

EAG LEGAL BRIEFING 2 February 2010	Notes															
Climate change goals – achievements from UK retailers	<p>According to the BRC, the proportion of waste sent to landfill by retailers has been reduced by around a third between 2005 and 2008. This has been achieved through a range of initiatives such as higher recycling rates and converting organic waste to biogas and fertiliser through anaerobic digestion. In 2008, retailers sent 32 per cent of their waste to landfill.</p> <p>Retailers have also exceeded a target to reduce their energy use in buildings by 15 per cent between 2005/6 and 2008/9 on a like-for-like basis. This has been achieved through a variety of methods including designing stores that are up to 70 per cent more efficient and using low-carbon energy, such as wind and solar power.</p> <p>Retailers have committed to a new set of even tougher targets in the future. These include extending the reduction in buildings' emissions from 15 to 25 per cent by 2013 and cutting the proportion of waste sent to landfill to less than 25 per cent by the same date.</p> <p>Retailers have also halved the number of single-use carrier bags taken by consumers between 2006 and 2009 and in addition have launched a standardised on-pack recycling label helping customers to recycle more of what can be recycled.</p>															
Plastic bag reduction	<p>Asda, Co-operative Group (now incorporating Somerfield), Marks & Spencer, Sainsbury's, Tesco and Waitrose set themselves a 50% reduction target in single use plastic bags. The table sets out what was actually achieved since 2006.</p> <table border="1" data-bbox="329 898 1615 1024"> <thead> <tr> <th></th> <th>May 2006 Bags (millions)</th> <th>May 2009 Bags (millions)</th> <th>Reduction in number (millions)</th> <th>% reduction</th> </tr> </thead> <tbody> <tr> <td>UK</td> <td>870</td> <td>452</td> <td>418</td> <td>48%</td> </tr> <tr> <td>Wales</td> <td>53.2</td> <td>27.1</td> <td>26</td> <td>49%</td> </tr> </tbody> </table>		May 2006 Bags (millions)	May 2009 Bags (millions)	Reduction in number (millions)	% reduction	UK	870	452	418	48%	Wales	53.2	27.1	26	49%
	May 2006 Bags (millions)	May 2009 Bags (millions)	Reduction in number (millions)	% reduction												
UK	870	452	418	48%												
Wales	53.2	27.1	26	49%												
Plastic bags in Wales – proposal from Welsh Environment Minister to impose a charge	<p>Jane Davidson, Minister for the Environment, Sustainability and Housing in Wales, said before Christmas that the 50% target was narrowly missed in Wales, with retailers reaching a 49% reduction. She commended retailers for their efforts in getting this far but said that, despite those best efforts, data from 2009 illustrated that the 7 retailers who are signed up to the current voluntary agreement (see above) still gave away 27 million bags in Wales in the month of May 2009. "That still adds up to potentially 324 million bags in a year", she said.</p> <p>This Welsh government still holds the view that the voluntary agreement does not go far enough and that it has to take more action now. Jane Davidson is now working towards achieving implementation of a mandatory charge on single use carrier bags before 2011. The draft regulatory package which will include draft regulations, explanatory memorandum and Regulatory Impact Assessment, and will be issued for consultation in Spring 2010.</p>															
Plastic bags in N Ireland	<p>However, in Northern Ireland, The Environment Minister is taking a different position to his opposite number in Wales. He said that the voluntary approach that was announced in July 2009 resulted in supermarkets in Northern Ireland reducing the number of single-use carrier bags by 38%, which equated to 7.6 million fewer bags being handed out. A close-to-40% reduction is very significant, he said. "Let us build on that and encourage more people to refuse plastic bags in shops".</p>															
Zero carbon buildings	<p>The Government has recognised the serious global risks from climate change and has set in legislation a challenging target to reduce UK carbon emissions by 80 per cent. against 1990 levels by 2050. Emissions from the way we heat, cool and power buildings are important in achieving this target: 17 per cent. of UK emissions are from non-domestic buildings.</p> <p>The Government has reconfirmed its commitment to the ambition for all new non-domestic buildings to be zero carbon from 2019, and has published a consultation document that sets out policy principles and options for meeting this ambition. The consultation closes on 26 February</p>															

	<p>2010.</p> <p>For non-domestic buildings, the Government will be using the threefold hierarchy of energy efficiency, followed by onsite or linked low and zero carbon technologies ("carbon compliance"), followed by primarily offsite "allowable solutions".</p> <p>As a minimum, the zero carbon standard for non-domestic buildings will include 100 per cent. of energy uses currently covered by the Building Regulations (principally space heating, cooling and internal lighting). The Government is considering in addition a simplified way of accounting for ongoing energy use in the building (such as machinery, refrigeration, or computers), through requiring either 10 or 20 per cent. extra improvement on top of regulated energy.</p>
E & OE	Tim Godfray – 5 th January 2010