – design and construction phases Plant and Machinery	Environmental Plan EGN3 Permits and Consents EGN6 Noise and Vibration EGN7 Dust and Air Pollution

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
6a	**Noise and vibration** • Noise Act 1996 • Control of Noise at Work Regulations 2005 • Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001 • BS 5228 - 1 Noise Control on Construction Sites • BS 5228 – 2 Code of Practise for noise and vibration control on construction and open site Noise impacts should be considered in any planning applications / consents. Noise from construction sites is dealt with in sections 60-61 of the Control of Pollution Act 1974. A contractor can avoid potential prosecution by applying to the local authority for a 'prior consent' under Section 61 governing work on the construction site then adhering to the set conditions. An abatement order under Section 60 can be issued by the local authority if prior consent conditions are not adhered to. It is an offence to carry out, or permit, works that do not comply with an abatement order. Noise abatement involves avoidance or reduction at source (use quieter machinery), abatement on site (locate noisy equipment carefully, restrict working hours, etc.) or at the receptor, repair of any damage, compensation or enhancing the environment to create new features (e.g. barriers and screens).	All projects as appropriate – design and construction phases All construction or demolition operations. See also CDM Regulations	SHEQ Plan (MMS046) EGN3 Permits and Consents EGN6 Noise and Vibration

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6b	**Dusts, emissions and odours** Dust nuisance can be a major problem at construction and demolition sites, resulting from activities like excavation, concreting operations (cutting, sawing, scabbling, etc.), and vehicles. Methods to reduce the risk of dust nuisance include: • Installation of wheel washing facilities at site entrances / exits • Water spraying of haul roads and stockpiles • Vehicle speed reduction • Seeding or treating stockpiles (e.g. with bonding agents) • Sheeting vehicle loads or ensuring suitable covered containers or skips • Erecting barriers	All projects as appropriate – design and construction phases	SHEQ Plan (MMS046) EGN3 Permits and Consents EGN7 Dust and Air Pollution
7	**DISCHARGES TO CONTROLLED WATERS AND GROUNDWATER POLLUTION** • Water Industry Act 1999, Water Resources Act 1991, Environment Act 1995 • Surface Water Regulations (various), Land Drainage Act 1991 • Groundwater Regulations 1998 • Control of Pollution Orders (various) • Anti-Pollution Works Regulations 1999 • Contaminated Land Regulations 2000 • Salmon and Freshwater Fisheries Act 1975 • See also EU Water Quality legislation - Water Framework Directive 2000/86/EEC • The Water Act 2014 • The Water Resources (Scotland) Act 2013	All projects as appropriate – design and construction phases All operations where there is a reasonable likelihood that pollution of “controlled waters” may occur – i.e. where working near water.	SHEQ Plan (MMS046) EGN3 Permits and Consents EGN8 Water and Effluent Discharges

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	Prevent pollution of “controlled waters” through the establishment of discharge consents. Controlled waters include all: • All surface waters (streams, rivers, canals, lakes, reservoirs) inshore coastal waters • All surface land (e.g. soakaways, dry gullies and temporary) • All aquifers and underground waters, and • All drainage channels outside defined sewerage systems, irrespective of property ownership. It is an offence to cause or knowingly permit any poisonous, noxious or polluting material or any solid waste to enter controlled waters (see EC list I and List II and UK Red list substances). Controlled waters may be contaminated by spillage of effluvia or other chemicals into surface run-off drainage so it is important to ensure that pollution prevention procedures adequately cover all possibilities. This includes the safe disposal of oils, greases, and other chemicals. Adequate pollution prevention measures must be in place in regard to the bulk storage of any oils, chemicals or other pollutants. Where drainage interceptors are required on site, these are to be maintained and periodically emptied (ref waste procedure). The site operator must obtain and comply with a “Discharge Consent” from the EA/SEPA (or obtain an exemption) and/or dispose of effluent waste in alternative, approved manner (see Items dealing with Waste/Special Wastes).		

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8	The Water Resources Act provides also powers to the Environment Agency/SEPA to clean up pollution (or threatened pollution) of controlled waters and recover the costs from the polluter (the person who caused or knowingly permitted the pollution to be present) or alternatively to require the polluter to clean it up itself (a works notice). **DISCHARGES TO DRAINS AND SEWERS** • Water Industry Acts 1991 and 1999 • Trade Effluent (Prescribed Processes and Substances) Regulations 1989 plus subsequent amendments (1990,1992) • Sewerage (Scotland) Act 1968 /Water (Scotland) Act 1980 • Public Health Act 1936 / Public Health (Drainage of Trade Premises) Act 1937 • The Water Supply (Water Fittings) Regulations 1999 • The Urban Waste Water Treatment (England and Wales) Regulations 1994 The legislation is aimed at ensuring supply of wholesome water and provision of sewerage services (i.e. specifies requirements to water utilities). Discharges to sewer are controlled through the prescription of substances and processes as special category effluent, for which "Consent" is required. Prior consent / agreement from the water utility company is required to discharge trade effluent into a public sewer. The Consent may specify conditions to be applied to the effluent in terms of its nature, quantity, rate, and monitoring. Note that older legislation also requires that plans of site drains and subsoil services be kept accurate and up to date. **Drains should also be properly maintained and colour coded (red - foul sewer, blue – surface water drains).**	All projects as appropriate – design and construction phases All sites with sewers where trade effluent is discharged to sewer - notwithstanding the operators on site. All operations where there is work on or associated with drainage and sewer systems.	SHEQ Plan (MMS046) EGN3 Permits and Consents EGN8 Water and Effluent Discharges

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			DOCUMENTS (INCLUDING GROUP STANDARDS)
9	Most hazardous effluents are prescribed as special category effluent and are subject to consent by the Environment Agency / Scottish Environmental Protection Agency (SEPA). The Environment Agency determines whether consent should be prohibited or, if consent given, what conditions are to be attached. **CONTAMINATED LAND** • Environmental Protection Act 1980 Part IIA, Environment Act 1995 Part IIA • Surface Water Regulations (various), Land Drainage Act 1991 • Pollution Prevention and Control Act 1999 • Groundwater Regulations 1998 • The Contaminated Land (England) Regulations 2006 • The Contaminated Land (England) (Amendment) Regulations 2012 Contaminated land is defined as: "any land which appears to the local authority in whose area it is situated to be in such a condition, by reasons of substances in, on or under the land, that: a) significant harm is being caused or there is a significant possibility of such harm being caused; or b) pollution of controlled waters is being, or is likely to be, caused." Whoever causes such contamination is first in line to receive a remediation notice but if that person cannot be found the owner or occupier may be liable.	All projects as appropriate – design and construction phases All operations where there is a reasonable likelihood that contamination has been found or will occur – e.g. major projects where plant and machinery may be stored for extended periods.	SHEQ Plan (MMS046) EGN9 Land Contamination Procedure SHE024 Contaminated Land

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	Contaminated land is associated with a number of risks including: 1. Potential civil liability for damage caused by pollution migrating off-site, 2. Potential remediation costs 3. Potential criminal liability for breaches of legislation 4. Planning conditions or obligations associated with redevelopment 5. requiring investigation, restoration or aftercare 6. Property valuation issues. In the event that land contamination is present on site, there are a number of options to investigate, assess and remediate that need to be considered by the site owner or his agent. In addition to liaison with the regulatory authorities and obtaining any necessary authorisations, the remediation process needs to be site specific and capable of meeting the agreed clean up criteria within a reasonable timeframe and cost. More information can be found in: – British Standard BS 5930:1999 Code of Practice for Site Investigation – British Standard BS 10175: 2011 Investigation of Potentially Contaminated Sites – GPLC1 – Guiding principles for land contamination; March 2010 – DETR 1999 Guide to Risk Assessment and Risk Management for Environmental Protection – CIRIA Report No. 132 A Guide for safe Working Practices on Contaminated Sites – CIRA Report No. C548 Remedial process for contaminated land		

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10	**WASTES AND DUTY OF CARE** • Environmental Protection Act 1990 Part II: Waste on Land • Controlled Waste (England and Wales) Regulations 2012 • Waste Management Licensing Regulations 1994, plus subsequent amendments (1995, 1996, 1997, 1998, 2002, 2003, 2005) • Waste Management Regulations 2006 • Waste (England and Wales) (Amendment) Regulations 2014 • Code of practice documents • Finance Act 1996 • Environmental Permitting (England and Wales) Regulations 2010 and Amendment 2014 • Landfill (England and Wales) Regulations 2002 • Landfill Tax Regulations 1996 and Orders (various) • Landfill Tax (Amendment) Regulations 2011 • The Scrap Metal Dealers Act 2013 The legislation aims to prevent or minimise the pollution of the environment or harm to human health by regulating the collection, disposal and handling of waste through the EA/SEPA. Regulations define and categorise "controlled waste" in relation to EPA 1990: Part II. This places a “duty of care” on the producer of waste to effectively manage all parties involved with its handling, i.e.: • Prevent the escape of waste from his/her control during storage or transport • Ensure an adequate written description (i.e. a description of the waste and all parties involved on a waste transfer note, retained for a minimum of 2 years) of the waste is passed on to anyone involved in the transfer, treatment or disposal of the waste	All sites where wastes generated – also applies to subcontractors On site storage of waste in recognised, labelled skips or suitable containers including materials for recycling, re-use or reclamation	SHEQ Plan (MMS046) SWMP (SAF048) EGN4 Waste Management and Minimisation EGN3 Permits and Consents Note that materials requiring treatment or recycling such as scrap metal or broken out concrete may also be considered as ‘wastes’ and subject to the Duty of Care provisions.

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	• Ensure waste is transferred to an authorised person (e.g. a registered waste carrier, licensed waste contractor, or persons dealing with the waste in ways that are exempt from licensing) • Prevent unlawful disposal of waste by any other person (e.g. fly-tipping or deposits in landfill without appropriate waste management licence) In addition, Landfill Tax levies provide a further incentive to correctly segregate wastes – see the listing in the Landfill Tax (Qualifying material) Order 1996. Inactive wastes do not undergo significant physical, chemical or biological reactions or cause environmental pollution when deposited at a landfill under normal conditions. Active wastes are those that are not inactive, i.e. vegetation, timber, etc. Inactive or inert wastes (i.e. no methane or other gas emissions, no leachate to groundwater) are charged at a lower amount per tonne compared to active wastes. Mixed loads will normally be charged at the higher rate, although the landfill site operator has some limited discretion as to what is acceptable. **A Waste Management Licence may be required to chip trees or scrub cut down although if this involves less than 1,000 tonnes over 7 days an exemption may be available. Such exemptions should also be sought with regard to any site storage of wastes in significant quantities, landfill of spoil derived from other sites, the operation of compactors / bailers, etc.** **A Waste Management Licence or Pollution Control Permit may be required for burning wastes on site (exemptions may be available depending upon the materials / quantities – e.g. less than 10 tonnes of wood in a 24 hour period).**		Note that gypsum and plaster are unlikely to be considered 'inert'. Note that, even where exemptions are obtained, arrangements still need to be of a sufficient standard to safeguard human health and protect the environment.

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11	**Check with local regulator first.** Disposal guidelines include: • Segregation of wastes into correct category for re-use, recycling or disposal (general trade waste, hazardous waste, clinical / sanitary waste, active / inert waste) • Clear identification of wastes, stored in a safe and secure manner • Ensuring transfer to authorised person (registered or exempt waste carriers/handlers/disposal sites) • Ensuring correct description of waste and document audit trail (Controlled Waste Transfer Notes) • Ensuring contractors do not use designated skips or bins without permission and that where they are used, that wastes are placed into the correct receptacle. See also Item 18 Forthcoming Legislation in respect of new 'Producer Responsibility' obligations associated with a variety of European Directives. All scrap metal dealers to now be licensed and all transactions traceable and properly recorded. **WASTE TRANSPORT** • Control of Pollution (Amendments) Act 1989 • Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 • Carriage of Dangerous Goods by Road Regulations 1996 • Carriage of Dangerous Goods by Rail Regulations 1996		

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12	The legislation seeks to prevent unauthorised transport and disposal through registration of waste carriers (the Regs set out who needs to register and ensuing procedure in detail). Waste Carriers are to register with EA/SEPA to carry controlled waste, and may be required to produce certificate of registration if required to do so by EA/SEPA or the police. Registration is to be renewed every 3 years and carrier is to notify any changes. MCL is registered for the carriage of wastes and complies with procedures dealing with pre-notification where applicable, consignment notes and transfer to authorised waste handlers. **HAZARDOUS WASTES** • Hazardous Waste (England and Wales) Regulations 2005 • Hazardous Waste (England and Wales) (Amendment) Regulations 2009 • Waste (England and Wales) Regulations 2011 and Amendment 2014 • The Waste (England and Wales) (Amendment) Regulations 2012 • Waste Electrical and Electronic Equipment (WEEE) Regulations 2006 and Amendment 2013 • DIRECTIVE 2008/98/EC November 2008 on waste and repealing certain Directives	All sites where wastes generated – also applies to subcontractors All sites where wastes generated – also applies to subcontractors and suppliers	SHEQ Plan (MMS046) SWMP (SAF048) EGN4 Waste Management and Minimisation EGN3 Permits and Consents SHEQ Plan (MMS046) SWMP (SAF048) EGN4 Waste Management and Minimisation EGN3 Permits and Consents Note that empty containers of what would be classified as special wastes must be treated as special wastes unless the containers hold less than 0.1% of their original contents.

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13	Waste which is considered dangerous or difficult to keep, treat or dispose of, is classified as hazardous waste. Regulations define hazardous waste in accordance with EC hazardous waste list and the EC Hazardous Waste Directive. The definition is extended to include other wastes considered to display particularly hazardous properties. Typical hazardous wastes include asbestos, paints / varnishes, waste oils, lead acid batteries, adhesives, fluorescent tubes etc. Pre-notification, payment and consignment procedure defined for necessary controls. Producers must: a. Complete 5-copy set of consignment note prior to shipment; b. Notify the receiving authority (EA/SEPA) between one month and 3 days before its removal; c. Pay fee / consignment; d. Maintain registers and records of location of disposal until waste licence is surrendered/revoked; e. Comply with restrictions on the mixing of special wastes. **HAZARDOUS SUBSTANCES** • Control of Substances Hazardous to Health Regulations 1999 • Chemical (Hazard Information and Packaging for Supply) Regulations, as amended (CHIPS Regs) The COSHH Regulations oblige organisations to protect employees and other persons against risks from exposure to hazardous substances (i.e. very toxic, toxic, harmful, corrosive, irritant (see Schedule 1 of COSHH Regs, CHIP 1994 Regulations, see also appropriate HSE codes of practice, guidance documents and EC Directive 90/679/EEC on biological agents)	All sites where hazardous materials of any sort kept – also applies to subcontractors	H&S Procedures ref COSHH etc. EGN3 Permits and Consents

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING

			DOCUMENTS (INCLUDING GROUP STANDARDS)
	There should be: 1. An assessment of risks prior to exposure in order to provide precautions such as suitable personal protection equipment to control exposure. Assessment and risk prevention measures should be periodically reviewed. *(Note that the COSHH assessment by itself may not be sufficient for environmental purposes – for ISO 14001, the ecological information should also be reviewed and suitable measures adopted for environmental protection and correct disposal.)* 2. Up to date, accessible safety data sheets for all such substances 3. Systems to monitor employee exposure and maintain adequate personal records for staff involved in handling such substances. 4. Information and training for employees on risks/precautions: employees to use protective equipment properly. Note that legislation dealing with other substances may also be valid in certain circumstances – Food & Environment Protection Act 1985, Pesticides Act 1998 and the Control of Pesticides Regulations (e.g. anyone who uses pesticides in the course of business or their employment should have received adequate training, in order to be competent in the duties to be undertaken); or the Control of Lead at Work Regulations 2002 (old plumbing, roofing demolition, etc.) **Asbestos (see Health and Safety Manual)** • Control of Asbestos Regulations 2012 • Asbestos (Licensing) Regulations etc.	Any work where asbestos is present or suspected.	EGN9 Land Contamination Procedure SHE024 Contaminated Land

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
	Under the Regulations all work activities involving asbestos are covered including handling, storage, manufacture, processing, maintenance, demolition and disposal. Hazard assessment is required to be produced by a specialist before work can start. It is Policy to employ specialist and registered contractors to remove asbestos. Disposal of asbestos as defined under Special Waste Regulation 1996 is covered in Item 12. The Control of Asbestos Regulations came into force in April 2012, updating previous asbestos regulations to take account of the European Commission's view that the UK had not fully implemented the EU Directive on exposure to asbestos (Directive 2009/148/EC). In practice the changes are fairly limited. They mean that some types of non-licensed work with asbestos now have additional requirements, i.e. notification of work, medical surveillance and record keeping. **All other requirements remain unchanged**. • From April 2012, some non-licensed work needs to be notified to the relevant enforcing authority. • From April 2012, brief written records should be kept of non-licensed work, which has to be notified e.g. copy of the notification with a list of workers on the job, plus the level of likely exposure of those workers to asbestos. This does not require air monitoring on every job, if an estimate of degree of exposure can be made based on experience of similar past tasks or published guidance. • By April 2015, all workers/self employed doing notifiable non-licensed work with asbestos must be under health surveillance by a Doctor. Workers who are already under health surveillance for licensed work need not have another medical examination for non-licensed work. BUT medicals for notifiable non-licensed work are not acceptable for those doing licensed work.		

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			DOCUMENTS (INCLUDING GROUP STANDARDS)
	• Some modernisation of language and changes to reflect other legislation, e.g. the prohibition section has been removed, as the prohibition of supply and use of asbestos is now covered by REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals Regulations 2006). **Hazardous Material Storage Consents** • The Planning (Hazardous Substances) Act 1990 • The Planning (Hazardous Substances) Regulations 1992 • Notification of Installations Handling Hazardous Substances Regulations 1982 • Control of Pollution (Oil Storage)(England) Regulations 2001 The Regulations list the substances/quantities to be covered, whether such substances are simply "present", stored, manufactured, processed, transferred or used. Where applicable, the site operator must apply for hazardous substance **consent / continuation** after change in control. The procedure includes the publication of a notice in the local press and at the site; a copy of the application must also be available on site (information in public register). The operator has to pay the fees and comply with consent conditions. A minimum 3 months notice is to be given to the Health and Safety Executive before commencing operations involving a notifiable quantity of controlled substance. Must re-notify if quantity of substance used increases by three times original notified quantity.	Unlikely to be applicable other than exceptional circumstances	EGN3 Permits and Consents

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING

			DOCUMENTS (INCLUDING GROUP STANDARDS)
14	**ENERGY MANAGEMENT** • The Finance Act 2007(Schedule 6) • Assorted Climate Change Levy Regulations The Climate Change Levy (CCL) is charged on all energy supplied to industrial and commercial users, as well as for agriculture, public administration and other services. This means that the energy supplier registers with, and pays the levy to, Customs and Excise, not individual companies. Individual businesses will pay the levy through their utilities bills. The CCL is applied at different rates, depending on the energy content of the different sources. For instance: • Liquid petroleum gas (LPG) - 1.172 pence per kilogram • Gas, coal, lignite and coke - 0.182 p/kWh • Electricity - 0.524 p/kWh. Clearly electricity attracts by far the higher tax rate because a considerable proportion of the energy content of the fossil fuels used to generate the electricity is lost in combustion, transmission and distribution. Petrol and diesel, and road fuel gases, mineral oils and waste and other renewable energy sources are not taxable commodities. There are no specific obligations under the CCL, but there are commercial benefits from minimising the use of fossil fuels that are subject to the levy. There are financial incentives to offset the cost of the levy, which will typically add between 10-20% to overall energy bills. This figure is likely to rise in future revisions of the CCL. Although of little relevance to construction, some of the costs of the CCL can be offset by the Enhanced Capital Allowance (ECA), which allows businesses to receive tax rebates for expenditure on equipment deemed to be energy efficiently instead of over a number of years.	Main offices and projects as appropriate	Energy objectives Bought ledger / payment procedures EGN13 Energy Conservation

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING

			DOCUMENTS (INCLUDING GROUP STANDARDS)
15	**BIODIVERSITY, WILDLIFE AND NATURAL FEATURES** • Wildlife & Countryside Act 1981, as amended • The Conservation (Natural Habitats, &c.) Regulations 1994 and Amendment 2009 • Environment Act 1995 • Environmental Protection Act 1990 • Town and Country Planning Act 1990, Hedgerow Regulations 1997 • Protection of Badgers Act 1992 • Weeds Act 1951 • Ragwort Control Act 2003 • Wild Mammals (Protection) Act 1996 (and Protection of Animals Act 1911) • Countryside & Rights of Way Act 2000 The Wildlife & Countryside Act 1981 forms the basis of most statutory wildlife protection in the UK. Part I deals with the protection of animals and plants; Part II is concerned with general nature conservation and habitat/site protection through the designation of Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs). Development of SSSIs and NNRs requires consultation with English Nature, the Countryside Council for Wales or Scottish Natural Heritage as part of the planning process. Under this legislation, nature conservation agencies (as above) are required to identify SSSIs, which cover a range of habitats and species, as well as those that have geological, physiographical and biological features of importance, and notify the relevant bodies. **Any work likely to affect a NNR, LNR or SSSI (e.g. work in catchment area of wetland reserve) will require prior Consent and probably liaison with the reserve's managing body.**	All projects as appropriate – design and construction phases Designated projects where protected species or habitats may be interfered with Operations adjacent to or within SSSI's or other designated protection areas.	SHEQ Plan (MMS046) EGN12 Ecology and Wildlife EGN3 Permits and Consents

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
	Protected species, which include bats, snakes, reptiles, many amphibians, badgers, owls and raptors, are not to be confused with vermin (i.e. rats, cockroaches, etc). For these, separate control measures are required as per contractual documentation for each project. In addition, the legislation also classifies some imported species as "invasive". In the event that such species – such as ragwort, giant hogweed, etc. are discovered it may be necessary to seek professional advice and activate special procedures to ensure their correct elimination.		EGN12 Ecology and Wildlife – control of invasive species procedure
16	**VEHICLES AND PLANT** **Ozone-depleting Substances** • EC Regulation 2037/2000 Substances that Deplete the Ozone Layer • The Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2002 and Amendment 2011 The original Directive restricted the supply and use of ozone depleting substances (ODS), namely chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), HCFC blends, Halons, 1-1-1 Trichloroethane, Bromochloromethane (BCM), carbon tetrachloride and hydrobromo fluorocarbons. At the same, it banned the supply and use of virgin and recycled CFCs, Halons, 111 Trichloroethane, carbon tetrachloride, hydrobromo-fluoro carbons and BCM from 01/10/2000. The new Directive revised controls on the use of HCFCs and revised timetable for their phase-out. No virgin HCFCs can be placed onto the market after 2009, and it introduced tougher requirements regarding the recovery of ODS from products and equipment and to prevent leakage from systems (e.g. a ban on the use of ODS in disposable containers, except for essential uses,	All projects as appropriate – design and construction phases	See procedures on design and planning / procurement (approved contractors, etc)

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ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
	and a ban on the import of products containing ODS). This is immediate for all ODS apart from HCFCs. Do not use CFCs for maintenance or servicing of existing air conditioning or refrigeration systems from 01/01/2001. Use of HCFCs in air conditioning and refrigeration plant is still allowed, although the use of virgin HCFCs in the maintenance (i.e. top-up) of existing systems must cease from 01/01/2010 and recovered HCFCs from 01/01/2015. Take all precautionary measures to prevent and minimise leakage. Fixed equipment containing ODS which has a refrigerating fluid charge greater than 3 kg must be checked annually for leakage. Use only appropriately qualified technicians for any maintenance or recovery activities. All ODS in refrigeration and air conditioning equipment must be recovered prior to its disposal. Appropriately qualified contractors must destroy all recovered CFCs using environmentally acceptable technology. Recovered HCFCs can be re-used until 2015. Where MCL office premises are leased and air conditioning equipment etc. is provided within the contractual agreement, the local OEM should ensure that the landlord or his agents comply with the legislation. In the event that actual or proposed project work involves such materials, the Project Manager is responsible for ensuring that all necessary measures are outlined in the Project Environmental Plan.		

ITEM	LAW, REGULATION OR POLICY REQUIREMENT	AREA(S) AFFECTED	RELEVANT PROCEDURES & SUPPORTING DOCUMENTS (INCLUDING GROUP STANDARDS)
	Vehicles and Plant • Road Traffic (vehicle Emissions) (Fixed Penalty) Regulations 2002 • Road Vehicles (Construction and Use) Regulations 1986 Local authorities have the power to enforce vehicle emission standards at the roadside through fixed penalty notices to vehicles that do not meet the standards. Vehicle duty is also now dependent upon **CO_2** emission rate. **Be aware that where hired plant and equipment cause an environmental incident whilst on hire, the responsibility for that incident rests with the person or business who have control of that plant or equipment.**		
17	**HEALTH AND SAFETY** (links to asbestos, fire, gas, CDM, etc.) See main body of Health and Safety Legislation: • Health and Safety at Work Act • Health and Safety (First Aid) Regulations • Reporting of Injuries, Diseases and Dangerous Occurrences Regulations • Workplace (Health, Safety and Welfare) Regulations • The Management of Health and Safety at Work Regulations • Construction (Design and Management) Regulations • The Workplace (Health, Safety and Welfare) Regulations • The Provision and Use of Work Equipment Regulations • The Personal Protective Equipment at Work Regulations • Pressure Equipment Regulations 1999 (PER) • Pressure Systems Safety Regulations 2000 (PSSR) • Lifting Operations and Lifting Equipment Regulations	All sites	See Company H&S documentation

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	The legislation requires employers to assess the risks to health and safety and provide suitable training, education, personal protective equipment and a safe working environment. Numerous obligations are imposed; these should already be addressed by existing health and safety arrangements. **Note that human safety takes precedence over environmental concerns!** Nonetheless, a number of health and safety topics have specific environmental connotations that may be directly relevant to design / operations. These include: • **Interior air quality** (e.g. fumes – see COSHH) • **Polychlorobiphenyls** (e.g. PCBs in electrical transformers – see COSHH) • **Asbestos** (e.g. see, Control of Asbestos Regulations 2012, – see also Hazardous Wastes Reg) • **Legionella** (e.g. see the Notification of Cooling Towers and Evaporative Condensers Regs 1992 and L8 ACoP) • **LPG / fuel storage** (e.g. see the Factories Act 1961, Dangerous Substances and Explosive Atmospheres Regulations 2002, Pressure Systems and Transportable Gas Containers Regs 1989, the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996, HS(G)41) • **Noise** (e.g. The Control of Noise at Work Regulations 2005 – see also Item 6a) • **Fire safety** (e.g. see the The Regulatory Reform (Fire Safety) Order 2005 and any specific requirements in site fire safety ie Fire Prevention of Construction Sites)		

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18	**FORTHCOMING LEGISLATION – ADDITIONS AND CHANGES** New and amended legislative and regulatory requirements are issued at European and National levels from time to time. Check the following web-sites for up to date information on the progress of such legislation: www.environment-agency.gov.uk (Business Section) www.sepa.org.uk (Scotland) www.hse.gov.uk Updates of Building Regulations Part L to meet the Government has committed to introduce zero carbon standards from 2016 (homes) and from 2019 (non-domestic buildings). The proposed 2013 changes take the next step towards those zero carbon standards	Not applicable	Watching brief for developments – as below: **Note:** Technical Guidance on the assessment and classification of "hazardous waste" has been published by the EA – keep checking for definitive information.

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19	**OTHER ENVIRONMENTAL LEGISLATION** **Major Accident Hazards** • Control of Major Accident Hazards Regulations 1999 (COMAH), (Seveso Directive), plus amendments (2005) • Dangerous Substances (Notification and Marking of Sites) Regulations 1990 plus amendment 2013 **Radioactive Substances**	Generally not applicable, included for completeness and as background information	No actions required.

	• Radioactive Substances Act 1993 • Ionising Radiations Regulations 1999 **Packaging Waste** • Producer Responsibility Obligations (Packaging Waste) Regulations 2007, currently 2014 version Regulations laid before Parliament and approved. • See also EC Packaging and Packaging Waste Directive and draft directives on Waste Electrical and Electronic Equipment, End of Life Vehicles, Used • Oils and Batteries.		
20	**COMPANY ENVIRONMENTAL COMMITMENTS** The McLaren Construction recognises commitments to the following initiatives: • CIRIA Environmental Performance Improvement Initiative • Making A Corporate Commitment 2 initiative • London Remade • Timber from sustainable sources (e.g. FSC certified) • BREEAM	Company-wide as per policy	Local application – currently being studied with view towards implementing any further requirements within the EMS