



IMPEL Project

Practical Application of Better Regulation Principles in Improving the Efficiency and Effectiveness of Environmental Inspection Authorities

Final Report

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ENVIRONMENT
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Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its websites at:
<http://europa.eu.int/comm/environment/impel>
www.impeltfs.eu

<p>Title report: Practical Application of Better Regulation Principles in Improving the Efficiency and Effectiveness of Environmental Inspection Authorities</p>	<p>Number report: 2009/04</p>
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<p>Project participants: Representatives of 14 IMPEL member countries and the European Commission</p>	
<p>Executive summary: This IMPEL project aims to provide practical solutions and share good practice among environmental inspection authorities in Europe on initiatives to improve the efficiency and effectiveness of regulatory activities such as permitting and inspection. The intended benefits of the project are to:</p> <ul style="list-style-type: none"> • Share best practice and practical solutions to common problems facing inspection authorities, which will benefit the environment, business and the public. • Provide evidence of the outcomes and effectiveness of better regulation approaches. • Inform European and national law makers on best practice approaches to implementing laws. <p>We received 50 examples of initiatives from 14 countries in response to a questionnaire. These included initiatives to improve permitting, inspection, and monitoring as well as broader initiatives that spanned the whole regulatory cycle. The wide range of approaches reported reflects the different regulatory and legal structures and contexts in the Member States, such as the different relationships between permitting and inspection bodies.</p> <p>A number of trends in better regulation approaches were identified:</p> <ul style="list-style-type: none"> • Greater use of alternatives to bespoke permits, e.g. general binding conditions. • More evidence of sector-based approaches, e.g. seeking to agree performance objectives beyond minimum regulatory standards. • Streamlining or integrating approaches for companies which are carrying out similar activities across multiple sites. • Bringing different types of inspection activity together in a single or harmonized process which increases coherence and reduces costs to business and authorities. • Identifying opportunities for other inspectorates, or even commercial organisations, to undertake areas of inspection activity where it is more effective to do so. • Relatively few of the initiatives included an assessment of the intended benefits regarding environmental outcomes, or cost savings to business and regulatory bodies. <p>This report summarises the findings from the questionnaires and further discussions that took place at a workshop in Berlin. It identifies learning points for IMPEL members in each chapter. Fuller details of all the initiatives submitted can be found in the annex to this report.</p>	

The project makes a number of recommendations for IMPEL including:

- Encourage the ongoing sharing of better regulation initiatives by revisiting this project to learn further lessons as initiatives are delivered and identify new initiatives every three years.
- Promote the good practice and the recommendations for others identified in this project with key stakeholders including the European Commission.
- Consider the lessons learnt in guiding the future work of the Better Regulation Cluster.
- A series of recommendations for future work are made in Section 6.

The project makes the following recommendation for IMPEL members:

- Share the good ideas from other Member States with inspection authorities in your country, and consider the learning points set out in this report.

The project makes the following recommendations for EU and national law makers:

- EU and national law makers will need to ensure sufficient flexibility is retained to enable the range of better regulation approaches to setting conditions/permits that IMPEL members want to adopt, and that these can be integrated into national delivery frameworks.
- The European Commission should consider the lessons learned from Member States and think about all the potential uses of information in its efforts to harmonise data reporting and presentation requirements across all sectors.
- EU law makers should ensure that monitoring and reporting requirements in new and revised legislation are as integrated as possible with other monitoring and reporting obligations, including what is monitored, format, reporting process, etc.
- EU law makers should ensure that sufficient flexibility is retained in new or revised legislation, including the revision of the EU Recommendation on Minimum Criteria for Environmental Inspections, to take account of the variety of approaches to inspection being developed by regulators.

Disclaimer:

This report is the result of a project within the IMPEL-Network. The content does not necessarily represent the view of the national administrations or the Commission.

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Annexes to the Project in a Separate Report

Annex 1: The Questionnaire Used to Survey IMPEL Members on the Better Regulation Initiatives being undertaken

Annex 2: Collation and Summary of Better Regulation Initiatives in the Member States

Annex 3: Workshop Agenda

Annex 4: Participants at the Project Workshop in Berlin

1 BACKGROUND

Better regulation principles are driving the development and implementation of environmental law at EU and Member State level. Member States have adopted a range of initiatives that contribute to achieving better regulation. These can range from broad, strategic processes to highly focused actions aimed at specific stages in the regulatory process and/or at a specific target groups. IMPEL, through its Better Regulation Cluster, has undertaken a series of projects to examine issues relating to the application of better regulation principles, such as within EU lawmaking.

Overall, key better regulation criteria can be considered to be the following:

- Regulations should be well-founded, based on facts and with knowledge of their expected impacts.
- Regulations should be prepared in a transparent way, involving all parties concerned.
- Regulations should be effective, efficient, proportional and not leading to undesirable economic, social or environmental consequences or to unnecessary administrative burdens for businesses, citizens or authorities.
- Regulations should not lead to unwanted discrimination, and can help create a level playing field and support innovation.
- Regulations should be clear, consistent, understandable and as simple as possible. They should not contradict other regulations.
- Regulations should be compliant, practicable and enforceable.

In June 2006 DG Enterprise published a report of the BEST Project Expert Group (known as the 'BEST Report') entitled '*Streamlining and Simplification of Environment Related Regulatory Requirements for Companies*'. This included around 70 examples of best practice in the Member States. A number of these initiatives were at their early stages of implementation, so further information on these was expected. Also the BEST Report provided many examples of initiatives at the early stages of the regulatory cycle (e.g. policy development), some at the early stages of implementation (e.g. permitting), but few at the later implementation stages (e.g. inspection).

2 OBJECTIVES OF THIS PROJECT

This IMPEL project sought to examine further progress in the Member States in delivering better regulation initiatives. However, it was decided that the project would **not include broad strategic initiatives** of the Member States such as the setting of government-wide targets for administrative burden reduction, but focus on initiatives linked to particular areas of the work of IMPEL members (e.g. on permitting, inspection, etc). The project also did **not consider risk-based approaches**, e.g. for permitting or inspection, as these are being addressed in other IMPEL Projects e.g. IMPEL project 'Doing the Right Things' on risk based inspections. The project also did not aim to repeat information in the BEST Report, although it does follow up some of those initiatives.

The project had the following main objectives:

- To identify how environmental authorities in Member States are applying better regulation principles at different stages in the regulatory process (e.g. permitting, supervision, enforcement, etc.).
- To share good practice amongst Member States.
- To provide practical solutions to common problems facing environmental authorities.
- To demonstrate the real benefits of applying better regulation principles to the environment, business and the public.

It was expected that the project would have the following benefits:

- Environmental authorities in Member States will be better equipped to apply better regulation principles in their work through sharing of best practice and practical solutions to common problems, which will benefit the environment, business and the public.
- There will be better evidence of the outcomes/effectiveness of better regulation approaches.
- It will provide an opportunity to inform the European Commission on best practice and incorporate this into future legislation.

3 METHODOLOGY

The project was managed by a Core Group with representatives from the Netherlands, the UK and the European Commission. The Core Group designed a questionnaire to identify what better regulation initiatives are being taken forward by Member States and to consider information on their outcomes, etc.. A copy of the questionnaire is provided in Annex I to this report.

The questionnaire was structured by focusing on key regulatory areas such as improving permitting, monitoring and reporting and supervision (inspection). Members were asked if they had better regulation initiatives in these categories and, where they do, to provide information on the nature of the initiative, its objectives, outcomes, success factors and barriers to success. Members were also asked for information regarding initiatives identified previously in the DG ENTR BEST report, in particular seeking to identify if progress on these initiatives had resulted in new information, particularly on outcomes and lessons learned.

Responses to the questionnaire were received from 16 IMPEL members from 14 IMPEL Member Countries (Bulgaria, Czech Republic, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Spain, Sweden, Turkey and the United Kingdom). Annex II provides a collation of the responses received.

In order to discuss the outcomes of the questionnaire and identify critical issues, conclusions and recommendations, a workshop was held in Berlin in June 2009. The workshop included presentations about some specific initiatives (information from which has been added to the examples in Annex II) and discussion on critical issues,

such as how to assess the outcomes of initiatives or factors contributing to their success.

This report sets out the key outcomes from the project, drawing on the questionnaire returns and the discussion at the workshop.

4 PROJECT OUTCOMES

4.1 Introduction

IMPEL members identified a wide range of better regulation initiatives. This report sets out the key conclusions and recommendations according to the following structure:

- Section 4.2 considers approaches that have been taken across the regulatory cycle. These may include specific issues concerning permitting, inspection, etc., or initiatives that establish principles and act as a governmental policy umbrella for further initiatives. Some of them deal with a limited part of environmental legislation, others cover broader issues besides the environment.
- Sections 4.3-4.5 consider initiatives related, in turn, to discrete stages in the regulatory cycle: permitting (or other objective setting), monitoring and reporting and then inspection/supervision. Some of the initiatives are highlighted in boxes. For more detailed information on these initiatives and other initiatives the reader is referred to the Annexes.
- The report then considers how far outcomes (for business, authorities and the environment) have been assessed and the challenge for authorities in undertaking such assessments. Finally, consideration is given to factors contributing to the success of initiatives and barriers to their success (sections 4.6 and 4.7).

In each section key initiatives are highlighted (though further details are to be found in Annex II) and conclusions, lessons and recommendations are made.

4.2 Approaches Across the Regulatory Cycle

It is important that better regulation initiatives deliver specific outcomes to streamline permitting or monitoring, or help make inspections more effective. Some of the initiatives identified in the project consider regulatory activities across the whole regulatory cycle. Such approaches are able to highlight the most important issues for business, authorities or other stakeholders that need to be addressed and can act as an ‘umbrella programme’ within which specific initiatives may be developed and implemented.

Such initiatives are different to the strategic initiatives undertaken by Government (and not included in this project) which tend to focus on administrative burden

reduction targets and measurements. For regulators, broader approaches are able to re-examine the principles of their regulatory approaches, such as considering where they may be alternatives to traditional regulation, integrated approaches to stakeholder engagement and broader approaches to collaborative working. Examples are given below.

Approaches Across the Regulatory Cycle

In **England and Wales** the Integrated Regulation Programme has been established to help streamline regulatory activities including permitting, reporting and inspections. Integrated regulation will gather all the regulatory systems under one consistent and nationally managed IT framework. This will ensure that data is held once and activities are not duplicated. Permitting will be easier and costs less (for authorities and operators). Integrated Regulation will also mean less time spent on administration and data entry tasks enabling staff to focus their work on areas that have greater impact to the environment. Finally, Integrated Regulation will enable the regulator to manage the environment in a more integrated way and focus resources on the greatest risk.

In the **Netherlands** the Renewing Supervision programme has taken a strategic look at regulatory activity across all areas of Government (not just environment) and has resulted in a number of specific initiatives (see chapters 4.3-4.5).

In **Scotland** the Scotland's Environmental and Rural Services initiative has brought together the regulatory activity of nine bodies working with rural land managers. This has involved an examination of the environmental obligations arising from the different authorities on land managers, ranging from permits and licenses to inspection activity. Land managers are provided with single points of contact and co-ordination of activities such as inspection and the authorities themselves are able to share work between them. This allows for a reduction in burden to business, greater cohesion and enhanced environmental outcomes.

In **Scotland** the Better Waste Regulation Action Programme is a comprehensive programme of actions to deliver improvements and changes in domestic legislation and the regulator's implementation of those regulations. The Programme consolidates legislation, provides proportionate regulation and targets inspection activity. It also allows for flexibility in regulation to take account of innovation in business.

The following learning points for IMPEL members are identified where additional benefits may be achieved by approaches across the regulatory cycle:

- Consider better regulation initiatives that take action across the whole regulatory cycle rather than focussing on a single element in isolation (such as permitting), e.g. the Environmental Permitting Programme in England and Wales.
- Consider looking at a single regulatory element (e.g. permitting or inspection) across a range of different regulations or those applying to a particular sector, e.g. the Netherlands' Renewing Supervision Programme.

- In some areas it is possible to work with other authorities to develop strategic approaches and provide joined up services to improve outcomes and reduce costs, e.g. Scotland's Environmental and Rural Services initiative.

4.3 Setting Conditions/Permitting

A critical part of much environmental regulation is to set conditions for the environmental performance of a range of industrial/business activities. These conditions can set out what level of environmental performance is required and how operators might assess this and, therefore, provide the basis for supervision activity by regulators.

A typical example of such 'condition setting' is permitting, whereby operators apply for permits (providing a range of information to support their application), followed by discussion with permitting authorities and issuing of a permit containing the necessary conditions. However, there are also simpler approaches, such as setting out requirements in legislation so that an operator notifies an authority of its operation (to which the legal conditions apply).

In some cases the focus on an individual site or facility may not deliver the environmental outcomes or business efficiencies that could arise from setting objectives at a broader scale, such as by addressing companies as a whole or entire business sectors.

Permitting activity, in particular, can raise a number of better regulation concerns. These include:

- Operators may find that they require different permits for different aspects of their business, sometimes from different authorities. Also a business having several factories across the country needs permits for the same activity but with different conditions from different authorities. Both result in duplication of activity and added administrative cost.
- The requirements for detailed and individual (bespoke) permits for some activities may be unnecessary given their low risk to the environment or standardised operation.
- The procedures for permitting may be complex and time consuming.

As a result, IMPEL member countries have adopted a number of approaches to tackling these better regulation concerns.

Streamlining and speeding-up existing permitting procedures has been an important better regulation theme in a number of countries. This does not involve the basic permitting obligations, but it has been recognised that the administrative processes can be improved. The development of on-line communication systems has been an important foundation for much of this type of approach, with the ability to submit and update information on-line. However, there has also been a focus on seeking to ensure that only the necessary information is asked for and service standards setting deadlines for authorities to process applications have been adopted.

Streamlining permitting

In **Bulgaria** systems have been put in place to streamline permitting procedures for implementing the IPPC Directive. Operators can apply for IPPC permits prior to obtaining a construction permit (thus aiding business planning) and the procedures for obtaining the permit have been reviewed, making them clearer and shorter, with improved guidance both for the applicants and the permitting authorities.

There has also been considerable emphasis on examining the need for bespoke permitting. Countries have removed some categories of business from this requirement, replacing the requirements with standard conditions. In such cases business knows what conditions will apply to them prior to receiving any permission.

For other types of activity, there is also a trend to remove permit requirements (even with standard conditions) altogether. In such cases operators only need to notify authorities that they will operate and legislation sets out the conditions to which they will comply.

Use of notification and standard rules

The **Netherlands** has adopted the instrument ‘General Mandatory Rules’. There are three types of private companies/organisations under the act, distinguished based on their risks to the environment:

- Type-A companies: with a ‘light regime’, which means that the companies have no obligation to report their business to the environmental authority and that they do not need a permit. Included are: offices, banks, healthcare centres, general practitioners and playgroups. These are the companies with little or no negative impact on the environment.
- Type-B companies: with a reporting obligation. The business activities of the company must be reported to the environmental authority. The possible impact on the environment is not so negative that they need an environmental permit, but they are included in a special regime of the general mandatory rules. Industries include: retail, restaurants, garages, transport and fuel/gas stations.
- Type C companies: those still are duty-bound to apply for an environmental permit, because the probability of negative consequences for the environment of their business activities is high. Sectors: including storage of dangerous substances, chemical plants, agricultural facilities.

In **Scotland** the legislative basis for regulation of activities liable to cause pollution to water was revised in 2005. This sets out three types of authorisation – licences, registrations and general binding rules. The latter are considered to represent the lowest risk and lowest level of control and do not require an application for a licence (and, therefore, avoid the costs associated with this). The adoption of such rules for many low risk activities was considered necessary to meet the objectives of the EU Water Framework Directive. However, without the need for licensing, authorities have had to implement a national campaign of awareness raising, guidance and training to ensure operators understand their obligations.

Permitting obligations can also be made simpler under certain specific conditions. For example, where companies are certified to the EU's Eco-Management and Audit Scheme (EMAS), permitting authorities might request less information or quicker processing due to the environmental oversight that already exists within EMAS.

Links to EMAS

In **Bavaria** EMAS registered companies with the full compliance approach are privileged in terms of permitting, monitoring, reporting, inspections and enforcement.

Where bespoke permitting is needed, countries have also adopted approaches to reduce the number of individual permits that a company needs to obtain. This has involved the bringing together of different permitting regimes into a single application and determining process. This not only avoids much duplication of effort (e.g. submitting basic operational information each time, sometimes in different formats), but also allows both operator and authority to take a more holistic approach to the environmental performance of the activity. The examples below include the bringing together of permitting obligations for activities that are located together and the integration of regulatory activity for farmers – a sector often subject to a wide range of environmental obligations, but often without the capacity to address complex, repeated regulatory demands.

Bringing permit regimes together

In the **Netherlands**: the Environmental Licensing (General Provisions) Bill ('Wabo') has brought together permitting and licensing requirements for a wide variety of different issues from different authorities (from national to municipal level) into a single procedure to enhance clarity and reduce costs to businesses. It is estimated that it will reduce business costs by €33.2 million per year.

In **Poland** an approach has been adopted to allow for the different permitting obligations on a single site (e.g. with more than one IPPC installation) to be brought together into a single permitting process. This reduces costs, avoids duplication and allows for a more coherent approach to environmental objective setting for the site.

In **Turkey** the Ministry of Environment and Forestry until now has granted more than 10 different types of permits and licences. A new by-law brings these together into a single process which will increase work efficiency and enhance business outcomes. Bringing permitting processes together is also leading to the creation of a new Permission Department to coordinate activity.

In **England and Wales** the Whole Farm Approach has brought together the range of environmental objectives that may apply to individual farms so that these are regulated and communicated in a coherent way.

In **England and Wales** the Environmental Permitting Regulations came into force in 2008. They have brought together different IPPC and waste licensing requirements (covering 14 Directives and 41 sets of regulation) into a single system without changing any environment or health protection standards. It has also introduced

different appropriate levels of control (exemptions, standard and bespoke permits). This is expected to save business and regulators around €87 million over ten years. The regulations have been designed so that future requirements can be easily built into the established framework. Consideration is currently being given to expanding the Programme to include discharge consenting, groundwater authorisations, water abstraction and impoundment, radioactive substances regulation and licensing of some waste carriers and brokers which is forecast to deliver a further €42 of savings.

On a broader scale countries are also adopting approaches that seek to set performance objectives for companies as a whole or from industrial sectors which go beyond what can be achieved through traditional permitting. Being outside the framework of traditional regulation, such approaches allow for greater dialogue between business and regulators which facilitates the development of greater synergies between business and environmental objectives.

Broader approaches to objective setting

In the **Netherlands** an (inter)national company often has several establishments across the country which are traditionally regulated separately. In order to coordinate and equalize the permitting-procedures and supervision, the ‘company approach’ has been launched. It consists of organizing a coordinated approach from both the company as well as from the side of the authorities. This involves establishing a service/coordination point dealing with permitting and supervision aspects that needs to be streamlined within and between the different establishments and/or authorities. It has also a mediation role in case of problems encountered by the authorities or concern.

In **England and Wales** sector plans have been developed which aim to build a shared understanding and approach with industry to identify priority issues and pursue environmental outcomes beyond minimum regulatory standards. They have provided a basis to set performance targets and report publicly each year on performance against targets. The process has also been a major opportunity to strengthen relationships with the sectors’ principal stakeholders. Sector plans have been published for the chemicals, cement, nuclear, waste management and dairy farming sectors.

The following learning points for IMPEL members are identified where streamlining permitting requirements may offer reduced costs for regulators and for business and enable a better focus on achieving the right outcomes:

- Consider whether permitting processes can be streamlined further, e.g. Bulgaria’s IPPC initiative.
- Consider if environmental outcomes can be delivered more effectively and efficiently by using alternatives to bespoke permits and conditions, e.g. Scotland’s use of general binding rules.
- Consider whether it is possible to integrate permitting requirements for different regulatory regimes, e.g. Turkey’s example of bringing permits and licences into a single process.

- Consider whether environmental objectives can be achieved by streamlining or integrating approaches for companies who are carrying out similar activities across multiple sites, e.g. the Netherlands' company approach.

Recommendation for IMPEL:

- Consider whether there are specific areas of permitting that would be useful for IMPEL members to share experience in more detail e.g. integrating permitting requirements or company level approaches.

Recommendations for EU and national law makers:

- EU and national law makers will need to ensure sufficient flexibility is retained to enable the range of better regulation approaches to setting conditions/permits that IMPEL members want to adopt, and that these can be integrated into national delivery frameworks.

4.4 Monitoring and Reporting

Monitoring and reporting requirements on businesses with regard to environmental performance can be extensive and impose significant costs, not least because these are usually on-going costs rather than one off events, as with permitting. Authorities also receive large amounts of information and this can be difficult to process effectively and share with other relevant authorities. It is, therefore, important that businesses are only required to monitor and report on aspects of their operation which are necessary and that authorities have systems in place to make the most effective use of the information which is received.

Overall, there was not a large range reported in the types of better regulation initiatives adopted in the IMPEL member countries with regard to monitoring and reporting. Removing unnecessary monitoring requirements is important in delivering better regulation. Initiatives otherwise tend to focus on bringing monitoring and reporting obligations together in a single process and, usually, doing this through electronic, web-based systems. While electronic reporting might be seen as usual practice at one level, it was evident at the workshop that integration of reporting obligations across different regulatory areas and authorities is a particular challenge to members.

Examples of initiatives to improve monitoring and reporting

In the **Basque Region** a major initiative has been adopted to implement an Integrated Environment Information Management System bringing together all areas of environmental reporting by business, integrated uses by authorities and reporting to the EU. Information is submitted once and is useable for different regulatory and environmental assessment processes.

In **Lombardy** a specific software package (AIDA) has been developed to streamline and improve the reporting processes by business to authorities. All IPPC installations are included, with data returns made relatively simple for authorities and allowing authorities to identify critical environmental and enforcement issues more easily.

Effective monitoring and reporting systems can be important to support initiatives in other aspects of regulation addressed in this report. Systems whereby operators can readily submit data (periodically or as real-time monitoring) in formats that regulatory authorities can use support processes to simplify, or better target, inspection, for example. For such reporting processes to be effective it is important for operators and for inspectors (the ‘users’), etc., to be involved in the design of the system.

Many member countries have evolved different systems at different levels of authorities within the country. In some cases it can be difficult to get all of these authorities to agree that data sharing is needed. However, often more challenging is to agree on systems once the principle of harmonisation is reached. Authorities (e.g. at regional level) may have invested in systems that they are reluctant to abandon. Some may even be reluctant to abandon paper records.

Bringing different systems together therefore requires extensive collaboration, highlighting the benefits of system integration. However, such benefits may only arise after significant changes have been implemented and may take time to materialise, so that institutional resistance may arise during the process.

The technical challenges of integrating systems should not be underestimated. For example, in Bulgaria different institutions were found to have separate hardware and software systems. However, even with co-operation between institutions and staff, these differences were found to be fundamental barrier to the interoperability between the systems. It is, therefore, important to ensure that formats for reporting, etc., are as interoperable as possible. This has been the practice in the Basque Region and has proved successful.

The workshop noted the importance of information requirements at a European level – such as through the E-PRTR, reporting on individual Directives, etc. This presents an additional challenge to integrating information systems. It is, for example, possible to ensure that specific European level reporting is integrated into the design of systems developed at national level. However, this is difficult where different requirements are set out at European level. This can include different formats of reporting, classification of reporting elements (e.g. waste types) between, for example, DG Environment, Eurostat, the European Environment Agency, etc. The

Commission is currently working to address this, but this still presents a challenge to developing coherence as national systems are being developed today.

It is also important to stress that the workshop noted that while some initiatives are in place to bring information systems together at national level, higher level issues need not be restricted to EU institutions. Neighbouring (or other) countries may also benefit from access to the data (such as for transboundary rivers, waste shipment, etc). However, while data access may occur, system harmonisation is more limited. How far this is a significant problem and whether transboundary system integration is at all feasible (particularly where a language is not shared) should be examined in more detail.

Learning point for IMPEL members to consider:

- When developing new monitoring and reporting systems, avoid operational difficulties by involving the full range of potential users (including other authorities, stakeholders, etc.) in the whole process and considering the importance of compatibility with other information systems.

Recommendations for IMPEL:

- Consider sharing experience on the barriers and solutions in bringing together and supporting different monitoring and reporting systems within member countries.

Recommendations for EU Institutions:

- The European Commission should consider the lessons learned from Member States and think about all the potential uses of information in its efforts to harmonise data reporting and presentation requirements across all sectors.
- EU law makers should ensure that monitoring and reporting requirements in new and revised legislation are as integrated as possible with other monitoring and reporting obligations, including what is monitored, format, reporting process, etc.

4.5 Supervision/Inspection

Supervision/inspection is an important part of the regulatory process whereby authorities adopt various approaches to ensure that activities comply with their environmental performance objectives, such as those set out in permits, legislation, etc. Effective inspection should achieve a good understanding of the performance of an activity. However, authorities and those being inspected have limited resources, so targeting inspections, improving their effectiveness and seeking alternative approaches may be important to ensure supervision as a whole is improved. Inspection activity also imposes costs on businesses, so that it is important to ensure that such activity is necessary.

Members have identified a variety of approaches to taking forward better regulation principles within supervision/inspection regimes. These may be undertaken as individual initiatives or within a wider strategic approach to better regulation and/or

inspection. In this regard it is useful to highlight the Renewing Supervision programme in the Netherlands. This has taken a strategic look at inspection activity across all areas of Government (not just environment) and has resulted in a number of specific initiatives (see below). Within individual inspectorates it is also appropriate to undertake strategic reviews of supervision. For example, the Scottish Environmental Protection Agency has adopted the Compliance Assessment Scheme which has aimed to enhance consistency of supervisory activity across the authority, target inspection to higher risk activities and improve understanding by stakeholders of what the authority will undertake in relation to supervision.

It is important to note that it should not be assumed that businesses always want fewer inspections. Inspectors often provide advice to operators during inspections and this can be valued. Therefore, consideration has to be given to ensuring the necessary communication between business operators and authorities is available as procedures are changed.

It is also important to stress that inspections can only detect non-compliance with permit conditions which are clearly set out. Therefore, effective inspection requires effective permitting (see above).

One important strand of better regulation for supervision activity is to bring different types of inspection activity together in a single or harmonized process. Such approaches can achieve both a more coherent assessment of environmental performance of activities and a reduction of costs to business and authorities. Where environmental inspection activity has itself been divided between authorities, initiatives may bring these together. There are also approaches to harmonizing inspection activity beyond core environmental inspection to other areas of Governmental supervision.

It is, however, important to note that in England and Wales the Hampton review of inspection activity concluded that in some cases businesses value having different inspectors (from different inspectorates) as they each have specialist knowledge. Operators, therefore, have confidence in the professionalism and advice of the inspectors. Transferring inspection activity between inspectorates needs, therefore, to be done in a way that does not undermine business confidence. The survey did conclude that even where separate specialist inspectors are preferred, businesses do want such the inspections to be undertaken in a co-ordinated way.

Bringing Inspection Activity Together

In the **Czech Republic** inspection activity for different permit and environmental obligations has traditionally involved different inspectors and visits. These have been brought together into a single inspection, reducing costs to business.

In the **Netherlands** an important initiative within the framework of 'Renewing Supervision' is the co-ordination of inspection activity between Government authorities. For each business sector (e.g. chemicals, hospitals, etc.) one inspectorate has been identified as 'lead' inspectorate. The lead inspectorate will undertake inspection activity for the other inspectorates and acts as the point of contact for business. This has involved investment in training, etc. Specialist inspectors from each inspectorate can be involved where specific issues arise.

Scotland's Environmental and Rural Services initiative has brought together the regulatory activity of nine bodies working with rural land managers. This has included the co-ordination of inspection activity between the Government authorities, including staff in one authority undertaking inspection activity for others. This significantly reduces the burden on stakeholders, such as farmers, ensures consistency and has increased the supervisory capacity for environmental inspection.

In **Turkey** initial work has begun to bring different types of environmental inspections (e.g. traditionally focused on air, water, etc.) together into single, combined environmental inspections. The overall work load and time taken for inspection has decreased, but the number of facilities inspected has increased, thus increasing effectiveness.

It is not always appropriate to bring inspection activity together. Inspections may need to be undertaken for different reasons, at different times and by different authorities. Where this is the case, initiatives have been adopted to enhance information sharing between inspectorates. The sharing of information/data both enhances the understanding of risks posed by activities (intelligence that may help target inspections) as well as reducing the need to ask for data from activities if these have already been supplied to other authorities. Where there is transfer of information between inspection authorities it is important to ensure that there is confidence that such data are checked and verified. In some cases confidentiality may be a barrier which will need to be addressed.

Also where separate inspections are retained, further initiatives may be adopted to enhance the co-ordination of inspection activity between authorities, particularly aiming to reduce the burden of repeated inspections on business. In some cases, consideration has been given to bringing inspectorates together into a single institution. This was found to be unsuccessful in Italy, where co-ordination and planning has proved more effective.

Sharing information and co-ordination requires a collaborative attitude by authorities and their staff. However, there can be cultural resistance to this which needs to be addressed.

Sharing Information between Inspectorates and Co-ordination of Inspections

In **Greece** the Environmental Inspectorate has adopted an initiative to work closely with local and regional environmental authorities in order to enhance the monitoring of compliance of activities.

The **Netherlands** has adopted an initiative on 'e-inspections' which involves the investment of significant resources for the development of compatible ICT systems in the different Government inspectorates not only for the sharing of inspection data, but also as a platform for company self-assessment and for the analysis of risks.

In the **Netherlands** an initiative has been adopted on 'information-driven' monitoring and enforcement. This uses information gathered from various sources to help target supervision activity. The authorities involved include the VROM Inspectorate, Labour Inspection, Tax, Customs, Police authorities and others. Concerns highlighted in one area may result in inspection activity in others.

In **Sweden** there is a range of inspection authorities at national, regional and local level. Different ways have been adopted to develop co-ordination and exchange of information. Networks include the 'Network Between Supervisory Authorities', 'Environmental Co-ordination Sweden' and 'Enforcement and Regulation Council'.

Inspection authorities can adopt various approaches to enhance the role of operators in undertaking their own supervision of their activities. Such approaches reduce the burden on authorities and increases the awareness of operators to the environmental outcomes of their businesses.

Enhancing the Role of Business in Supervision

In one of the provinces of the **Netherlands** where an inspection identifies that there is a case of non-compliance with permit (or other) conditions, it has been the practice for there to be a follow-up inspection to check that improvement activity has been undertaken and compliance has been achieved. However, an initiative has been adopted whereby operators can send a simple report card to the inspectorate stating that the required improvement activity has been implemented. The inspectorate still undertakes some sample checks to ensure that the system is not abused, but overall this has reduced the inspection costs to business and authorities.

The **Netherlands** has adopted a process of 'self-management supervision'. In this case a company adopts management processes to ensure particular environmental outcomes are achieved (e.g. chemicals are managed correctly). Thus rather than inspect the specific actions and outcomes of the company, the inspectorate can inspect the quality of the self-management systems put in place and only randomly check the outcome.

Complex installations and more integrated inspection processes present practical problems for inspectors to ensure that all issues are addressed during inspections. In such cases the company may adopt a detailed environmental management system addressing its environmental objectives. In such cases the inspectorate can alter its

approach to audit the management system itself rather than undertake detailed inspection of the individual aspects of the installation. Public confidence in the effectiveness of such an approach may be a barrier and this would need to be addressed.

Wider Management Approaches

In the **Netherlands** the ‘audit by topic’ approach involves an audit on the management system of a company with the inspector no longer checking the individual details of compliance with permit conditions. In this way the audit assesses whether the company’s management system would ensure compliance.

The adoption of new inspection requirements on authorities can pose problems. One approach to tackling this is to identify whether other bodies, including commercial organizations, are able to undertake the inspection activity in a more cost effective way. It is possible that there may be some cultural resistance to contracting out supervision activity from Government (by authorities and/or by business), but it can be an effective mechanism to improve supervision activity.

Besides this it should be recognised that introducing other ways of inspecting also means that inspectors should be educated to be able to use other methods and have other skills.

Contracting Out Inspection

In **England and Wales** the IPPC Directive introduced new regulatory obligations for a large number of pig and poultry farms. This has posed a major challenge to the Environment Agency. As a result some of the inspection activity is to be undertaken by commercial bodies which are certified. These bodies already work with farmers so have the expertise to undertake the work. This approach is used for farms assessed to be of low risk to the environment and results in lower administrative costs. It will also lower the biosecurity risk of disease spread between farms. Higher risk farms will still be inspected by the Environment Agency’s inspectors.

The following learning points for IMPEL members around opportunities to improve the efficiency and effectiveness of inspection and supervision activity were identified:

- Consider the role of alternatives to traditional on-site inspection, e.g. the Netherlands’ initiative on self-management supervision.
- Consider joining up with other Government inspectorates, where appropriate, to have more integrated approaches, e.g. Sweden’s Network between Supervisory Bodies.
- Consider delivery of inspection by third parties, e.g. the use of authorised companies to undertake inspections for IPPC poultry farms in England and Wales.

Recommendations for EU institutions:

- EU law makers should ensure that sufficient flexibility is retained in new or revised legislation, including the revision of the EU Recommendation on Minimum Criteria for Environmental Inspections, to take account of the variety of approaches to inspection being developed by regulators.

Recommendations for IMPEL:

- Consider whether there are specific areas of inspection/supervision that would be useful for IMPEL members to share experience in more detail. In particular the following recommendations were made for future areas of work:
 - Review the different approaches, including successes and problems, to the co-ordination of activities (e.g. inspection) between environmental authorities.
 - Study the impact of new approaches to regulation, supervision, etc., on public confidence and other stakeholder perceptions (e.g. NGOs) in the levels of environmental protection.
 - Examine the use of environmental management systems or other forms of self-monitoring as a means to reduce inspection burden and what level of inspection would remain necessary.
 - Consider how far inspectors within one discipline are able to undertake inspection activity in other disciplines, so identifying opportunities for effort sharing, specialist boundaries and guidance for development of co-ordinated activities.

4.6 Assessing Benefits

The initiatives adopted by the Member States are designed to deliver a range of benefits. Overall, these tend to be around three types of outcomes:

- Reducing costs to business now and avoiding future costs.
- Reducing costs to Government administrations now and avoiding future costs.
- Increasing environmental protection.

It is important to note that initiatives need not aim to achieve all of these outcomes. For example, an initiative might aim to simplify administrative procedures for regulatory activity (thus reducing costs to business) without a net change in environmental protection. Alternatively, it may re-focus the work of a regulator to enhance environmental outcomes without an overall change in costs.

Participants at the workshop stressed that the assessment of the benefits of initiatives is important. There are various reasons for this:

- To demonstrate that objectives for business, etc., are being achieved.
- To help guide further development and implementation of individual initiatives.
- To demonstrate that environmental protection is enhanced or, at least, not undermined by an initiative.

Assessment of outcomes is an important element of communication with the stakeholders of the regulatory authority. For example:

- Businesses need to know that their concerns are being addressed and that the costs being imposed by regulations are justified by the benefits they deliver.
- The public often needs reassurance that it can trust the actions of regulators. Therefore, assessing levels of environmental protection may be important to ensure this is maintained or enhanced.
- Parent Ministries may set targets for business or administrative costs reductions and regulators may need to report on progress towards these.

Having highlighted the usefulness of the assessment of outcomes, the project has noted that relatively few of the initiatives reported and discussed within the project have a quantitative assessment of those outcomes. Indeed, even where outcomes are quantified they are often ex-ante assessments, rather than ex-post. This can be explained by the fact that many initiatives started only recently and ex-post assessments have not been performed yet. It is also important to note that outcomes in relation to impacts on stakeholders (e.g. the public) are critical, yet very difficult to assess.

While the demonstration of outcomes is important, there is a case to be made that assessment is not always required. If a permit application form is simpler (e.g. half the length of a previous form), then it can be argued that it has benefits for business and the administration even though a 'Euro' figure is not placed on it. Similarly, if inspection activity is re-directed towards facilities which are more likely to impact on the environment, this ought to improve environmental protection, even if demonstrating changed environmental outcomes is not possible.

Examples of Assessment of Outcomes

The Environmental Permitting Programme in **England and Wales** (see above) is expected to save business and regulators around €87 million over ten years.

In **England and Wales** the Waste Protocols Project helps business to make quality products from waste encouraging the re-use of waste materials. The project is reviewing a number of waste materials, to see whether end of waste criteria can be followed so that they can be re-used by business without the need for waste management controls. Early indications from the financial impact assessments, which were developed using market predictions from industry, suggest that over the next ten years the first eleven Quality Protocols could see the following possible business and environmental benefits:

- Waste diverted from landfill – 17m tonnes
- Carbon savings (CO₂) – 1.5m tonnes
- Virgin raw material savings – 15.5m tonnes
- Hazardous materials reduction – 100,000 tonnes
- Cost savings to business – about €460m
- Increased sales to business – about €320m

The methodology to calculate these savings has followed UK Treasury Guidance and has been independently reviewed. Baseline surveys are being undertaken to take account of the impact of current market conditions.

In the **Netherlands**: the Wabo initiative (see above) is estimated that it will reduce business costs by €33.2 million per year.

Learning point for IMPEL members to consider:

- Being clear about the outcomes you are setting out to achieve may help to build support for an initiative, particularly if you set out clear, quantified outcomes expected for the environment, business and public administrations, and measure whether they have been achieved.

Recommendation for IMPEL:

- Consider exchanging information on how to assess the outcomes (cost reductions, environmental benefits etc.) of initiatives.

4.7 Success Factors and Barriers

The project questionnaire sought information from members on the factors that contribute to the success of specific initiatives as well as the barriers to success. These were discussed further at the workshop. In a number of cases the success factors and barriers to success were often viewed as ‘two sides of the same coin’. It was also noted that some factors are political, some professional and some technical - these are elaborated below.

Political factors

To be successful, an initiative often needs a **high level of political commitment**. This can act as important driver to ensure that relevant staff in an authority are brought together and act as a catalyst for engagement with stakeholders. High level political commitment might be to the specific initiative or to the overall goals to which the initiative contributes (e.g. Government targets to reduce administrative burdens).

To be successful there needs to be **sufficient resources** to deliver the initiative. This is also a ‘professional factor’ (see below), but can be a high level political factor, particularly where the initiative involves extensive interaction between institutions.

For an initiative (or key elements in an initiative) to be successful, the **legal framework** is important. In some cases the legal context (national or EU) can act as a constraint on what is possible, so that certain novel approaches cannot be attempted. Similarly, highly specific legal obligations on institutions set out in national law (e.g. responsibilities for inspection) may constrain co-operative approaches or limit discretionary action. However, in contrast ‘gaps’ in the traditional legal regulatory framework may provide opportunities to examine new approaches.

High level political factors can also include issues of **stakeholder interaction**. For example, initiatives that aim at outcomes for business have to be seen to deliver, so that the business community has confidence in administrative changes which may reflect well beyond the scope of the authority to wider issues of governance. The need for trust between authorities and stakeholders is a key success factor which, while ‘high level’, is often an outcome of specific professional factors (see below).

With regard to stakeholder interaction, it is also important to stress that initiatives must have **public confidence**. A ‘lighter’ regulatory touch might be viewed with suspicion by the public and, therefore, communication of the purposes of changes to regulatory activities needs to be carefully considered. In particular, it may be important that the success of an initiative may depend upon the authority being able to demonstrate that **environmental protection** is not weakened. In this regard, a barrier to success may be differences in the understanding of regulatory language between regulators and the public, such as what is expected of ‘supervision’.

Professional factors

In order for an initiative to be a success it may be necessary that the authority/ies undertaking the initiative have sufficient and **clear competencies**. This is particularly the case where institutions work together or where initiatives take the work of an authority into areas that it has not traditionally engaged in.

For an initiative to be successful there needs to be **commitment by staff** to the vision and process of the initiative. Without this, on the ground delivery of the initiative is likely to fail. Some initiatives will be challenged by a reluctance of staff to change their ways of working.

A lesson from many initiatives is that success has been due to the creation of a specific **project team** within the authority (or across several organisations) to develop and drive the initiative, with a strong leader and commitment from team members. This has helped focus the development of the initiative and driven its implementation throughout the organisation.

The development and implementation of the initiative also needs to be done using a **realistic approach**. The authority should determine what is achievable and when that can be achieved. A good idea can be undermined by a rushed approach.

While an initiative may originate from a high level political idea, it is important for **relevant stakeholders to be involved in the design** of the initiative (e.g. regulated businesses) and also in aspects of its implementation to ensure that it will be effective, acceptable and addresses the necessary concerns. This may require the adoption of

innovative ways to engage with stakeholders and for the authority to understand stakeholder needs.

Once an initiative has been developed, it is also important that there is **sufficient preparation** to ‘roll out’ the initiative to stakeholders prior to its actual implementation. After design, therefore, practical trials and communication are important.

There is a need for **sufficient expertise** in an authority to deliver an initiative, e.g. understanding the complexities of permitting requirements or business operation. To achieve this, **new skills** may be required, e.g. auditing skills rather than traditional inspection. Alongside this is the need for sufficient staff, which can be problematic where staff retention is difficult. Whenever necessary and new skills/methods are needed there should be attention and opportunity/money for the training of inspectors to achieve a high level of competence in their new inspection roles.

Where Government institutions are required to adopt new ways of working together, there may be **cultural differences** between them which inhibit a successful outcome. This can simply be an inertia bound to current systems or, where systems are being brought together, a reluctance to reject separate systems developed by individual authorities.

Within an institution, an initiative may require significant **up-front investment** (e.g. in IT) before it can begin and this may result in potential conflict for resources with other institutional priorities. Senior management of the institution will need to address this.

Technical factors

To be successful, a number of initiatives need **sufficient data, information, models**, etc., to provide an analytical basis for development of the initiative. Such information may be lacking or difficult to obtain and this can present a significant challenge to development.

Inter-operability of information and communication systems is needed, particularly where institutions need to work together. This can present a particular challenge where authorities have invested in systems, but are now asked to alter them to aid inter-operability.

Where assessment of environmental risk leads to a less intrusive regulatory approach, there may be concerns that environmental protection is reduced. Therefore, there may be a need to collect and present **information on environmental outcomes** of the initiative and comparative regulation in order to provide an evidence base for acceptable implementation.

Examples of Factors Contributing to Success

In implementing the **Environmental Permitting Programme (EPP) in England and Wales**, a joint EPP team was established with members from the Environment Agency, Defra (Department for Environment, Food & Rural Affairs), Department of Energy and Climate Change and Welsh Assembly Government. This close cooperation and joined-up working approach was and is essential to deliver EPP. Also important has been transparent and frequent stakeholder engagement and being able to quantify its benefits, which is considered to be essential to deliver a system that works for industry and the regulator. This has included a range of consultations, stakeholder events, the setting up of business reference groups, a dedicated up-to-date website and regular email updates.

The key success factors in developing **Scotland's Environmental and Rural Services (SEARS)** were identified as:

- High level political commitment to the project/process
- The project structure, management and support provided by the 'buddies' to the work streams.
- Staff involved generally had a strong 'can do' attitude.
- The drive, enthusiasm and communication skills of the project Chairman.
- Regular updates to all staff in the form of the SEARS Newsletter.

The key success factors in developing **Better Waste Regulation Action Programme in Scotland** were:

- Making an initial assessment of the issues to be addressed.
- Agreeing the scope of a consultation document with the Scottish Government.
- Committing the Scottish Government and the Scottish Environmental Protection Agency (SEPA) to a process of published consultation and actions.
- Ensuring that the consultation was not just published. A series of workshops were undertaken around the country, allowing the Scottish Government, SEPA and the affected business to engage in a direct discussion of the issues. This ensured instant feedback to those who participated in the workshops, and developed an improved common understanding of the issues that needed to be addressed, and also provided a platform to discuss possible solutions in a very dynamic way.
- The joint programme also improved the relationships and respect between the organizations involved.

Examples of Barriers to Success

In implementing the **Environmental Licensing (General Provisions) Bill ('Wabo') in the Netherlands**, it was necessary that all municipalities should invest in new (ICT) systems and procedures before the system was operational. However, because the Wabo is not the only 'new thing' that has to be addressed and because significant time and money is needed, not all municipalities have the implementation of the Wabo as a first priority.

In taking forward the initiative in the **Netherlands on e-inspections/sharing of data**, common systems are needed. However, in the past all the different inspectorates have developed and invested in their own systems. Therefore they are not always very eager to set their own system aside and replace it for a new one. Another obstacle is that sometimes data to be put in systems that are used by other inspectorates are confidential and/or protected by law.

In developing the **Environmental Information Integral Management System (IKS eeM System) in Spain** there was opposition from different actors (civil servants, operators, etc.) because of the change. The working practices of these officials had been unchanged for some years and, therefore, it was a challenge to alter the culture in the institutions.

The implementation of the **Integrated Regulation Programme in England and Wales** noted the following as barriers to success:

- Time and money.
- Policies and regulations still in force which were not developed with systems and automation in mind.
- Legacy of local working practices and paper based processes.
- Working around the limits of other parts of public sector infrastructure such as the low quality of electronic information about land use.

Learning points for IMPEL members to consider:

- In taking forward an initiative, ensure that it has sufficient high-level commitment and resources to deliver it.
- Ensure that staff are committed to any initiative, that it is realistic in its approach and that staff skills, etc., are enhanced to prepare for implementation.
- Ensure that effective and sufficient stakeholder engagement takes place during initial discussion, design and implementation of initiatives.

5 PROJECT FOLLOW-UP

5.1 Further exchange of information

The project participants concluded that it was important for IMPEL members to continue sharing experience on better regulation initiatives. It was, therefore, recommended that:

- The IMPEL website be used to share examples of initiatives.
- Ongoing sharing of better regulation initiatives was facilitated by revisiting this project to identify lessons learnt and new initiatives every three years.

It is recommended that each example provides the following:

- The official title (if any) of the initiative
- A short description of the initiative indicating the following:
 - The main focus (permitting, monitoring, inspection, etc.)
 - The changes that are envisaged by the initiative.
 - The purpose of the changes.
 - The timescale for development/implementation
- Available information on outcomes (cost reductions, environmental outcomes, etc.)
- Contact point for follow-up

It was also noted that understanding the context of initiatives in the member countries requires a basic understanding of the environmental governance structures. It would, therefore, be helpful if the IMPEL website contained further information on the environmental governance structures in each IMPEL member country. This would be beneficial beyond the particular goals of this project or the Better Regulation Cluster.

5.2 Areas for future work

The workshop participants also identified the following areas for potential future work through IMPEL:

- Review of the different approaches (including successes and problems) to the co-ordination of activities between environmental authorities.
- A study of the impact of new approaches to regulation, supervision, etc., on public confidence in the levels of environmental protection.
- An examination of the use of environmental management systems or other forms of self-monitoring as a means to reduce inspection burden and what level of inspection would remain necessary.
- A study of the opportunities and constraints on data and information sharing between authorities relating to all aspects of environmental regulation.
- A consideration of how far inspectors within one discipline are able to undertake inspection activity in other disciplines, so identifying opportunities for effort sharing, specialist boundaries and guidance for development of co-ordinated activities.

6 SUMMARY OF RECOMMENDATIONS

Recommendations for IMPEL:

- Encourage the ongoing sharing of better regulation initiatives by revisiting this project to learn further lessons as initiatives are delivered and identify new initiatives every three years. To aid understanding of the context of individual initiatives, it would help if the website gave a short summary of the environmental governance structures for each member country in a single location on the website.
- Promote the good practice and the recommendations for others identified in this project with key stakeholders including the European Commission.
- Consider the lessons learnt in guiding the future work of the Better Regulation Cluster, and in particular the following recommendations for future work:
 - Consider whether there are specific areas of the regulatory cycle (e.g. permitting, inspection/supervision, monitoring & reporting) that would be useful for IMPEL members to share experience in more detail.
 - Review the different approaches, including successes and problems, to the co-ordination of activities (e.g. inspection) between environmental authorities.
 - Study the impact of new approaches to regulation, supervision, etc., on public confidence and other stakeholder perceptions (e.g. NGOs) in the levels of environmental protection.
 - Examine the use of environmental management systems or other forms of self-monitoring as a means to reduce inspection burden and what level of inspection would remain necessary.
 - Study the opportunities and constraints on data and information sharing between authorities relating to all aspects of environmental regulation.
 - Consider how far inspectors within one discipline are able to undertake inspection activity in other disciplines, so identifying opportunities for effort sharing, specialist boundaries and guidance for development of co-ordinated activities.
 - Exchange information on how to assess the outcomes (cost reductions, environmental benefits, stakeholder impacts, etc.) of initiatives.
 - Consider sharing experience on the barriers and solutions in the bringing together and supporting different monitoring and reporting systems within member countries.

Recommendations for IMPEL members:

- Share the good ideas from other Member States with inspection authorities in your country, and consider the learning points set out in this report.

Recommendations for EU Institutions:

- EU and national law makers will need to ensure sufficient flexibility is retained to enable the range of better regulation approaches to setting conditions/permits that IMPEL members want to adopt, and that these can be integrated into national delivery frameworks.
- The European Commission should consider the lessons learned from Member States and think about all the potential uses of information in its efforts to harmonise data reporting and presentation requirements across all sectors.
- EU law makers should ensure that monitoring and reporting requirements in new and revised legislation are as integrated as possible with other monitoring and reporting obligations, including what is monitored, format, reporting process, etc.
- EU law makers should ensure that sufficient flexibility is retained in new or revised legislation, including the revision of the EU Recommendation on Minimum Criteria for Environmental Inspections, to take account of the variety of approaches to inspection being developed by regulators.