



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

LOCAL AUTHORITY RECYCLING
ADVISORY COMMITTEE

Resource Management and Radioactive
Waste Team
Scottish Government
Area 1-H, Victoria Quay
EDINBURGH
EH6 6QQ

17 January 2012

Dear Sir/Madam

**CONSULTATION ON THE ZERO WASTE (SCOTLAND) REGULATIONS DRAFT
BUSINESS AND REGULATORY IMPACT ASSESSMENT**

I am writing to present the LARAC response to the above Consultation, which is contained below, and may I thank you for the opportunity to respond.

The responses below are sent on behalf of the Local Authority Recycling Advisory Committee (LARAC). LARAC is an association of around 85% of the 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.

Our response has been peer reviewed by members of LARAC's policy team and executive committee. LARAC members have also been invited to comment on the consultation through the members' discussion forum on our website. All contributions received have been taken into account in drafting the response below.

If you have any queries on this response then please contact me at larac@armagh.gov.uk

Yours faithfully,

Ms Liz Drew
LARAC Policy Team

Cc Mr Stratton McDonald, LARAC Scotland Representative/South Ayrshire Council



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GREEN GLASS

CONSULTATION ON THE ZERO WASTE (SCOTLAND) REGULATIONS DRAFT BUSINESS AND REGULATORY IMPACT ASSESSMENT (BRIA)

GENERAL COMMENTS

As a means of moving Scotland towards becoming a Zero Waste community, LARAC mostly supports the Scottish Government's revised timeline for introducing regulatory measures and preferred Option 3 of the BRIA document: Zero Waste Plan and introduction of the Regulations as refined post consultation.

1. As stated on pages 27 and 28 of the BRIA, one of the key benefits offered by the Regulations as revised is to allow a longer lead in time for local authorities and small businesses to prepare for the separate collection of food wastes. Whilst we agree that the additional time given to implement such collections could result in more waste to landfill (page 28, paragraph 3), we would suggest that, for example;

- Heightened communication now of the tools available for Small and Medium sized Enterprises (SMEs) to reduce, and manage their wastes sustainably, such as exemplified in the eight Zero Waste Scotland "On-Course for Zero Waste" modules and sector specific support,
- Prompt dissemination of the collaborative COSLA, Zero Waste Scotland and SEPA best practice guidance on collection services for use by local authorities (Policy Statement, page 17), and
- Early discussion of the planned Waste Prevention Programme for Scotland

could help prevent such an attendant increase in waste to landfill. LARAC members look forward to both the best practice guidance and contributing to the forthcoming consultation on a Waste Prevention Programme for Scotland (due Winter 2011/12).

2. LARAC members welcome the extended duty of care on all waste producers outlined in both the Policy Statement and BRIA, however we note that whilst the Regulations will not introduce any new enforcement powers, existing powers exercised by SEPA and local authorities will be extended (BRIA, Section 7, pages 37/38). We also note that "detailed discussions with Local Authorities and SEPA on their specific roles is ongoing with the aim of implementing the measures without adding significant additional burden on existing resources" (BRIA, Section 7, last paragraph, page 38).

Given that the Regulations, and accompanying Duty of Care Code of Practice will introduce a requirement for all waste producers and managers to, for example, take account of the waste hierarchy, source segregate key recyclable materials, utilise a compliant collection service, LARAC would welcome urgent clarification of the specific regulatory/enforcement roles and responsibilities of SEPA/Local Authorities in the light of this potential increase in workload.



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3. With regard to the identification that SMEs may face problems storing an increased range of recyclables (BRIA, Section 5, page 31), LARAC members would again support prompt and heightened communication of the tools available for businesses to reduce their waste arisings, as well as a Planning requirement that all new commercial premises have adequate refuse and recycling storage space prior to their planning application being consented.