

AGENDA MANAGEMENT SHEET

Name of Committee Cabinet
Date of Committee 4th May 2006
Report Title Response to the Consultation on the Revision of England's Waste Strategy

Summary England's Waste Strategy was published in 2000. It set out how England's waste should be managed, setting challenging targets for recycling, composting and recovery of waste. The Government has published a review of the Strategy, with the proposal to publish the revised Strategy later in the year. The overall approach of the review is supported.

For further information please contact Kalen Wood
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Review of England's Waste Strategy.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

Other Committees

Local Member(s)
 (With brief comments, if appropriate)

Other Elected Members Councillor K Browne)
 Councillor Mrs E Goode) for information
 Councillor Mrs J Lea)

Cabinet Member Councillor M Heatley – Supports the revision
 (Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

Chief Executive

Legal I Marriott - agreed

- Finance
- Other Chief Officers
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals

FINAL DECISION **YES/NO** *(If 'No' complete Suggested Next Steps)*

SUGGESTED NEXT STEPS :

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Cabinet - 4th May 2006

**Response to the Consultation on the Revision of England's
Waste Strategy**

**Report of the Strategic Director of
Environment and Economy**

Recommendation

That Cabinet supports the proposed response to the review of England's Waste Strategy.

1. Background Waste Strategy 2000

- 1.1 Waste Strategy 2000 set out the agenda for a fundamental shift in waste management practice. Its main objectives were reducing environmental and health impacts of waste by:-
- (i) Encouraging waste reduction.
 - (ii) Increasing recycling, composting and recovery.
 - (iii) Promoting reuse of materials wherever possible.
 - (iv) Reducing our reliance on landfill in line with the requirements of the EU Landfill Directive.
- 1.2 Since Waste Strategy 2000 was published we have increased the amount of waste that we recycle and compost and have decreased the amount of waste that we send to landfill. However, it is acknowledged that compared to other European countries we still produce more municipal waste per head and recycle less.

2. The Review

- 2.1 The review of the Strategy considers:-
- (i) The direction and focus of the waste strategy.
 - (ii) What new challenges we need to address.

(iii) What changes are needed to policy instruments and delivery arrangements to drive further progress.

2.2 The Waste Hierarchy is still pivotal to the waste strategy, with the review putting even greater emphasis on waste prevention and focusing on waste as a resource.

2.3 The key proposals identified in the review are summarised as follows:

National Targets

2.4 Increased national targets for recycling and composting household waste are proposed, as well as new recovery targets for municipal waste (recovery includes recycling, composting and energy recovery).

Proposed national recycling and recovery targets for household and municipal waste.

	2010	2015	2020
Household recycling and composting	40%	45%	50%
Municipal waste recovery	53%	67%	75%

Waste Prevention

2.5 A broad spectrum waste prevention target is not proposed as the Government does not consider that it would be currently practical to implement such a target. It considers a material/sector specific approach to be more viable.

2.6 The Review proposes putting greater focus on waste prevention and embedding this in the wider Sustainable Consumption and Production (SCP) agenda alongside other environmental impacts. It also proposes further action on prioritising products where waste impacts need to be tackled while reducing impacts of products through eco-design, and promoting reuse and remanufacturing of products. Further advice to businesses (particularly small to medium sized enterprises (SMEs) on resource efficiency and the environmental impacts of products is also advocated.

Energy from Waste

2.7 The review supports an increase in the use of Energy from Waste (EfW) as a means of treating waste that cannot be recycled or reused. Currently 9% of municipal waste is treated using energy from waste, it is anticipated that by 2020, this will be nearer 27%. The Government will also be reviewing the potential role of EfW in its Energy Policy Review as a potential means of increasing the security of our energy supply.

Limiting Landfill

2.8 Placing further restrictions on use of landfill in the longer term, in future the potential to landfill non-biodegradable waste only.

Hazardous Household Waste

2.9 Improvements to the arrangements for collection and management of household hazardous waste.

2.10 Wider Strategic Role for Local Authorities

- (i) A wider strategic role for local authorities (in partnerships) to facilitate more integrated management of different waste streams.
- (ii) To improve the interaction of producers and compliance organisations with local authorities to deliver EU and national targets.

Improved Integration Between Municipal and Other Waste Streams

2.11 The report advocates sustainable waste management in non-municipal sectors including - commercial, industrial, construction, demolition, mining and quarry wastes, with greater integration of planning and procurement between municipal and some non-municipal waste.

3. Warwickshire County Council Response to Consultation

3.1 The report poses 53 questions. The full list of questions is attached to this report as **Appendix B**. Rather than answer all of the questions (some of which are not directly relevant), responses and observations have been grouped together under specific topics with the relevant questions answered in brackets. The responses are included in **Appendix A**.

3.2 Overall the County Council supports the general approach proposed in review of the Waste Strategy.

JOHN DEEGAN
Strategic Director of Environment and Economy
Shire Hall
Warwick

18th April 2006

Cabinet - 4th May 2006

**Response to the Consultation on the
Revision of England's Waste Strategy**

1. Policy Framework

(i) Producer Responsibility

WCC consider that a statutory as opposed to a voluntary approach should be set for future producer responsibility standards. Although it is acknowledged that voluntary agreements can work in certain sectors, it is unlikely that reliance solely on voluntary commitments will have a significant impact on waste reduction, reuse and recycling in the commercial sector. (Q7)

(ii) Effective Pricing Framework

Although moving in the right direction, it is considered that the landfill tax is still too low for certain wastes e.g. industrial and commercial waste and as a result stifles investment in alternative treatment technologies as the cost differential between landfill and alternative treatment options is still too wide.

(iii) However, the main financial driver for diverting municipal waste from landfill is the Landfill allowance regime rather than landfill tax. (Q8)

(iv) Individuals

Continued support should be given to the current national waste education campaigns. However, as it sits above recycling in the waste hierarchy, greater emphasis should be put on waste prevention and minimisation. A key step forward would be to allow the WRAP funding available to local authorities on a bid basis to be used to develop and promote waste prevention and minimisation schemes as opposed to being restricted to recycling and composting (Q10)

(v) Business

Sustainable procurement practices should be encouraged within businesses with emphasis being placed on a whole life cycle approach to procurement (Q11).

2. Waste Prevention in the Context of Sustainable Consumption and Production

(i) Prioritisation for Effective Policy Intervention

Although progress has been made in developing markets for wood waste. It is a problem waste stream and we feel that more should be done to encourage recycling and reuse of waste wood (Q14).

- (ii) **Waste Within A Coherent Product Life-Cycle Policy**
Well thought out product design can have a significant impact on the potential reuse or recycling potential of a product. A poor example of product design is illustrated by plastic bottles that incorporate different layers of polymer rendering them harder to recycle (Q15).
- (iii) **Encouraging SMEs to Reduce Waste**
WCC already actively works with local businesses to promote sustainable methods of waste management. It encourages the development of collective recycling and waste management facilities on industrial estates, which increases the affordability for SMEs. This collective approach to recycling should be encouraged and supported (Q19).

3. Recovering Resources from Waste

- (i) **Local Authority Performance**
WCC supports the establishment of future recycling and composting standards. Compliance with the Landfill Directive is clearly an incentive for waste disposal authorities to increase recycling and composting, (particularly as they face significant financial penalties if annual diversion targets are exceeded), however, waste collection authorities do not face the same penalties. Although in the case of the Warwickshire authorities, we have agreed to reach stretched recycling targets which are over and above current statutory targets, further targets will retain a focus on recycling and composting and ensure that future commitment is made to improving services. It is also acknowledged that there will come a point when the cost and logistics of increasing recycling become unfeasible, this should be accounted for when setting future targets (Q23).
- (ii) The introduction of material specific recycling targets would encourage the collection of materials such as plastic that do not contribute significantly to recycling rates due to their low weight. However, in setting such targets end markets for the materials need to be taken into account. There is little point collecting a material if no viable market can be found, which is a problem with certain types of plastic. The burden of increasing the collection of packaging materials should not be passed onto local authorities without financial support for carrying out these services (Q24).
- (iii) The option to allow two-tier authorities to agree targets to deliver jointly an overall target is supported. As is the establishment of a performance standard for home composting (Q25).
- (iv) **Recovering Energy from Waste**
WCC supports the recognition of the importance that energy from waste can play in sustainable waste management and contribution to energy generation in England.

- (v) In the text of the review (paragraph 27) reference to the health effects from energy from waste is made. It is the opinion of WCC that considering the importance that is put on perceived health effects from energy from waste that this paragraph should include more detail to improve clarity.
- (vi) WCC supports the view that high levels of recycling can coexist with relatively high levels of energy from waste, as is clearly demonstrated in Europe, and that facilities taking in a mixture of municipal and commercial waste should become the norm.
- (vii) WCC welcomes the fact that the Government is considering the case for targeted financial and other support for the delivery of energy from waste (Q26).
- (viii) In Warwickshire's Municipal Waste Management Strategy a preference for treating residual waste using thermal treatment such as energy from waste is stated. However, WCC believes that there is role for both 'direct incineration' and Mechanical biological treatment (MBT) producing refuse derived fuel (RDF) in the treatment of residual waste. However, securing viable long-term markets for the RDF produced is critical.
- (ix) Direct energy from waste is preferred since it is simpler, cheaper and a 'one-stop-shop'. Also, too many authorities appear to have been misled by MBT and consider it an end in itself, rather than just a pre-treatment process. (Q27).
- (x) **The Future of Landfill**
WCC supports the statement that landfill should be the 'home' of last resort for waste, eventually taking only non-biodegradable residues from waste treatment. We should also consider the approach adopted in many European countries where all combustible waste is also banned from landfill. These changes if adopted should be phased in over a period of time (Q28).
- (xi) **Procurement of Waste Management Services**
WCC shares the concerns expressed in the review regarding the problems with procurement of waste facilities. There are a limited number of contractors and suppliers who can bid for large contracts. Bidding for contracts is extremely costly, therefore contractors will 'cherry-pick' the most attractive contracts. This is a matter of concern for all authorities in the process of procuring facilities in order to meet their landfill diversion targets.
- (xii) A key area of concern is the Private Finance Initiative process (PFI) particularly the amount of time it takes to close a contract if using the PFI funding route, (33 months is typical), this needs to be addressed. There is also uncertainty surrounding the criteria for waste PFI which needs urgent clarification.

- (xiii) There is also needless duplication in the procurement process with respect to local authorities having to go through the same processes – the development of standardised documentation – toolkits should be developed to reduce this and also local authority reliance on consultants.
- (xiv) With the first Landfill Directive targets looming ever nearer the issues addressed in this section need to be resolved urgently as it is all too apparent that we do not have the luxury of time. Also smaller contracts designed to deliver early targets should be de-coupled from the PFI process. This should also result in more competition rather than just relying on the major players to deliver services (Q29).
- (xv) **Delivering the Market Capacity for Recycled Materials**
WCC supports the proposed changes to the Waste Framework Directive which will clarify the use of the term waste when applied to materials such as compost and recycled secondary aggregate.
- (xvi) Public expectation with respect to recycling is increasing, which is to be applauded. However, it is difficult for a local authority to meet these expectations if a sustainable market for recyclables does not exist. This is particularly the case for plastics other than HDPE and PET. Although these materials do not contribute to landfill diversion targets they are prolific in the waste stream and high volume. It is possible that markets for these materials exist outside of the UK. However, local authorities need to be assured that the materials are being recycled in facilities that operate to acceptable standards. (Q30, Q31, Q32)
- (xvii) Commercial and Industrial waste and Construction and Demolition waste make up a greater proportion of the waste stream than municipal waste. Although industry has a financial incentive to manage its waste, industry, particularly SMEs do not necessarily have the knowledge or resources to address their waste 'problems'. One way of forcing the issue is to set targets for recycling/reducing commercial and industrial waste, however, monitoring and enforcement of standards would be challenging. Recycling of construction and demolition waste is already well established, however, WCC supports the option to apply Site Waste Management Plans to all construction projects to encourage further recycling and reuse of materials on construction projects (Q33, Q34).
- (xviii) **Hazardous Waste**
WCC supports the proposal to expand producer responsibility to include items of hazardous waste such as garden pesticides and decorative paints (Q37)
- (xix) **Hazardous Household Waste**
Provision is made for the disposal of hazardous waste in Warwickshire. If additional burdens are put on local authorities to collect and/or dispose of hazardous household waste, financing should be made available in order to allow services to be developed (Q38)

4. Roles and Responsibilities

While WCC supports partnership working at a regional and sub-regional level, we acknowledge that in some instances there are significant barriers to overcome, which could delay the procurement process (Q40).

- (i) **Improved Integration of Municipal and Business Waste Management**
In the past, WCC has been approached by local businesses for advice and assistance in developing recycling services. Wherever possible assistance is provided by the County Councils Environment Business Advisors. As a direct result several successful recycling initiatives have been established at local industrial estates. (Q44, Q45).

- (ii) **Local Authorities as Wider Recycling Service Providers for Business Waste**
The review suggests that local authorities could provide greater recycling services for businesses. One suggestion is that businesses could use household waste recycling centres (HWRC) for a reasonable charge. WCC already allows trade waste users at two of its sites, where a charge is made for the waste disposed of. If this was to become a required function of local authorities investment would be required in order for it to become viable to accept trade waste at other sites. Although many of the county's HWRCs are operating close to maximum capacity and it may not be possible to open these sites to commercial users (Q46).

Cabinet - 4th May 2006

**Response to the Consultation on the
Revision of England's Waste Strategy**

Consultation Document on the Review of England's Waste Strategy

THE CONSULTATION QUESTIONS

**CHAPTER 1 – 2006 PROGRESS REPORT AND CONSULTATION: THE
BACKGROUND**

Question 1: Please state your views on the overall approach for the revised strategy set out in this document and any other points you wish to make. (You may like to respond to this question once you have considered the rest of the document and the other questions.)

CHAPTER 2 – A NEW VISION

Recycling and Recovery Targets

Question 2: What are your views on proposed national household recycling and composting targets and the level they should be set at? Question 3: What are your views on setting municipal waste total recovery targets?

Landfill Targets

Question 4: What are your views on proposed targets for the landfilling of commercial and industrial waste and the level they should be set at?

CHAPTER 3 – THE POLICY FRAMEWORK

The Regulatory Framework

Question 5: What further specific improvements, if any, would you like to see to the regulatory framework?

Producer Responsibility and Voluntary Action

Question 6: What scope is there for extending the stewardship or responsibility of producers and retailers for the impacts of the products they manufacture and sell, and which key products or sectors should be explored?

Question 7: What are your views on seeking voluntary agreements as an alternative to statutory approaches?

An effective Pricing Framework

Question 8: How effectively do current prices drive the behaviour of those involved in preventing, producing or managing waste?

Question 9: Are there further tradable allowance (or other) schemes that could be developed to help the market deliver environmental outcomes more efficiently?

Individuals

Question 10: Should there be greater effort to encourage waste prevention and minimisation relative to recycling and, if so, how should this be done?

Business

Questions 11: How can businesses be engaged in their capacity as purchasers and providers of services?

Government Leadership by Example

Question 12: What more can the Government do to provide an example in its own waste management and product procurement policies to reduce waste and waste impacts?

Evidence for Development of Future Policies

Question 13: What are the information gaps requiring waste management-related research in the short and long-term?

CHAPTER 4 – WASTE PREVENTION IN THE CONTEXT OF SUSTAINABLE CONSUMPTION AND PRODUCTION

Prioritisation for Effective Policy Intervention

Question 14: What products and materials do you consider should be priorities for action to reduce waste and waste impacts?

Waste within a Coherent 'Product Life-Cycle' Policy

Question 15: What is the scope for reducing waste and achieving more efficient resource use at the product design phase?

Question 16: What is the scope for improving the amount of waste-related information provided about products placed on the market?

Product and Resource Re-use

Question 17: What are your views on how re-use and re-manufacture could be stimulated further?

Engaging Business to Improve Resource Efficiency

Question 18: What are the best ways of stimulating business action on resource efficiency, including waste prevention?

Encouraging SMEs to Reduce Waste

Question 19: How can resource efficiency, including waste prevention, be stimulated among SMEs in a way which does not incur disproportionate costs?

Question 20: What role should Business Links, local authorities or other organisations play in engaging small businesses?

Extending the Sectoral Approach: Producer Responsibility

Question 21: What are your views on developing a sectoral approach to waste prevention including setting waste reduction targets?

Reducing Environmental Impacts of Consumption

Question 22: How do we best engage consumers to reduce waste?

CHAPTER 5 – RECOVERING RESOURCES FROM WASTE

Local Authority Performance

Question 23: Should we set future statutory performance standards for Local Authorities related to recycling and composting household waste and how far ahead should any future targets be?

Question 24: What are your views on the possible changes to the design of the standards suggested above?

Question 25: What are your views on the possible changes to how standards should apply to local authorities suggested above?

Impact on the Management of Waste Further up the Hierarchy

Question 26: Do you have any comments on the proposal to encourage the diversion of wastes from landfill to Energy from Waste?

Question 27: Of the two main current Energy from Waste technologies . i.e. a) MBT/RDF and b) direct incineration . is there any reason to prefer one over the other), and if so, why?

The Future of Landfill

Question 28: Should landfill eventually be the home of last resort taking only nonbiodegradable residues from waste treatment?

Procurement of Waste Management Services

Question 29: Views are invited on the proposed actions to improve the waste procurement and how to take them forward?

Delivering the Market Capacity for Recycled Materials

Question 30: What more could the government do to accelerate the development of markets for recycled materials?

Imports and Exports

Question 31: How can we improve compliance with the controls that apply to the export of waste for recycling?

Question 32: What should the balance be between the development and encouragement of domestic capacity for recycling and the reliance on overseas markets?

Commercial and Industrial Waste

Question 33: How can we encourage more recycling and recovery of commercial and industrial waste?

Construction and Demolition Waste

Question 34: What more should we do to encourage reduction, recycling and recovery of construction and demolition waste?

Small and Medium Sized Enterprises

Question 35: What are the current practical and cost barriers to recycling SMEs?

Question 36: What might business and commercial providers do to overcome these barriers and how could the government support them?

Hazardous Waste

Question 37: Do you think the products in paragraph 87 above are sensible priorities for new producer responsibility initiatives and should such initiatives be voluntary or statutory?

Household Hazardous Waste

Question 38: Which of the options for household hazardous waste outlined above should be taken forward?

CHAPTER 6 – ROLES AND RESPONSIBILITIES

National level

Question 39: What are your views on the proposed Sustainable Waste Programme Board, and on ways for it to engage with waste stakeholders and the wider community?

Regional Level

Question 40: Do you agree that more emphasis is needed on partnership working between local authorities at the regional and sub-regional level on waste procurement?

Question 41: What role should be played by the RDAs and local authorities respectively in developing a more closed-loop resource economy; and what activities should they undertake?

Local Level

Question 42: What are your views on the characteristics for good practice in Local Government set out in Box 2?

Question 43: How effective have LAAs been to date in helping to deliver waste outcomes; and how could partnership arrangements be strengthened for the future at the local or sub-regional level?

Improved Integration of Municipal and Business Waste Management

Question 44: Is there a demand from businesses for increased help from local authorities with recycling services and resource management?

A strategic role for Local Authorities

Question 45: What are your views on the proposed wider strategic role for local authorities and how this could be supported?

Local Authorities as Wider Recycling Service Providers for Business Waste

Question 46: What are your views on placing requirements of this kind on local authorities and/or businesses?

Local Authorities and Producer Responsibilities

Question 47: What changes need to be made to ensure better interaction of producer responsibility schemes and local authorities?

Development of the Voluntary and Community Waste Sector

Question 48: What are your views on the approaches above and how the Government can best facilitate a greater contribution by the voluntary and community sector in delivering waste objectives?

CHAPTER 7 – WASTE CRIME

Question 49: What additional action is needed either to achieve effective enforcement or to prevent waste crime?

Question 50: Is there evidence to link the types and quality of local waste collection services and general cleanliness to levels of fly tipping? What changes can be made to service provision that will reduce fly tipping?

CHAPTER 8 – POLICY SUMMARY

Question 51: Do you have any further comments?

SUPPORTING DOCUMENTS

Alongside this consultation document we are publishing a *partial Regulatory Impact Assessment* (pRIA)¹²⁶ and an *Environmental Report* (ER)¹²⁷, on which we invite comments.

Environmental Report

Question 52: Do you have any comments on the Environmental Report? Defra welcomes views on the proposals to monitor the significant environmental effects of the implementation of the revised waste strategy, including any priority that should be given to the indicators identified and whether alternative or further indicators should be used

Partial Regulatory Impact Assessment

Question 53: Do you have any comments on the Partial Regulatory Impact Assessment of the Review of England's Waste Strategy?