



Local Authority Recycling Advisory Committee

Mr Russell Williams
Waste Policy Branch
Environment - Protection and Quality Branch
Welsh Assembly Government
Cathays
Cardiff, CF10 3NQ

6 March 2006

Dear Mr Williams,

Consultation Response - Landfill Allowances Scheme and the Pre-treatment of Municipal Wastes in Wales

I am writing to present the LARAC response to the above 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 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. There are 20 member authorities in Wales, whose waste and recycling professionals co-ordinate and operate waste management services for their authorities.

Overall LARAC recognises the massive contribution the Welsh Assembly Government (WAG) and the Welsh Local Government Association (WLGA) has made to the promotion of Sustainable Waste Management in Wales. It fully endorses the Team Wales ethos and commends the Waste Policy Unit for the continued support of local authorities through both direct and indirect funding. Overleaf are our detailed comments as requested in the consultation.

If you have any queries on this response or would like to discuss the matter further then please contact me on 01597 829 840 or email lee.marshall@powys.gov.uk.

Yours faithfully,

Carl Touhig and Lee Marshall
LARAC Policy Team



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Question 1. Do you agree that the Welsh Assembly Government should recalculate landfill allowances and issue revised allowances before April 1st 2006, to take account the guidance on the clarification of the meaning of municipal waste?

LARAC supports the principle of recalculating the landfill allowances based on the most up to date guidance and figures available but is aware that as the goal posts are moved it becomes increasingly difficult for accurate forward planning when negotiating contractual arrangements.

Question 2. Which year should be used as the baseline year for the recalculation of landfill allowances, 2001-2 or 2003-4?

LARAC believes future calculations should be based on the most up to date figures and as 2003/4 was a target year this should be the most accurate data set.

Question 3. Should the landfill allowances to be allocated by April 1st 2006 include indicative allowances up to 2020?

LARAC would only support the inclusion of indicative targets if they were subject to alteration and review following demographic, boundary, waste definition and any other significant EU policy changes. These review periods should be established at the beginning but we suggest should be no longer than 4 year intervals.

Question 4. Should landfill allowances allocated to local authorities be subject to review and change following demographic, boundary or other changes?

LARAC is aware that the allocation of allowances is a complex issue but Council's with policies to substantially increase population should be allowed to challenge their allocation through a suitable mechanism. Allowances should be reviewed following target years as it is important that Team Wales achieves the targets and not just individual Councils.

Question 5. Do you agree or disagree with the proposed 'Protocol on Identifying Concern and the Imposing of Penalties Under the Landfill Allowance Scheme (Wales) Regulations 2004'?

LARAC recognises the importance of the Protocol and supports the use of positive intervention ie. Peer Review. With Local Authorities being asked to meet statutory, non-statutory and voluntary targets LARAC is concerned that these targets do not become blurred within this Protocol. It is important for Team Wales to be working towards one goal, the EU Landfill Directive through LAS. It is difficult to explain policy direction to residents, elected members and other stakeholders when targets can be easily confused, this is particularly apparent when being compared to our English counterparts where the definitions used for BVPI's are not those used for LATS.

We also feel it is fair that if the current allowances are changed using the 2003/4 data as the baseline that any Council whose allowances will decrease as a result are given a one year extension on the intervention timetable. This will reflect the fact that they may have to put new plans in place to meet the new, more difficult targets than they had previously been planning for.



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Question 6. Your comments and queries regarding the guidance on pre-treatment of municipal waste should be contained in your response to Q. 6 and include reference to paragraph numbers contained in the proposed guidance. LARAC would like to see clarification on several points raised within the guidance on pre-treatment of waste to meet Article 6.

Para. 3. - Will commercial operators bringing waste into LA transfer stations and landfill sites need to prove the waste has undergone prior treatment. Is flytipped waste exempt from pre-treatment. How will community skips be able to meet the criteria.

Para. 4+5. - How many of these techniques must be used before the waste qualifies for pre treatment eg. Does home composting and bring sites qualify as pre-treatment. In 2003/4 some Councils operating bring sites and home composting schemes performed better than those with kerbside collection schemes.

Para. 6. - Will WAG be producing a generic best practice guide that is sufficiently robust to demonstrate levels of participation and diversion or will each LA be producing their own version.

Para. 7. - Why 4 materials, the collection of paper, garden and kitchen waste would significantly alter the composition of waste and allow compliance with Article 5 of the landfill directive. The tonnage based targets for recycling/composting represent a substantial changes in the composition of waste, aren't these sufficient to prove pre-treatment.

Para. 8. - Does offering a charged recycling service qualify as pre-treatment in regard to trade customers.

Para. 9. - Survival bags work better the less materials that are mixed, would there still be a requirement for 4 materials to be collected, particularly for trade customers where 70% of waste is paper based.

Para. 10. - LARAC supports measures that reduce the hazardous materials sent to landfill but believes any schemes that actively separate waste should be adequately funded, preferably by the producers. Whilst LARAC recognises the valuable social contribution of community repaint schemes, few would have the infrastructure to deal with the more difficult oil/solvent/preservative based coverings that once separated from domestic waste these will also need to be treated. This will create a concentration of potentially harmful chemicals, not fit for secondary use that will need to be disposed of either by the Council or community scheme and this may have ramifications on site exemptions and licences. Implying local authorities must support this type of scheme may not be in the best interests of the council, taxpayers or the community groups themselves.



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Para. 12. - Some Councils have achieved the 2003/4 targets through the use of a well maintained network of bring sites. With kerbside participation rates in some areas as low as 18% perhaps the decision to use bring sites as the primary source of recyclate collection should be left to the individual authority. Will the use of similar facilities on CA sites qualify as pre-treatment for that wastestream.

LARAC believes that not allowing Welsh Authorities to trade with England may act as a disincentive. Allowing one way trading may push leading Councils to reach and go beyond the targets before 2010. The additional funding through selling allowances could be used to further increase recycling ensuring Team Wales does not receive EC infraction fines.