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Review of Waste Policies

Call for Evidence

July 2010

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This document is available on the Defra website:

<http://www.defra.gov.uk/corporate/consult/waste-review/index.htm>

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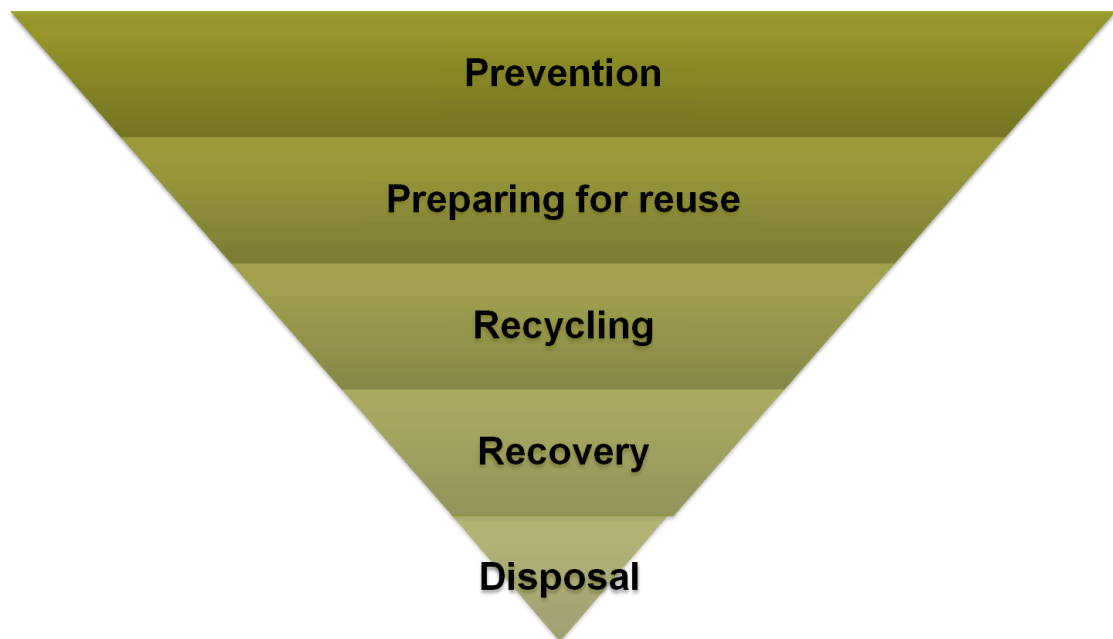
1. Introduction

- 1.1 On 15 June 2010, the Secretary of State for the Department for Environment, Food and Rural Affairs the Rt Hon Caroline Spelman MP [announced](#) that the Government would undertake a full review of waste policy in England. The terms of reference for this review are included in Part 4 of this document.
- 1.2 The Government's ambition for waste management in England was defined in the Coalition's Programme for Government and Defra's Structural Reform Plan as '**working towards a zero waste economy**'. The purpose of the review is to look at all aspects of waste policy and waste management in England to ensure that we are taking the right steps to delivering this ambition.
- 1.3 In doing this, the review also aims to take forward the Government's commitments to:
- **tackling the fiscal deficit** – maximising the economic potential of the waste management industry, the potential benefits of resource efficiency to businesses and households, and looking carefully at the cost of services.
 - **environmental protection** – protecting the environment and preserving natural resources at home and abroad;
 - **localism** - decentralising decision making powers on matters that affect local communities to local authorities and to communities themselves;
 - **big society** – developing and delivering policy in a way that involves and engages voluntary organisations, social enterprises and community groups while reducing unnecessary state activity;
 - **addressing climate change** - avoiding dangerous green house gas emissions from landfill and contributing to our statutory carbon budget targets and UK renewable targets through energy recovery;
- 1.4 **The aim of this paper is to invite your views on both the current state of the waste policy and waste management in England and what measures should be considered to increase the efficiency and effectiveness of waste management in England.** The deadline for inputting views through this Call for Evidence is **7 October 2010**. Our intention is to fulfil the commitment in Defra's Structural Reform Plan to set the path towards a zero waste economy through this review by April 2011.
- 1.5 We have set out in Part 2 of this Call for Evidence areas where we are particularly keen to receive evidence, which we believe deserve further consideration. We do not ask or expect respondents to reply to all the questions. If there are matters you believe we have missed, or do not place sufficient emphasis on, please draw them to our attention in your response.
- 1.6 We will also be hosting an on-line Waste Review debate on our website (<http://www.defra.gov.uk/corporate/consult/waste-review/index.htm>), from 29 July 2010 to 9 September 2010. This provides another opportunity for people to share their views on managing waste better.

- 1.7 The responses to this call for evidence will help inform our thinking for the Review. Preliminary results from the Review will be available in spring 2011.

2. Call for Evidence

- 2.1 The review would particularly welcome your views on the issues set out in the Terms of Reference, in Part 4 of this document. We have set out questions based on these issues in the following section, split into a general section and those of the tiers of the waste hierarchy. Further background information on the hierarchy and the zero waste economy is provided separately.
- 2.2 We would appreciate supporting evidence for your views, including estimated costs and benefits where possible.



Questions

General

- 2.3 This group of questions considers some aspects of our general approach to waste policy and waste delivery. We would welcome your views on the Government's approach to waste, including these specific questions:
- What should the nation's ambition for waste management be? What do we need to do to achieve a 'zero waste economy'?
 - How could the contribution waste management in England makes to the economy and our environmental and energy goals be maximised?
 - How can Government make the best use of the skills and knowledge of the private sector, civil society and local communities in delivering a zero waste economy?
 - Do local authorities have the right responsibilities for waste services? Are there further services that could be devolved to local authorities or directly to local communities?
 - How can illegal waste activity be minimised, including reducing levels of fly-tipping? Are sanctions for breaches of waste regulation fair and proportionate?

- How can we balance regulation to ensure that we protect health and the environment without unnecessarily burdening businesses and local authorities? What are the opportunities to reduce or remove the burdens of regulations?

Waste Prevention

2.4 Waste prevention is the term used for taking measures to reduce the quantity of waste that is generated. These measures range from simple actions such as reducing food waste and reusing items to technical activities such as extending the lifespan of products. It also includes measures taken before a material becomes waste to reduce its hazardousness or other negative impacts of waste. As the first layer of the hierarchy, it should be promoted as a priority over the others. We would welcome your views on waste prevention in England, and in particular on:

- What roles should (i) national and local government; (ii) businesses; (iii) voluntary organisations; and (iv) individuals take in order to prevent waste from arising, and to reduce the hazardousness or environmental impact of waste?
- What can be done to encourage businesses to design and manufacture products which produce less waste – such as those which last longer, can be upgraded and/or repaired, and don't have hazardous components? How might Responsibility Deals contribute to this?
- Which waste streams or materials should be a priority for waste prevention?
- How should waste prevention be measured?

Preparing for Reuse

2.5 Preparing for reuse means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing. Examples of preparing for reuse are refurbishing old IT equipment or discarded furniture. We would welcome your views on preparing for reuse in England and in particular:

- What more do you think Government, businesses and civil society could do to increase activities that prepare waste for reuse?
- Which waste streams or products are priorities for reuse?
- What are the existing barriers to preparing more waste for reuse from both the household waste stream and the 'Commercial and Industrial' and 'Construction and Demolition' waste streams?
- Who is best placed to deliver an increase in reuse? How could civil society take a role?

Recycling

2.6 Recycling means converting used materials into new products. For most materials and products, recycling is better for the environment than energy

recovery and disposal. We would welcome your views on recycling in England generally, and in particular:

- What should the role and nature of local authority waste management collection and disposal services be?
- How can individuals, businesses and communities best be motivated to recycle more?
- How does the choice, including frequency, of collection service impact on the quantity and quality of waste fit for recycling?
- Should greater emphasis be placed on using recyclable/recycled materials in manufacturing and production and, if so, how should this be achieved?

Energy recovery

2.7 Energy recovery is about extracting, through various technologies, energy from the waste left once as much as possible has been prevented, reused and recycled. Energy derived from bio waste can contribute to renewable energy targets. Energy from Waste (EfW) covers a range of established technologies including combustion and anaerobic digestion, as well as emerging technologies such as advanced gasification and pyrolysis. The Government is committed to delivering a huge increase in EfW through anaerobic digestion. We would welcome your views on EfW in England, and in particular:

- What are the barriers to delivering an increase in EfW capacity, including a huge increase in generation from anaerobic digestion? How might these be addressed?
- What role should Government, industry and voluntary groups play in communicating the benefits of EfW to local communities?
- How can Government best support local government in the development of waste management plans that include EfW facilities?
- What steps can be taken to encourage community ownership of EfW facilities?

Disposal

2.8 Disposal is now considered the last resort for many types of waste. Biodegradable waste in landfill decomposes to release methane, one of the most dangerous greenhouse gases. Disposing of valuable resources rather than using them again is also economically unsustainable. We would welcome your views on the use of waste disposal in England, and in particular on:

- How best to further reduce the amount of waste going to landfill?
- What are the types of waste where a continuation of landfill might be acceptable?
- When should we aim to be as close to zero waste to landfill as possible?

3. Responding to the Call for Evidence

- 3.1. The review period begins with the publication of this document and will run for ten weeks until **7 October 2010**. Please feel free to comment on any aspect of the terms of reference that you wish to. Submissions should be as concise as possible. Submissions longer than 3,000 words should include an executive summary (no more than two pages long).
- 3.2. When responding, please state whether you are responding on behalf of an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.
- 3.3. You can send your responses electronically or by post to:

Waste.Review@defra.gsi.gov.uk

Review of Waste Policies
Defra
Area 6C, Ergon House
Horseferry Road
London
SW1P 2AL
- 3.4. If you wish to discuss any aspect of this paper, please email Waste.Review@defra.gsi.gov.uk
- 3.5. Information provided in response to this call for evidence, including personal information, may be published or disclosed in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.
- 3.6. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals with, amongst other things, obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the review.
- 3.7. The review will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Publication of responses

- 3.8. In line with Defra's policy of openness, at the end of the call for evidence period, copies of the responses received will be made publicly available through the Defra Information Resource Centre for six months. The information contained in the responses may also be published in a summary of responses as part of the Review.
- 3.9. If you do not consent to this, you must clearly state that you wish your response to be treated confidentially. Any confidentiality disclaimer generated by your IT system in email responses will not be treated as such a request. Please be aware that there may be circumstances in which Defra will be required to communicate information to third parties on request, as set out in 3.6 – 3.8 above.
- 3.10. The Defra Information Resource Centre will supply copies of responses to personal callers or in response to phone or email requests. An administrative charge will be made to cover photocopying and postage costs. Wherever possible, personal callers should give the Centre at least 24 hours' notice of their requirements. Please contact:

Defra Information Resource Centre,
Lower Ground Floor,
Ergon House,
Horseferry Road,
London SW1P 2AL,

Tel: 020 7238 6575,
Email: defra.library@defra.gsi.gov.uk

Outcome of this call for evidence

- 3.11. At the end of the call for evidence Defra will consider all the responses received as part of the evidence gathering stage for the Review of Waste Policies. Our intention is to fulfil the commitment in Defra's Structural Reform Plan to set the path towards a zero waste economy through this review by April 2011.

4. Terms of Reference for a Review of Waste Policies

Why?

- The Government is committed to working towards a 'zero waste' economy.
- Ensuring value for money is essential across everything that we do in order to enable central and local government need to tackle the fiscal deficit.
- Sustainable waste management, including waste prevention, is a necessity in order to protect the environment including due to climate change and to preserve natural resources.
- One of the Government's key priorities is to decentralise decision-making powers on matters that affect local communities to local authorities and to communities themselves, and for them to be accountable for those decisions.
- Resource efficiency and management, including the reduction and more sustainable management of waste, as well as contributing to the green economy, provides valuable bottom-line savings to hard-pressed businesses and households.
- Energy recovered from biodegradable wastes contributes to the UK's renewable energy targets and wider climate change goals.

What?

To ensure that policies and interventions are best placed to meet these challenges, the Government is undertaking a fundamental Review of Waste Policies. This will look at all aspects of waste policy and delivery in England including household and business waste and recycling collection arrangements. Its overarching aim will be to ensure that we are taking the right steps towards a 'zero waste' economy, setting new goals for 2014, 2020 and beyond.

As part of this review, the Government will consider:

- How best Government, informed by whole life-cycle thinking, can incentivise the delivery of the waste hierarchy (prevention > preparing for re-use > recycling > recovery > disposal), in particular in the light of the current fiscal constraints, so that we:
 1. do more on waste prevention and reuse – stopping waste at its source;
 2. continue to increase recycling rates, when it's the best option, through incentivising and making it easier for both households and businesses to take action;
 3. maximize the cost-effective generation of renewable energy from residual waste; and
 4. move towards zero waste to landfill.

In considering these outcomes, learning from international and domestic best practice, the review will look at all waste related policies including, but not limited to:

1. How better waste management can help to preserve natural resources and protect the environment at home and abroad.
2. How to maximise the contribution that waste management in England can make to UK energy and climate change goals, both renewable energy targets and the long term goals for greenhouse gas emission reduction by 2050.
3. The need for waste evidence, including the necessary data to consider likely waste volumes and characteristics in the future.
4. Actions to ensure the cost-effective contribution waste management in England can make to the green economy is maximised, including the impact on the finances of both households and businesses, on job creation and on green industries themselves.
5. Our future infrastructure needs, including energy from waste and anaerobic digestion capacity and the role of planning including to enable community ownership of waste infrastructure.
6. How potential benefits can be gained from better alignment of policies dealing with business and household waste.
7. The role of the public sector leadership in terms of waste management, including procurement.
8. The role of product policy in waste prevention.
9. How voluntary Responsibility Deals with businesses can play a role in waste reduction and more efficient use of resources.
10. The role of regulation and enforcement in waste management, including the role of standards, ensuring we continue to protect the environment and human health whilst reducing burdens on business, in particular small businesses, where possible.
11. How best to reduce fly tipping and other forms of illegal waste disposal.
12. How best to understand and encourage or incentivise individuals, businesses and communities to produce less waste and recycle more.
13. How to make the best use of the skills and knowledge of private sector, the third sector and civil society and local communities.
14. Whether greater emphasis should be placed by Government on using recyclable/recycled materials in manufacturing, construction and production.
15. How government can work with local councils to increase the frequency and quality of rubbish collections and make it easier to recycle, to tackle measures which encourage councils specifically to cut the scope of collections; and to address public concerns over the civil liberty aspects of inappropriate enforcement practices associated with household collections.
16. The means of decentralising power and responsibility for some services to local communities.
17. How to ensure the right contribution of energy from waste, including delivery of a step change in generation from anaerobic digestion.
18. How best to further reduce the amount of waste going to landfill, so that in future landfill is used only for those wastes for which no better use is practicable.

This is a review of waste policies in England. Some of these policies originate from, or are influenced by relevant EU or international legislation, for example the Landfill Directive or the revised Waste Framework Directive. This review will work within the context of the current state of EU and international law. However, the review may influence the Government's approach to implementation of our legal obligations and future negotiations.

Waste is a devolved matter, and in other parts of the United Kingdom is the responsibility of the devolved administrations. Defra keeps in close touch with the devolved administrations on matters of mutual interest, including EU negotiation and transposition. The review will consider whether lessons can be learned from experience in other parts of the UK.

Waste and related fiscal interventions are a separate matter for the Chancellor of the Exchequer, but Treasury will be closely associated with the Review to ensure coherence.

How?

Defra as the Department responsible for waste policy will lead the review, working closely with other Departments, including DECC which leads on energy and climate change policy, CLG which leads on local government, communities and planning and BIS which leads on low carbon business opportunities, as well as the devolved administrations who lead on waste policy in their countries.

Defra will also be seeking the widest possible input into this review from interested parties starting with businesses, householders and local communities and also including:

- public bodies, including the Environment Agency, LGA, Local Authorities, Regional Improvement and Efficiency Partnerships (RIEPS), WRAP;
- private suppliers and funders of waste services and waste infrastructure;
- representatives from business and commerce;
- representatives of consumers, environmental NGOS and the voluntary and community sector, and academic and professional bodies; and

When?

The Government intends to start the review immediately, and is issuing a call for evidence in July 2010. The intention is to produce preliminary findings by Spring 2011.