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UKELA News

Vicki Elcoate, Executive Officer

Firstly a big thank you to all UKELA members who renewed their subscription promptly. The new categories are working well with students, retired members and NGOs on board. Private firms are encouraged to consider whether it is more cost effective to sign up as a corporate member – which gives the benefits of membership to up to ten staff members. If you haven't renewed yet please do so as soon as you can as this saves the cost of reminder letters.

UKELA does now have a membership leaflet which you can use to help us recruit more members. If you are holding an event and can distribute leaflets please let me know and I'll send some.

Thanks to your subscriptions UKELA has been able to work with Cardiff University to research the need for an e-library on environmental law. The scoping study has found overwhelming support for the idea from NGOs who advise people seeking information on environmental law, Citizens Advice Bureaux, environmental organisations and government. We are confident that no similar resource exists already and that it will be hugely beneficial to ordinary people who need information about environmental law. The next step is to finalise the proposal (deciding which topics should be covered, what the geographical coverage is and how this major project should be managed) and seek funding for it. Anyone with suggestions on funding should contact me.

It is now a year since UKELA's first strategic plan came into effect and progress towards our aims has been good. Hopefully you will have noticed some changes – it was good to hear from a member the other day that the training they had asked for in the questionnaire circulated last year was now on offer (see Masterclass item).

The other major achievements are:

Improving UKELA's image with a strapline, logo, letterhead, membership leaflet and membership card, with a redesigned website on the way

More responsiveness to members' wishes (members' questionnaire, training on offer, better planned working party activities, greater activity outside London – most notably in Scotland and Northern Ireland)

More commitment to getting information across to the public about environmental law – the e-library scoping study takes this forward

Closer links with government – the environmental tribunal issue has helped raise UKELA's profile with the DCA and Defra

A media presence – UKELA has published seven press releases and secured some coverage in specialist journals and the Times legal section

UKELA has also been able to react more quickly to topical issues – for example, its recent submission to the Environmental Audit Committee inquiry into environmental crime.

You should see the new look website on line in the next couple of months. This should be easier to use and be more attractive to members of the public, not just UKELA members. We are considering setting up members' only discussion areas for the regional groups and working parties and should very much welcome your views on this. It does mean more work (giving out passwords and checking that what is sent in for the discussion areas is appropriate) but other organisations (like the Association of Personal Injury Lawyers) which have them say they are very popular with their members.

If you have any comments on any of the above or are able to help with distributing leaflets or advising on the e-library please do get in touch: Vicki.elcoate@ntlworld.com.

Environmental Insurance is making its mark at last

Robert Martin and Marcel Steward of ERM Financial Solutions Ltd.

This is the first in a series of articles on environmental insurance written by members of the UKELA Insurance and Liability Working Party.

The History

The environmental insurance market came into being in the UK in the early 1990's, primarily as an insurance market reaction to the Environmental Protection Act 1990 and the restriction of cover in public liability policies.

The insurance companies that were attracted into this market were primarily of American parentage, as they believed that it would be possible to introduce the model for environmental insurance already established in the US. This model was developed for US legislation, which was arguably more 'prescriptive' in its approach than the UK/European legislation, and, therefore suited a 'commoditised' approach based upon a wide variety of standard policies, each with a specific application.

Early environmental policies introduced to the UK were therefore of limited perceived application. Hence there was a need for an adaptation of the initial policies to respond more appropriately to the 'risk based' nature of the 'new' environmental legislation. This was achieved with a fewer number of policy types than in the USA, which have an inbuilt flexibility to accommodate the variety of risk based parameters created by the legislative system.

Initial policies were for one year and had a claims made wording. i.e. the claim had to be made against the policy during the 12-month policy period. This was a major criticism of this insurance market in its initial manifestation. As the market became established client lead criticism of the policy term was initially through the introduction of extended

reporting periods, which could be secured for the payment of additional premium. These allowed for the reporting of claims beyond the 12-month policy period for incidents that could be proved to have discovered within the 12-month policy period. Later multi-year policies became available. It is now grown to be part of the folklore of this insurance market, or rather the myth, that when a claim was made against these early policies, the underwriter would then refuse to enter into a new policy at the end of the period of cover.

The combination of the perceived limited coverage under the public liability policies, together with the failure of the embryonic specialist market to provide cover for lengthy periods for any pre-existing 'so-called' legacy environmental issues, coupled with the apparent lack of flexibility introduced by pro forma policy wordings, resulted in the new niche market having an inauspicious start. This created a stain on the market, which it is still endeavouring to remove to this day, as many continue to erroneously promote the initial shortcomings as the current status of the market.

The Development of the Environmental Insurance Market in the UK

The development of the UK environmental insurance market can be traced to a handful of like-minded people from environmental consultancy, insurance broking, underwriting, legal and governmental regulation sectors.

Primarily these individuals recognised the need to create a product that would be seen by potential purchasers of the policies as providing true value-added risk transfer.

From the buyer's point of view, environmental insurance policies written for the UK, Ireland, and Continental Europe would need to provide coverage for unknown conditions that may well pre-exist the inception of the environmental insurance cover, to supplement the "sudden and accidental" coverage in the public liability policies, as well as to provide the "gradual" cover where this did not exist in this latter forms of cover. Furthermore, the concept of the annually renewable policy needed to be addressed. The risk to the underwriter was how to produce premium ratings for these risks for an extended period when there was no history of prior claims established on which to base their financial predictions of claims for the proposed period of cover.

The solution that emerged was to take a somewhat different approach to the underwriting the risk. In the UK market this would be assessed on the basis of the prevailing law, as well as the use of environmental survey reports, which incorporated studies and commentary on the geology, hydrogeology, chemistry, and indeed the whole spectrum of environmental science of the target site proposed to be the insured property. The underwriters engaged by insurance companies for this new market were mostly environmental consultants and/or environmental regulators, as they best understood the drivers of the risk.

Policies began to be were written for periods of 5, 10 and even 25 years (though more recently there is a trend back towards 10 years as a maximum, with some underwriters now seeking to cut this back to 5).

The basic types of Environmental Insurance Cover available

The three basic forms of environmental insurance specifically for 'legacy issues' available in the UK for UK, European and wider global environmental risks underwritten in the UK are:

Pollution Legal Liability (PLL) policies that provide coverage for on-site as well as off-site (e.g. neighbouring sites) third party claims for property /asset damage and bodily injury/illness for unknown pollution issues, and for the clean-up costs triggered by a regulatory or statutory body.

Cost Cap Policies that are aimed at limiting the financial uncertainties inherent in any estimate of the cost of remediation. It should be recognised that these estimates, normally produced by the environmental consultants, are based on either desk top reviews of documentation relating to the target site and its prior uses, or at best, on so-called Phase II environmental surveys. Phase II's incorporate limited intrusive work, such as taking sample borings. These policies normally require quite extensive information being provided to underwriters.

Where remediation forms part of the insurance cover, either as part of a cost cap or an extension of the basic PLL wording, the policy will normally provide protection to the Insured against a change in law that could necessitate a further remediation of the same area of the site at some time within the period of cover afforded by the policy.

Warranty and Indemnity Wraps/Contract Covers. These policies provide a safety net should the primary contractual obligation fail to respond to the claimant because of, say, the financial failure of the party called upon.

In addition to the above, environmental insurance is also available for operational environmental risks that may occur in the future. This form of policy tends to be known as a Pollution and Accidental Legal Liability Policy (PALL).

In a future article in this series we will return to this subject to discuss individual types of policy and their application to specific exposures in further detail.

Driving the market forward

The primary drivers for environmental insurance to date have been the sale and purchase of properties, or of subsidiary companies that own or use property. The acquirer tends to raise the lack of certainty in regard to known pollution and uncertainty over unknown potential pollution to drive down the purchase price, whilst the vendor seeks to place an insurance solution to transfer such risks so as to minimise the concern in order to optimise the sale proceeds. Venture capitalists and private equity houses operating in this arena had a significant impact on the growth of environmental insurance in the late 1990's.

Perhaps the biggest inhibitors to the development of environmental insurance continues to be the misinformation that is still being propagated about it, which is largely based on

the bad experiences when the market first came into being, as well as general lack of knowledge about the niche market that has developed. This is understandable as there are only a few specialist insurance brokers operating in this field. The vast majority of insurance brokers do not receive any academic education, or training in environmental insurance and many tend to pass on out-of-date hearsay about environmental covers. As these 'general brokers' have more day-to-day contact with clients, the majority view expressed is in reality, the incorrect view. This miscommunication problem is further compounded by the frequently expressed view from many legal firms that warranties and indemnities are a 'cure all' and once established negate the need for environmental insurance (again this a topic that we will return to in a future article in this series).

Looking to the future, we believe that the various financial scandals concerning 'off balance sheet liabilities', coupled with the resulting added impetus for better standards of corporate governance evidenced by the Combined Code together with the Smith Guidance and Turnbull Guidance and Higgs Suggestions for Good Practice, as well as the far reaching effects of the Sarbanes-Oxley Act 2002 outside of the USA, will drive the need for directors and officers of entities in both the public and private sectors to

stop playing ostrich. They will be forced to at least commission reviews into the potential financial exposure of their businesses to environmental issues. These environmental issues are very real, they are not the preserve of the so-called 'dirty industries', and the problem won't just go away if ignored. The 'not on my watch' approach will not be tolerated by stakeholders when they see former executives retiring on bonuses from profits enhanced because of their failure to take due cognisance of the environmental matters which quite literally are in the ground that their businesses are built on!

The drive for recognition of the actual, and potential, financial impacts of environmental issues is also supported by the EU Directive on environmental liability, which is now almost certain to come into being by the end of the current sitting. Whilst this is not as awesome as was anticipated by some, and has not brought in a mandatory insurance requirement, it represents an important step towards the recognition of environmental liabilities. This, coupled to the requirement for all EU listed companies to comply with International Accounting Standards for 2005, including IAS37, the equivalent of the UK's FRS12, is going to bring into question directors who do not seek to understand these exposures on their stakeholders' behalf.

The truly socially responsible entities will also wish to focus on the on-going environmental problems their businesses may be creating, as well as the clean up of the legacy issues. In the USA, for instance, this has caused a surge in the use of finite insurance for potential environmental claims relating to on-going business activities. It is already apparent that use of such products will become commonplace in the UK in the near future in order to fund such scenarios. Under such arrangements, adequate funds are put aside during the current 'watch' to safeguard the entity for the future should a problem materialise.

This article was written by Robert Martin and Marcel Steward who are the founding directors of ERM Financial Solutions Ltd. (www.erm.com/ERM/

SVC/financialsolutions.NSF), the first specialist environmental risk consultancy and insurance broker of its type.

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If you would like to read articles on specific aspects of environmental insurance, please contact Valerie Fogleman, Convenor of the Insurance and Liability Working Party at valerie.fogleman@blg.com.

Statutory Nuisance, Noise and Windfarms

Stephen Tromans
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(Counsel for the defendants in the Nichols case)

The case of Nichols, Albion and Lainson v. Powergen Renewables Limited and Wind Prospect Limited (South Lakeland Magistrates' Court, 20 January 2004) is the first case in which an attempt has been made to use statutory nuisance proceedings for alleged

noise nuisance from wind turbines. The site in question is owned by Powergen Renewables Limited and operated by Wind Prospect Limited, the first and second defendants, and comprises seven wind turbines located at Ireleth, near Barrow-in-Furness. It was granted planning permission on a successful planning appeal in 1997. Almost immediately after being constructed, complaints began to be received from local residents of noise from the turbines. The noise was heard under certain wind conditions, and was described as a "whooshing" or "thudding" noise, consistent with aerodynamic noise from the blades.

The companies concerned took various steps to investigate the complaints. A noise monitoring programme at various properties was undertaken, the turbines were checked with the manufacturers to ensure they were within specification, and various technical adjustments were made. Despite this, complaints continued to be received. In 2001 a noise reduction management system (NRMS) was installed, which is a computer controlled system programmed to switch off various turbines under wind speed and direction conditions which had been found to generate complaints. The residents continued to complain, and attempted to persuade Barrow Borough Council to serve an abatement notice under section 80 of the Environmental Protection Act 1990. Barrow Borough Council declined to do so, and six residents from three properties around the windfarm then brought proceedings as "persons aggrieved" under section 82.

The proceedings were brought not only against the two companies concerned, but also against the council, on the basis that they were, together with the companies "the persons responsible for the continuance and recurrence of the said statutory nuisance,

in that they have repeatedly failed and delayed to take any action against the first and second defendants in respect of the occurrence of the said statutory nuisance, and have thereby caused or materially contributed to its continuance.” However, at a pre-trial hearing on 23 October 2003, District Judge Peter Wallis ruled that the council was not

competent as a defendant and that they should be struck out of the proceedings. In so doing, the judge noted that under section 82(11) the court was empowered to direct the local authority to enforce any nuisance order made, and that were the council to be a defendant, it would be placed in an impossible position: as counsel for the council put it, section 82(11) in terms makes the council the policeman to ensure any order is adhered to, and it is difficult to see how Parliament could have intended that to be done by a guilty party.

The hearing took place over five days in South Lakeland Magistrates’ Court, Kendal before District Judge Wallis. The judge dismissed the informations against both defendants. The residents were represented by John Campbell QC. Powergen and Wind Prospect were represented by Stephen Tromans. A number of relevant practical and legal points emerge which may be of interest:

It was agreed that the standard of proof under section 82 was criminal. The judge commented however that he would have come to the same conclusion applying the civil standard of proof.

The judge accepted the submission that under section 127 of the Magistrates’ Courts Act 1980, he was concerned only with instances of alleged nuisance occurring within the six months prior to the formal complaint.

Counsel for the residents had argued that for the purpose of the proceedings the only question was the existence or likely recurrence of the nuisance, not whether best practicable means were being used. On a literal reading of section 82 this has some force, since BPM is mentioned only in section 82(9), in the context of proceedings for contravention of a nuisance order once it has been made. The judge however accepted submissions for the defendants that in practical terms BPM could not simply be ignored at the earlier stage.

Noise limits set by planning conditions to protect noise sensitive properties were regarded as being of considerable significance. These limits were set on the original planning permission having regard to guidance under ETSU-R-97 by reference to background noise levels. They were repeated in a section 106 undertaking entered into by Powergen in January 2003 to regularise some discrepancies in the actual siting of the turbines relative to the application plans. The judge accepted a submission that common sense argued against such levels being set so as to constitute a nuisance. The evidence was that with the NRMS in operation, the conditions were being met.

It was also submitted that on the basis of Gillingham Borough Council v. Medway (Chatham) Dock Co Ltd the grant of permission for a wind farm had changed the

character of the area, and what could be reasonably expected by way of noise. Mr

Beckett, former planning officer of the council, accepted in cross-examination that the

permission had changed the character of the locality from a purely rural and agricultural one, to one with industrial characteristics.

It was also accepted that objective criteria under BS 4142 and WHO Guidelines for Community Noise, whilst not determinative of the existence of a nuisance in law were both helpful and relevant.

The judge held that audibility and annoyance are not to be equated with nuisance and that he was entitled to take judicial notice of the fact that reactions to noise may vary from person to person. Counsel for the defendants relied on the comments of Lord Selborne LC in Gaunt v. Fynney (1872) 8 LR 8 at page 19: "... a nervous or anxious or prepossessed listener hears sounds which would otherwise have passed unnoticed, and exaggerates into some new significance, originating within himself, sounds which at other times would have been passively heard and not regarded."

It was clear that the judge placed great reliance on expert evidence for the defendants from a consultant with great experience of windfarm noise, who had carried out measurements and attended listening, and had concluded that with the NRMS in play, whilst at some of the properties a distinct aerodynamic modulation was audible under worst case conditions, this was at an acceptable level.

The case does not of course provide licence for windfarm operators to make as much noise as they wish; it was an important part of the evidence that steps had been taken to reduce noise and that indeed these steps had been successful.

The law of nuisance is ultimately about striking balances between potentially conflicting uses of land: see Lord Goff in Cambridge Water Co v. Eastern Counties Leather Plc [1994] 2 AC 264 at 299 and Southwark London Borough Council v. Mills [2001] 1 AC 1, Lord Hoffmann at p. 15G and Lord Millett at p. 20C. The same goes for statutory nuisance proceedings under section 82. The important point is that just because people do not like hearing a wind turbine when previously they have enjoyed rural quietude, this does not mean that a nuisance is being caused. Were it not so, it is difficult to see how onshore wind turbines could operate at all in a populated area.

Sustainable development

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I wish to applaud Richard Hawkins and Heidi Shaw on their erudite piece in issue 17 of e-law, "Sustainable Development: a 'monument for eternity'?" The principle of sustainable development does nothing more than point to an inevitable tension without

doing anything to help resolve it. If the principle means anything, it is presumably that decisions should pay heed not only to short-term costs and benefits, but to the longer term and possibly cumulative consequences of a particular course of action. This will almost inevitably lead to the issue of future uncertainty and risk, which is where clearer principles such as prevention and precaution may come into play.

The principle of "sustainability" has now become a totem to which all must bow, a debased currency appropriated by politicians more concerned with the next election result than any supposed long-term consequences. Or it is seen as a useful profit line for advice by consultants, who then self-interestedly promote it. To doubt it has become heresy. A decision to expand Stansted airport can be justified as the "sustainable" option. Spending money and energy on recycling waste into products for which there is no end-market is "sustainable", whereas landfilling the waste is not. One design of a building, bridge or road may be "sustainable", others not or less so. Ah, you may say, but "sustainability" is simply shorthand for the relevant criteria in each case, and everyone understands it as such. To some extent that may be a fair point, but the response is that it would surely be better to justify or repudiate a proposed course of action on the relevant explicit grounds, rather than under the spurious rigour of portmanteau "sustainability" criteria.

Indeed it is highly questionable, despite much posturing, what role if any sustainability actually plays in planning decisions. In the recent case of Redrow Homes (Eastern) Limited v. First Secretary of State [2003] EWHC 1594 (Admin) an unsuccessful challenge was made to a decision to dismiss an appeal against refusal of permission for new housing development on the Isle of Sheppey. A key issue was whether release of

the site would accord with advice in PPG 3 on the use of brownfield in preference to greenfield sites. Para 4.3.1 of the Swale Borough Local Plan was also in play, and read:

"In locational terms the priorities have been to ensure that development is sustainable as far as possible. This includes ensuring that sites are well related to employment and infrastructure provision, avoiding the best of the natural environment and those areas at risk of flooding or erosion. Where possible, priority has been given to the re-use of land within the existing urban areas boundaries to minimise the loss of greenfield sites".

All of the objectives in the second and third sentences of the paragraph are sound and sensible planning criteria. If the planning system cannot ensure that development relates well to employment and infrastructure, protect the best aspects of the natural environment, prevent development in areas of flood risk and seek to avoid loss of greenfield land by prioritising pre-used land for development, one might ask what it is there for? So what does the first sentence of the paragraph quoted add? In truth the

shibboleth of “sustainable development” neither adds to nor subtracts from these legitimate objectives, and so far as appears from the transcript of the judgment, “sustainability” played no part in the decision. So I join with Richard and Heidi in their plea for honesty and clarity when it comes to the “s”-word.

The value of following a moving target - The UK Government Sustainable Development Headline Indicators

Peter Rice and Paul Thompson¹

The following note provides a general summary and assessment of the environmental sustainable development indicators as set out by the UK Government. It can be argued that the indicators are not complete, or meaningful or even a proper measure of sustainable development. We nevertheless consider them to be a very valuable tool.

We would actually agree with the critics that the concept of “sustainable development” is moveable, nebulous and subjective in time and space. But, in our view, it is necessarily so. Sustainable Development is a complex, broad, political and technical concept (see as an example, DEFRA’s ‘Sustainable Development Vision’ and DEFRA’s ‘Public Service Agreement 2003 – 6’, Schedule 1). So too are the Sustainable Development indicators, as well as their analysis. The only purely technical indicators should be the actual recording of the measurements.

The lack of a definition for SD does not really pose a problem. We need to accept that the indicators, like the SD definition, are a ‘work in progress’ based on current scientific knowledge, and the current concerns of government and of society. That knowledge and those concerns will change and the SD indicators will reflect such change. Sustainable development is a moving target, which is worth following.

There are three dimensions to sustainable development - the social, economic and environmental. We do not share the views expressed in ‘Sustainable Development a “Monument for Eternity?”’ (R G P Hawkins and H Shaw, in the January 2004 e-law), that the economic factors are insufficiently considered. As this paper shows, it is

¹ Both contribute in a personal capacity. Peter Rice is Senior Vice President, UFJ International plc, and a member of the UKELA Sustainable Development Working Party. Paul Thompson was Aide to David Miliband MP and previously a researcher at the Institute for Public Policy Research.

environmental factors which are still clearly the least considered of the three. Nor do

we share their additional concern that industry has trouble following the moving sustainable development and environmental targets. We could take on board the fictional world of economics and assume that SD and all the indicators are strictly measurable and fixed, and that there is no requirement for review of real world indicators. But that would be a lie.

A summary of the success of these indicators and a list of further papers, reports and publications providing context for policy in this area is included in Schedule 1.

The Government first committed itself to following an agenda for sustainable development (SD) in its report, A Better Quality of Life- A Strategy for Sustainable Development for the UK (1999). The headline indicators, which set the parameters of progress, cover economic, social and environmental policy. Progress on these headline indicators are reported in each annual report, published by Department for Environment, Food and Rural affairs (DEFRA). The lead government department is DEFRA, however SD policy is seen as the duty of each government department and as such, forms part of the public service agreements, the key targets agreed between each department and the Treasury, to assess departmental progress in each of their respective policy areas.

The fifteen Headline Indicators provide an umbrella and embody current policy on SD and are set out in Achieving a Better Quality of Life: Review of the progress towards sustainable development (2002) the third annual report since the start of the strategy in 1999. Other tools of assessment for SD by the UK Government are the Quality of Life barometer (see sources list) and the online assessment on the sustainable development website (these are more up to date as they report changes in between the annual reports).

The Headline Indicators are also underpinned by 150 detailed indicators in each policy area and set out national and international commitments.

Economic

Economic output; Investment; Employment

Social

Poverty and social exclusion; Education; Health; Housing;
Crime (robbery, theft of and from vehicles)

Environment

Climate Change; Air Quality; Road Traffic (volume); Road Traffic (intensity); River Water quality; Wildlife-farmland birds; Wildlife – woodland birds; Land use; Waste – household; Waste – arisings and management

It should be noted that as we look at the success or otherwise of the environmental headline indicators, as stated by the Government in 2002, a full review of the strategy and the indicators is expected after five years and a new set of headline indicators and the 150 core indicators by the end of next year. This will cover “coverage, presentation,

Do the headline indicators measure progress towards sustainable development effectively?

This can only be answered by reference to the effectiveness of the indicators themselves and the way in which they are measured and reported. For sake of

argument, let us assume that the current headline indicators are the most relevant ones and capture the challenges facing society and government as it tries to achieve a state of sustainable development. There are questions raised over the way in which these indicators are measured and tested.

The report by the House of Commons Environmental Audit Select Committee (2002-3, HC 1080) provides a good analysis of the problem and shortcomings of the way in which the current set of headline indicators are measured.

The Committee report assesses progress on the headline indicators since 2001. A short summary is provided below and a lengthier analysis is included in the report itself (enclosed, pp. 17-23 in particular).

The three key conclusions as I see it are:

First, whilst welcoming the annual publication of a report to check progress made, the Committee recommended that a stronger relationship is needed between headline indicators and other indicators, such as the 150 detailed indicators, to ensure progress is being made.

Second, when assessing data interpretation, the Committee was critical of the subjective nature in which final judgements are reached on the success of each indicator. The Committee recommended, as it has done in previous reports, that the Government publish an explicit statement making clear the subjective nature of the judgement reached when interpreting data that determines the ‘success’ of each indicator. This also raises the key question of the validity of the judgements reached and also asks one to consider whether an independent body should assess data and the indicators, though not regulate on SD.

Third, the second Annual Report had changes in the baseline data since the strategy was launched (‘the strategy’ refers to 1997/98). This made difficult effective analysis of the data difficult in some instances. The note by Paul Bolton in the Appendix of the Committee Report gives a good analysis of measuring each of the environmental headline indicators (pp.14-15).

As mentioned earlier, a key question is whether the SD should in fact be assessed by an independent body or auditor. An interesting observation is made by Paul Bolton in his

note, categorising the assessment strategy as ‘political’ and ‘technical’ and that each of these has a different impact on the way in which assessments are made (p.20). The former is biased towards assessing data around election time or where there are changes in policy, whilst the latter is unbiased towards this and would take account of a

longer time-span, for a more comprehensive view of changes in trends than is presently the case.

From the perspective of the Government, the indicators reflect the outcomes it wants to achieve, which begs the question, are these the right outcomes? So, for example, the headline indicators on road traffic in the 2002 annual report, did not make clear the distinction between road traffic volume and road traffic intensity – whether there was a reduction of people using cars as well as reduction in the levels of traffic. For the

Government, the outcome was to focus on the second, not the first, which in the longer-term raises questions on how likely this element of the SD strategy is going to be.

The problem of subjective judgement and the way in which the SD indicators are measured was also evident in 2001, when the Environmental Audit Committee first

reported on the Quality of Life barometer, an additional tool of assessment based on the headline indicators in *Achieving a Better Quality of Life: Review of the progress towards sustainable development (2001)*.

A comparison between the conclusions reached via the Quality of Life barometer and the conclusions reached in the most recent report that assesses progress of the headline indicators (published a year later) may indicate the slow progress in reforming some of the problems in methods of assessing progress in SD.

For example, the Committee concluded that the Government's overall 'ten out of fifteen' (66.6%) score of progress was selective, and could just have been presented as showing that two of the seven environmental indicators are showed any progress (28.6%) and the rest were unsatisfactory (71.4 %).

In addition, the Committee concluded that the environmental element of SD was the 'Cinderella' of the three different categories of headline indicators, the implication being that they are not taken as seriously or given as due prominence as the economic and social indicators.

However, it has to be said that the UK has gone further than most OECD states in meeting commitments made at the 1992 Earth Summit and will renew its Climate Change programme in 2004. In 2001, the Government announced a policy initiative that is more focused on the environmental impact of sustainable development. The policy includes decoupling economic growth and environmental degradation; focusing policy on the most important environmental impacts associated with using particular resources instead of total resource use; and encouraging active and informed individual and corporate consumers who practice sustainable development (the executive summary and ministerial foreword is enclosed).

In general, from the political perspective, it seems that the overall assessment is that progress is being made in most of the indicators, though progress in the environmental indicators, is a mixed bag. The Sustainable Development Commission is also supportive

of overall progress made on the indicators but urges faster progress (see press release of 24 Feb 2003 – “right direction, wrong speed.”). More specific detail on how the Government prioritises SD within departments and how public service agreements (the key drivers for policy reform under Labour) take account of SD are explained at length in the enclosed report: Greening Government 2003 – report by the Environmental Audit Committee (2002-3.) The overall conclusion is that senior Government staff are as aware as they should be on this issue and that public service agreements do not take enough account of the environmental impact when making their spending bids to the Treasury or setting policy priority. In light of an upcoming election in 2005, further questions for consideration might be:

Whether current headline indicators are framed correctly?

Role of law and regulation in achieving faster progress towards sustainable development

Whether there are international rules and regulation that should be adopted into UK environmental policy than is presently the case.

SCHEDULE 1

Further sources on Sustainable Development

The main Government online info on sustainable development <http://www.sustainable-development.gov.uk>

The four main indicators that the UK Government uses as a guide to a sustainable economy are: managing the environment and resources; building sustainable communities and international co-operation and development.

The environmental aspect of the programme can be viewed at http://www.sustainable-development.gov.uk/areas/subject/env_nat_res.htm and covers areas ranging from climate change, managing marine activities, fuel cell technology, emissions trading and solar power.

The core set of 150 indicators that make up the Quality of Life baseline barometer, discussed in the note are also available online <http://www.sustainable-development.gov.uk/sustainable/quality99/content.htm>

The Annual Reports published by the Government to monitor progress towards achieving sustainable development can be viewed at: <http://www.sustainable-development.gov.uk/ar.htm>

The key document setting out the UK's strategy on sustainable development is the 1999 report, A Better Quality of Life. The pdf can be viewed at http://www.sustainabledevelopment.gov.uk/uk_strategy/content.htm

Documents prior to 1999 when this strategy document was published, including papers on sustainable business and biodiversity can be viewed at: http://www.sustainable-development.gov.uk/uk_strategy/archive.htm

Department for Environment, Food & Rural Affairs

Defra leads on sustainable development policy across government, but as the four key objectives illustrate, it is not a policy that can be delivered by a single department. All departments' policies have impacts on the Government's social, economic and environmental goals to a greater or lesser extent. The vision of the department in relation to sustainable development is stated as:

Our vision of the future is of a world in which climate change and environmental degradation are recognised and addressed by all nations and where low carbon emissions and efficient use of environmental resources are at the heart of our whole

way of life. A future where, here in the UK, rural communities are diverse, economically and environmentally viable, and socially inclusive with high quality public services and real opportunities for all. A country where the food, fishing and farming industries work closely together with Government and are not dependent on output-related subsidies to produce safe, nutritious food which contributes positively to consumer choice and the health of the whole nation. A place where the land is managed in such a way as to recognise its many functions, from production through to recreation; where we seek to promote biodiversity on land and in our seas; and where the promotion of animal welfare

and protection against animal disease is at the core of the way in which we farm and live. The pursuit of sustainable development, which means a better quality of life for everyone, now and for generations to come, is central to achieving this vision.

www.defra.gov.uk

Sustainable Development:

<http://www.defra.gov.uk/environment/sustainable/index.htm>

The relevant sections of DEFRA's Public Service Agreement on sustainable development are listed below. The whole Agreement can be viewed at:

<http://www.defra.gov.uk/corporate/busplan/psa2002.htm>

Public Service Agreement – 2003 - 06

Aim

Sustainable development, which means a better quality of life for everyone, now and for generations to come, including:

a better environment at home and internationally, and sustainable use of natural resources;

economic prosperity through sustainable farming, fishing, food, water and other industries that meet consumers' requirements;

thriving economies and communities in rural areas and a countryside for all to enjoy.

Objectives and performance targets

1. Promote sustainable development across Government and the country as a whole as measured by achieving positive trends in the Government's headline indicators of sustainable development.

Objective I: Protect and improve the rural, urban, marine and global environment, and to lead integration of these with other policies across Government and internationally.

2. Improve the environment and the sustainable use of natural resources, including through the use of energy saving technologies, to help reduce greenhouse gas emissions by 12.5% from 1990 levels and moving towards a 20% reduction in carbon dioxide emissions by 2010.

3. Care for our natural heritage, make the countryside attractive and enjoyable for all,
and preserve biological diversity by:

- reversing the long-term decline in the number of farmland birds by 2020, as measured annually against underlying trends;
- bringing into favourable condition by 2010 95% of all nationally important wildlife sites; and
- opening up public access to mountain, moor, heath and down and registered common land by the end of 2005.

Objective II: Enhance opportunity and tackle social exclusion in rural areas.

4. Reduce the gap in productivity between the least well performing quartile of rural areas and the English median by 2006, and improve the accessibility of services for rural people.

Objective V: Promote sustainable management and prudent use of natural resources domestically and internationally.

6. Enable 25% of household waste to be recycled or composted by 2005/6.

7. Reduce fuel poverty among vulnerable households by improving the energy efficiency of 600,000 homes between 2001 and 2004.

Objective VI: Protect the public's interest in relation to environmental impacts and health and ensure high standards of animal health and welfare.

8. Improve air quality by meeting our National Air Quality Strategy objectives for carbon monoxide, lead, nitrogen dioxide, particles, sulphur dioxide, benzene and 1-3 butadiene. (Joint target with DfT)

In 2001, the department launched a prospectus, Working for the Essentials of Life, sent to over 3500 stakeholders, to set out aims, questions and strategies regarding its mission. Chapter 1 of the pdf sets out the detail on sustainable development and can be viewed at <http://www.defra.gov.uk/corporate/prospectus/defrawork.pdf>

As part of its aim to give greater focus on the environmental aspects of sustainable development, following the World Summit on Sustainable Development, the Government (Defra/DTI) published policy on decoupling production and consumption, explicitly concentrating on breaking the link between environmental degradation, pollution and economic growth. As listed, key objectives include:

Breaking the link between economic growth and environmental pollution.

Improving resource efficiency.

Focussing on areas where environmental damage is greatest.

Examining the whole life-cycle of a product, through design, production, use and disposal, to help reduce its effect on the environment.

Enabling consumers to receive more information on products and services.

Government utilising a range of tools, including taxes, voluntary agreements, subsidies, regulation and information campaigns, to stimulate innovation and investment to provide cleaner technology.

The pdf (Changing Patterns) can be viewed at:

<http://www.defra.gov.uk/environment/business/scp/index.htm>

The consultation document that concentrates on the narrow science of decoupling
(where environmentally bad pressure is less than the economic good achieved) can be viewed at: <http://www.defra.gov.uk/corporate/consult/scp-indicators/consultdoc.pdf>

Sustainable Development Commission

The role of the Sustainable Development Commission is to advocate sustainable development across all sectors in the UK, review progress towards it, and build consensus on the actions needed if further progress is to be achieved. Objectives are: To review how far sustainable development is being achieved in the UK in all relevant fields, and identify any relevant processes or policies which may be undermining this; identify important unsustainable trends which will not be reversed on the basis of current or planned action, and recommend action to reverse the trends; deepen understanding of the concept of sustainable development, increase awareness of the issues it raises, and build agreement on them; encourage and stimulate good practice.

Various papers have been published by the SD Commission, however the most interesting ones relating to the environmental debate during the last year are:

Policies for Sustainable Consumption.

<http://www.sd-commission.gov.uk/pubs/suscon/index.htm>

Redefining prosperity: resource productivity, economic growth and sustainable development

<http://www.sd-commission.gov.uk/pubs/rp/index.htm>

UK Climate Change Programme: a policy audit

<http://www.sd-commission.gov.uk/pubs/ccp/sdc/index.htm>

The entire list of publications from 2003-2001 is available on

<http://www.sd-commission.gov.uk/pubs/index.htm>

Masterclass on Environmental Law

Wednesday 28th April, 2004

2.00 – 5.30pm

The Montague on the Gardens, London

Members are reminded of the training opportunity offered by UKELA, working in partnership with the Association of Personal Injury Lawyers, on April 28th. The afternoon masterclass, Update on Environmental Law, is open to all members of UKELA at a discounted rate. Key speakers will guide you through this highly topical and ever growing area of environmental law. The afternoon will close with wine and nibbles giving you ample networking opportunities.

The training will earn attendees 3 CPD points (also accredited by the Bar Council).

The cost to members is £95 plus VAT (this is the cost price and also applies to trainees whether members or not).

[Booking details on the website](#)

Speakers:

Professor Bob Lee, Co-Director Centre for Business Relationships, Accountability, Sustainability and Society, Cardiff University

Paul Bowden, Partner Freshfields, Co-head Environmental Group. Editor & Joint Author 'Tolley's Environmental Law'

Professor Stephen Tromans, Barrister, 39 Essex Street Chambers, Specialist in Environmental Law

Sean Humber, Leigh Day & Co, Secretary Environment APIL Special Interest Group

Topics include:

The transformation of environmental litigation
Common law remedies for environmental wrongs
Statutory nuisance

Practical issues CPIL Status – 3 CPIL CPD hours
(APIL/UKELA members)

£95 + VAT

Law Society status – 3 CPD hours

£165 + VAT (non members)

CPIL membership is free. For further information and an application form please contact Sharon Smith (0115) 958 0585

BURA Seminar on PPS6

Tuesday 23 March 2004

at the offices of Berwin Leighton Paisner 3 Lower Thames Street, London EC3

Following a review of Planning Guidance Note 6 (PPG6: Town Centres and Retail Developments) the Office of the Deputy Prime Minister (ODPM) has recently published as a draft Planning Policy Statement (PPS) 6: Planning for Town Centres.

Many of the policies in draft PPS6 reproduce, or are closely based on, those in the existing PPG6. Key messages of the draft are:

- a re-emphasis of the 'town centre first' objective;
- the need for a plan-led approach at regional and local levels;
- the need for local planning authorities to plan for growth and growing town centres;

- the need to tackle social exclusion by ensuring access for all to a wide range of everyday goods and services; and
- the need to promote more sustainable patterns of development with less reliance on the car.

The Government has indicated that it would particularly welcome views on whether:

- there are any further elements of PPG6 that should be included in PPS6;
- anything in the draft PPS is unclear, or would present difficulties in practice;
- separate guidance on any other aspects of the planning policies in PPS6 would assist in the implementation of these policies.

Full details of the draft PPS6 can be found on www.odpm.gov.uk

The period of consultation for the draft proposals officially ends on 15 March 2004. Nevertheless, officials have agreed to take account of comments made by delegates at this seminar before compiling the final version of PPS6

Speakers include

Jackie Sadek, Principal, Urban Strategy; Vice Chair of BURA

Michael Bach, ODPM Planning Directorate

Rachel Burns, Assistant Policy Director, British Retail Consortium

Ian Trehearne, Partner, Planning & Environment Department, Berwin Leighton Paisner

Dr Kelvin Macdonald, Director of Policy and Research, RTPI

Tim Sunter, Director, Brierley Hill Partnership, Dudley, and

David Childs, Senior Development Manager, B & Q plc

For more information about the seminar contact
BURA, 63-66 Hatton Garden, London EC1N 8LE
Freephone 0800 018 1260 Tel: 020 7539 4030
Fax: 020 7404 9614 E-mail: info@bura.org.uk

UKELA

REPORT ON WORKING PARTIES

A GENERAL ISSUES

Working party on Environmental Litigation

The Practice and Procedure Working Party is to expand its focus and be renamed the Environmental Litigation Working Party. Joint Convenors will be James Kennedy (james.kennedy@freshfields.com) and Justine Thornton (Justine.Thornton@AllenOvery.com).

Working Parties Session at the Annual Conference

The UKELA Annual Conference programme this year will contain a session of one hour for working parties on the Saturday morning of the conference, combining this with the mid-morning coffee break. This will give each working party a much better opportunity than at previous conferences to publicise their work, reach new members and run an activity which is fully integrated into the conference programme. Convenors should send their proposals for this session to Mark Brumwell.

Convenorship of the Water Working Party

The Water Working Party requires a new convenor to replace Maria Cull who has indicated her wish to step down. Our thanks go to Maria for all her hard work. For some time, the Water Working Party has been one of the most active groups and the vacancy represents an opportunity to take over the running of an enthusiastic, well organised working party. Anyone who is interested in taking over the convenorship should contact Mark Brumwell as soon as possible.

B INDIVIDUAL WORKING PARTY ACTIVITY

1 **Biotechnology Working Party – Joint Convenor, Daniel Lawrence**

daniel.lawrence@freshfields.com **Joint Convenor, Martha Grekos**
martha.grekos@environment-agency.gov.uk

This group continues to be very active with regular email information provided by Martha Grekos. A seminar is to take place on 26 February 2004 where James Dobree from DTI will talk on the Bioscience 2015 Report. A seminar was held on 9 February 2004 where Maria Lee from Kings College London talked on “The New Regulatory Regime for GMOs”.

The group has prepared a working plan for 2004 which includes setting up an email discussion group and a major conference on GMOs in March/April. A copy of their plan is attached.

2 **Contaminated Land Working Party – Convenor, Matthew Townsend -**

Matthew.Townsend@allenoverly.com

Information on contaminated land issues is circulated occasionally by email. A meeting was held on 3 December 2003. Comments have been submitted on draft planning guidance on redevelopment of contaminated land and on the CLR II Model Procedures for the Management of Land Contamination. The next meeting is due on 28 April 2004.

3 **Climate Change (Emissions Trading & Flexible Mechanisms) Working Party –**

Convenor, Helen Loose – helen.loose@ashursts.com Secretary, Anthony Holey -
arh@cmck.com

The working party responded to a consultation paper on the implementation of the European emissions trading scheme in the UK. Other information is circulated occasionally by email.

The next meeting of UKELA's Climate Change Working Group will be held on Wednesday 17 March 2004 at 6pm in the offices of Ashurst. Morris Crisp

The aim of the meeting is to discuss developments in the UK for the implementation of the EU Emissions Trading Scheme (e.g. the National Allocation Plan). Joanna Enright who is currently on secondment at DEFRA has kindly agreed to give a presentation on this topic.

Please advise whether you will be attending the meeting by Wednesday 10 March 2004, by replying to Annabel Gosling on 020 7859 1876 or annabel.gosling@ashurst.com.

4 Insurance and Liability Working Party – Convenor, Valerie Fogleman –
vfogleman@blg.co.uk

A meeting was held on 7 January 2004. Minutes of the meeting have not yet been produced.

IPPC Working Party – Convenor, Michael Hutchinson -
Michael.Hutchinson@mayerbrownrowe.com

Information is occasionally circulated by email. A meeting was held to discuss IPPC implementation in the food and drink sector.

6 Nature Conservation Working Party – Convenor, Andrew Baker -
andrew_baker@dial.pipex.com

No meetings of this group have taken place recently.

7 Planning Law and Sustainable Development Working Party – Convenor, Mark Challis –
markchallis@bdb-law.co.uk - Deputy Convenor – William Upton –
wupton@compuserve.com

A press enquiry from the New Law Journal about the Planning and Compulsory Purchase Bill was referred to Mark Challis. A seminar on the same topic was held on 4 November 2003 with Henry Oliver of the CPRE. The planning and sustainable development working parties have now merged.

8 Practice and Procedure Working Party – Convenor, James Kennedy –
james.kennedy@freshfields.com

No meetings of the Working Party have taken place since the last report. The group is to be renamed as the Environmental Litigation Working Party.

9 Scottish Law Working Party – Convenor, Ian McPake –
ianmcpake@todsmurray.co.uk

No meetings of the Working Party have taken place since the last report. Ian McPake has made another attempt to revive the group but reports no significant response from members. The working party has been encouraged to align itself with the Scottish Regional Group, although it appears that meetings of that group have also proved difficult to organise.

10 Waste Working Party – Convenor, Andrew Bryce –
bryce@ehslaw.co.uk Secretary,
Anju Sanahi - asanahi@aep.com

A meeting was held on 11 December 2003 .

Meeting Dates for 2004:-

10th June

16th September

11 **Water Working Party – Convenor, Maria Cull - Maria.Cull@herbertsmith.com**

A meeting was held on 16 January 2004. Andrew Brown of RWE Innogy addressed the meeting on inland hydro-electric projects.

MARK BRUMWELL

SJ Berwin

Working Party Co-ordinator

27 February 2004

mark.brumwell@sjberwin.com

Book Reviews

WILD LAW

A Manifesto for Earth Justice

Author: Cormac Cullinan

Publisher: Green Books, Foxhole, Dartington, Totnes, Devon TQ9 6EB

Price: £9.95

As a practising environment lawyer with a degree in Sociology and Law I approached Wild Law with a degree of trepidation. Cormac Cullinan is a practising lawyer and Chief Executive Officer of EnAct International, an environmental law and policy consultancy based in Cape Town, South Africa. A former antiapartheid activist and London based commercial lawyer; he has practised, taught and written about environmental law and policy for the last 12 years.

Mr Cullinan takes as his premise the fact that we are rapidly destroying our only habitat, earth and that most of the treaties, laws and policies adopted in recent years have failed to slow down, let alone halt or reverse, this process. The author seeks to demonstrate that the survival of life on earth (including us humans) requires a radical change in humankind's understanding of the purpose of law and governance. In describing what this new "Earth governance" and "Earth jurisprudence" might look like he also offers guidance on how the planet might begin moving towards it.

Wild Law fuses politics and legal theory with ancient wisdoms and the author's personal experience into a radical book, which will evoke strong responses for or against his thesis in those who read it. As to whether it will be instrumental in changing the way we govern ourselves only time will tell.

Catherine Davey

Environmental Impact Assessment – Law and Practice

Authors: Stephen Tromans and Karl Fuller

Publisher: LexisNexis Butterworths

ISBN: 0-406-95954-1

Environmental Impact Assessment – Law and Practice does what it says on the packet! The authors have achieved their goal of providing a practical and comprehensive guide to environmental impact assessment (EIA) law.

The book starts with and explains the relevance of EC law generally and goes on to look at the development of the EIA directive, its purpose and implementation.

The book explains the legal requirements relating to EIA's in some detail, including the relationship of European Community Law with Domestic law and considers numerous cases. Inevitably the majority of the book is devoted to the role that EIA plays in the town and country planning process but it also deals with EIA outside the context of town and country planning and considers procedures for challenging decisions on EIA grounds.

The book assesses how far reaching the Directive and regulations are and discusses when EIA's need to be conducted and covers the relevant procedures such as screening, scoping, consultation and publicity.

The book comprehensively covers the growing body of case law (including European cases) on difficult areas such as outline permissions, reserved matters and conditions.

The book also covers EIA's requirements in other specific contexts such as forestry, ports and harbours, agriculture and highways. The book concludes with a major section on good practice which offers good expert guidance on scoping the EIA (i.e. getting the terms of reference right), undertaking the assessment and writing environmental status.

The book certainly fills a hole not only in my library, but also in my knowledge of EIA's and I think that it will prove invaluable for anyone who needs to understand the EIA process and may well become a standard text book on the subject. This book will be invaluable for lawyers and should be on the bookshelves of all local authorities and planning consultants. By identifying and thereby helping us to avoid the pitfalls associated with EIA this book will go some way to ensuring that the law and its underlying purposes are respected.

The book is largely the work of Stephen Tromans (Barrister of 39 Essex Street and Research Professor, Nottingham Law School) but benefits from a chapter contributed by Karl Fuller of the Institute of Environmental Management & Assessment (IEMA) dealing with good practice in EIA which I found very helpful in putting the legal requirements into a practical context.

Catherine Davey

Stop Press

South West Regional Group

The South West regional group will hold its AGM on 27th May. The venue is Burges Salmon, Narrow Quay House, Narrow Quay, Bristol, BS1 4AH. Time: 5.30 - 6.00pm with hot snacks afterwards.

The speakers are Stephen Tromans and Gordon Nardell who have kindly offered a round up of human rights and common law developments in the environmental law field in 2003.

Members (please bring your membership card) and non-members are welcome to attend. There will be a £10 charge to non-members.

RSVP to paul.kitson@burges-salmon.com

Telephone Paul Kitson 0117 939 2212.

East Anglia Regional Group

The East Anglia Regional Group currently does not have a convenor. The UKELA chairman, Andrew Wiseman, is planning to organise an early evening speaker meeting with drinks, for those interested in reactivating the group, probably in Cambridge in late May or early June. If you are interested in attending please tell Vicki Elcoate (Vicki.elcoate@ntlworld.com) and we'll let you know the date and venue.

Conference reminder

Time is running out to secure your early bird booking discount for UKELA's 2004 conference: "Making the Law Work for a Better Environment". Speakers include Rt Hon Michael Meacher MP, the former Environment Minister, and Stephen Tindale, Executive Director of Greenpeace UK. There are some great field trips too including Manchester United stadium and Boddingtons Brewery. The UKELA conference remains outstanding value and is even better value for members who receive a discount.

Visit the UKELA website www.ukela.org to access a booking form.

Wild Law Wilderness Workshop

A Walking Workshop on Earth Jurisprudence

21st-25th April 2004-03-05

Donald Reid (former chairman of UKELA) and Cormac Cullinan (Author of 'Wild Law') are leading a small workshop in the Knoydart peninsula (one of the last true wilderness areas in the Scotland) to discuss and develop the principles of Earth Jurisprudence. This initiative seeks new ways of governance and legal thinking to address major environmental and social problems by stressing the need to rekindle a closer connection to nature and to universal laws.

The workshop of 8 participants will involve wild camping for two nights (accommodation in comfortable bunkhouses for the remaining nights) with informal discussion on foot and more

structured sessions around the campfire. Two experienced guides, one a mountain leader and the other an eco- education expert will make up the rest of the party.

For further information, details of cost and booking arrangements, please visit www.footprint-education.org/courses (then 'Wild Law Workshop- more info')

Energy Efficiency Conference: 19th May 2004, Mayfair Conference Centre, London.

Minimise the costs of implementing EU Directives by planning ahead. Find out what is on the EU agenda at this one-day conference. Energy policy in the UK is increasingly driven by the EU agenda. Important European energy efficiency legislation is set to be implemented in the UK in the coming months. Ensure that your company is prepared for today's - and tomorrows - legislative requirements by attending this event, organised by EC Inform-Energy, the specialist monthly bulletin on energy policy in the European Community. Find out how your organisation will be affected by measures decided in Brussels.

Find out:

what the Directives say

what the implications are for the UK

what the legal requirements for UK organisations are

how Directives will be implemented

who they will affect.

Discover also what help is available to you - and what the future is likely to hold in terms of further regulation.

If you understand these issues clearly, you will be able to:

Respond quickly and efficiently to new challenges - and make the most of opportunities

Stay ahead of the game

Reduce implementation costs

To register for this event, please contact conferences@ecinforenergy.com or phone Selena Hannagan on: 020 8969 1008

UKELA is promoting this event as part of a reciprocal arrangement with Newzeye publications which will, in turn, help promote UKELA's conference

E – LAW

The editorial team want letters, news and views from you for the next edition due out at the end of April 2004 – Copy to Catherine Davey by 16 April 2004.

By Email to: Catherine.Davey@stevens-bolton.co.uk

Letters to the editor will be published, space permitting

Environmental Law aims to update readers on UKELA news and to provide information on new developments. It is not intended to be a comprehensive updating service. It should not be construed as advising on any specific factual situation

UK ENVIRONMENTAL LAW ASSOCIATION

Registered Charity number: 299498, Company limited by guarantee: 2133283

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