



Local Authority Recycling Advisory Committee

Local Authority Waste Performance Team
DEFRA
6th Floor
Ergon House
17 Smith Square
London SW1P 3JR

21 September 2007

Dear LAWP Team

Consultation Response - The Interpretation of the definition of municipal waste used in the Landfill Allowance Trading Scheme (LATS) in England

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 well over 400 local authorities across England, Scotland Wales and Northern Ireland whose waste management and recycling professionals co-ordinate and operate waste management services within local authorities. Membership is drawn from all types of authority including statutory Waste Collection (WCA), Waste Disposal (WDA) and Unitary.

This response has been discussed with officers of the Local Government Association (LGA) and, while the LGA is not taking a formal position on this consultation, officers are in agreement with the position outlined below.

In response to **Question 1**, LARAC agrees that the interpretation of the definition of municipal waste used in LATS should be clarified.

Within the very limited terms of the consultation, LARAC also agrees that the Government's preferred option, Option C, engenders the greatest consistency and clarity of the options given (**Question 2**). From the alternatives given in the consultation document, this one (Option C) should be chosen to amend the WE&T Act 2003. This measure will give local authorities more confidence generally in the operation of the LATS.

However, notwithstanding further guidance recently issued, or shortly due to be issued, by the Department, a number of unresolved questions remain in detail about the definition of municipal waste, for example whether home composting and wastes from beach clearance operations, hospitals, charities and schools (various status') are included in this definition. To



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achieve consistency of approach across the country, it will also be important to clarify whether the definition of municipal waste extends to all waste generated by departments in the local authority other than the department delivering waste management services, and also by arms-length organizations wholly or partly owned by the local authority that may carry out functions formerly carried out directly by the local authority, for example highways, facilities management & maintenance and housing. Together with our partner organizations we will be pleased to contribute to any further consultations about the definition of municipal waste.

If you have any queries on this response or would like to discuss the matter further then please contact me on (01642) 264830 or andrew.craig@teesvalley-jsu.gov.uk.

Yours faithfully,

Andrew Craig
LARAC Policy Officer