Written submission from North Lanarkshire Council

Part 1

Any additional measure which clarifies existing legislation to allow consistency of enforcement is welcomed.

Part 2

Measures to further monitor and improve the environment are welcomed as is the provision of specific powers to SEPA to introduce financial penalties for individuals/companies who fail to comply with regulations relative to the Environment.

Regulation 8 (1) of the Bill Specifically states:

“The purpose of this Chapter is to enable provision to be made for or in connection with protecting and improving the environment, including (without prejudice to that generality) – (a) regulating environment activities, 15 (b) implementing EU obligations, and international obligations to protecting and improving the environment”.

In this respect North Lanarkshire Council particularly requests that Regulation be introduced which would specifically allow regulatory bodies within Scotland to grant an Article 6 exemption under the terms of Article 6 (3) (e) (ii) of the Groundwater Daughter Directive, 2006/118/EC. Presently within North Lanarkshire we are attempting to proceed with such an exemption under a combination of contaminated land and planning process and this is proving clumsy and problematic. Having specific legislation which provided for a process within Scotland to grant an Article 6 exemption would greatly assist in this process and allow protection of the environment whilst at the same time promoting economic growth.