

# Legislation Outlook

November 2021

This monthly legislation briefing is a **supplement** to your Activ Comply service to help you to **plan ahead** for maintenance of your ISO 14001, OHSAS 18001/ISO 45001, ISO 50001 and ISO 27001 systems. In addition to giving you advance warning about important legislation that will affect your compliance with the standards, we'll provide news, newly-published guidance and government consultations that you might find useful, as well as any other significant legislation beyond the scope of the standards listed that will potentially impact your organisation. Unlike other services, we only report items of value: we don't waste your time on items such as an increase in administrative fees or changes that only affect enforcement agencies.

When legislative changes are announced with short notice (<1 month) they are not reported here. All changes are automatically delivered direct into your [Activ Comply](#) system as they come into effect so you can be confident that you are always 100% up to date.

Normal service is resumed this month, with more standards-related legislation being published than we have seen for some time.

# Upcoming Standard-Related Legislation

## ISO 14001

### Listed Buildings (Heritage Partnership Agreements) (Wales) Regulations 2021

These [Regulations](#) come into force on 1 January 2022 and include provisions relating to heritage partnership agreements for listed buildings in Wales. Heritage partnership agreements were introduced in 2016 and are a voluntary long-term management agreement between the owner of a listed building and either the local planning authority or the Welsh Ministers or both. The agreement can grant 'listed building consent' to authorise work to be carried out that would otherwise be in breach of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Regulations set out matters that must be included in a heritage partnership agreement and make provision about consultation and publicity requirements in certain circumstances.

### Scheduled Monuments (Heritage Partnership Agreements) (Wales) Regulations 2021

These [Regulations](#) come into force on 1 January 2022 and include provisions relating to heritage partnership agreements for scheduled monuments in Wales. Heritage partnership agreements were introduced in 2016 and are a voluntary long-term management agreement between the owner of a scheduled monument and either the local planning authority or the Welsh Ministers or both. The agreement can grant 'scheduled monument consent' to authorise work to be carried out that would otherwise be in breach of the Ancient Monuments and Archaeological Areas Act 1979. The Regulations set out matters that must be included in a heritage partnership agreement and make provision about consultation and publicity requirements in certain circumstances.

### Phytosanitary Conditions (Amendment) (No. 2) Regulations 2021

These [Regulations](#) come into force on 2 December 2022 and amend [Regulation \(EU\) 2019/2072 establishing uniform conditions for the implementation of Regulation \(EU\) 2016/2031 as regards protective measures against pests of plants](#), which became retained EU law following the UK's withdrawal from the EU. The amendments include:

- Additional measures to prevent the introduction of the plant pests *Prodioplosis longifila*, *Agrilus fleischeri*, *Thekopsora minima* and *Agrilus planipennis* in Great Britain;
- Deregulating the following pests which do not pose a risk to biosecurity in Great Britain: *Pseudomonas savastanoi* pv. *Savastanoi*, *Epidiaspis leperii*, *Heterodera fici*, Apricot latent virus and Aucuba mosaic agent and blackcurrant yellows agent combined
- Prohibiting, pending a risk assessment, the introduction of *Polymnia sonchifolia*, which risks introducing a GB quarantine pest of potatoes.

**Remember: short-notice changes to legislation are not reported in this briefing; all changes are delivered direct into your Activ Comply system as they come into effect.**

## News

### Safety Notice - Wheeled Loading Shovels

The HSE has issued a [safety notice](#) following nine fatal vehicle-pedestrian collisions in the past four years involving wheeled loading shovels fitted with aftermarket, larger capacity buckets. These significantly reduce the driver's ability to see pedestrians. The HSE advise that users of wheeled loaders should not use the larger capacity buckets unless a strict segregation of vehicles and pedestrians can be implemented.

### Climate Change Adaptation Report Published

The Environment Agency has published its third [adaptation report](#) setting out how the impacts of climate change affect the EA's work and how the EA are preparing for those impacts. The EA report warns that the climate emergency can only be successfully tackled through greater focus on adapting to the climate impacts that we are already seeing. Impact projections within the report, based on projected temperature rises, include:

- Winter rainfall is expected to increase by approximately 6% by the 2050s and by 8% by the 2080s, compared to a 1981-2000 baseline.
- Summer rainfall is expected to decrease by approximately 15% by the 2050s compared to a 1981-2000 baseline.
- London's sea level is expected to rise by between approximately 23cm by the 2050s and 45cm by the 2080s.
- River flows will be more extreme. Peak flows are expected to be up to 27% higher in the 2050s, while in the summer months river flows could be 82% lower by as soon as 2050.
- Public water supplies are expected to require more than 3.4 billion extra litres of water per day if no action is taken before 2050.

## Consultations

### Network and Information Systems Regulations Guidance

The Department for Business, Energy & Industrial Strategy has issued a [consultation](#) seeking views on the updated guidance for the implementation of the Network and Information Systems Regulations 2018 (NIS) in the energy sector in Great Britain. The guidance aims to provide greater clarity, consistency, and transparency on the policies underpinning the implementation of the NIS Regulations in the energy sector, including the Competent Authority approach to enforcement and penalties. The consultation closes on 29 November 2021.

### Water Abstraction and Impounding

The Department for Environment, Food & Rural Affairs has issued a [consultation](#) on plans to move the regulation of water abstraction and impounding licensing into the Environmental Permitting Regulations regime in order to modernise abstraction and impounding management and to streamline the overall environmental regulatory framework. The consultation will close on 22 December 2021.

### ICO Journalism Code of Practice

The Information Commissioner's Office has launched a [consultation](#) seeking feedback on the draft journalism code of practice about processing personal data for the purposes of journalism. The draft code provides practical guidance to help media organisations understand data protection law and comply effectively with its requirements. The consultation closes on 10 January 2022.

[Invite](#) someone else to subscribe to this Briefing



Like to know  
more?

0333 301 9003  
legal@myactiv.co.uk  
www.activcomply.co.uk

Take control of your ISO management  
system

Do you know about Activ's other ISO management modules,  
designed by ISO experts to simplify management system  
maintenance?

Click [here](#) for more information