

Environmental prosperity agreements

Alison Fanagan, a consultant with A&L Goodbody solicitors, who specialises in environmental law, explains the concept of environmental prosperity agreements which are being pioneered in Northern Ireland and asks if the EPA would be willing to try something similar here.

Prosperity agreements: what are they?

Prosperity Agreements (PAs) are an attempt to alter the mindset that views economic growth and environmental considerations as being in conflict with one another. They are voluntary agreements through which the Northern Ireland Environment Agency (NIEA) and NIEA-licensed organisations can explore opportunities for reducing the environmental impacts of energy and material use in ways that create prosperity and well-being.

Who can sign them?

Any organisation which interacts with the NIEA, or which thinks that there are potential significant gains for Northern Ireland from partnering in a new way with the NIEA, can sign an agreement.

What is their purpose?

Their emphasis is collaborative. The purpose of this partnership approach is to support businesses that seek to move beyond minimum compliance and harness market value from innovation.

What do PAs look like in practice?

The NIEA entered into its first PAs with Linergy and Linden Foods, two significant agri-food companies in Northern Ireland, in August 2014. Under these agreements, six commitments have been established, each with their own action plan and outcome in mind. As an example, in their commitment to improve resource efficiency, Linergy and Linden Foods have undertaken to reduce carbon emissions from production by 25% through innovative solutions.

In an effort to influence environmental performance in the supply chain, Linden Foods agreed to add to its website NetRegs, an environmental guidance service for business, as a way of promoting wider use. They have also agreed to establish a stakeholder forum where key issues can be discussed and farmers can be engaged on the risks associated with poor animal by-products management practice.

What about the other PAs?

Since its first Agreement, the NIEA has entered into PAs with three other companies: Lafarge Tarmac, John Thompson & Sons Ltd and Coca-Cola HBC Northern Ireland. The structure of these agreements is very similar, with each setting out

commitments, desired outcomes and a review mechanism to measure progress throughout the Agreement's three to four year lifespan. There are several features common to each, most notably the emphasis on finding innovative solutions to environmental and economic problems.

As an example, Lafarge has committed to working with the NIEA to make the trial and approval of alternative raw materials and waste-derived fuels more efficient, while also decreasing reliance on fossil fuels by up to 35%. Coca-Cola HBC NI has agreed to reduce its water use by at least 5% and reduce carbon emissions by at least 10-15%, while John Thompson & Sons Ltd has committed to improving manufacturing processes and on-farm production efficiency by its reduction in farm waste and improved animal feed conversion efficiency.

Is there a review mechanism and an opportunity for public participation?

The review and reporting framework in each Agreement may become an important method for ensuring that organisations meet these commitments. This framework provides for a working group to liaise on a quarterly basis to review progress in the first year, before moving to a bi-annual meeting in the following years.

Another feature common to PAs is the provision on local community engagement. This varies in each Agreement, from visiting local schools or training centres (John Thompson & Sons Ltd) to developing a Local Biodiversity Action Plan with Lisburn and Castlereagh City Council (Coca-Cola HBC NI) to making periodical operational reports and returns publicly available on its Cookstown micro website (Lafarge).

Conclusion

Improved communication between organisations and the NIEA is crucial to the success of PAs, as this will help both sides to identify and advance opportunities which serve the wider community. In addition to this, PAs offer businesses the chance to identify opportunities for growth that reduce reliance on finite resources, re-use and reduce waste and re-assess how they provide their products.

It is a fundamental regulatory re-think which seeks to move beyond mere compliance and should be welcomed as an opportunity to marry long term prosperity with the responsible management of the environment. The question is: will the Irish EPA be willing to think along similar innovative lines, to work with licensed entities and come up with innovative environmental and economically sound initiatives? *(For further details contact Alison Fanagan, email afanagan@algoodbody.com)*