



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

LOCAL AUTHORITY RECYCLING
ADVISORY COMMITTEE

Wendy Cooke
Department of the Environment for NI
Environmental Policy Division
Goodwood House
44-58 May Street
BELFAST

10 June 2011

Dear Ms Cooke

CONSULTATION ON A NEW RECYCLING POLICY

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) in conjunction with the Northern Ireland Local Government Association (NILGA) and Technical Advisors Group (TAG).

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.

LARAC welcomes the Departments changing emphasis with regard to waste, and supports the concept of resource efficiency and a life-cycle approach to wastes management in order to realise the full value of waste, maximise its economic and social benefits and minimise harmful environmental impacts. We welcome the greater emphasis on commercial and industrial (C & I) and construction, demolition and excavation (C, D & E) waste detailed in the consultation document and LARAC feels that an aspirational regional target municipal recycling rate of 60% by 2020 may potentially be both achievable and appropriate subject to certain caveats.

Our comments are detailed below.



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If you have any queries on this response then please contact me at 028 37529624, mobile 07703594971 or e-mail: larac@armagh.gov.uk

Yours faithfully,

Ms Liz Drew
Policy Support Officer, LARAC Policy Team

cc. Mark McAdoo, LARAC Representative NI: mark.mcadoo@cookstown.gov.uk



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GREEN GLASS

CONSULTATION ON A NEW RECYCLING POLICY

SUMMARY OF CONSULTATION QUESTIONS

1. Do you think that an aspirational regional target municipal recycling rate of 60% by 2020 is appropriate?

In general, LARAC feels that an aspirational regional target municipal recycling rate of 60% by 2020 may potentially be both achievable and appropriate. However, members do have the following comments and concerns:

- With regard to the term "aspirational" in relation to the 60% municipal recycling rate, the consultation document stresses that the new targets would not be statutory and would instead be intended to "complement" the targets set under the revised Waste Framework Directive (rWFD) (2008/98/EC). This echoes the Departments indication that forthcoming regulations would be sufficient to fully transpose the directive and no more.

However, the document also suggests that there is potential for the 60% municipal recycling target to be made legally-binding in the future (Executive Summary paragraph 3, Sections 2.18 and 2.3). If this were to be the case, it could have a massive impact on councils with regard to planning and investment for collection systems, infrastructure, communications and resources.

LARAC feels that in order for member councils to plan for the future prompt clarification is needed as to whether the Recycling Policy will be part of a new overarching regulatory framework similar to those adopted in Wales and Scotland, or simply a non-mandatory guide to best practise.

- If made mandatory, the 60% recycling rate would go beyond the rWFD target not only in scale but also in scope as it would relate to municipal waste and not just "waste from households" as defined in the Directive (which is even less than simply "household waste"). The rate for municipal waste recycling for 2009/10 was, at 33.1%, lower than the household waste recycling rate of 35.6%. As such there would be an even bigger gap to make up in order to achieve the 60% target.

On a cautionary note regarding setting too challenging targets, LARAC members feel it should be noted that the Scottish Government recently confirmed that it had missed the first recycling target under its ambitious Zero Waste Plan – falling short of its 40% goal for 2010.

- The consultation document refers to EU-driven changes in the definition of municipal wastes (Section 5.8). With potentially more of the material previously



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classified as C & I becoming municipal, LARAC members would welcome the Departments` clarification on the definition of municipal waste as soon as possible. Again, we feel such clarity would enable local authorities to more accurately plan and invest for the medium and longer term.

- We feel that the suggested 60% will only work as a regional target, and welcome the departments` acknowledgement that all councils are not the same in terms of geography, social demographics and housing type (Section 6.2). Recycling performance across the province currently varies from between 26% - 50% for a wide range of reasons, however many councils with the highest recycling rates also exhibit high levels of waste arisings per capita and vice versa (Sections 6.5 and 6.6).

As such we feel that individual recycling performance does not necessarily reflect overall performance toward driving down waste at source, and that a "one size fits all" approach to waste management does not allow local circumstance and deliverability to be taken into account. Members further feel that setting local targets of 60% could lead to disproportionate amounts of money being spent on recycling – particularly in those areas where high levels of recycling may be unlikely due to other geographic, socio-economic or housing factors.

- Finally, we note that with PAS being set for a wide range of materials across the UK (although not all are as yet applicable/finalised in Northern Ireland) new standards such as PAS 111 for wood could potentially have a negative effect on the achievement of higher recycling rates if it is deemed only material which meets these new standards is properly recycled.

2. How can this target be achieved?

Overall, LARAC members would suggest that continued communication, education, and householder participation is integral to bringing about the change in mind-set required to move forward toward both statutory and proposed aspirational targets. Developing household recycling collection systems that are readily available, easy for householders to use and understand, and appropriate to local housing, geographical and socio-economic need is key to enabling the required changes to occur. Similarly, ensuring that residents are aware of the financial, as well as the environmental, implications of not recycling may further enable individuals to take responsibility for their purchasing choices and to better understand the consequences of those choices.

Continued strong and committed central leadership from the Department is vital, as is co-ordinated cascading of communications from the centre to each local authority and household in Northern Ireland. The current Rethink Waste Campaign has been widely advertised on television and radio, and is a good example of the type of support that local authorities need to improve recycling performance.



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Given the significant changes in collection, treatment infrastructure and behaviour that will be required to achieve the proposed new target, members would also suggest that the Department give due consideration to all possible options that may help to increase recycling rates. This should include consideration of mandatory recycling for householders/the Commercial and Industrial sector, and direct and variable charging. Members do not suggest that all such options are necessarily desirable, simply that all options should be considered carefully and rationally. In raising such issues for debate, the Department will continue to show true leadership in developing a more reasoned and responsible agenda for debate on the importance of individual responsibility and accountability in wastes management.

Similarly, in order to drive down waste at source and also increase the ease with which householders and businesses can recycle their wastes, LARAC members support the use of extended producer responsibility measures and raised targets, in particular for packaging wastes, as well as an increase in the range of materials included in producer responsibility legislation.

Members would also add the following:

- As stated in Section 6.2, achievement of the targets will in part depend on successful implementation of the strategic waste infrastructure programme - ensuring that, for example, reprocessing and optimal treatment facilities are in place in order to manage additional volumes of recycle and residual wastes. LARAC consider continued adequate funding of the strategic waste infrastructure programme to be paramount in diverting wastes from landfill.
- We support the Departments on-going financial commitment to the Rethink Waste fund and the Rethink Waste NI communications campaign as means of achieving recycling targets and enabling the cultural and behavioural changes needed to reduce and divert wastes from landfill. However to date, this support has been somewhat ad hoc, with 3 rounds of funding being issued relatively suddenly and in quick succession. LARAC would welcome a longer-term, phased programme of support that would allow councils to better plan for the medium-long term in order to meet both statutory and proposed aspirational targets.
- Members feel continued research and development of markets to be integral to achieving this target, and we welcome feedback on, for example the All island Plastic Recycling Study (Section 5.6), as well as continuation of the WRAP/NIEA Quality Protocols programme (Sections 4.9 and 5.6).
- As mentioned in Q1, above, LARAC would welcome urgent clarification of the definition of "municipal waste". With potentially more material currently classified as C & I becoming municipal, local authorities will need to plan ahead for any resulting required changes in infrastructure and staffing.



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- As detailed in Section 6.2 of the consultation document, members support the proposal that recycling of key output materials such as incinerator bottom-ash and C & D rubble from Council Recycling/Bring Centres is taken into account in future recycling data. However, we would point out that whilst C & D waste collected for recycling at Council Recycling Centres does not currently contribute to the household waste recycling rate it is already included in the municipal waste recycling rate at present (some 17,500 tonnes from 15 councils in 2009/10 according to the annual NIEA municipal waste statistics). A previous consultation on meeting EU landfill diversion targets suggested "a small amount of C&D waste collected by district councils will no longer be included" in the revised definition of municipal waste. It is therefore unclear whether or how this has been taken into account in any projections concerning how a 60% municipal waste recycling rate might be achieved.

- Currently member authorities are promoting reuse of "waste" items but are not receiving credit for this in their recycling figures. As reuse/preparation for reuse is higher up the waste management hierarchy than recycling itself, we would suggest that reuse should be given at least the same credit for every tonne of items reused (as opposed to none). In this way, local authorities would be further incentivised to implement policies/practices in line with the revised Waste Framework Directive waste hierarchy and the more sustainable waste management practice of reuse, as well as being better able to meet recycling targets.

Currently, materials put down as "reuse" in the Waste Data Flow system are not counted as recycling, but are counted as diverted from landfill. Members would welcome clarification on how "reuse" and "prepared for reuse" will be categorised in the future – for example, will it be reported as a new separate Key Performance Indicator that reflects councils implementation of policies/measures in line with the rWFD waste hierarchy, or as material also included in the amount of recycled waste and not as a separate category (as recently proposed by the European Commission).

- Similarly, LARAC would welcome re-consideration by the Department of how home composting is accounted for within the mix of biodegradable waste. Currently, member councils promote home composting despite no credit for recycling being given. We would suggest that the Department consider providing a consistent method to measure the amount of home composting that is undertaken in order for a true and accurate picture of the level of recycling/composting that is being currently undertaken.

Finally, LARAC members feel that without a clear delivery plan, the timescale for achieving the proposed targets could prove challenging or may be unachievable.



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3. Do you think that, subject to more accurate data becoming available on commercial and industrial waste, similar targets should be set for this form of waste?

Yes.

Members would support proposals that encourage all sectors to deal with their wastes more sustainably. With an estimated 1 million tonnes of total waste arisings in NI being generated by the C & I sector (Section 3.1), members feel that similar targets should be set for this form of waste.

However, as data on C & I is currently limited, and could lead to under/overestimation of infrastructure needs or achievable targets, we agree such targets should be subject to more accurate data becoming available.

4. How can these targets be achieved?

LARAC members would support further promotion of the use of Environmental Management Systems via, for example, the STEM project coordinated by the Southern Group Environmental Health Committee.

Members would also welcome revision and modification of existing Duty of Care Waste/Pre-treatment requirements to reflect the enhanced recycling targets. This could also enable more accurate information on waste streams.

LARAC feel continued communication and education to be integral to bringing about the behavioural changes required to shift from dependence on landfill to waste management options higher up the waste hierarchy.

Finally, as detailed in Q2, above, members would also suggest that the Department give due consideration to all possible options that may help to increase recycling rates, with particular emphasis on extended producer responsibility.

5. How can the 70% recycling target for construction, demolition and excavation waste be achieved?

As stated in Section 8.1 of the consultation document there is currently only limited data on C, D & E waste arisings. LARAC members welcome further information on C, D & E waste arisings before being able to fully answer the above question.

As stated in our response to the recent Site Waste Management Plans consultation, LARAC supports the introduction of a requirement for construction projects with a value of £200,000 and above to produce a Site Waste Management Plan.



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6. Do you think that targets should be developed at individual council level and as well for Northern Ireland as a whole?

No. As stated in our response to Q1, above, members feel that the proposed aspirational targets should be developed at a regional rather than at individual council level.

7. What are your views on the need for a comprehensive regime of measures, including incentives and sanctions, across all sectors of waste management to encourage best outcomes

As detailed in our response to Q2 above, LARAC members would suggest that the Department give due consideration to all possible options that may help to increase recycling rates. In raising such issues for debate, the Department will continue to show true leadership in developing a more reasoned and responsible agenda for debate on the importance of individual responsibility and accountability in wastes management.

In developing a comprehensive regime of measures, LARAC would urge the Department to review the experiences/impact of existing incentive schemes and sanctions in place in other regions of the UK. Whilst such schemes may or may not be wholly transferable to Northern Ireland, consideration of the strengths and weaknesses, relevance, applicability and enforceability of, for example, Incentive Schemes or Fixed Penalty notices for not recycling would enable development of an appropriate "toolkit" of solutions for maximising recycling levels in Northern Ireland.

8. What are your views on the Department's intention to consider giving the targets in this paper a statutory basis as part of a wider landscape of legislative provisions to promote appropriate management of waste?

As stated in our response to Q1, above, whilst an aspirational regional target municipal recycling rate of 60% by 2020 may potentially be both achievable and appropriate, making this a statutory requirement could have a massive impact on councils with regard to planning and investment for collection systems, infrastructure, communications and resources.

Without a full Regulatory Impact Assessment, attendant cost/benefit analysis and guidance on what the "wider landscape of legislative provisions to promote appropriate management waste" will be members feel that the targets in this paper should, at this stage, remain aspirational.

9. What interventions – if any – by local and central government do you think could help contribute to further growth in the recycling and reprocessing sectors?



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As for Q2, above.

10. Are there other ways through which the Department could encourage the construction, demolition and excavation sector to recycle more of the waste produced and ensure the targets are met?

As for Q5, above.

LARAC members would also support continued close working relationships between local authority building control/waste management officers and members of the C, D and E sector in order to promote sustainable waste management. A recent example of this would be the development of the "Waste Storage Guide" for the construction sector as well as other locally developed planning guidelines produced by some local authorities.

11. Are there other ways through which the Department could encourage the commercial and industrial sector to recycle more of the waste produced and ensure the targets are met?

As for Q4, above.

LARAC feel that strict enforcement of Article 20 of the Waste Regulations (Northern Ireland) 2011 regarding the separate collection of 4 key materials (paper, glass, metals and plastic) from business premises by private operators from 1st January 2015, would also assist in greater amounts of C & I waste being collected for recycling.