

EA Guidance Consultation  
Environment Agency Sponsorship Division  
DEFRA  
Zone 5/G10 Ashdown House  
123 Ashdown Street  
London  
SW1E 6DE

Dear Sirs,

**SUBJECT: THE ENVIRONMENT AGENCY'S OBJECTIVES AND  
CONTRIBUTION TO SUSTAINABLE DEVELOPMENT: STATUTORY  
GUIDANCE**

**CONSULTATION DOCUMENT**

Thank you for the opportunity to comment on the proposed new statutory guidance for the Environment Agency. Local Authorities have a close affinity to the role of the Environment Agency (the agency) as some of their functions were drawn out from local authority Waste Regulation Authorities prior the formation of the Agency.

The comments below come on behalf of the Local Authority Recycling Advisory Committee (LARAC) for whom I am Policy Officer. LARAC is an association of 330+ local authority professionals who co-ordinate and operate waste management services for their respective authorities. Membership is drawn from all types of authority including statutory Waste Collection (WCA), Waste Disposal (WDA) and Unitary Authorities.

As LARAC is a body representing local government waste managers we will confine our comments to those aspects of the Agency's objectives that pertain to sustainable waste management.

Generally, it is very welcome to see the Agency directed as to its role in contributing to the achievement of sustainable development in the United Kingdom. As has been noted this has been the overriding objective for local authorities for many years following the Rio Earth Summit. Anything that the Agency can do to help local authorities mainstream and integrate the sustainable development agenda is most welcome.

LARAC  
PO BOX 28  
KNIGHTON  
LD8 2WA  
01544 267 860  
LARAC@BTINTERNET.COM

LARAC welcomes and supports the principles for prioritisation as suggested in paragraph 2.1. However, we feel that there is a certain degree of a 'self-fulfilling prophecy' to use the proposed "relative expertise" principle for prioritisation as, by implication, relevant expertise will be obtained should an issue become a priority. It would be more comforting to know that the Agency would prioritise its work according to relevance to its objectives, legislative remit and **developing the necessary** relevant expertise to tackle the issue.

With regard to the statutory objectives again LARAC is in support of these and in particular objective e) which is about effective and consistent regulation. LARAC feels that waste management can suffer from inconsistent and sometimes incoherent regulation (one of the very issues that brought the 3 organisations together to form the Agency in 1996). It is our belief that the Agency should place a higher degree of emphasis on interpretation and enforcement of waste management regulations such that a 'level playing field' is in existence. Risk-based approaches such as OPRA are welcomed but need to be better resourced.

With regard to objective g) LARAC believes that the Agency needs to considerably improve its corporate capacity to deal with matters of strategic importance. We would like to see the Agency play a much stronger role in advising Government on the implications of EU legislation and take a more proactive approach. Incidences, as have occurred with the implementation of the Ozone Depleting Substances regulations, could have been avoided with more forward planning capacity within both the Agency and the Department itself. We would urge DEFRA in agreeing the new statutory objectives for the Agency to take a serious look at the resources that can be diverted to developing a comprehensive forward planning policy unit within the Agency. It is our belief that such a unit, well networked and supported could save the country significant amounts of money by early identification, interpretation and adaptation to forthcoming legislation. To support this aim LARAC would be willing to advise the Agency on relevant waste policy developments.

In relation to the pursuit of a successful national waste strategy we are disappointed to note that there is no reference to the requirement of the agency to minimise or reuse waste. Whilst LARAC fully supports the objectives of increased recovery we would welcome the continued support of the Agency in promoting waste minimisation both in the municipal and commercial wastestreams and to promote the reuse of waste. In this instance previous work on a national waste exchange scheme is to be supported as is 'appropriate' interpretation of waste management licensing where the objective of the holder of the waste is to put it back in to another use phase (reuse). We strongly urge DEFRA to direct the Agency to contribute to the development of the national waste awareness initiative and other waste minimisation schemes as part of their statutory remit.

Whilst LARAC welcomes the role of the agency in monitoring and analysing data and the recent publication of the Strategic Waste Management Assessments, we would welcome further support for the WISARD software tool. This remains a highly sophisticated but largely marginalised waste policy tool. In particular, we would welcome further efforts from the Agency to demystify the tool within local authority circles and to ensure that it is continually updated to incorporate the emerging waste treatment options such as gasification/pyrolysis or MBT. It would also be welcomed if the Agency were able to reduce the software to a more affordable purchase price. These actions we feel would help bring WISARD more into the mainstream of local authority decision-making processes.

Finally, LARAC would like to see the Agency given a statutory remit to promote waste prevention, the purchase of products from recycle, minimise the production of special wastes when carrying out periodic inspections of special wastes and to promote waste minimisation of packaging waste during compliance visits to companies obligated under the Packaging Regulations.

We hope that these brief comments are heeded by DEFRA in defining the scope and direction of the Agency for the coming years. In particular we would like to see a regulator that is:

- well resourced ,
- fair and consistent in implementing waste legislation;
- staffed by high calibre personnel within a respected forward planning unit for waste policy that consults widely in an informal basis on policy developments; and
- championing the cause for waste minimisation, reuse recovery under the auspices of achieving sustainable development in the United Kingdom.

Thank you for the opportunity to comment.

Yours Sincerely,

*Andy Doran*

Andy Doran  
Policy Officer, LARAC