

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
Waste					
<p>Producing waste - duty of care</p>	<p>Any substance or object that is produced by the business and which is discarded, is intended to be discarded or is required to be discarded is likely to be waste. Wastes produced by the business are likely to be so called controlled waste. That is waste which is regulated by stringent requirements, breach of which renders the producer and any other person handling or disposing of the waste liable to prosecution.</p>	<p>Clean Neighbourhoods and Environment Act 2005 Controlled Waste Regulations 1992 Controlled Waste (Amendment) Regulations 1993 Environment Act 1995 Environmental Protection Act 1990 Part II Environmental Protection (Duty of Care) Regulations 1991</p>	<p>Producers of controlled waste have a statutory duty, as far as is reasonable in the circumstance, to ensure that for waste they produce:</p> <ul style="list-style-type: none"> It is stored, labelled, packaged and handled in such a way as to prevent the risk of its escape – Storing waste at your premises A written description of the waste is prepared – a Transfer Note – which is provided to the person taking waste for treatment or disposal – Producing non-hazardous waste – description of waste They ensure that any person to whom waste is transferred is appropriately registered as a waste carrier or holds a Waste Management Licence or Pollution Prevention and Control Permit – Consigning controlled waste for treatment/ disposal <p>Where waste is hazardous waste, additional requirements may apply - Consigning hazardous waste for treatment/ disposal</p> <p>Under the Environmental Protection</p>	<p>Does the organisation produce any controlled waste - YES / NO</p> <p>If YES, arrangements for meeting duty of care responsibilities are:</p>	

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			<p>Act 1990, Part III, waste or accumulations that are prejudicial to health or a nuisance may render the occupier of the premises to liability for causing a statutory nuisance. A local authority may serve notice requiring the abatement of such a nuisance.</p>		
<p>Producing non-hazardous waste – description of waste</p>	<p>Typical non-hazardous wastes include:</p> <ul style="list-style-type: none"> • Paper, cardboard, plastics, cans, glass, textiles • Metals waste • Wood, compost garden waste • Food waste • Cooking oil • Sanitary waste • Waste furnishings • Waste electrical equipment except for items containing hazardous components such as cathode ray tubes (e.g. televisions) and refrigeration equipment containing CFCs 	<p>Environmental Protection Act 1990 Part II Environmental Protection (Duty of Care) Regulations 1991 Landfill (England and Wales) Regulations 2002 List of Wastes Regulations 2005</p>	<p>Producer of controlled waste must ensure that a written description (transfer note) is prepared which describes and classifies waste. The written description must include:</p> <ul style="list-style-type: none"> • Name and address of the waste producer • Description of the waste including its EWC 6 digit code as given in the List of Wastes Regulations 2005 • How the waste is contained (sack, drum etc) • Who the waste has been consigned to • Signatures of both producer and person the waste has been consigned to. <p>In some instances, annual transfer notes may be used, providing the waste, producer and person receiving it stay the same.</p> <p>For waste destined for landfill disposal, producers should also produce a written declaration stating:</p>	<p>Are transfer notes on file for all waste produced at the site or waste received from customers- YES / NO</p> <p>Do all transfer notes include appropriate EWC codes – YES/NO</p> <p>Are there arrangements for written statements</p>	

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			<ul style="list-style-type: none"> • whether you have treated the waste • the type of treatment that has occurred (if any) • if relevant, the amount of waste sorted out for recovery or alternative treatment. <p>Copies of transfer notes must be retained for at least two years.</p> <p>Where waste is hazardous waste, additional requirements may apply - Consigning hazardous waste for treatment/ disposal</p>	<p>for treatment applied to waste consigned for disposal to landfill YES/NO/NA</p> <p>If YES, arrangements are:</p> <hr/> <hr/> <p>Are copies of transfer notes held for 2 years YES/NO</p>	
<p>Producing hazardous waste</p>	<p>Hazardous wastes include:</p> <ul style="list-style-type: none"> • Waste electrical appliances containing hazardous components, such as televisions, refrigerators containing CFCs • Fluorescent tubes • Any chemical, paint, cleaning agent etc and their containers (unless they have been decontaminated) where the original 	<p>Hazardous Waste (England and Wales) Regulations 2005 Hazardous Waste (England and Wales) (Amendment) Regulations 2009 List of Wastes Regulations 2005</p>	<p>Premises where hazardous waste is produced must be registered as a Hazardous Waste Producer with the Environment Agency unless the premises are exempt. Exempt premises include:</p> <ul style="list-style-type: none"> ▪ Where the waste produced is domestic waste (note however that asbestos waste, including that from domestic premises, is subject to control) ▪ waste arising from a premises where the aggregate quantity does not exceed 500kgs in any 12 month period. <p>Registration lasts for twelve</p>	<p>Does the premises require registration - YES / NO</p> <p>If YES, Producer Registration Code is:</p> <hr/> <p>Valid until:</p> <hr/>	

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	<p>containers have orange hazard warning panels on their labels or a materials safety data sheet is required</p> <ul style="list-style-type: none"> • Waste mineral oils • Asbestos • Any substance which is identified as hazardous waste by virtue of being marked with an asterisk in the List of Wastes Regulations 2005 		<p>months.</p> <p>There are special procedures that apply to consigning hazardous waste for treatment or disposal - Consigning hazardous waste for treatment/ disposal</p>		
<p>Storing waste at your premises</p>	<p>Examples of waste storage:</p> <ul style="list-style-type: none"> • Temporary storage at place of production pending collection for treatment or disposal elsewhere • Temporary storage at place of production pending treatment or disposal at that place • Temporary storage of hazardous waste in secure containers and a secure place subject to maximum 	<p>Environmental Protection Act 1990 Part II Environmental Permitting (England and Wales) Regulations 2007 Pollution Prevention and Control Act 1999</p>	<p>Temporary storage of waste at the place of production is generally exempt from the requirement to hold an Environmental Permit by virtue of Paragraph 52 of Schedule 3 to the Environmental Permitting Regulations 2007.</p> <p>There are other circumstances where storage of waste is allowed under a range of other exemptions under Schedule 3. However, these generally require registration of exempt status with the Environment Agency.</p> <p>Storage of waste which is outside of a specific exemption requires a valid</p>	<p>Are any waste stored that require a registered exemption - YES / NO</p> <p>If YES, Registered Exemption(s) is in place, certificate dated:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Are any waste stored that require an</p>	

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	limits of quantities and duration of storage no longer than 12 months.		Waste Management Licence or Pollution Prevention and Control Permit. Waste should always be adequately labelled, stored in a suitable secure location, in suitable containers or structures and should be protected from escape, vandals, animals and the weather - Producing waste - duty of care	Environmental Permit - YES/NO Permit is held and Ref. No. is: _____ Do waste storage areas protect waste adequately - YES/NO Arrangements for storage are: _____ _____ _____ _____ _____	
Treating waste at your premises	Examples of waste treatment include: <ul style="list-style-type: none"> • Compaction • Shredding paper, card etc • Composting • Blending waste • Sorting mixed waste 	Environmental Protection Act 1990 Part II Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2007	Treating waste can only be undertaken if the premises are registered under an appropriate exemption from the need to hold an Environmental Permit is in place. Examples of commonly encountered exemptions where producers treat their own waste at the place of production as listed under Schedule 3 of the Environmental Permitting Regulations 2007 include: <ul style="list-style-type: none"> • Composting biodegradable waste 	Is waste treated at the premises - YES / NO If YES, Registered Exemption(s) are in place dated: _____ OR	

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			<p>where total quantity is less than 1,000 m³</p> <ul style="list-style-type: none"> • Chipping or shredding waste plant matter for the purpose of recovery or reuse • Baling, compacting, shredding or pulverising waste. <p>If waste cannot be treated under an appropriate exemption, the premises must hold a valid Environmental Permit which authorises the treatment.</p>	<p>If YES, Waste Permit is held and Ref. No. is:</p> <hr/>	
<p>Disposing of waste at your premises</p>	<p>Examples of waste disposal include:</p> <ul style="list-style-type: none"> • Burying waste • Burning waste in the open • Incineration • Long term storage of waste 	<p>Environmental Protection Act 1990 Part II Landfill (England & Wales) Regulations 2002 Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2007</p>	<p>Disposal of waste can only be undertaken if the premises where the waste was both produced and disposed of is registered under an appropriate exemption from the need to hold an Environmental Permit covering the disposal or holds a full environmental permit.</p> <p>Registrations of exemptions must be with the Environment Agency unless otherwise specified under the Regulations. Examples of commonly encountered exemptions where producers dispose of their own waste at the place of production as listed under Schedule 3 of Environmental Permitting Regulations as amended include:</p> <ul style="list-style-type: none"> • Burning waste as fuel in an 	<p>Is waste disposed at the premises – YES/NO</p> <p>If YES, Registered Exemption is in place dated:</p> <hr/> <p>OR</p>	

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			<p>appliance with a net rated thermal input of less than 0.4 MW</p> <ul style="list-style-type: none"> • Burning less than 10 tonnes a day of waste wood, bark or plant matter from a garden or landscaped area or other listed areas • Burning waste in an incinerator that is exempt from permitting under the Pollution Prevention and Control Regulations 2000 • Burying waste from a sanitary convenience equipped with a removable receptacle if the total amount buried does not exceed 5 m³ in any 12 month period. • Burial of a dead domestic pet at the place where it lived and it is unlikely to be hazardous to anyone coming into contact with it. <p>If waste cannot be disposed of under an appropriate exemption, the premises must hold a valid Environmental Permit which authorises the treatment.</p>	<p>Environmental Permitting requirement applies - YES/NO</p> <p>If YES, Permit Ref. No. is:</p> <hr/>	
<p>Consigning controlled waste for treatment/</p>	<p>Waste is consigned where it transferred to another party for either transport purposes or for treatment or disposal purposes.</p>	<p>Clean Neighbourhoods and Environment Act 2005 Control of Pollution (Amendment) Act 1989 Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991</p>	<p>Under the Duty of Care requirements - Producing waste - duty of care, when waste is consigned, the producer must check to ensure that the person receiving it is appropriately</p>	<p>Are checks made on all waste carriers - YES/NO/NA.</p> <p>Arrangements for checks are:</p>	

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disposal		<p>Controlled Waste (Registration of Carriers and Seizure of Vehicles) (Amendment) Regulations 1998 Environmental Protection Act 1990 Part II Environmental Protection (Duty of Care) Regulations 1991 Landfill (England & Wales) Regulations 2002 Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2007 Transfrontier Shipment of Waste Regulations 2007</p>	<p>authorised for either its transportation as a Registered Waste Carrier, or for treatment or disposal as a holder of an Environmental Permit or is exempt from Carrier Registration or Permitting requirements.</p> <p>Waste Carriers are required to Register with the Environment Agency under the Control of Pollution (Amendment) Act 1989. Some carriers are exempt from registration, including:</p> <ul style="list-style-type: none"> • Charities • Waste Collection Authorities • Producers carrying their own waste, except for construction or demolition waste. • Carriers transporting animal by-products. <p>Persons transferring, storing, treating or disposing of waste must hold a valid licence or permit covering the waste type in questions or must be registered as an exempt activity with the Environment Agency. In some instances, registrations are through other bodies as specified under the Waste Management Licensing Regulations.</p> <p>Special provisions apply to:</p> <ul style="list-style-type: none"> • Waste electrical and electronic 	<hr/> <hr/> <hr/>	

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			<p>equipment - Specific waste streams - electrical and electronic equipment</p> <ul style="list-style-type: none"> Animal by-products - Specific waste streams – animal by-products <p>The producer is responsible for ensuring that appropriate checks are undertaken to confirm that persons transporting, treating or disposing of their waste are authorised for that particular type of waste, that their registrations or licences are still in force and that they are complying with any relevant conditions. If there are any indications that a person is not appropriately authorised, confirm with the Environment Agency that an exemption or environmental permit is in place. Liquid waste was banned from landfill from 3 October 2007.</p> <p>Keep records of evidence of authorisation and any checks that are made.</p> <p>At the time of consignment, a duty care waste transfer note must be completed - Producing non-hazardous waste – description of waste</p>		

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			<p>From 30 October 2007, all non-hazardous waste consigned for landfill must be treated prior to disposal. Treatment can be a physical, thermal, chemical or biological process including sorting, a process to change the characteristics of the waste or a process to change the waste to reduce its volume or hazardous nature and facilitate its handling or enhance its recovery. Waste producers are not obliged to treat the waste themselves and many will simply buy this service from a waste contractor. A written statement should be provided for waste consigned for landfill disposal - Producing non-hazardous waste – description of waste</p>		
<p>Consigning hazardous waste for treatment/ disposal</p>	<p>Hazardous waste is consigned where it transferred to another party for either transport purposes or for treatment or disposal purposes.</p>	<p>Hazardous Waste (England and Wales) Regulations 2005</p>	<p>In addition to the checks for that should be made to ensure that a person receiving waste is properly authorised - Consigning controlled waste for treatment/ disposal, when hazardous waste is consigned for treatment or disposal, a hazardous waste consignment note must be completed by both the producer and the person receiving the</p>	<p>Are hazardous waste consignment notes on file - YES/NO/NA</p> <p>Arrangements for keeping notes are:</p> <hr/>	

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			waste. A copy of the consignment note must be kept on file for at least 3 years.	<hr/> <hr/>	
Carrying waste in a vehicle	Carrying in vehicle applies to transport on public roads. Transport on premises between different points on that premises is not carriage on a road.	Control of Pollution (Amendment) Act 1989 Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 Controlled Waste (Registration of Carriers and Seizure of Vehicles) (Amendment) Regulations 1998 Environmental Protection Act 1990 Part II Environmental Protection (Duty of Care) Regulations 1991	Producers may carry their own waste in a vehicle on the road without registering as a Carrier of Controlled Waste – see Consigning controlled waste for treatment/ disposal – providing that the waste is not construction or demolition waste. If construction or demolition waste is transported in a vehicle in any circumstances, the carrier must be registered as a Waste Carrier with the Environment Agency. If waste is carried on behalf of another person, then the carrier must be registered as a Waste Carrier with the Environment Agency unless they are exempt from the registration requirements.	Does the business carry any waste that requires a carrier registration - YES/NO If YES is the business registered as a Waste carrier: Carrier Registration No. <hr/> Renewal date: <hr/> OR – are exempt because they are: <hr/>	
Specific waste streams - batteries	Examples of battery types include: <ul style="list-style-type: none"> • Zinc-carbon (non-hazardous) • Lithium (non-hazardous) • Silver oxide (non- 	Batteries and Accumulators (Containing Dangerous Substances) Regulations 1994 Batteries and Accumulators (Containing Dangerous Substances) (Amendment) Regulations 2000 Batteries and Accumulators (Containing Dangerous	Batteries containing dangerous substances are likely to be hazardous waste - Producing hazardous waste . Generally these batteries will be marked with a symbol showing a crossed out wheeled bin and must be segregated from non-hazardous	Are arrangements in place for segregating batteries - YES/NO. Arrangements are: <hr/>	

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	hazardous) <ul style="list-style-type: none"> • Lead acid (hazardous) • Nickel Cadmium (hazardous) • Mercury (hazardous) 	Substances) (Amendment) Regulations 2001 Hazardous Waste (England and Wales) Regulations 2005 Waste Batteries and Accumulators Regulations 2009	waste and then disposed of according to requirements applying to hazardous waste. Hazardous batteries must be kept separate from other wastes and stored in suitable leak proof container awaiting collection for disposal. Other types of battery not-showing the crossed out wheeled bin symbol are likely to be non-hazardous. Batteries must not be consigned for disposal at landfill and must be sent for recovery.	<hr/>	
Specific waste streams – animal by-products	Examples of animal by-product waste include: <ul style="list-style-type: none"> • catering waste containing raw meat or fish • packaging that has been contact with raw meat or fish • used cooking oil • former foodstuffs • butcher waste • eggs • raw milk • catering waste containing cooked meat, fish or products and animal origin. 	Animal By-Products Regulations 2005 Animal By-Products (Amendment) Regulations 2009	Under the Animal By-Products Regulations waste consisting or containing raw meat, fish eggs or milk must be disposed of: <ul style="list-style-type: none"> • directly disposed of as waste by incineration in a plant approved in accordance with the Waste Incineration Directive, • processed in an approved rendering plant, • transformed in an approved technical plant, • used as a raw material in an approved pet food plant, • transformed in approved composting or biogas plants, • used to feed animals in zoos authorised for the purpose, 	Are regulate animal by-products produced or disposed of at the premises - YES/NO. If YES, arrangements are: <hr/> <hr/> <hr/> <hr/>	

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			<ul style="list-style-type: none"> • treated in approved alkaline hydrolysis plants <p>Only a plant authorised under the Animal By-Products Regulations may be used for disposal/treatment.</p> <p>General catering waste and its packaging such as cooked meat, fish, eggs, milk or bakery products can be disposed of to landfill or can be pre-treated then used in for composting or biogas production.</p> <p>Use as animal feed is generally prohibited, exempt for certain types of waste from food manufacturing facilities.</p>		
<p>Specific waste streams - electrical and electronic equipment</p>	<p>Examples of electrical and electronic equipment include:</p> <ul style="list-style-type: none"> • Large household appliances • Small household appliances • IT and telecommunications equipment • Consumer equipment • Lighting equipment • Electrical and electronic tools • Toys, leisure and 	<p>Waste Electrical and Electronic Equipment Regulations 2006 Waste Electrical and Electronic</p>	<p>Waste electrical and electronic equipment (WEEE) must be kept separate from other types of waste and must be consigned for recovery/disposal at an authorised treatment facility holding a special type of Environmental Permit (an ATF or an AATF) or at facility that is exempt from the requirements to hold a licence by virtue of one of three special exemptions covering WEEE waste - Consigning controlled waste for treatment/ disposal</p> <p>Some types of WEEE may be hazardous and must be dealt with</p>	<p>Are items of WEEE produced or dealt with on behalf of customers at the premises - YES/NO.</p> <p>If YES, arrangements are:</p> <hr/> <hr/> <hr/>	

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	<p>sports equipment</p> <ul style="list-style-type: none"> • Medical devices • Monitoring and control equipment • Automatic dispensers. 		<p>under the procedures applying to hazardous waste - Producing hazardous waste.</p> <p>There are additional requirements applying to producers or retailers of WEEE - Selling electrical or electronic equipment</p>		
<p>Specific waste streams – packaging waste</p>	<p>Packaging includes: Cake tins</p> <ul style="list-style-type: none"> • Cardboard boxes • Sweet boxes • Cigarette cartons • Paper sacks • Dosage delivery caps • Paint tins • Film overwrap around a CD case • Match boxes • Paper or plastic carrier bags • Sticky labels attached to another packaging item • Accessory packaging hung directly on or attached to the product 	<p>Packaging (Essential Requirements) Regulations 2003 Packaging (Essential Requirements) (Amendment) Regulations 2004 Packaging (Essential Requirements) (Amendment) Regulations 2006 Packaging (Essential Requirements) (Amendment) Regulations 2009 Producer Responsibility Obligations (Packaging Waste) Regulations 2008 Producer Responsibility Obligations (Packaging Waste)(Amendment No.2) Regulations 2008 Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2008 Producer Responsibility Obligations (Packaging Waste) (Amendment No.2) Regulations 2008</p>	<p>Organisations that produce or handle packaging may be required to register under the Packaging Waste Regulations. To be obligated under the Regulations, organisations must pass two threshold tests - they must have a turnover of two million pounds or above and handle 50 tonnes of packaging in a calendar year. This applies to any organisation that manufactures, converts, imports, pack-fills or sellers of packaging or products in packaging to another part of the chain or to the end user.</p> <p>The regulations oblige companies to recover and recycle packaging waste to meet national targets. Obligated organisations must register with the Environment Agency or with a registered Compliance Scheme.</p> <p>A producer’s obligations to recover packaging waste are based on packaging handled in the previous</p>	<p>Is the business obligated under the Packaging Waste Regulations – YES/NO.</p> <p>If YES, Registration Number is: _____</p> <p>Date: _____</p> <p>Arrangements for completing returns are: _____ _____ _____</p>	

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			<p>calendar year.</p> <p>There are general requirements to ensure that packaging materials and formats do not contain specified hazardous substances and can be easily recovered.</p>		
<p>Specific waste streams – construction or demolition waste</p>	<p>Construction or demolition activities where the value of the project exceeds £300,000.</p>	<p>Site Waste Management Plan Regulations 2008</p>	<p>For C&D projects where the project cost exceeds >£300000, a site waste management plan must be prepared, maintained and reviewed. The plan must detail:</p> <p>How compliance with legal requirements is to be achieved; and</p> <p>How waste can be diverted from landfill for reuse, recycling or recovery.</p> <p>If waste is collected from customers undertaken C&D projects, are checks made to ensure that a suitable plan is in place and if so what requirements may apply to the waste being collected.</p>	<p>If C&D projects >£300,000 are undertaken, is a suitable site waste management plan prepared? YES/NO.</p> <p>If YES, arrangements are:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>Water</p>					
<p>Discharges of trade effluent to foul sewer</p>	<p>Trade effluent is waste water arising from a trade activity.</p> <p>Foul sewers are those sewers that connect to a municipal wastewater</p>	<p>Control of Pollution (Applications, Appeals and Registers) Regulations 1996</p> <p>Trade Effluents (Prescribed Processes and Substances) Regulations 1989</p> <p>Trade Effluents (Prescribed Processes and Substances)(Amendment)</p>	<p>Normal 'domestic' type of effluents can generally be discharged into a public foul sewer without a specific agreement with the sewerage undertaker under the normal system of water rates.</p>	<p>Is any trade effluent discharged to foul sewer YES/NO</p> <p>If YES, agreement reference number:</p> <p>_____</p>	

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	treatment facility operated by one of the privatised water companies or privately.	Regulations 1991 Urban Wastewater Treatment (England and Wales) Regulations 1994 Urban Wastewater Treatment (England and Wales) (Amendment) Regulations 2003 Water Act 2003 Water Act 2003 (Consequential and Supplementary Provisions) Regulations 2005 Water Industry Act 1991 Water Industry Act 1999	Discharges of trade effluent to a public foul sewer can only be made if authorised by and in compliance with the terms of an agreement (often called a consent) issued by the sewerage undertaker. Discharges containing prescribed substances or arising from prescribed activities require specific permission from the Environment Agency - Discharges of trade effluent to sewer containing prescribed substances	Date: _____	
Discharges of trade effluent to sewer containing prescribed substances	Prescribed substances are: Aldrin, Asbestos ,Atrazine Azinphos-methyl, Cadmium and its compounds, All isomers of DDT (including metabolites DDD and DDE), 1,2-Dichloroethane, Dichlorovos, Dieldrin, Endosulphan, Endrin, Fenitrothion, Hexachlorobenzene, Hexachlorobutadiene, All isomers of hexachlorocyclohexane (eg the gamma isomer	Trade Effluents (Prescribed Processes and Substances) Regulations 1989 Trade Effluents (Prescribed Processes and Substances)(Amendment) Regulations 1991	Discharges containing prescribed substances or arising from prescribed activities require specific permission from the Environment Agency which is incorporated into the general trade effluent agreement conditions. Prescribed processes are specialised industrial activities unlikely to be undertaken by tourist businesses.	Are any prescribed substances likely to be discharged to foul sewer - YES/NO. If YES, arrangements for ensuring compliance with limits are: _____ _____ _____	

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	known as "Lindane"), Malathion, Mercury and its compounds, PCBs (Polychlorinated biphenyls), Pentachlorophenol, Simazine, Trichlorobenzene (all isomers), Trichloroethylene, Trifluralin, Tributyltin compounds, Triphenyltin compounds.				
Discharges to surface water	Discharges are generally treated as trade effluent if they arise from: <ul style="list-style-type: none"> • Drainage water from private sewage treatment works • Discharges from dewatering or construction activities • Discharges from trade activities • Drainage from vehicle wash-down areas • Drainage from car parks • Discharges from any other source which 	Anti-Pollution Works Regulations 1999 Environment Act 1995 Salmon & Freshwater Fisheries Act 1972 Surface Waters (Dangerous Substances) (Classification) Regulations 1989 Surface Waters (Dangerous Substances) (Classification) Regulations 1992 Surface Waters (Dangerous Substances) (Classification) Regulations 1997 Surface Waters (Dangerous Substances) (Classification) Regulations 1998 Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 Water Resources Act 1991 Environmental Permitting (England and Wales) Regulations 2007	Discharge of any form to a controlled water that may contain any polluting, noxious or offensive matter requires a consent to discharge that is registered with the Environment Agency or an environmental permit is in place covering the discharge. The consent/permit sets out conditions that must be met, otherwise the discharge will be illegal. Controls over releases of specified dangerous substances to controlled waters have recently been further tightened by the implementation of various Surface Waters (Dangerous Substances) (Classification) Regulations. These set statutory Environmental Quality Standards (EQSs) for specific substances	Are any discharges containing polluting matter released to surface waters from the premises - YES/NO If yes, consent / permit Ref. No. <hr/> Date: <hr/>	

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	<p>may containing polluting, noxious or offensive matter</p> <p>Controlled waters include streams, rivers, canals, lakes, ponds, coastal waters and groundwater.</p>		<p>considered to be dangerous for release to water. The EQS limits are used by the Environment Agency in setting discharge consent conditions.</p> <p>Where an activity has the potential to cause pollution of controlled waters, such as inadequate storage arrangements for polluting liquids, the Environment Agency has power to serve an Anti-Pollution Works Notice requiring remedial measures to be taken to reduce risk - Duty to prevent water pollution.</p> <p>There are additional requirements that may apply where a discharge may enter groundwater, such as a soak away - Discharges to groundwater.</p>		
<p>Discharges to groundwater</p>	<p>Discharges to groundwater may require a specific authorisation were they arise from disposal of waste, such as:</p> <ul style="list-style-type: none"> • Disposal of sheep dip to land • Soakaways to septic tanks or treatment works 	<p>Groundwater Regulations 1998 Water Resources Act 1991</p>	<p>The Groundwater Regulations 1998 require that discharges containing listed substances are authorised by the Environment Agency a similar way to those for surface waters.</p> <p>List I substances are the most toxic and must be prevented from entering groundwater. They include pesticides, sheep dip, solvents, hydrocarbons, mercury, cadmium and cyanide.</p> <p>List II substances are less dangerous, but if disposed of in large quantities</p>	<p>Are any disposals of listed substances made to groundwater from the premises - YES/NO</p> <p>If groundwater authorisation applies:</p> <p>Authorisation Ref:</p> <hr/> <p>Date:</p> <hr/>	

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	<ul style="list-style-type: none"> Disposal by borehole injection Limited situations where land spreading is used for the disposal of wastes containing listed substances. 		<p>could be harmful to groundwater. They include heavy metals, ammonia, phosphorus and its compounds. Entry of these substances into groundwater must be restricted to prevent pollution. Authorisation is required only for disposal of substances onto or into land. Where commercial or industrial waste, such as food wastes are applied to land for nutrient benefit, then authorisation is not required, however Waste Management Licensing may apply to such activities - Disposing of waste at your premises.</p> <p>There are further controls designed to protect groundwater from diffuse pollution arising from use of nitrates as fertilizers in agriculture in areas designated as nitrate sensitive areas - Duty to prevent water pollution.</p>		
<p>Duty to prevent water pollution</p>	<p>Materials that can cause serious water pollution, if they escape or are otherwise released into water include:</p> <ul style="list-style-type: none"> Oils, including heating oil and fuels oil Liquid chemicals Solids that are water 	<p>Anti-Pollution Works Regulations 1999 Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 Protection of Water Against Agricultural Nitrate Pollution (England and Wales) Regulations 1996 Protection of Water Against Agricultural Nitrate Pollution (Amendment) (Wales) Regulations 2002 Protection of Water Against</p>	<p>Measures should be in place to minimise risk of polluting matter being released into surface or groundwater without an appropriate consent to discharge (Discharges to surface water, or Discharges to groundwater).</p> <p>Control measures may include:</p> <p><i>Controls at potential sources:</i></p>	<p>Are there adequate controls in place to prevent pollution of controlled waters - YES/NO/NA.</p> <p>Arrangements are:</p>	

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	soluble or may be suspended in water <ul style="list-style-type: none"> • Pesticides and herbicides • Detergents. 	Agricultural Nitrate Pollution (England and Wales) (Amendment) Regulations 2006 Environmental Damage (Prevention and Remediation) Regulations 2009 Control of Pollution (Oil Storage)(England) Regulations 2001	<ul style="list-style-type: none"> • avoiding application of nitrate fertilizers in nitrate sensitive areas • bunds around all areas where chemicals or oils are stored or handled to contain accidental spills or leaks • defined procedures for delivery or handling of polluting matter • emergency containment facilities such as oil booms or sandbags. <p><i>Controls to minimise the risk of polluting matter travelling to the watercourse such as:</i></p> <ul style="list-style-type: none"> • emergency storm drain covers • colour coding all surface water drains using blue paint • temporary drain blocks or sluices • emergency containment facilities such as oil booms or sandbags <p><i>Provision of a means of containing or limiting the spread of the pollution should it reach the water course such as:</i></p> <ul style="list-style-type: none"> • oil containment booms • emergency contact number with the Environment Agency (Telephone 0800 807060). <p>The Environment Agency can serve an Anti-Pollution Works Notice in circumstances where pollution risk exists.</p>	Source control: <hr/> <hr/> <hr/> <hr/> Pathway control: <hr/> <hr/> <hr/> <hr/> Receptor control: <hr/> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
<p>Abstraction of water from rivers or groundwater</p>	<p>Abstraction includes:</p> <ul style="list-style-type: none"> • Pumping river water for water supply, irrigation or agricultural purposes • Boreholes for domestic, commercial or industrial supply purposes • Temporary abstraction of river or groundwater for a period of less than 28 days • Diverting river water into ponds or for fish farming • Exploratory boreholes for possible supply purposes • Using a borehole or spring for commercial bottling of water • Transferring water, such as dewatering. 	<p>Water Resources Act 1991, The Water Act 2003 Water Environment and Water Services Act 2003 Water Environment (Water Framework Directive) Regulations 2003 Land Drainage Act 1991 as amended Private Water Supplies Regulations 1991 Water Act 2003 Water Act 2003 (Consequential and Supplementary Provisions) Regulations 2005 Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 Water Resources (Abstraction and Impounding) Regulations 2006</p>	<p>If you abstract water from ground or surface waters, you require an abstraction licence, except in cases of small volume abstractions. The licence is issued by the Environment Agency. The licence will set limits on the flow/abstraction rates. If you use borehole water for "food production purposes" or as potable/drinking water you will also need a licence from your Local Authority under the Private Water Supplies Regulations 1991.</p>	<p>Are there any abstractions from the premises - YES/NO</p> <p>If abstraction of water requires licence:</p> <p>Abstraction Licence No: _____</p> <p>Date: _____</p>	
<p>Impounding water</p>	<p>Impounding include: Impeding the flow of water using a dam or other structure Obstruction of a water</p>	<p>Land Drainage Act 1991 as amended Reservoirs Act 1975 Water Act 2003 Water Act 2003 (Consequential and Supplementary Provisions) Regulations 2005</p>	<p>If you impound or obstruct the flow of water you require an abstraction licence issued by the Environment Agency. Large scale impounding may also require inspections by a</p>	<p>Is water impounded at the premises - YES/NO</p> <p>If impounding of water requires licence:</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	course	Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 Water Resources Act 1991 Water Resources (Abstraction and Impounding) Regulations 2006 SI 641	competent engineer under the Reservoirs Act.	Impounding Licence No: <hr/> Date: <hr/>	
Air					
Operating a boiler or furnace <20 MW thermal capacity	A boiler or furnace can include appliances fired by: <ul style="list-style-type: none"> • Gas • Oil • Heavy oil • Coal • Waste Oil • Fuel manufactured from or comprising of waste • Wood. 	Clean Air Act 1993 Boiler (Efficiency) Regulations 1993 Building Regulations 1991 Sulphur Content of Liquid Fuels (England and Wales) Regulations 2007 Technical Provisions Dark Smoke (Permitted Periods) Regulations 1958 Clean Air (Emission of Dark Smoke) (Exemption) Regulations 1969 Clean Air (Emission of Grit and Dust from Furnaces) Regulations 1971 Clean Air (Arrestment Plant)(Exemption) Regulations 1969 Clean Air (Measurement of Grit and Dust from Furnaces) Regulations 1971 Clean Air (Heights of Chimneys) (Exemption) Regulations 1969 Clean Air (Units of Measurement) Regulations 1992	All new boiler plant must be capable of operating continuously without emitting dark smoke. New chimneys must be designed so ensure maximum dilution and dispersal. A Chimney Height Approval must be granted by the Local Authority prior to (a) installation of a new chimney (b) where combustion space of an existing furnace is enlarged by adding new furnaces all serving the same chimney or (c) where a furnace is removed or replaced if it burns pulverised fuel or burns solid matter at a rate of 100 pounds or more per hour or burns more than 1.25 million BTU per hour of any liquid or gas. The guidelines for assessing chimney height are contained in the Third Memorandum on Chimney Heights published by HMSO. The Buildings Regulations provides for the design of chimneys and flues to small capacity	Is a boiler or furnace operated a the premises which requires approval - YES/NO If yes, date of approval: <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>boilers.</p> <p>The Act also covers the emission of grit, dust and fumes from furnaces.</p> <p>Use of coal in a designated smoke control area is prohibited except where the coal has been treated to render it smokeless. Appliances must be of an approved design under the Act (there are a large number of Orders listing approved appliances which are not listed in this register).</p> <p>There are number of other provisions in the Act and its associated Regulations. The Regulations are highly technical and unlikely to be of direct relevance to most tourist businesses.</p> <p>Where waste or fuel made from waste is burned, Waste Management Licensing provisions may apply - Disposing of waste at your premises.</p> <p>Premises where high sulphur heavy fuel oil (>1% S) are burned must obtain a sulphur exemption permit from the local authority. No premises must burn gas oil where the sulphur content exceeds >0.1 % S by mass.</p>	<p>If the premises are in a smoke control area, is only smokeless fuel used – YES/NO.</p> <p>If heavy fuel is burned with a sulphur content >1%, is an exemption permit in place? YES/NO</p> <p>If YES, permit ref:</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
<p>Operating a boiler or furnace >20MW thermal capacity</p>	<p>Main polluting substances for release to air are:</p> <ul style="list-style-type: none"> • Sulphur dioxide and other sulphur compounds. • Oxides of nitrogen and other nitrogen compounds. • Carbon monoxide. • Volatile organic compounds. • Metals and their compounds. • Dust. • Asbestos (suspended particulates, fibres). • Chlorine and its compounds. • Fluorine and its compounds. • Arsenic and its compounds. • Cyanides • Substances and preparations which have been proved to possess carcinogenic or mutagenic properties 	<p>Pollution Prevention & Control Act 1999 Environmental Permitting (England and Wales) Regulations 2007</p>	<p>Combustion plants over 20MW thermal capacity are subject to Pollution Prevention and Control Permitting under Schedule 1 of the Environmental Permitting Regulations 2007. Depending on capacity installations may fall within either Part A(1) regulated by the Environment Agency regulating releases to all environmental media where total capacity exceeds 50MW or Part B regulated by the local authority under Air Pollution Control only where capacity of any boiler is >20MW but less than 50MW capacity.</p> <p>Sites that exceed the threshold levels will be subject to the requirement to gain prior authorisation via a permit and will have to meet permit conditions covering many areas of operation that may affect the environment (such as regular monitoring, using emission control devices, maintenance etc).</p> <p>There is a general requirement that an installation and its operation meet the standard of using Best Available Techniques to prevent release of main polluting substances, or where not possible, to minimise them or</p>	<p>Is a combustion plant that requires a permit operated at the premises - YES/NO</p> <p>If yes, PPC Permit Ref. No.:</p> <hr/> <p>Issue date:</p> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	<p>or properties which may affect reproduction via the air.</p> <ul style="list-style-type: none"> Polychlorinated dibenzodioxins and polychlorinated dibenzofurans 		<p>render them harmless. Emissions to atmosphere must meet emissions limit values for relevant main polluting substances.</p>		
<p>Operating a prescribed process</p>	<p>Operating an activity listed under Schedule 1 to the Environmental Permitting Regulations 2007 would be subject to environmental permitting.</p> <p>Examples of processes that may be included that could be undertaken by a waste business include: Crushing tiles, brick and concrete in a crusher Incinerating waste Burning waste as fuel.</p>	<p>Environmental Permitting (England and Wales) Regulations 2007</p>	<p>There are a large number of activities which are designated for Pollution Prevention and Control (Environmental) Permitting. Depending on capacity installations may fall within either Part A(1) regulated by the Environment Agency within the scope of environmental permits regulating releases to all environmental media, Part A(2) regulated by the local authority to the same standards as Part A(1) or Part B again regulated by the local authority under Air Pollution Control only.</p> <p>Prescribed installations which fall within the defined criteria listed in the Environmental Permitting Regulations, Schedule 1 (as amended) will be subject to the requirement to gain prior authorisation via a permit and will have to meet permit conditions covering many areas of operation that may affect the</p>	<p>Are any prescribed processes operated at the premises - YES/NO.</p> <p>If yes, PPC Permit Ref. No.:</p> <hr/> <p>Issue date:</p> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>environment (such as regular monitoring, using emission control devices, maintenance etc).</p> <p>There is a general requirement that an installation and its operation meet the standard of using Best Available Techniques to prevent release of main polluting substances, or where not possible, to minimise them or render them harmless. Emissions to must meet emissions limit values for relevant main polluting substances for relevant environmental media.</p>		
<p>Duty to avoid causing air pollution</p>	<p>Air pollution would include release into the atmosphere of: gases dust mist fibres odour bacteria</p>	<p>Air Quality (England) Regulations 2000 Air Quality Air Quality Standards Regulations 2007 Clean Air Act 1993 Control of Asbestos in the Air Regulations 1990 Environmental Protection Act 1990 Part III Notification of Cooling Towers and Evaporative Condensers Regulations 1992</p>	<p>A major provision of the Clean Air Act is the prohibition, subject to conditions, of dark smoke emissions from boilers and industrial premises. Where an emission of dark smoke is observed by an officer of a Local Authority, they can serve a written notice on the person responsible within four days. Any occupier who breaches the provisions of the Act will be guilty of a criminal offence. There is a general prohibition on industrial bonfires except for specified materials and circumstances, including the need to avoid creating dark smoke.</p> <p>Emission of air pollution (dust, fumes, gases, smells, effluvia etc) which is likely to be prejudicial to health or a</p>	<p>Are appropriate controls in place to prevent emission of dark smoke - YES/NO.</p> <p>Are appropriate controls in place to control air pollution</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>nuisance may give rise to statutory nuisance under the Environmental Protection Act. A local authority can serve a nuisance abatement notice on the owner of the premises requiring measures to abate the nuisance using best practicable means.</p> <p>Premises where cooling towers or evaporative condensers are installed must be notified to the local authority (and should use appropriate measures to prevent release of Legionella bacteria into the atmosphere).</p> <p>Local authorities have a duty to prepare air quality assessments for their area under the Environment Act, which includes as assessment of air quality against a series of air quality standards and objectives. Where air quality exceeds or is likely to exceed standards, they must declare an Air Quality Management Area (AQMA) and put in place a plan to control air pollution. Premises within an AQMA may face stricter controls over emissions of problem pollutants.</p>	<p>nuisance - YES/NO.</p> <p>If present, are any evaporative condensers or wet cooling towers notified – YES/NO/NA</p> <p>If yes, date notified:</p> <hr/> <p>If in AQMA, note any specific obligations:</p> <hr/> <hr/> <hr/> <hr/>	
Land Management					
Protected	Protected species include: Specified plants	Badgers Act 1991 Badgers (Further Protection) Act 1991 Conservation (Natural Habitats,	Under the Wildlife and Countryside Act (as amended) there blanket criminal offences of interfering with	Are there any protected habitats/species present at the premises	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
<p>habitats and species</p>	<p>Specified animals, including bats, otters, badgers and some other mammals, many reptiles, some butterflies and moths, some invertebrates, some fish. Specified birds,</p> <p>Protected habitats are those designated as Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), and Special Areas of Conservation (SCA).</p>	<p>&c) Regulations 1994 Conservation (Natural Habitats, &c) (Amendment) Regulations 1997 Conservation (Natural Habitats, &c) (Amendment) Regulations 2000 Endangered Species (Import and Export) Act 1976 Natural Environment and Rural Communities Act 2006 Protection of Badgers Act 1992 Environment Act 1995 Salmon & Freshwater Fisheries Act 1972 Wildlife and Countryside Act 1981 Wildlife and Countryside Act 1981 (England and Wales) (Amendment) Regulations 2004 Wildlife and Countryside Act 1981 (Amendment) (Wales) Regulations 2004 Wildlife and Countryside (Amendment) Act 1985 Wildlife and Countryside (Amendment) Act 1991 Environmental Damage (Prevention and Remediation) Regulations 2009</p>	<p>specified wild animals and plants and their habitats. Schedule 5 lists all bats, reptiles and amphibians and only the rarest mammals, fish, butterflies and other forms of life. Schedule 8 lists 166 species of protected wild plant. Most birds are given some protection. Schedule 1 lists the rarest birds which are given special protection. It is an offence to intentionally kill, injure or take any scheduled wild animal or intentionally destroy, damage or obstruct any structure or place used by such an animal. Protected species can only be disturbed by a competent person licensed by the Countryside Council for Wales (CCW).</p> <p>Important habitats are protected as SSSIs or National Nature Reserves and are designated by CCW. Owners of land within a SSSI are advised by notice of the operations that may damage wildlife or features at a SSSI and also of habitat maintenance requirements. Owners may enter into a management agreement to maintain an area in return for payment.</p> <p>A person whose activities cause pollution that leads to harm to protected species or to fish or their spawning grounds may also be</p>	<p>or within 500m of the premises – YES/NO.</p> <p>If YES, are there adequate arrangements to prevent harm – YES/NO.</p> <p>Arrangements are:</p> <hr/> <hr/> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>criminally liable and may face prosecution and clean-up costs.</p> <p>Import, export or handling endangered species or tissues of such species is also a criminal offence.</p>		
<p>Invasive non-native plants and animals</p>	<p>Examples of non-native invasive plants include:</p> <ul style="list-style-type: none"> • Japanese knotweed • Himalayan balsam • Giant hogweed • Australian swamp stonecrop • Parrot's feather. 	<p>Destructive Imported Animals Act 1932 Natural Environment and Rural Communities Act 2006 Weeds Act 1959 Wildlife and Countryside Act 1981 Wildlife and Countryside Act 1981 (England and Wales) (Amendment) Regulations 2004 Wildlife and Countryside (Amendment) Act 1985 Wildlife and Countryside (Amendment) Act 1991 Ragwort Control Act 2003</p>	<p>It is an offence under the Wildlife and Countryside Act to introduce, plant or otherwise encourage a species that does not naturally occur in the wild. It is also an offence to sell specified invasive non-native species.</p> <p>Under the Weeds Act 1959, the Secretary of State may serve an enforcement notice on the occupier of land on which injurious weeds are growing, requiring the occupier to take action to prevent the spread of injurious weeds.</p> <p>Ragwort control is subject to a Code of Practice which applies to landowners where Ragwort is growing.</p>	<p>Are there any invasive non-natural species present at the premises – YES/NO.</p> <p>If YES, arrangements for control are:</p> <hr/> <hr/> <hr/>	
<p>Hedgerows and trees</p>	<p>The definition of a hedgerow is a boundary, living or dead, that is stock proof. Hedge can refer to, turf or stone banks, lines of shrubby hawthorns, traditional</p>	<p>Hedgerows Protection Act 1997 Town and Country Planning Act 1999 Town and Country Planning (Trees) Regulations 1999</p>	<p>It is against the law to remove most countryside hedgerows (or parts of them) without first notifying the local planning authority. If the hedgerow is important according to criteria set by Ministers, the authority may prohibit its removal by issuing a hedgerow retention notice.</p>	<p>Are there any countryside hedgerows or protected trees present at the premises – YES/NO.</p> <p>If YES, arrangements for protection are:</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	species rich mixed hedgerows, laid hedgerows or dead hedgerows.		Important trees or woodlands may be protected by a tree preservation order made by a local planning authority. The principal effect of a TPO is to prohibit the: cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of trees without the planning authority's consent.	<hr/> <hr/> <hr/>	
Use of pesticides	Pesticides include: <ul style="list-style-type: none"> • herbicides • fungicides • insecticides • rodenticides • soil-sterilants • wood preservatives • surface biocides. 	Biocidal Products Regulations 2001 Biocidal Products (Amendment) Regulations 2003 Biocidal Products (Amendment) Regulations 2005 Control of Pesticides Regulations 1986 Control of Pesticides (Amendment) Regulations 1987 Control of Substances Hazardous to Health Regulations 2002 Food and Environmental Protection Act 1985 Pesticides Act 1998 Plant Protection Products Regulations 1995	Pesticide sale and use is strictly regulated. Only approved pesticides may be sold/supplied/used in the UK. Anyone using pesticides at work must be competent and in some circumstances must hold a BASIS certificate (does not apply to a pesticide which is also sold for home use or has a HSE Registration Number). Pesticides must be stored in suitable containers (original) and in a place that is adequate to prevent escape to the environment. Storage facilities for most pesticides should be labelled to indicate presence of hazardous substances.	Are any regulated pesticides used or stored at the premises – YES/NO. If YES – arrangements for storage and use are: <hr/> <hr/> <hr/>	
Land use planning and development control	Applies to new developments of land, changes of use of land or premises or alterations to buildings or structures.	Town and Country Planning Act 1990 Building Regulations 2000 Sustainable and Secure Buildings Act 2004 Planning Act 2008	Development may require planning consent from the local authority. Construction of buildings, services etc, requires approval under the Building Regulations.	Are all forms of development or changes in land use at the site covered by an appropriate planning permission YES/NO.	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>New development may need to incorporate energy efficiency measures, runoff control measures, flood risk control measures, access measures or other forms of sustainable development requirement.</p> <p>Marge developments or developments having significant impact may require submission of an environmental impact assessment - Environmental Impact Assessment</p>	<p>If YES: Permission ref:</p> <hr/>	
<p>Environmenta I Impact Assessment</p>	<p>Environmental impact assessment is mandatory for specified forms of development, and may be required for other forms of development if the development meets specific criteria (size) and may cause significant impacts.</p>	<p>Environmental Assessment of Plans and Programmes Regulations 2004 Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006 Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999 Environmental Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 2006 Environmental Impact Assessment (Land Drainage Improvement Works) (Amendment) Regulations 2006 Environmental Impact Assessment (Uncultivated Land and Semi-natural Areas) (Wales) Regulations 2002 Environmental Impact</p>	<p>Specified (generally larger) developments may require an environmental impact assessment to be undertaken as part of the planning approval process – generally >0.5 hectare. Unlikely to apply to small tourism projects.</p> <p>New developments or changes of use may require planning consent and/or building regulations approval - Land use planning and development control.</p> <p>Policies, plans and programmes by public bodies are subject to a requirement to undertake strategic environmental assessments.</p>	<p>If new development is proposed, is there a requirement for an EIA to be undertaken – YES/NO/NA.</p> <p>If YES, arrangements are:</p> <hr/> <hr/> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
		Assessment (Uncultivated Land and Semi-natural Areas) (Wales) (Amendment) Regulations 2007 Harbour Works (Environmental Assessment) Regulations 1999 Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 2000 Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2006 Transport and Works (Assessment of Environmental Effects) Regulations 2006			
Historic buildings and conservation areas	Historically important buildings or developed areas may be subject to additional controls to protect their intrinsic value. Alteration may require approval via CADW.	Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Listed Buildings and Conservation Areas) Regulations 1990 SI 1519 Planning (Listed Buildings, Conservation Areas and Hazardous Substances) (Amendment) (Wales) Regulations 2006 SI 3316	Additional controls over development may apply to a listed building or development in a conservation area.	Is the premises listed or in a conservation area – YES/NO. If YES – specific requirements are: <hr/> <hr/> <hr/>	
Rights of Way	A Right of way is an establish right to cross land held either by individuals or the wider public.	Countryside and Rights of Way Act 2000	Local authorities maintain definitive maps sowing the existence of public rights of way or public access land. Neighbours may have established	Are there any rights of way or access rights affecting the premises – YES/NO.	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			right to cross land by prescription.	If YES, rights are: _____ _____ _____	
Contaminated land	Contaminated land is land where there is a connection linking a source, through a pathway to a receptor - such as a diesel oil spillage on land soaking downwards into an aquifer to pollute drinking water.	Contaminated Land Regulations 2006 Radioactive Contaminated Land (Enabling Powers) (England) Regulations 2005 Radioactive Contaminated Land (Modification of Enactments) (England) Regulations 2006 Environmental Damage (Prevention and Remediation) Regulations 2009	Local authorities are required to identify contaminated land within their areas. Owners of contaminated land or a person identified to have caused the contamination may be liable to investigate and clean-up such contamination where it represents a risk of harm. Remediation Notices can be served on the person who originally caused the contamination or if this person cannot be found, then the owner/occupier will be held responsible.	Are the premises likely to be affected by the presence of contaminated land or contaminants migrating from nearby contaminated land (within 250m) YES/NO If YES, arrangements for controlling the risk: _____ _____ _____	
Noise and Nuisance					
Causing noise or other nuisance	Nuisances are unreasonable interference with people's enjoyment of their property or rights over property. Some forms of nuisance are statutory nuisances and include: • premises	Control of Noise (Codes of Practice for Construction and Open Sites) (Wales) Order 2002 Control of Pollution Act 1974 Part III Environment Act 1995 Environmental Protection Act 1990 Part III Noise Act 1996 Noise and Statutory Nuisance Act 1993 Statutory Nuisance (Appeals) Regulations 1995	Occupiers of premises must use best practicable means to avoid the creation of nuisance. Local authorities can serve a nuisance abatement notice where they judge that a nuisance is prejudicial to health or a nuisance. Local authorities can declare a noise abatement zone and have powers to set limits over industrial noise	Are any aspects of the occupation and use of the premises likely to cause nuisance – YES/NO. If YES, control arrangements are: _____ _____	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	<ul style="list-style-type: none"> • smoke • fumes and gases • dust, steam, smell, effluvia • an accumulation or deposit • animals • noise • light • insects. 	Statutory Nuisances (Insects) Regulations 2006 Environmental Noise (England) Regulations 2006 Environmental Noise (Wales) Regulations 2006 Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001 Noise Emission in the Environment by Equipment for Use Outdoors (Amendment) Regulations 2001 Noise Emission in the Environment by Equipment for Use Outdoors (Amendment) Regulations 2005	emissions, transport noise and noise emissions during construction projects. Equipment used out of doors must meet specific noise emission criteria by design.	<hr/> <hr/> <hr/>	
Litter and fly-tipping	Litter may include: Paper, cardboard, plastic, cans etc Chewing gum Cigarette butts Waste food Dog fouling Fly-tipping is illegally deposited waste on land.	Clean Neighbourhoods and Environment Act 2005 Dogs (Fouling of Land) Act 1996 Litter Act 1983 Local Government Act 2003, s.119 Anti-social Behaviour Act 2003, s.56 Environmental Protection Act 1990	There are wide range offences for dropping litter or allowing a dog to foul land and local authorities can serve litter clearing or abatement notices requiring litter to be cleaned from any land which is open to the air. They may issue street litter control notices imposing requirements on occupiers of premises in relation to litter or refuse, such a requirements to provide bins near to food retail premises/restaurants. In some locations, it may be offence to distribute free leaflets where the location is designated by a local authority. The may also issue fixed penalties or prosecute for littering or dog fouling. Owners of land subject to fly-tipping	Are there adequate arrangements to control litter at the premises – YES/NO/NA. If YES, arrangements are: <hr/> <hr/> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			may be required by order to remove fly-tipped waste at their own expense		
Energy					
Energy efficiency	Buildings, plant, equipment and services should as far as practicable, be designed and used in such a way as to maximise efficient use of energy and minimise emission of greenhouse gases.	Buildings Regulations 2000 Capital Allowances (Energy-saving Plant and Machinery) (Amendment) Order 2006 Capital Allowances (Environmentally Beneficial Plant and Machinery) (Amendment) Order 2006 Sustainable and Secure Buildings Act 2004 Sustainable Energy Act 2003 Climate Change and Sustainable Energy Act 2006	New buildings must meet minimum standards for energy efficiency through design and construction. Businesses may claim enhanced capital allowances for specified forms of energy saving plant and equipment.	New buildings or new plant or equipment proposed – YES/NO. If YES, arrangements for ensuring efficient use of energy: _____ _____ _____	
Greenhouse gases	Carbon dioxide gas emissions from fossil sources, and a range of other known greenhouse gases (including methane deriving from biodegradable waste and a range of other gases) and various fluorinated greenhouse gases.	Greenhouse Gas Emissions Trading Scheme Regulations 2003 Climate Change Agreements (Eligible Facilities) Regulations 2006 Climate Change Agreements (Energy-intensive Installations) Regulations 2006 Climate Change Agreements (Miscellaneous Amendments) Regulations 2006 Climate Change Levy (Combined Heat and Power Stations) Exemption Certificate Regulations 2001 Climate Change Levy (Combined Heat and Power Stations) Prescribed Conditions and Efficiency Percentages	The climate change levy is a form of energy tax, which came into force in April 2001. It is levied on supply of energy comprising of or deriving from non-renewable sources. Certain businesses in energy intensive sectors can reclaim a proportion of the climate change levy by entering into a climate change agreement. Certain businesses are required to join the EU greenhouse gas emissions trading scheme where they operate certain forms of process or	Is the business registered for a climate change agreement or EU emissions trading – YES/NO/NA If YES, agreement ref. _____ Date: _____ If fluorinated greenhouse gases are present on site in	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
		Regulations 2001 Climate Change Levy (Combined Heat and Power Stations) Prescribed Conditions and Efficiency Percentages (Amendment) Regulations 2003 Climate Change Levy (Electricity and Gas) Regulations 2001 Climate Change Levy (General) Regulations 2001 Climate Change Levy (General) (Amendment) Regulations 2003 Climate Change Levy (General) (Amendment) Regulations 2006 Climate Change Levy (Fuels Use and Recycling Processes) Regulations 2005 Climate Change Levy (Miscellaneous Amendments) Regulations 2005 Climate Change Levy (Registration and Miscellaneous Provisions) Regulations 2001 Climate Change Levy (Solid fuel) Regulations 2001 Climate Change Levy (Use as Fuel) Regulations 2001 Greenhouse Gas Emissions Trading Scheme (Amendment) Regulations 2006 Greenhouse Gas Emissions Trading Scheme Regulations 2005 Climate Change and Sustainable Energy Act 2006 Climate Change Act 2008 Fluorinated Greenhouse Gases Regulations 2008 Carbon Accounting Regulations 2009	installations which are significant emitters of carbon dioxide, such a >50MW combustion processes. Where fluorinated greenhouse gases (typically in air conditioning systems) are used at site, there are specific requirements applying to the maintenance of the systems, competence of persons undertaking work on systems and leakage prevention.	appliance or vehicles (air conditioning) are the appliance subject to competent inspection and maintenance arrangements? YES/ NO. If YES, arrangements are:	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
Environmentally hazardous substances or articles					
<p>Storage and use of polluting substances or articles</p>	<p>Polluting substances and articles that may be subject to tight restrictions, phase-out or bans include:</p> <ul style="list-style-type: none"> • Ozone depleting substances such as CFCs in refrigerators • Creosote • Asbestos • Appliances containing more than trace levels of Polychlorinated biphenyls, such as transformers • Liquefied chlorine gas for disinfection purposes, such as swimming pools • Halon gas fire extinguishers • Brominates as fire retardants in electrical appliances 	<p>Asbestos (Prohibitions) (Amendment) Regulations 2003 Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2005 Control of Asbestos Regulations 2006 Control of Pollution (Anti-Fouling Paints and Treatments) Regulations 1987 Control of Substances Hazardous to Health Regulations 202 Creosote (Prohibition on Use and Marketing) (No2) Regulations 2003 EU Regulation Substances that Deplete the Ozone Layer (2037/2000) Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2002 Ozone Depleting Substances (Qualifications) Regulations 2006 Fluorinated Greenhouse Gases Regulations 2008</p> <p>Specialist statutes unlikely to apply directly to waste transfer businesses Control of Major Accident Hazards Regulations 1999 Control of Major Accident Hazards (Amendment) Regulations 2005</p>	<p>All environmentally polluting substances should be stored in appropriate facilities. Large scale storage of dangerous substances or storage of very dangerous materials may require either notification or approvals,</p> <p>Employers should have undertaken specific risk assessments, which include measures to minimise risk arising from exposure to hazardous substances in waste. Materials safety data sheets (MSDS) should be available for all dangerous substances used in the workplace. MSDS data should have been reviewed to identify any environmental risk and safety phrases and instructions that may be relevant to storage, use or disposal of the substance.</p> <p>Certain substances are affected by phase-outs or bans and holders may be required to dispose of them safely. Only qualified and competent persons may remove Ozone Depleting Substances – such a from a fridge or air conditioning system. Disposal of banned substances or articles is</p>	<p>Are any environmentally hazardous substances or articles stored or used on the premises – YES/NO</p> <p>If YES, arrangements are:</p> <hr/> <hr/> <hr/> <p>If YES, have appropriate risk assessments been undertaken to minimise risk – YES/NO.</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
		<p>Controls on Pentabromodiphenyl Ether and Octabromodiphenyl Ether (No. 2) Regulations 2004 Dangerous Substances in Harbour Areas Regulations 1987 Detergents Regulations 2005 Environmental Protection (Controls on Dangerous Substances) Regulations 2003 Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2002 Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000 Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) (Amendment) Regulations 2000 Environmental Protection (Controls on Hexachloroethane) Regulations 2003 Environmental Protection (Controls on Injurious Substances) Regulations 1992 Environmental Protection (Controls on Injurious Substances) Regulations 1993 Environmental Protection (Controls on Injurious Substances) (No. 2) Regulations 1993 Environmental Protection (Controls on Injurious Substances) Regulations 1999 Environmental Protection (Controls on Injurious</p>	<p>subject to the controls on waste disposal - Producing waste - duty of care</p> <p>Storage arrangements for all substances should avoid risk of water pollution - Duty to prevent water pollution</p>		

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
		Substances) (Amendment) Regulations 2001 Notification of Installations Handling Dangerous Substances Regulations 1982 , Notification of Installations Handling Dangerous Substances (Amendment) Regulations 2002 Notification of New Substances Regulations 1993 Planning (Hazardous Substances) Act 1990 Planning (Hazardous Substances) Regulations 1992 Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2006			
Selling electrical or electronic equipment	Examples of electrical and electronic equipment (EEE) that some tourist business may sell to the public or businesses include: <ul style="list-style-type: none"> • Small household appliances • IT and telecommunications equipment • Consumer equipment • Lighting equipment • Electrical and electronic tools • Toys, leisure and sports equipment 	Waste Electrical and Electronic Equipment Regulations 2006 Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2008 Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations 2009	Where an organisation produces or retails specified appliances that need electricity to fulfil their main purpose (they are dependent on electricity to operate), they may be affected by the EEE provisions. A producer is a manufacturer, importer or re-branders. Retailers who sell EEE to the public will have to ensure that their customers can return their WEEE free of charge. This will be on a one-for-one basis, as long as the new equipment is of a similar type and has the same function as the old equipment. Retailers will also have to ask producers of EEE for their unique producer number when they supply EEE. This number will prove that the producer has joined an approved compliance scheme and is helping fund the treatment	Is the organisation a producer seller of EEE – YES/NO If YES, arrangements are: <hr/> <hr/> <hr/>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	<ul style="list-style-type: none"> • Monitoring and control equipment • Automatic dispensers. 		<p>and recycling of separately collected household WEEE.</p> <p>If your organisation produces EEE you must join a Producer Compliance Scheme that has been approved by one of the environment agencies. You are also regarded as a 'producer' if you import EEE into the UK on a professional basis or you resell EEE produced by someone else under your own brand. Producers must apply to join an approved Producer Compliance Scheme by 15 March 2007.</p> <p>There is no minimum company size; the regulations apply to all producers whatever their turnover, market share or number of employees. Businesses that only place non-household EEE on the UK market must still join a Compliance Scheme.</p> <p>The regulations allow a producer to form their own Compliance Scheme. All Producers must then register with one of the environment agencies through their Producer Compliance Scheme. Registration will involve the completion of a data form, the payment of a fee and the supply of data in respect of EEE placed on the market during 2006.</p> <p>Producers must ensure that their EEE does not contain specified dangerous substances.</p> <p>From 1 April 2007, producers will have to mark EEE with a crossed out wheeled bin</p>		

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
			<p>symbol, a producer identifier mark and a date mark.</p> <p>There are also requirements applying to a organisation disposing of EEE - Specific waste streams - electrical and electronic equipment</p>		
<p>Radioactivity</p>	<p>Radioactive substances may be present in:</p> <ul style="list-style-type: none"> • Smoke detectors • Static eliminators • Gas mantles containing Thorium • Uranium glass and glazes • Radium paint • Tritium luminaries, such as some luminescent fire exit signs 	<p>Radioactive Substances Act 1993 and associated legislation</p>	<p>Premises where a radioactive substance is present must be registered with the Environment Agency unless the radioactive substance or the appliance which contains it is exempt. There are general exemptions for small quantities of Tritium luminaries (<20 GBq activity), smoke detectors, uranium or thorium in gas mantles etc.</p> <p>Accumulation or disposal of radioactive substances as waste may require authorisation from the Environment Agency, however there are exemptions applying to low activity substances which allows for their disposal via specified routes (including a local authority waste collection) without authorisation.</p>	<p>Are there any radioactive substances present at the premises which would require a specific registration – YES/NO.</p> <p>If YES, registration number:</p> <hr/> <p>Date:</p> <hr/>	
<p>Transportation of dangerous goods</p>	<p>Carriage by road/rail of dangerous goods is covered by a mass of complex legal requirements. Dangerous goods</p>	<p>Carriage of Dangerous Goods by Rail Regulations 1996 Carriage of Dangerous Goods by Road Regulations 1996 Carriage of Dangerous Goods (Amendment) Regulations 1998 Carriage of Dangerous Goods</p>	<p>Carriage of dangerous goods an employer involved in carriage of dangerous goods shall: Ensure that he and his employees receive training;</p>	<p>If dangerous goods are transported by road, rail or air, specialist advice should be obtained to determine whether limited quantity</p>	

Organisation:

Activity	Examples	Legislation	Specific Requirements	Applies and compliance arrangements	Action Required
	include: Flammables Radioactive materials Corrosives Explosives Biohazards Toxics Pressurised gases.	and Use of Transportable Pressure Equipment Regulations 2009	<p>Appoint one or more dangerous goods safety advisors responsible for helping to minimise the risks inherent in such activities, unless exempt under Reg 43(1) or (2); Placarding of vehicles; plus a host of detailed requirements applying to different classes of dangerous goods.</p> <p>There are exemptions in place for limited quantities which may mean that simplified requirements apply.</p>	exemptions of exceptions apply and what requirements apply.	

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