



"Working for our members to be the voice of government on waste minimisation and recycling issues"

LOCAL AUTHORITY RECYCLING  
ADVISORY COMMITTEE

Review of Waste Policies  
DEFRA  
Area 6C, Ergon House,  
Horseferry Road,  
London,  
SW1P 2AL

7<sup>th</sup> October 2010

Dear Sirs,

### **REVIEW OF WASTE POLICIES – CALL FOR EVIDENCE**

I am writing to present LARAC's response to the Call for Evidence in respect of the review of Waste Policies in England & Wales.

The responses below are sent on behalf of the Local Authority Recycling Advisory Committee (LARAC). LARAC is an association of around 380 local authorities across England, Scotland Wales and Northern Ireland whose waste management and recycling professionals' co-ordinate and operate waste management services. Membership is drawn from all types of authority including statutory Waste Collection (WCA), Waste Disposal (WDA) and Unitary.

For the purposes of this initial "call for evidence" we have provided high level commentary to each of the questions posed. Further details of any of the points raised can be provided at either a later stage or upon request.

LARAC welcomes the review. In general Local Authorities are best placed to decide how best to deliver services in their areas, this fits in well with the Government's Localism agenda. Furthermore LARAC see an increased role for producers to play in helping to deliver further increases in recycling and waste minimisation. There is also a need to increase focus and effort in helping to deliver diversion of a wider range of wastes than just household wastes. These points are expanded on below.

Our response has peer reviewed by members of LARAC's policy team and executive committee. All LARAC members have been invited to comment through the policy briefing in the monthly member e-mailing, and have been encouraged to engage through the members' discussion forum on the website. All contributions received have been taken into account in drafting the response below.

If you have any queries on this response or would like to discuss the matter further then please contact me on 0151 443 2450 or email [larac@sallysheward.co.uk](mailto:larac@sallysheward.co.uk)

Yours faithfully,

Miss Sally Sheward  
**LARAC Policy Support Officer**



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## **General**

### **1. What should the nation's ambition for waste management be? What do we need to do to achieve a 'zero waste economy'?**

LARAC fully supports an ambition that seeks to maximise resource efficiency as far as is economically and environmentally possible. The following are key areas that LARAC feels should be highlighted and addressed before this can be achieved.

- Firstly, LARAC believes it is important that the term "zero waste" be defined fully so as to avoid confusion with "zero waste to landfill".
- Increasing the policy scope for waste so that greater emphasis is placed on all controlled waste, not disproportionately focussed on Household Wastes. As such LARAC supports a broader definition of municipal waste for purposes of reporting against the targets set out in the EU Landfill Directive. Furthermore greater support and new drivers are needed to prevent waste at source and increase recycling of commercial and industrial wastes.
- Working towards a zero waste economy will require all partners to play their part including businesses, local government, communities and industry. In this regard, LARAC feels the term "working towards zero waste" would be more appropriate.

### **2. How could the contribution waste management in England makes to the economy and our environmental and energy goals be maximised?**

Local Authorities have for many years been playing a key role in this regard, making a substantial impact in driving up levels recycling through investment in new collection services and initiatives that seek to promote positive environmental behavioural change. Recycling not only brings with it environmental benefits but societal benefits through job creation.

Furthermore, the following are areas that LARAC believes should be explored

- Development of more symbiotic relationships across wider society, together with an environment that fosters the development of new innovative solutions. As a result, better use of resources flowing through society could be achieved.
- As PFI comes to an end, further measures that will encourage investment in UK waste treatment and recycling industries, and reduce reliance on exporting waste for recycling will be needed. This is particularly important to ensure continued investment in infrastructure. To this end LARAC would welcome the opportunity to recommend where such investment could be targeted.
- Efficient Energy from Waste through advanced thermal treatment technologies, anaerobic digestion (AD) or incineration with recovery of heat as well as electricity (for wastes not suitable for AD) is supported when recycling or composting to a useful product are not economically feasible. LARAC supports an approach that adopts the waste hierarchy.
- LARAC would strongly support closer alignment of waste policy with Local Authority targets relating to CO2 which would seek to maximise both environmental and energy goals.

### **3. How can Government make the best use of the skills and knowledge of the private sector, civil society and local communities in delivering a zero waste economy?**

- The development of local authority waste services has driven up recycling rates within England from 7.5% in 1996/7 to almost 40% by December 2009<sup>1</sup>. Such significant growth has already



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involved many local authorities engaging and working with the private sector in helping to deliver such waste services (whilst acknowledging that others may have demonstrated services provided through their own resources to be more economically advantageous). In both cases Local Authorities have considerable experience in delivering local services that people want whilst at the same time actively endeavouring to effect behavioural change.

- Similarly Local Authorities have engaged with the Community Sector in supporting the development and operation of projects that promote waste minimisation and reuse; providing much needed support and funding to help such projects start up and be maintained. At a time when financial constraints are being placed on Local Authority budgets there is a real risk that ongoing support may suffer.
- Where there are clear economic and incentive advantages LARAC supports the use of skills and knowledge from both private sector organizations and local communities to undertake roles that perhaps traditionally have been undertaken either centrally or through one public sector body. An example of this might be use of the third sector and/or local communities in helping to bring those that fly tip to justice through the use of a financial incentive. Any associated fines could be utilised by those involved to enhance sustainable waste management practices/projects.

#### **4. Do Local Authorities have the right responsibilities for waste services? Are there further services that could be devolved to Local Authorities or directly to local communities?**

Local Authorities are driven primarily by providing value for money services, landfill tax avoidance and the principles of the waste hierarchy – not competition. In delivering waste services LARAC wishes to make the following points in respect to the role of Local Authorities:

- The government should consider giving local authorities new powers (but not an obligation) to make charges for waste management and recycling services, making this decision locally democratically accountable. We believe this is consistent with the Government's key aim of localism.
- Perhaps an unforeseen outcome of the LATS has been a disincentive for Local Authorities to provide its small local businesses with services to recycle their waste. By amending or withdrawing LATS and introducing new powers and/or guidance, there is much the Government could do to enable local authorities better to support their local business communities, particularly SMEs, through the provision of efficient and affordable trade recycling services.
- Certain services could be delivered by local communities (as they already are in some areas). For example community recycling or composting schemes could be subject to a Service Level Agreement with the local authority if they replace services the local authority would otherwise provide. Local Authorities could still play a key role in helping develop and sustain such projects and fill in the gaps where these projects may not be sustainable. (See also Question 3)
- The current EU consultation on "Concessions" opens the possibility of local authorities franchising waste collection and recycling services to organisations that can thereby meet their own producer obligations. In principle LARAC cautiously supports this approach.
- Local authorities have a duty to provide facilities for the public to dispose of household waste. Many of these sites are not licenced to accept trade waste. By reducing the regulatory burden associated with a change in licencing, more LA's might consider schemes that encourage some degree of shared usage.



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**5. How can illegal waste activity be minimised, including reducing levels of fly-tipping? Are sanctions for breaches of waste regulation fair and proportionate?**

- Litter and fly tipping adds a considerable cost to the public purse and LARAC would like to see the Government proactively support Local Authorities in their use of full powers to fine and punish those that add to their communities cost. Furthermore LARAC would urge the Government to be mindful of the valuable partnerships that exist within the public sector to tackle such issues, such as the Flytipping forum established in Durham. Such partnerships may, with future LA budget cuts, be at risk.
- Whilst LARAC would welcome a review of the Environmental Protection Act we would not wish to see any diminishment in the enforcement powers that it currently allows (and associated regulations made thereunder).
- To fully embrace a zero waste concept suitable sanctions are needed against those that continue to undermine LA's and local communities recycling efforts. In this respect, additional powers would be welcomed that encourage recycling, perhaps for use of the fixed penalty scheme for failure to recycle, or to place correct materials in the correct bins. Local authorities would use these powers only as a last resort, however.
- The Government should generally increase penalties to de-incentivise environmental crime and give local authorities new powers to sequester revenues from enforcement actions. Again, we believe this supports "localism" – local accountability.
- It is reasonable for Small Medium Enterprises to look to the Local Authority for assistance with their waste and recycling needs. Creating more choice and offering more opportunities to recycle would assist in diverting more of this waste and assist SME's in managing their waste more effectively (see also Q4 above).

**6. How can we balance regulation to ensure that we protect health and the environment without unnecessarily burdening businesses and Local Authorities?**

LARAC wholeheartedly supports the principle of Extended Producer Responsibility and the development of Producer Responsibility legislation whilst also acknowledging the valuable and important contribution voluntary responsibility deals can also make. However the outcomes of such voluntary deals need to be monitored and reviewed on a frequent basis by Government to ensure they are not compromised by "freeriders".

**What are the opportunities to reduce or remove the burdens of regulations?**

LARAC support the following opportunities

- A re-think of environmental permitting & carrier registration documentation, using EWC codes, providing an integrated system for tracking waste flows. More proportionate regulation would help to promote more local schemes such as paint reuse and community waste exchanges.
- Rapid development of End of Waste Criteria and material standards so that useful materials are not subject to waste regulations at all.
- Examination of how the waste management regulations operate in relation to reuse schemes so that more materials that can more usefully be reused
- Means to assist the waste knowledge of small medium enterprises, such as establishing a framework to create an improved flow of information.

**7. What roles should (i) national and local government; (ii) businesses; (iii) voluntary organisations; and (iv) individuals take in order to prevent waste from arising, and to reduce the hazardousness or environmental impact of waste?**



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- (i) It is important to lead by example and therefore LARAC would encourage both national government and wider local government to implement effective waste minimisation and recycling practices across the piece as a matter of course. The success of WRAP programmes such as "Recycle Now" and "Love Food Hate Waste" need to be sustained to support this ethos. Furthermore, Local authorities communicate regularly with Council tax payers and therefore have a vital role in getting such key messages across.
- (ii) Through more effective product design businesses can both eliminate waste and help create better resource efficiency. Furthermore creating fiscal stimulants such as reduced VAT on labour that repairs reusable items could increase activity in the areas of higher priority in the hierarchy.
- (iii) By removing regulatory barriers to refurbishing goods and products that one person may no longer want or need, to more effectively promote training and skilling the unemployed or using the community payback system. Development of re-use networks would also be supported by reviewing the waste management regulations in relation to goods separated for re-use, accelerating the development of "end of waste" criteria, and providing accessible advice about the application of waste management regulations.
- (iv) National campaigns such as "Recycle Now" are of great importance in disseminating more information to individuals on the environmental outcomes of their consumption, including the gains that are made when they recycle, compost or make available for re-furbishment or re-use items that they wish to discard. Whilst public sector support would still be needed to coordinate such a campaign, much more could be achieved through funding via obligated companies, as in Flanders.

**8. What can be done to encourage businesses to design and manufacture products which produce less waste – such as those which last longer, can be upgraded and/or repaired, and don't have hazardous components? How might Responsibility Deals contribute to this?**

If a "zero waste economy" is to be taken seriously the whole sustainable consumption and production agenda needs to be considered in totality. Waste from consumers plays a significant part in this agenda and therefore local authorities also have a key role. In this regard LARAC would like to make the following comments and put forward the following ideas for consideration:

- Waste policy should be more closely aligned with other policies on Health promotions and social inclusion. Identifying those linkages between the two where the actions in one policy will benefit another societal issue, e.g. healthy eating and food waste reduction.
- Creating conditions whereby "disposable" goods are moved out of the supply chain (choice editing) and replaced by more durable products. To ensure that this is not regressive this may involve considering extended producer warranties to let the market place adapt, a concept now seen in the promotion of some new cars.
- See Question 6 for comments re responsibility deals. To take a step further LARAC would also support extended producer responsibility for other items, similar to the system for WEEE, whereby the local authority acts as an "agent" rather than the provider of the service. Also see comments in question 4 - franchising.

**9. Which waste streams or materials should be a priority for waste prevention?**

It would seem appropriate to focus attention on those waste streams where the greatest environmental benefit could be gained from prevention. Food waste and certain packaging waste streams (particularly aluminium) should therefore be given priority.



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#### **10. How should waste prevention be measured?**

LARAC believes measuring waste prevention is very important and when combined with repeated analyses of household waste composition, provides an incredibly valuable tool in the overall management of wastes. However, it should also be noted that some changes to the waste stream are related to changes in consumer habits & lifestyle i.e. online reading vs purchasing of a paper.

Communicating with the public on a regular basis, local authorities are well placed to deliver waste prevention campaigns; LARAC supports the principle that waste prevention should be viewed as an "invest to save" opportunity. More recently, measures have been developed to measure waste minimisation which is clearly demonstrated through both the outputs from the WRAP Love Food Hate Waste campaign and the National Indicator NI191. NI191 is the most useful indicator of household waste prevention. If it is discontinued, an alternative suitable indicator will be needed.

#### **PREPARING FOR REUSE.**

#### **11. What more do you think Government, businesses and civil society could do to increase activities that prepare waste for reuse?**

Planned, built in obsolescence of some products needs to be designed out. An example of this is Ink Cartridges. See also Q 8 comments

Inappropriately onerous Waste Licensing regulations can also sometimes hinder either the desire for or practicalities of re-use schemes. An early and proportionate review of regulations and guidance for community groups, including community enterprises, is called for.

#### **12. Which waste streams or products are priorities for reuse?**

Furniture, electronic goods (including white goods), textiles and building materials.

#### **13. What are the existing barriers to preparing more waste for reuse from both the household waste stream and the 'Commercial and Industrial' and 'Construction and Demolition' waste streams?**

There are a number of barriers that exist which LARAC would like to highlight below:

- a. Reducing the regulatory burden associated with necessary licence changes or providing the means/resources to facilitate separate collections may mean more waste becomes available for reuse.
- b. See Q 8 comments regarding measures that discourage disposable items and also comments on question 6 for the need to develop End of Waste standards for reuse.

#### **14. Who is best placed to deliver an increase in reuse? How could civil society take a role?**

LARAC support the use of third sector organisations in delivering community involvement and/or reuse services. However with Local Authorities facing financial constraints, the funding support traditionally used to help sustain these schemes may be at risk. To overcome this issue Producer Responsibility could be extended to such items. Once again, Local Authorities acting as the "agent" with access to the materials (see also Q8 response).

A joined up approach with other aspects of waste management and or wider society could facilitate further increases in reuse, e.g. extending the use of Community Service Orders or prison service resources to



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prepare items for reuse. Also see question 4 in relation to the use of Community groups in benefiting from environmental fines.

## **RECYCLING**

### **15. What should the role and nature of Local Authority waste management collection and disposal services be?**

Local authorities are best placed to play the difficult role of both enabler and enforcer – ie providing and encouraging people to use the services offered, whilst trying to ensure behaviour change meets the statutory recycling targets to avoid fines.

Please also see the response in 4 above.

### **16. How can individuals, businesses and communities best be motivated to recycle more?**

In helping to deliver a significant increase in household recycling, Local Authorities have benefitted from a great deal of support and guidance from WRAP, overarching assistance which has been vital in achieving this increase. Competent service provision and a well developed and structured communications campaign are also key elements in delivering increases in recycling. Similarly the beneficial work that the BREW centre undertook in relation to business waste was welcomed. Any further opportunities to retain this area of work would fit with the points raised in the response to question 1.

In keeping with its "localism" philosophy, the Government should recognize that the needs and motivations of different communities and groups of householders can be quite different. Local authorities are best placed to respond to local needs, perceptions and opportunities, and should be given powers to respond to these, including powers to choose what sorts of incentives are most appropriate for their communities. A considerable amount of motivational analysis research has already been carried out in relation to environmental attitudes and behaviours of householders. In general LARAC support the concept of "Rewards" as a motivational tool but recognises that they do not incentivise everyone. There is also a danger that such schemes may become incentives for people to consume more.

LARAC holds that producer responsibility, one of the principles of EU waste law, should be applied to all elements of municipal waste wherever possible, creating a wider responsibility for resourcing the collection and effective management of these wastes. This provides a strong incentive for producer industries to reduce waste and increase recycling.

There is a danger that the reduction of targets imposed on individual local authorities, the disarticulation of wastes management measures from the main carbon drivers for local authorities, and financial constraints may, in some instances, reduce the provision of recycling schemes for and by communities. Unless these issues are addressed by the Government, "localism" without appropriate drivers will reduce the incentive for some communities to increase recycling.

### **17. How does the choice, including frequency, of collection service impact on the quantity and quality of waste fit for recycling?**

Despite negative and often inaccurate media coverage on this issue, it is widely acknowledged and documented that choice and frequency of collection strongly influence and facilitate increases in recycling. Where high rates of recycling have been achieved this has often been as a result of changes to service provision, accompanied by comprehensive and effective communications and awareness raising



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campaigns. Many local authorities have found that a move to alternate weekly residual waste collection services has significantly increased recycling rates whilst at the same time retained high levels of satisfaction with service provision. This has to be balanced by increasing the capacity for recycling. Good practice in this area includes providing separate weekly collections of food waste.

LARAC supports the view that local authorities are best placed to decide what is best for their local circumstances. Any imposed move away from systems such as AWC, back to traditional weekly residual waste collections would not only raise significant budget pressures at a time where reducing the fiscal deficit is a key priority, but would also go against the "localism" agenda and could only have a detrimental effect on waste minimisation and recycling rates.

Collection systems need to recognize any hazard to health or the local environment, and also the shelf life of materials collected for recycling. WRAP best practice guidance suggests food waste should be collected at least weekly, whereas plastics, metals and most WEEE could be collected monthly or less frequently, subject only to the capacity of individual housing units (or communal shared facilities) to store discarded materials for more extended periods.

**18. Should greater emphasis be placed on using recyclable/recycled materials in manufacturing and production and, if so, how should this be achieved?**

LARAC acknowledges that the wider market acceptance of secondary materials in place of primary depends on paying attention to the quality of materials coming out of Local Authority schemes. Setting quality standards helps achieve a greater use for such material in manufacturing and production. The work that WRAP has undertaken in this regard has been particularly helpful.

An early review of waste regulation should address the issue of creating a "level playing field" between the use of primary and secondary raw materials for manufacturing and production.

The Government should ensure that reductions in overall CO2 emissions that are achieved through using secondary raw materials and fuels are fully recognized in returns used to monitor environmental commitments elsewhere.

**ENERGY RECOVERY**

**19. What are the barriers to delivering an increase in EfW capacity, including a huge increase in generation from anaerobic digestion? How might these be addressed?**

LARAC believes the following are key barriers:

- a. Resistance from local communities. .
- b. Development of partnerships
- c. Planning process
- d. Public perception of waste management facilities
- e. The right incentives

**20. What role should Government, industry and voluntary groups play in communicating the benefits of EfW to local communities?**



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The government should ensure that all has been done to communicate the benefits of waste reduction and recycling BEFORE attempting to communicate incineration. LARAC hopes that the resources put to communications on all waste issues will reflect the waste hierarchy rather than focussing on EFW.

See also comments in question 19 above.

**21. How can Government best support local government in the development of waste management plans that include EfW facilities?**

- a. It would be easier to overcome barriers if effective recycling and waste minimisation schemes, supported by the Government were operating in the area.
- b. Support development of District Heating systems
- c. Allow local freedom to determine collection systems and incentives
- d. There is a need for strategies on a larger scale than individual LAs that specify where facilities will be built and ensure that communities meet their own needs. In this respect LARAC is keen to understand what will replace the Regional Spatial Strategies.
- e. Make Landfill Tax funds available to support future infrastructure investment

**22. What steps can be taken to encourage community ownership of EfW facilities?**

See comments in question 19 above

**DISPOSAL**

**23. How best to further reduce the amount of waste going to landfill?**

LARAC supports in principle the use of market incentives as policy instruments in preference to restrictions such as landfill bans which have been recently consulted upon. We believe that attempts simply to "push" material out of landfill will not be effective without measures that will also "pull" resources into the economy.

It is widely recognised that policy instruments such as statutory recycling targets and more recently the Landfill Allowance Trading Scheme (England) and Landfill Allowance Scheme (Wales) have been superseded in importance by the landfill tax escalator as it creates financial conditions under which alternative waste collection and treatment options become financially viable. LARAC is of the opinion that the effects of the landfill escalator should be fully evaluated alongside the implementation of the current generation of municipal waste management strategies before further legislation and drivers are introduced.

**24. What are the types of waste where a continuation of landfill might be acceptable?**

There are very few wastes for which no better alternative to landfill is technically feasible. These include Asbestos, and materials heavily contaminated with stable, persistent hazardous materials

**25. When should we aim to be as close to zero waste to landfill as possible?**

LARAC acknowledges that achieving zero waste to landfill is only part of working towards a "zero waste" economy. In this regard before either can be achieved it is crucial that a waste treatment infrastructure is developed as early as possible. With the right incentives (including fiscal incentives) and supportive strategic planning framework, this could be achieved within 10 years.

<sup>i</sup> <http://www.defra.gov.uk/evidence/statistics/environment/wastats/bulletin10qtr.htm>