



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

LOCAL AUTHORITY RECYCLING
ADVISORY COMMITTEE

Consultation – Proposed Wales (Waste) Measure
Sarah Sargent,
Deputy Committee Clerk,
Legislation Office,
National Assembly for Wales,
Cardiff Bay,
CF99 1NA.

23rd April 2010

Dear Madam,

Consultation Response – Proposed Waste (Wales) Measure

I am writing to present the LARAC response to the **Proposed Waste (Wales) Measure** Consultation, which is contained below, and I thank you for the opportunity to respond to the above consultation.

The comments below are sent on behalf of the Local Authority Recycling Advisory Committee (LARAC). LARAC is an association of over 400 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.

If you have any queries on this response or would like to discuss the matter further then please contact me on (phone) or (email).

Yours faithfully,

Roger Mills
LARAC Policy Team

Consultation Response – Proposed Wales (Waste) Measure

In answer to the questions in the consultation document:

1. Is there a need for a proposed Measure to deliver the stated objectives of making provision to reduce the amount of waste and litter in Wales and contributing to the development of more effective waste management arrangements in Wales?

In relation to **single use carrier bags**, the resources required for enforcement and administration of the scheme could be disproportionate to the actual impact of reducing carrier bag use, which is a very minor portion of the waste stream. If the Courtauld Agreement/Waste Prevention strategies work effectively, single use carrier bags should largely become redundant in the not too distant future.

With existing **waste targets** already in place and Local Authorities working towards high recycling rates and landfill diversion, there is a feeling that the provisions being made are already adequate without additional targets for local authorities. If additional materials are **banned from landfill**, the affect will be felt more by industrial/commercial sector, though there could be cost implications for Local Authorities if for example fly tipping were to increase as a result.

2. How will the proposed Measure change what organisations do currently and what impact will any such changes have?

In some respects the proposed measures will not, especially on their own, change what local authorities do currently.

3. Are the sections of the proposed Measure appropriate in terms of achieving the stated objectives?

In considering this question, consultees may wish to consider the nature of the provisions in the proposed Measure that:

(a) require retailers to apply the net proceeds of revenues raised from the sale of single use carrier bags to specific environmental purposes or bodies (sections 1-2)

We don't believe that a voluntary agreement will work, as we believe retailers will want to use their own revenue streams as they see fit. They are likely to fund programmes leading to waste avoidance and reduced emissions in their own ways, consistently with their Corporate Social Responsibility (CSR) policies. As mentioned above, plastic bags constitute a minor proportion of household waste. Although visible to the public, plastic bags could be considered a 'red herring' in terms of prioritising resources in relation to wastes management.

(b) establish waste targets (sections 3-8), particularly in relation to:

- recycling, preparation for re-use and composting targets (section 3);
- regulations about penalties (section 4);
- monitoring and auditing compliance with targets (section 5);
- regulations about penalties (section 6);
- consulting the Environment Agency, each local authority and appropriate Welsh Ministers (Section 7);
- guidance administered by Welsh Ministers (section 8)

Please see my responses to questions 1 and 3 above.

(c) make regulations to prohibit the deposit of waste in a landfill (sections 9-11), including:

- civil sanctions (section 10); and
- consultation (section 11)

Any additional measures need to be directed at C&I waste first, and not municipal waste, as municipal waste is already subject to more stringent targets than C&I waste and potential tonnages of C&I waste are higher.

(d) establish plans for the management and disposal of site waste and penalties in relation to failure to comply with these provisions (sections 12-13)

We support the proposal in principle.

(e) make general provision (sections 15-20), particularly in relation to:

- interpretation (section 15)
- orders and regulation: procedures (section 18)

No comments.

4. What are the potential barriers to implementing the provisions of the proposed Measure (if any) and does the proposed Measure take account of them?

As mentioned above, the costs associated with an accreditation scheme may be disproportionate to the impact of reducing carrier bag use.

5. What are the financial implications of the proposed Measure for organisations, if any? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment), which estimates the costs and benefits of implementation of the proposed Measure.

Any additional targets for local authorities will increase costs, including costs of collection, costs of communications and costs associated with alternative



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treatment technologies where materials can't be recycled or made into compost.

6. Are there any other comments you wish to make about specific sections of the proposed Measure?

No further comments.