

ROUTE MAP TO AUTHORISATIONS NEEDED TO HANDLE SCRAPPING OF SHIPS

Moving ships into or out of United Kingdom for scrapping?

Want to develop a facility to scrap ships?

Who you need to contact and how.

MOVING SHIPS INTO AND OUT OF UNITED KINGDOM

1. Key requirement is the need to comply with the international agreements governing movement of waste, including ships classified as waste. These are the UN Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which is given effect in the European Union by the Waste Shipments Regulation 259/93. In addition waste moving for recovery within the OECD is covered by OECD Decision C(92) FINAL and in the future by OECD Decision C(2001)107 which is in the process of being incorporated into the WSR. In the UK, the EU Regulation is supplemented by the Transfrontier Shipment of Waste Regulations 1994 and the UK Management Plan for the Export and Import of Waste.

2. In summary the controls provide that imports of ships that are waste (for example ships going for dismantling) have to be notified to and authorised by the competent authority for the exporting and for the importing country. For England and Wales this is the Environment Agency. In Scotland it is SEPA and in Northern Ireland DOENI

- In England and Wales contact Environment Agency Transfrontier Shipment team (Tel No 0161 973 2237) or access EA website (www.environment-agency.gov.uk) for more information.
- In Scotland contact SEPA Tel 0131 272 7263 and in Northern Ireland DOENI Tel 02890 546 466

3. If you are importing into England and Wales the ship must go to a properly authorised site equipped to dismantle the ship and dispose of any waste arising. You are responsible for ensuring that that site is properly authorised. See paragraphs 5-8 below for the main permissions that the site will need. Equivalent arrangements apply in Scotland and Northern Ireland. In compliance with international obligations under the OSPAR Convention, permission will not normally be granted to scuttle a vessel or otherwise to dispose of waste at sea associated with the dismantling of a ship.

4. Other useful contacts

- UK Marine and Coastguard Agency (MCA). The safety of a ship and its seaworthiness are matters for the exporting country. The MCA will advise on UK

- requirements. As part of the notification procedure you are required to set out arrangements for the routing of the consignment. (Tel no and website reference)
- Health and Safety Executive (HSE). If ships coming into the UK contain asbestos you will need to apply to the HSE for an exemption from the Asbestos Prohibition Regulations (Tel 08701 545500 and website www.hse.gov.uk)

DEVELOPING A FACILITY TO SCRAP SHIPS

5. Key requirements are planning permission for the dismantling of ships and a waste management licence for the site where dismantling takes place and if different a further licence for the site where any waste is to be deposited.
- Contact your local planning authority for advice on planning procedures. Advice on national policy on planning and waste management is available on the ODPM website www.odpm.gov.uk.
 - Contact the Environment Agency for advice on how to apply for a waste management licence www.environment-agency.gov.uk

If you already have a site that has planning permission and a waste management licence you will need to check with the local planning authority and the Environment Agency that they properly cover what you propose to do.

6. Any new development will also need to comply with other regulations concerned with protecting the environment; in particular
- The Environmental Impact Assessment (EIA) Directive and
 - The Habitats Directive

7. The EIA Directive's main aim is to ensure that the competent authority giving consent for a project does so in the knowledge of any significant effect on the environment. Under the Habitats Directive an assessment must be made if a European site (a SPA classified in accordance with the Wild Birds Directive or a SAC designated in accordance with the Habitats Directive) is likely to be affected or if a European protected species will be affected beyond those sites. For more information contact

- Your local authority for advice on whether an EIA is required.
- English Nature on action needed to comply with the Habitats Directive (Tel 01733 455000, www.english-nature.org.uk). Also useful to look at the Environment Agency website to see how they apply the Directive to waste management licence applications. (www.environment-agency.gov.uk)
- ODPM for information on how the two Directives are applied to the planning system through Planning Policy Guidance (PPG 1 and PPG9) and in future through Planning Policy Statements. (www.odpm.gov.uk)

8. If your proposal will involve any construction works below the mean high water spring tide mark (MHWS) or the placement of any articles or materials in the sea or on the seabed you are likely to:

- need a licence under the Food and Environment Protection Act 1985 (FEPA).

- Similarly, any such works, including the deposit of any object or materials on, under or over the seabed below MHWS that could be detrimental to the safety of navigation may require a consent under Section 34 of the Coast Protection Act 1949 (CPA).
- Applications for both a FEPA licence or a CPA consent should be made to the Marine Consents and Environment Unit (responsible jointly to Defra, DfT and the Welsh Assembly Government for marine consents). See <http://www.mceu.gov.uk> for more information or telephone the MCEU on 020 7238 6742 (or 1075).
- Where navigation rights may be affected within the jurisdiction of a Harbour Authority, you are likely also to need the approval of that Authority.
- Any proposals that affect the foreshore or seabed will require the approval of the Crown Estate (or other owner of the land). Contact the Crown Estate on 020 7210 4377 or see <http://www.thecrownestate.co.uk/>.

9. This note sets out issues that any proposal to import or export a ship classified as waste to develop of a facility to handle such material. But it is not a comprehensive account of all the requirements that may apply. Other examples of legislation that may apply are:

- Waste Framework Directive 75/442/EEC as amended by 91/156/ec
- Directive on the Disposal of Waste Oils 75/439/EEC
- Directive on the Conservation of Wild Birds 79/409/EEC
- Directive on Hazardous Waste 91/689/EEC
- Directive on the Disposal of RGBs and PCTs 96/59/EC
- Directive on the Control of Major Accident Hazards involving Dangerous Substances 96/82/EC
- Directive on the Landfill of Waste 99/31/EC

10. If you are contemplating either moving ships into or out of the United Kingdom for scrapping or developing a facility to scrap ships you are strongly advised to seek relevant professional advice.