

ANGUS COUNCIL

EUROPEAN E-ZINE

This e-newsletter is intended to give local businesses and Angus Council staff information about European Union actions that may have direct relevance to their current and future work.

Entries are brief, but hopefully sufficient to allow you to decide whether an item is of relevance. Links to more detailed information and suggested action points are given however we will be happy to provide more detailed briefings on request.

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ENVIRONMENT	GOVERNANCE	HEALTH	MARITIME
RURAL POLICY	STRUCTURAL FUNDS		

ENVIRONMENT

CLIMATE CHANGE/ENERGY

At the EU Spring Summit in 2007, EU leaders agreed a raft of ambitious climate change and energy goals. Whilst there was some scepticism that agreement on the package would be possible before the end of the current EU mandate in 2009, the 2008 Spring Summit has provided renewed impetus, with EU leaders pledging to finalise the legislation within a year.

The detailed legislative proposals that will bring about the targets include:

- The revision of EU Emission's Trading System which has been streamlined, widened in its scope and includes aviation for the first time.
- A proposal on sharing the overall EU target of 20% emissions reduction by 2020 across Member States. The UK negotiated a 16% reduction target of emission by 2020 based on 2005 levels.
- One of the key Directives for local government is the promotion of renewable energy to achieve 20% production overall in the EU by 2020; the UK will have to increase its renewables share of energy production from the current 2.3% to 15% by 2020 – the biggest increase of any EU country.
- Each Member State will commit to 10% share of biofuels within the transport sector consumption.
- A new legal framework on Carbon Capture and Storage and a demonstration facility (of possible interest to Scotland).
- Guidelines on State Aid for Environmental issues, easing restrictions for environmental investments.

Issues for Local Authorities

The proposals do not emphasise the positive role that Local Government can play. Although there are some areas which are the responsibility of the EU and national governments, there are others for which local government has direct responsibility, notably the draft Renewable Energy

Directive. The Directive tends to present Local Authorities planning arrangements as a barrier for promotion of renewable energies and fails to outline the active role that Local Authorities can play in promoting renewables actively. The Commission estimates the biggest potential for renewable energy generation will be municipal waste rather than wind or sun power. Municipal heating is also high on the agenda.

It must be stressed that these are proposals so there is still time for lobbying the European institutions to emphasise more the role that Local Authorities can play.

VEHICLE EMISSIONS

Two draft proposals on vehicle emissions have been adopted.

- Reduction of average emissions of new passenger cars
- Encourage public procurement of green vehicles by local and national authorities.

There is a proposal to use a common EU wide method to calculate energy consumption that could be used as criteria for all vehicle procurement

EU DRAFT DIRECTIVE ON GREEN PUBLIC PROCUREMENT OF GREEN VEHICLES

In December 2007 the European Commission adopted a proposal aimed at encouraging public procurement of 'green' vehicles by local and national authorities. The new [Directive](#) proposes common EU wide methodology to calculate lifetime costs for energy consumption, CO2 emissions, and pollutant emissions linked to the operation of vehicles so that Local Authorities could then voluntarily use this methodology as award criteria for all procurement vehicles or transport services. Although the weight given to these additional award criteria (lifetime cost) is up to each Local Authority to decide, the methodology shall always be the one proposed in this draft Directive. Hence it is important for councils to look at this now that it is still possible to lobby for particular aspects of this methodology to be changed.

The new plans would cover all road vehicles, rather than just heavy-duty ones, and would apply to all vehicles procured by public authorities, thus affecting the future purchases of roughly 110,000 passenger cars, 110,000 light commercial vehicles, 35,000 lorries and 17,000 buses.

Issues for Local Authorities:

- Local Authorities will have to ensure that this methodology is also applied by its dependent agencies, private contractors, shared services structures etc.
- Exceptions can be made for special vehicles such as ambulances etc. However this is not specified in the directive.
- Second hand vehicles will also be included.
- Most of the methodology will not be set in the actual legislation but by technical implementation measures decided by European Commission and national civil servants (comitology). While this makes sense in terms of flexibility, it might raise doubts about transparency of decisions and legal certainty for Local Authority long term procurement planning.
- COSLA have been advocating on a number of occasions that this proposal should be consistent with the other forthcoming proposal on Green Public Procurement (for all other kinds of products) due for next September to prevent Local Authorities facing two sets of different standards when making procurement decisions.
- Consistency with national Green Public Procurement Plans: Both the UK and Scotland have ongoing work on this matter, at the UK Sustainable Procurement Task Force, the Scottish Sustainable development Commission or the Scottish Sustainable Development Network, made by all 32 Councils, among others. Therefore it is advisable to check compliance between these EU proposal and the national schemes.

Next Steps:

The European Parliament and the Council of the EU have equal powers to approve this draft Directive. The Parliament will hold the first and crucial vote on 2 June but eventual amendments need to be tabled via the Scottish MEPs by 8 May. The national Transport Ministers will vote at the Council meeting on 12 June.

ENVIRONMENTAL DIRECTIVES

MEPs are set to get a greater say over how environmental directives are revised following agreement on new rules between the European Parliament and Commission. For key directives implemented by local government such as the [WEEE directive](#), MEPs will now be able to have their say over how technical revisions as well as policy ones after concern that the European Commission was able to make substantive changes without consulting with them.

STATE AID

New rules determining how EU governments are allowed to subsidise environmental improvements by companies entered force in April with the publication of [revised state aid guidelines](#).

WASTE FRAMEWORK DIRECTIVE

After a series of intense discussions and policy seminars MEPs at the Environment Committee are voting on 8 April on the Review of the crucial Waste Framework Directive. MEPs are to go through no less than 200 amendments. In particular MEPs are likely to vote for a target of 50% of household and similar waste and 70% of construction and demolition waste should be re-used and recycled by 2020. In principle the Scottish Government plans are in excess of these proposed EU targets. However, a crucial aspect to take into account is that these new EU targeted, if approved, will be legally binding whereas the Scottish (and UK) plans are still mostly at policy statement stage. MEPs will issue their 2nd Reading on 17 June. Member States are pressing for an early approval before the summer rather than having to enter conciliation talks with MEPs until the end of this year.

WEEE DIRECTIVE REVIEW

The Waste Electrical and Electronic Equipment (WEEE) is up for review in September and prior to that the Commission has opened a technical consultation to key stakeholders, in particular, Local Authorities as they are legally responsible for waste collection in most countries, including Scotland. A recent study into how WEEE has been implemented across the EU local authorities shows an enormously sketchy and inconsistent implementation of the Directive, with very different levels of implementation, different systems of waste collection (centralised/decentralised, public/private, local direct collection by LAs, LAs only allocating the collection to third parties, LAs compensated per amount of waste collected/no compensation/lump sum, etc). In addition, there is far more electrical waste generated than what it is actually collected. Crucially, in almost all cases councils have endured a disproportionate burden when implementing WEEE and in almost all cases they have not been sufficiently funded to do so.

The Commission review will need to try and find a balance amongst the different issues including collection, re-use and recycling targets, the definitions of the waste producer responsibility, international waste shipments, financial responsibilities and waste from home/office and there is a great likelihood that the future WEEE Directive will be strengthened and this will have an even bigger impact on local councils.

CoSLA is coordinating a Local Authority response to the technical consultation and this offers an opportunity to input and ensure Scottish Councils views are taken onboard.

Deadline for responses – 5 June 2008

GOVERNANCE

The European Commission has launched a new website collecting all existing information sources of Services of General Interest which deal with procurement and State Aid rules. The site can be found at http://ec.europa.eu/services_general_interest/index_en.htm

HEALTH

FOOD LABELLING

Amid heavy lobbying from the food industry, the Commission has proposed strict new nutrition labelling rules to help consumers make healthy choices as obesity becomes a serious public health concern across Europe. Food manufacturers and retailers immediately expressed serious concerns over the proposal, describing it as "unworkable".

Food labelling, along with the advertising of foodstuffs, has recently become a subject of interest in debates linked to fighting obesity. One of the strategic goals of the review will be to provide consumers with necessary information to enable them to make healthy choices.

The new rules are set to address issues such as what is mandatory or voluntary information, how much information should be provided and where the nutrition label should be placed.

The Commission adopted, on 30 January 2008, a proposal for a revision of the current food labelling rules. The proposal for a directive combines two previously separate regulations into one new one: general labelling rules and those on nutrition labelling.

The directive, if adopted would introduce:

- Mandatory front-of pack-labelling for a set of nutrients: energy, total fat, saturated fats, carbohydrates, sugars and salt;
- a minimum font size of 3 mm for lettering on the labels, and;
- mandatory back-of-the-pack guideline daily amounts estimating average requirements for energy for men and women aged between 19-50, of normal weight and fitness.

These labelling requirements concern processed food and drinks products and exclude non-processed food such as meat and vegetables.

MARITIME

Maritime Policy

At the Maritime Policy Task Force in January and at the vote of the Committee of the Regions (CoR) Sustainable Development Committee (DEVE) on 7 March, the crucial role that Scottish Councils play in coastal zone management via Local Coastal Partnerships was discussed. This example of Scottish best practice, as well as other Scottish proposals in favour of Marine National Parks and on protection of locally owned trust ports have been fully supported by CoR Members. If they are retained at the CoR Plenary vote next April 10 it will mean a clear endorsement from an EU official document on the current Scottish local government practices on maritime issues. It is also worth noting that the relevant Commission Directorate General is conducting a massive internal overhaul to emphasize more the

Maritime Policy aspect instead of the current focus on Fisheries, even changing its name from DG FISH to DG MARE.

CONSULTATION ON MODERNISATION AND REFORM OF THE CONTROL SYSTEM OF THE COMMON FISHERIES POLICY

The European Commission intends to come forward with a proposal to modernise and reform the control system of the Common Fisheries Policy. As part of this exercise a stakeholder consultation has been launched. Interested parties are invited to express their views on the nine fields of action identified in the consultation paper, as well as to present their opinions as to what further measures would be appropriate to strengthen the control system of the Common Fisheries Policy.

The contributions to this consultation will be taken into consideration by the European Commission services in the development of its proposal. The outcome of this consultation and the follow-up by the European Commission will be summarised in the documents prepared by the European Commission prior to adoption of the Communication and the proposal for a Council Regulation.

Contact - http://ec.europa.eu/fisheries/cfp/governance/consultations/consultation_280208_en.pdf to access the consultation which should be submitted to the following address:

Fisheries Control Policy Reform

Unit Control and Licenses

DG for Fisheries and Maritime Affairs

European Commission

99, rue Joseph II

B-1049 Brussels

They can also be submitted by e-mail to: fisheries-control-consultation@ec.europa.eu

Deadline: 5 May 2008

The Commission will present its proposals for a new common fisheries control regulation in October 2008. It will enter into force in 2010, presuming it is adopted on schedule in the Council by the end of 2009.

RURAL POLICY

OECD REPORT

Independent rural policy experts gave a vote of confidence to the Scottish Government's approach to rural development. The Organisation for Economic Co-operation and Development (OECD) published its review into rural policy in Scotland, highlighting a number of key areas which the Scottish Government is already addressing. These include

- Reducing the number of government bodies delivering rural policy and getting those that remain to co-ordinate and streamline their work.
- Creating opportunities for business and economic diversification through regional delivery of the £1.6 billion Scottish Rural Development Programme.
- Harnessing Scotland's potential as a producer of energy from renewable sources.

<http://www.scotland.gov.uk/News/Releases/2008/02/20092546>

CAP HEALTH CHECK

A consultation is currently taking place on the Common Agricultural Policy. New regulations are due to be drafted in May 2008 with hopes that the Health Check will be concluded towards the end of the year. The Scottish Government has sent up a working group on the CAP Health Check. In March, Parliament adopted the [CAP health check](#) report recommending broad approval of the proposals, although it has reservations about certain points, including the amount of funds to be switched from market support rural development, as well as the capping of direct aid. This resolution constitutes Parliament's initial response to the Commission's general ideas on further CAP reform. The Commission will next submit draft legislation, on which Parliament will have to be consulted.

The East of Scotland European Consortium responded, commenting that rural development needs to be put at the top of the tree, not as an add-on to agricultural schemes, and there needs to be a stronger voice for non-land based business and community development in rural areas.

STRUCTURAL FUNDS

As the 2007-13 programmes start, discussions are already taking place on the future of Structural funding, following a consultation (Growing Regions, growing Europe) which ended on 31 January which will help the Commission to present a proposal to reform the policy later this year. Key issues raised by Scottish Local Authorities included:

- funds should be better targeted into local areas
- continuing investment in improving the skills base of the labour force
- the lack of funding support for supporting infrastructure for intra-EU migrants and employers
- climate change could become a horizontal theme to future programmes. There is also a role for future policy to identify and exploit the economic opportunities of climate change and encourage bio-diversity
- Support for the continuation of the principle of subsidiarity with targeted sub-programmes meeting the needs of local communities
- Future funds should devolve responsibility for funds to national, regional and local levels to help them become more effective in supporting public policies.