

**EPD - Proposed Consultations/Legislation 2011-12**

| <b>Proposed Legislation</b>   | <b>Description/Summary</b>   | <b>Target Date for Consultations<br/>etc</b>   | <b>Target Date for<br/>Legislation</b>             |
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| Single Use Carrier Bags Regulations (Northern Ireland) 2012   | This legislation will introduce a minimum charge on single use carrier bags.   | It is hoped to issue a policy consultation document in late summer/early autumn 2011.    | 2012.  |
| National Parks  | Consultation on potential policy proposals to establish a framework for designating National Parks   | Consultation issued on 24 March and is due to close on 30 September 2011                 | Not possible to provide a target date at this time |
| The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011                          | To transpose Directive 2009/90/EC (the Quality Assurance Quality Control or QAQC Directive) setting standards for laboratory analysis and establishing rules for demonstrating the quality of analytical results. It impacts solely on the duties of Government – particularly the Northern Ireland Environment Agency (NIEA) and any sub-contracted services. | No consultation necessary – technical regulations that only affect duties of Government. | 20 August 2011                                     |
| Addendum to the Northern Ireland Waste Management Strategy  | The Department intends to consult on a reassessment of the NI Waste Management Strategy 2006-2020 to take account of the requirements of the revised Waste Framework Directive.  | It is hoped to issue a consultation document June/July 2011                              | No legislation involved                            |
| Consultation on Northern Ireland Environmental Noise Directive Action Plan and Competent Authority Noise Action Plan Guidance | Plan and Guidance  | Autumn 2011  | No legislation involved.                           |

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| <p>The Control on Dogs (Non-application to Designated Land) Order</p> <p>The Dog Control Orders (Procedures) Regulations</p> <p>The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations</p> | <p>Subordinate legislation required to implement the new Dog Control Order regime which will replace the current system of dog byelaws and the dog fouling provisions in Article 4 of the Litter (Northern Ireland) Order 1994.</p>  | <p>Consultation runs from 23 March to 15 June 2011</p>        | <p>1 April 2012</p> |
| <p>The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations</p>   | <p>The Regulations will prescribe the ranges within which the amounts of certain fixed penalties that are capable of being specified by a district council are required to fall. The Regulations also prescribe the minimum amount of fixed penalty that a district council may (if it chooses to do so) treat as full payment of the fixed penalty.</p> | <p>Consultation to run from 20 June to 7 October 2011</p>     | <p>1 April 2012</p> |
| <p>The Removal and Disposal of Vehicles (Prescribed Period) Regulations</p>  | <p>The Regulations will prescribe 7 days as the period before which a notice must be affixed in certain cases to a vehicle which is fit only for destruction before a district council may remove it under Article 30(2) of the Pollution Control and Local Government (NI) Order 1978</p>   | <p>Consultation scheduled for autumn 2011</p>                 | <p>1 April 2012</p> |
| <p>The consultation on Code of Practice on Litter; Guidance on Litter; preventing Cigarette litter; Extension of Street Control Notices</p>  | <p>Statutory guidance required to implement the new litter requirements which will amend the Litter (Northern Ireland) Order 1994. Regulations will extend the provisions of the Street Litter Control Notices which implements the amendments contained in the CNEA</p>   | <p>Consultation to run from 13 June to 30 September 2011.</p> | <p>1 April 2012</p> |

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| Consultation on Guidance on Audible Intruder Alarms; Statutory Nuisances; Amendments to the Noise Act             | Statutory guidance required to implement the new Regulations needed to implement the requirements of the Statutory Nuisance amendments   | Consultation scheduled for autumn 2011                                | 1 April 2012  |
| High Hedges (Fee) Regulations (Northern Ireland)<br><br>High Hedges (Fee Transfer) Regulations (Northern Ireland) | Subordinate legislation required to fully implement the High Hedges Act (Northern Ireland) 2011: Regulations to limit the level of complaints fee that a council can levy for dealing with a High Hedge complaint; and Regulations to allow councils to levy a fee on the 'hedge owner' in cases where a remedial notice requiring action to deal with a problem hedge has taken effect. | Aim to launch consultation by end of June, closing 30 September 2011. | Aim to commence the High Hedges Act (Northern Ireland) 2011 and bring both sets of Fee Regulations into operation by 31 March 2012 .<br><br>This includes the amending Northern Ireland Valuation Tribunal Rules which will be made by the Department of Justice to deal with High Hedge appeals. |
| Consultation on draft Site Waste Management Plans Regulations   | The Regulations will make site waste management plans compulsory for all construction projects over £300k  | completed   | The regulations are due to be made in autumn 2011   |
| Consultation on EU proposals to recast the WEEE and RoHS Directives   | The proposed recast of the WEEE (2002/96/EC) and RoHS Directives (2002/95/EC)  | Completed May 2009  | TBC   |
| Consultation on definition of municipal waste   | Consultation on the definition of municipal waste in relation to reporting against Landfill Directive targets  | Completed Oct 2010  | Regulations to be made June 2011  |
| Consultation on definition of municipal waste and possible ending of NILAS  | Second stage consultation on the possible ending of NILAS by 2012/13   | Commencing October 2011   | April 2012  |
| Consultation on amendment to the Landfill Regulations (NI) 2003   | Consultation on applying amended Regulations to landfill sites closed between July 2001 and Jan 2004   | Completed Sept 2010   | Associated Regulations made March 2011  |
| Further consultation on amendment to the Landfill Regulations (NI) 2003   | Consultation on applying amended Regulations to landfill sites closed between July 2001 and Jan 2004   | Commencing September 2011   | January 2012  |

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| <p>Draft Smoke Control Areas (Exempted Fireplaces) Regulations (NI) 2011</p>   | <p>The Regulations will consolidate the 2010 Regulations and prescribe additional classes of fireplace to be exempt from the provisions of Article 17 of the Clean Air (NI) Order 1981. The Regulations allow the use (subject to strict conditions) of wood, peat and coal fuelled fireplaces in smoke controlled areas. This will be of interest to those district councils with smoke control areas and to those individuals within smoke control areas who wish to purchase an appliance.</p>                   | <p>No consultation required.</p>                           | <p>November 2011</p>           |
| <p>Consultation on PPS 21 – Sustainable Development in the Countryside – Design Guide for the Northern Ireland Countryside</p> | <p>Draft guide provides supplementary guidance to accompany PPS 21.</p>   | <p>December 2010 for a four month consultation period.</p> | <p>No legislation involved</p> |
| <p>Consultation on Draft PPS 2 – Natural heritage</p>  | <p>Revised draft planning policy to protect and conserve and where possible enhance and restore the diversity of habitats and earth science features. It will also address landscape issues</p>   | <p>Target date to be confirmed.</p>                        | <p>No legislation involved</p> |
| <p>Addendum to PPS7 – Safeguarding the Character of established Residential Areas</p>  | <p>The Addendum provides additional planning policy provisions on the protection of local character, environmental quality and residential amenity within established residential areas, villages, and smaller settlements. It also sets out policy on the conversion of existing buildings to flats or apartments. In addition the addendum contains policy to promote the greater use of permeable paving within new residential developments to help reduce the risk of flooding from surface water run-off.</p> | <p>Final document published August 2010..</p>              | <p>No legislation involved</p> |

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| Consultation on PPS 12: Housing in Settlements.                          | Amendment to Policy HS 3 – Travellers Accommodation.   | December 2010 / January 2011 for a four month consultation period.                                   | No legislation involved  |
| Consultation on draft PPS 16 - Tourism                                   | Draft planning policy to encourage and facilitate the provision of good quality tourism developments in appropriate locations within the built and natural environment. It will also address the safeguarding of existing tourism assets from inappropriate development. | November 2010 for a four month consultation period.  | No legislation involved  |
| Consultation on draft revised PPS 1 Planning for Sustainable Development | Sets out the Department's objectives for the local planning system and the core principles to underpin the formulation of planning policy, the making of development plans and the exercise of development management powers.  | Awaiting direction on Planning Reform and RPA.   | No legislation involved  |
| Consultation on draft PPS 22 Social and Affordable Housing               | Draft planning policy to put in place a mechanism for securing developer contributions for the delivery of affordable housing  | Target date to be confirmed.   | No legislation involved  |
| Consultation on draft PPS 23 Enabling Development                        | Aims to provide flexibility to accommodate unforeseen imaginative proposals in the public interest.  | To be with Minister for consideration later this year, following Executive agreement.                | No legislation involved. |
| Consultation on draft PPS 24 Economic Considerations                     | Clarifies the weight to be accorded to the economic aspects of development proposals in the making of planning decisions.  | November / December 2010 for a four month public consultation period, following Executive agreement. | No legislation involved  |

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| Consultation on revised draft PPS 11 Planning and Waste Management  | Sets out planning policies for the development of waste management facilities.   | Subject to outcome of preliminary considerations – September/October 2011 for a four month consultation period. | No legislation involved  |
| Consultation on the Review of Exemption Orders Under the Radioactive Substances Act 1993  | Consultation brings forward proposals for a future Exclusion/Exemption Order Regime.   | Completed June 2009   | July 2011  |
| Consultation on subordinate legislation under UK Marine & Coastal Access Bill   | Regulations for marine licensing, appeals process, exemptions, registration, civil sanctions and fees.   | Consultation: 25 August – 3 November 2010   | April 2011   |
| Consultation on Draft UK Regulations implementing the Marine Strategy Framework Directive and associated policy options.                      | Implementing Regulations to transpose EC Directive   | Consultation closed 22 January 2010   | UK wide legislation transposing the Directive came into force on 15 July 2010. |
| Consultation on policy proposals for a NI Marine Bill   | The Bill will provide the power to plan for the inshore region (ie, 0-12 nautical miles); will build on the licensing reforms introduced through the UK Bill by considering further opportunities for streamlining the licensing of devolved activities, in particular marine renewables and harbours; and will provide enhanced powers for marine nature conservation protection. | April-July 2010   | Bill to be introduced to new Assembly in 2011.                                 |
| Consultation on policy proposals to transpose the requirements of the Directive on the Protection of the Environment through the Criminal Law | Consultation on policy proposals   | March 2010  | TBC  |

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| The Smoke Control (Authorised Fuels) Regulations (NI) 2011.                                       | These will consolidate the 2008 and 2010 Regulations and add additional fuels to those already authorised for use within smoke control areas.                            | No consultation required                        | November 2011                              |
| Industrial Emissions Directive (IED)  | Requires amendment to PPC, Solvent Emissions, WID and LPC legislation. The Directive consolidates 7 separate directives.   | March 2012                                      | To be transposed by 6 January 2013.        |
| Registration, Evaluation and Authorisation of Chemicals (REACH) (Amendment) regulations – UK wide | Input to Defra led amendment of UK-wide REACH regulations to include provisions relating to asbestos, and to enforcement powers.   | TBC – awaiting Defra lead.                      | Autumn 2011                                |
| Mercury Regulations (UK wide)   | Storage of waste mercury.  | Sept/Oct 2011 – dependent on DEFRA instructions | Awaiting DEFRA to commence drafting        |
| Pollution Prevention and Control (Amendment No 2) Regulations (NI) 2011.                          | Amendment to transpose Directive 2009/126/EC on Stage II Petrol Vapour recovery during and refuelling of motor vehicles at service stations and other minor amendments . | Issue consultation by June 2011.                | Regulations to be implemented by Jan 2012. |