

NATIONAL WASTE STRATEGY FOR ENGLAND

2005 REVIEW

THE CHARTERED INSTITUTION OF WASTES MANAGEMENT

**LESSONS LEARNED REPORT
AND
POSITION STATEMENT**

FINAL DRAFT

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1.0 INTRODUCTION AND BACKGROUND

- 1.1 Waste Strategy 2000: England and Wales, published in May 2000 by the then Department of Environment, Transport and the Regions (DETR), identified the need for a 'root-and-branch' review of the strategy in 2010, with 'smaller reviews' to be conducted in 2005 and 2015. Since publication of the strategy there have been a number of significant developments within the UK, including the evolution and implementation of separate strategies for Scotland, Wales and Northern Ireland.
- 1.2 The review, which is due to be undertaken by the Department for Environment Food and Rural Affairs (Defra) during 2005, will therefore focus on the national waste strategy for England, although within the context of the development of waste strategy elsewhere across the UK.
- 1.3 As a major 'stakeholder' in the development of Waste Strategy 2000, and as the principal professional body representing waste management practitioners across all parts of the waste management sector, it is vital that the Chartered Institution of Wastes Management (CIWM) provides a clear statement on its position at an early stage of the review process. To that end the CIWM has appointed SLR Consulting Limited (SLR) to assist in the process of developing a 'Lessons Learned Report and Position Statement' which clearly sets out the views of the CIWM.
- 1.4 This Report has been structured so as to provide a logical basis for setting out the position of the CIWM. **Section 2** provides a brief objective overview of Waste Strategy 2000 and the extent to which it has delivered to date on the objectives and targets contained therein. **Section 3** summarises some of the barriers that have been identified by various 'stakeholders' in the waste management sector which they believe will need to be overcome in order to achieve targets and objectives. **Section 4** provides a comparative review of the waste strategies for Scotland, Wales and Northern Ireland, identifying any lessons that can be learned for inclusion in the strategy for England. **Section 5** identifies a range of issues which the CIWM would wish to be considered by Defra during the review process.
- 1.5 It is recognised that the review process has already begun. Defra is currently consulting on changes to Waste Strategy 2000 in relation to the BPEO process and other waste planning principles (closes 31st March 2005). Defra is also consulting on draft policy guidance for updating Municipal Waste Strategies, and on forecasting and monitoring of waste arisings. In parallel with this process, the Office of the Deputy Prime Minister (ODPM) is currently consulting on Planning Policy Statement 10 – Planning for Sustainable Waste Management (PPS10).
- 1.6 CIWM also recognises that over the last 2-3 years Government has introduced a number of key initiatives focused on achieving the various objectives and targets set out in Waste Strategy 2000. The CIWM is particularly supportive of initiatives such as the Waste Implementation Programme (WIP), new

technologies demonstration programme, the hazardous waste forum, the procurement tool kit established by 4Ps, and the introduction of a waste data strategy and WasteDataFlow, but would wish to see these co-ordinated with other initiatives identified in Section 5.0 of this Report.

2.0 PROGRESS SINCE 2000

2.1 Meeting European Union Objectives

2.1.1 The status of Waste Strategy 2000 is clearly set out in paragraph 5.1 of the document:

'This strategy is a waste management plan for England and Wales under the EC Waste Framework Directive, the EC Hazardous Waste Directive and the EC Packaging Waste Directive, implemented by Section 44A of the Environmental Protection Act (as amended). It is also a strategy for dealing with waste diverted from landfill in England and Wales, as required by Article 5 of the Landfill Directive.'

2.1.2 Publication of Waste Strategy 2000 was therefore intended to meet certain statutory objectives set out in the EC Directives identified above. With regard to the extent to which other EC statutory objectives have been met since publication, or as a direct result of the actions identified in Waste Strategy 2000, the following can be noted:

- § Progress is being made towards meeting the Biodegradable Municipal Waste diversion target for 2010 set out in the Landfill Directive. Whether that target will actually be achieved by the UK is difficult to accurately assess at present and remains to be seen.
- § Progress has been made in meeting the other requirements set out in the Landfill Directive (ban of certain wastes from landfill, an end to co-disposal and reclassification of landfill sites, for example), although not all of the required dates for implementation of these measures were met.
- § Progress has been made in fulfilling the requirements of the IPPC Directive, with all landfills in the UK now coming within the scope of the PPC permitting regime. The requirements of the EC Waste Incineration Directive are also now addressed through the Waste Incineration Regulations and the PPC regime.
- § The requirements of the Waste Incineration Directive have been introduced into UK legislation.
- § Progress has been made towards meeting the various materials related reuse/recovery/recycling targets set out in the Packaging and Packaging Waste Directive.
- § Progress is being made with development of legislation which will implement the requirements of various producer responsibility Directives (WEEE, ELV), although there have been delays in completing this process.

2.1.3 Good progress has been made in implementing the requirements of various EC Directives since 2000. Delay, or failure to meet specific dates for implementation or meeting of specified targets, has however been a consistent theme.

2.2 Meeting Quantified Targets in Waste Strategy 2000

2.2.1 None of the quantified targets set out in Waste Strategy 2000 have been shown by available data to have been missed to date. A recycling and composting rate of 17% had been identified for 2003/04, and a recent announcement from Defra indicated that this target had been achieved. The key measure will be delivery of the targets for 2005 (40% recovery of municipal waste and 25% recycling/composting of household waste) and the Landfill Directive biodegradable municipal waste (BMW) diversion target for 2010.

2.3 Actions Since 2000

2.3.1 Since the publication of Waste Strategy 2000, Government has taken a number of actions, and these are summarised below. Many of the more recent actions stemmed from specific recommendations set out in 'Waste not, Want not', published by the Strategy Unit in November 2002 and subsequently accepted in February 2003 in the Government response to the Strategy Unit report.

2.3.2 Key actions have included the following:

- § The decision to increase the Landfill Tax to achieve a rate of £35 per tonne by around 2010, with an increased annual 'escalator' of at least £3 per tonne with effect from 1st April 2005.
- § The decision to reform the Landfill Tax Credit Scheme, with a proportion of the money being re-directed to a new Sustainable Waste Management Programme for England.
- § Increases in local authority funding for 2004/05 and 2005/06 through the Waste Performance and Efficiency Grant.
- § Establishment of the Waste Implementation Programme (WIP) by Defra in June 2003, focusing on meeting the Landfill Directive BMW diversion targets. WIP is taking forward 8 individual work-streams focusing on:
 - § Local Authority Funding
 - § New Technologies
 - § Local Authority Support
 - § Waste Minimisation
 - § Kerbside
 - § Waste Awareness
 - § Data
 - § Research
- § Introduction of the Waste and Emissions Trading Act, 2003 establishing a system of tradable landfill allowances, due to begin in England in April 2005 (the Landfill Allowance Trading Scheme – LATS).

- § Introduction of the Household Waste Recycling Act 2003 (mandatory kerbside collection of recyclable or compostable waste by 2010, or 2015 at the Government's discretion).
- § Revision of the Building Regulations to require the allocation of space in housing developments for recycling facilities.
- § Publication of Guidelines on Green Procurement for local authorities.
- § Publication (in May 2004) of a Review of Environmental and Health Effects of Waste Management to inform Government policy and assist local authorities in making planning decisions.
- § Increased role and support for the activities of WRAP (also linked to WIP), with a number of key initiatives in place to raise awareness and support local authorities. By March 2004 it was estimated that WRAP's activities were delivering in the order of 3.7 million tonnes of new recycling capacity across the UK.
- § Introduction of the Business Resource Efficiency and Waste (BREW) programme, due to be launched at the end of March 2005. Over a three year period some £284 million will be allocated to businesses to encourage and support resource efficiency.
- § Planned introduction of Planning Policy Statement 10 – Planning for Sustainable Waste Management (PPS10).

2.3.3 It can be seen that the measures outlined above reflect a mix of increased spending (largely through use of Landfill Tax derived monies), some limited strengthening of financial instruments (the increases in Landfill Tax and introduction of the LATS), proposed modifications to the planning system (introduction of PPS 10), introduction of legislative measures (WET 2003 and review of the Building Regulations), all underpinned by a programme of more focused and increased resourcing and coordination at national level (through WIP, WRAP and BREW, etc.).

2.3.4 It is perhaps a matter of debate and subjective opinion at this stage as to whether the actions that have been taken to date, or that are proposed, will be fully effective in ensuring that objectives and targets set out in Waste Strategy 2000 are achieved. Some of the more significant initiatives, such as the LATS, increased Landfill Tax escalator and work of the WIP, are so new that it is clearly too early to tell whether they will be fully effective or not. Many local authorities report that provided recycle markets continue to grow, and demand for waste-derived compost is supported, then they can come close to the 2010 Landfill Directive Article 5 target. It seems increasingly likely that by around that time more residual (i.e. post reduction, re-use and recycling) waste treatment facilities will be needed (especially to recover further energy value from the waste) if targets are to be met in the longer term.

2.4 Contextual Changes Since 2000

- 2.4.1 In seeking to undertake a retrospective assessment of Waste Strategy 2000 as a basis for identifying key issues for consideration in the review process it is important to recognise that since publication of the document in May 2000 there have been a number of 'contextual' changes that have had, or will have in the future an influence on the management of waste across the UK.
- 2.4.2 Changes that have occurred since 2000 reflect strengthening of producer responsibility legislation at European and UK level, a tightening of controls on waste processing and treatment at European and UK level, introduction of legislation and financial instruments to divert waste from landfill, a move to make recycling at the kerbside mandatory, a move towards a more regional approach to planning for waste management, a greater reliance on PFI funded large contracts and further consolidation of the waste management industry.

3.0 BARRIERS TO ACHIEVING TARGETS AND OBJECTIVES

- 3.1 Set out below is a summary list of the principal barriers that have been identified in various documents and highlighted in statements from key stakeholders in the waste management sector (though not necessarily in any order of importance):
- § Failure to arrest the growth in waste generation (although there are indications that the 3% growth in municipal waste has reduced to around 2% over the last year or so). The underlying rate could be lower but is masked by the growth of separate garden waste collection by many WCAs for composting in their response to meeting targets.
 - § Not enough effort has been focused on waste reduction, minimisation and reuse (the focus appears to be much more on recycling and recovery of waste, rather than preventing materials becoming waste in the first place. Recycling targets are perceived as a barrier to reduction and minimisation).
 - § Lack of financial incentives or economic instruments for waste producers (industry, commerce and householders) to minimise, recover or recycle waste or to develop or seek alternatives to landfill.
 - § Lack of any accountability on the part of the public at large to manage their waste in a more sustainable manner and no compulsion for them to recycle.
 - § Lack of funding and investment; more recently, with increased funding there has been some concern expressed over inappropriate targeting of funding and investment.
 - § There are now too many initiatives in place (WRAP, WIP, BREW, Envirowise, etc.), with a perceived lack of overall coordination at strategic level.
 - § Concerns over the complexity of the procurement process for waste services; concerns over value for money from PFI schemes; concerns over the potential inflexibility of long term contracts and ability to respond to necessary change.
 - § Lack of a clear vision from central Government down.
 - § Lack of resources, capacity and expertise in central and local government to deliver.
 - § Lack of public awareness and engagement in waste minimisation and recycling.

- § Lack of understanding by the public of key issues relating to waste (cost, health impact of waste treatment and disposal, impact and implications of variable charging, etc).
- § Difficulties experienced by the waste management industry in delivery (constrained by planning, risk and resource limitations).
- § Lack of experienced waste professionals at all levels (private sector, public sector and regulators).
- § Failure to ‘design out’ waste at the product design stage, and failure to make this mandatory in the UK or to introduce taxes/financial incentives for industry to do so.
- § Split of responsibility for waste and waste related matters between a number of Government departments (Defra, ODPM, DTI, Treasury, etc.); the end result is that delivery structures are perceived as being too complex and unwieldy and there is a lack of integration and clear vision.
- § Split of responsibility between Waste Collection Authorities and Waste Disposal Authorities through two tier authorities in England which can lead to inefficiencies in delivery of services and also result in potential for conflict.
- § Perceived failure or inability of the planning system to deliver the necessary waste management infrastructure in the right strategic locations and on time.
- § Politics at a local level has too much of an influence on the deliverability of waste management services and infrastructure.
- § Dissemination of misinformation by the media on the environmental and health impacts of various waste management related activities, which is tending to influence public opinion in a negative way.
- § Lack of comprehensive data and information relating to all waste streams.
- § Too great a focus on municipal waste (and the drive towards meeting the requirements of the LATS), with the tendency to see the ‘wider waste’ streams as less important or too difficult.
- § Uncertainty over the ‘marketability’ of certain waste derived products (e.g. compost, Refuse Derived Fuel, biomass).
- § Uncertainty over the definition of certain materials as a waste or a product/resource.

- § Uncertainty over the performance of certain technologies (e.g. Mechanical Biological Treatment) in reducing the biodegradability of wastes. Guidance on these issues is perceived as being unclear and too complex.
- 3.2 Many of these issues have been, or are being addressed in various ways by Government and others, and with varying degrees of success.

4.0 LESSONS LEARNED FROM THE DEVOLVED ADMINISTRATIONS

4.1 The process of devolution has resulted in the development of individual national waste strategies for Scotland, Wales and Northern Ireland. A summary of the position with regard to these strategies is provided in Table 4.1 below. This section of the Report provides a comparative review of these waste strategies, identifying any lessons that can be learned for inclusion in the strategy for England.

Table 4.1: Summary of National Waste Strategies				
Country	Regional government	Waste Strategy	Competent authority	Useful websites
England	UK Parliament	Waste Strategy 2000 (England and Wales) (May 2000)	Defra	www.parliament.uk www.defra.gov.uk www.environment-agency.gov.uk
Wales	Welsh Assembly Government	Wise about Waste (June 2002)	Welsh Assembly Government	www.wales.gov.uk
Scotland	Scottish Parliament	National Waste Strategy (1999) National Waste Plan (February 2003)	Scottish Environment Protection Agency (SEPA) Scottish Executive	www.scottish.parliament.uk www.sepa.org.uk
Northern Ireland	Devolution is currently suspended	Waste Management Strategy for Northern Ireland (2000) A review of the strategy has commenced and is due for completion in September 2005	Environment and Heritage Service of Northern Ireland Northern Ireland Department of Environment	www.ehsni.gov.uk

4.2 A detailed review of the approach to the management of waste in Scotland, Wales and Northern Ireland is provided in Appendix 1 to this Report. From

this review it is possible to draw a number of key lessons from the experience (positive and negative) gained within each of the three nations.

- 4.3 Whilst recognising that a number of important lessons can be drawn from the experience to date in Scotland, Wales and Northern Ireland, one note of caution should be highlighted. The population of all three nations is relatively small when compared to England, and the demographics are also generally much less complex. Care therefore needs to be taken when drawing too many direct comparisons, and assuming that approaches adopted in any of the three nations could necessarily be applied with similar degrees of success in England.
- 4.4 Key lessons include the following:
- § There appears to be a clear structure for delivery and monitoring of waste strategy and policy through a central Government department (the situation in England is rather more complex, with a number of Government departments having an active role or interest in waste).
 - § There is no two-tier local authority structure, as there is in many parts of England.
 - § There is an overarching regional structure (11 Waste Areas in Scotland, three Regions in Wales and three sub-Regions in Northern Ireland).
 - § All local authorities have the same targets for recycling (this is not the case in England).
 - § The targets are not statutory (in England each Authority has statutory recycling targets).
 - § There is a high level of cooperation and joint working between Authorities, and this is actively encouraged by Government.
 - § There is an emphasis on working in partnership with the community sector (particularly the case in Wales).
 - § Significant levels of funding have been provided.
 - § Funding has been provided to Authorities on an equitable basis, without the need for 'bidding rounds' (applies to Wales and Northern Ireland only).
 - § Additional funds can be accessed as necessary through a bidding system.
 - § In Wales there will be no trading of Landfill Allowances, with each Authority required to meet its own allowance.

- 4.5 These can be seen within the context of the overall progress achieved in each of the three nations in respect of increased recycling of household or municipal waste. This can be summarised as follows:
- § **Scotland:** increase in recycling from 8% in 2002/03 to 13% in 2003/04
 - § **Wales:** increase in recycling from 8.4% in 2001/02 to 16.25% in 2003/04
 - § **Northern Ireland:** achieved a recycling rate of 16.1% in the 12 months to September 2004
- 4.6 These data confirm that excellent progress has been achieved, although it is recognised that there are a number of potential barriers to meeting future targets, which include:
- § The potential failure of the planning system to deliver the waste management infrastructure required.
 - § Remoteness from the major reprocessors of materials diverted for recycling,
 - § Failure to fully engage the public in waste reduction/minimisation and recycling.
 - § Concern over the long term financial sustainability of revenue intensive kerbside collection schemes.
 - § Failure to deliver effective partnerships between Authorities (and, where appropriate, with the community sector and/or the private sector).

5.0 KEY ISSUES FOR THE 2005 REVIEW

5.1 In setting out key issues for consideration by Defra the CIWM recognises that the current process was never intended to represent a ‘root and branch’ review of Waste Strategy 2000. The Institution does, however, recognise that members have clearly identified a number of barriers to future progress (and measures which they believe would help to overcome such barriers) which would inevitably require more time for consideration than is available either to the CIWM in preparing this Report or to Defra under their review of the Strategy.

5.2 In order to bring all issues to the attention of Defra the Institution has sought to present these in a structured manner within the context of three discrete ‘tiers’. This is reflected in the tables that are presented below, as follows:

§ **Table 5.1** identifies seven generic priority issues which the Institution highlights as needing urgent attention under this current review.

§ **Table 5.2** identifies a longer list of more specific actions, all of which the Institution believes could, and indeed should, be deliverable by Government over the course of a single parliamentary term. These are provided in more summary format. Some of the more specific actions are also included in the priority list in Table 5.1

§ **Table 5.3** identifies three specific areas which have been raised in discussions with CIWM members and others as worthy of full discussion. They are presented here in recognition of their potential importance to the future of more sustainable waste management and because of a desire by many to see these issues debated ‘in the open’. These issues almost certainly fall outside of the scope of the proposed Waste Strategy 2000 review because:

- They may not be deliverable by England or the UK acting alone. Some issues may need to be agreed at a European level for example.
- The issues and their solutions may be too complex to be delivered within the time or resources available in this review.
- They have implications for public/private sector policy well beyond waste and resources management.

Table 5.1: Priority Issues

§ **Scope:** The CIWM believes that the review of Waste Strategy 2000 should give equal weight to non-municipal wastes (which represent over 90% of the total controlled waste stream) and to municipal wastes (representing less than 10% of the total) in respect of policy, targets and objectives. Failure to achieve this balance in the current document has resulted in there being too great a focus on municipal waste to the detriment of other waste streams. The Strategy needs to emphasise that the aim for this industry is to become a value added resources management sector, and not merely waste collection and recycling/disposal.

§ **Waste Hierarchy:** Waste Strategy 2000 is correct in promoting the waste management hierarchy. However, the CIWM believes that more needs to be done to promote waste reduction for municipal and for non-municipal wastes; this should be followed in the hierarchy by the application of reuse operations and then by the subsequent recycling and recovery of materials. In seeking to raise this issue the CIWM notes the following:

- Targets established through ‘Producer Responsibility’ regulations, and those set for Waste Collection Authorities, currently focus on recycling and recovery – they do not provide any form of incentive to encourage or require waste reduction as a first priority.
- The point of complete recovery for a range of waste types needs to be clarified. The CIWM believes that this should be on the basis of clear standards and fitness-for-purpose criteria to define the point beyond which wastes can be treated as new raw materials – thereby avoiding further Regulation or labelling of materials as ‘waste’.
- The current complexity and administrative cost of permitting and compliance for waste recovery operations should be reviewed so as to keep these costs to the minimum necessary to afford protection to health and the environment whilst at the same time encouraging waste recovery as a priority in preference to disposal.

• **Simplified and Co-ordinated Targets:** The CIWM believes that targets are both necessary and helpful in delivering the Strategy’s objectives. However, the CIWM also believes that a review of public sector focused targets is needed so as to encourage waste reduction as a priority in preference to recycling and/or recovery. Furthermore, the CIWM believes that new targets or management requirements should be introduced for non-municipal wastes, with specific proposals included in Table 5.2 below.

Table 5.1: Priority Issues

- **Funding:** The CIWM believes that central funding for local authority waste infrastructure and services should be allocated on a fair and equitable basis (such as local population) and not through a variety of funds which local authorities are required to bid in to. The CIWM also believes that funding should favour strategies and facilities/services that are designed to 'co-manage' municipal and non-municipal wastes, thereby achieving greater efficiency.

- **Capacity:** The CIWM supports Government in seeking to improve planning and waste services/infrastructure procurement procedures, and also in seeking to provide advice and support for local authorities to help deliver the strategies, facilities and services that are needed to deliver the national Strategy. However, The CIWM believes that this needs to be underpinned by the provision of adequate resources, skills, training and information such that new systems and guidance are used efficiently and effectively.

The CIWM wants to see a strong and effective lead Government department with all the resources needed to develop, deliver and monitor waste policy, legislation and strategies. Similarly, we need a fully resourced and skilled regulator capable of delivering efficient and effective regulation and enforcement in all cases.

- **Communications:** The CIWM believes that the revised waste Strategy should be underpinned by a comprehensive Communications Strategy. The CIWM believes that better resource efficiency will hinge on the co-ordinated actions of a broad range of stakeholders, changed behaviour of individuals and organisations, and recognition of a shared responsibility for the materials and resources we waste and the solutions and facilities needed to manage them in a more sustainable manner. Any such Communication Strategy must be sustained over an extended period and will require Government funding and leadership at the highest possible level.

The CIWM would be happy to be part of developing and delivering this Communications Strategy.

- **Strategy Monitoring:** The CIWM believes that Government should closely monitor the progress achieved under the Strategy and the effectiveness of individual policies or tools within it through a Strategy Monitoring Group, as proposed in the 2002 Cabinet Office report. This Group should include input from a broad range of stakeholders and

Table 5.1: Priority Issues

should, on an annual basis, report on progress, barriers to progress and proposed changes/solutions. Such an approach would allow continuous improvement to be made, if necessary, and avoid the need for periodic update or review. The CIWM would be happy to commit to the creation and maintenance of this Group.

Table 5.2: Summary of specific actions that could/should be included in the review of Waste Strategy 2000

Targets:

- § Stimulate municipal waste reduction, re-use, recycling and recovery through expressing WCA and WDA targets in terms of the amount of residual waste allowed to go to landfill.
- § Targets should make expectations on all parties clear and be backed by clearly stated deadlines and consequences of failure to meet them – as is the case in the LATS.
- § Landfill Directive BMW diversion targets cannot be altered under this review and the Landfill Allowance Trading Scheme (LATS) associated with them must therefore be maintained under the new strategy as a pragmatic measure to support the plans already being put in place by local authorities.
- § Introduce statutory targets for commercial and industrial waste. The CIWM recognises the difficulty in designing and enforcing effective targets for non-municipal wastes but proposes a number of indirect measures, including:
 - Linking PPC waste reduction plans to a statutory obligation for businesses to include waste production and reduction performance into their annual reporting and accounting procedure.
 - Construction and demolition waste prevention and management plans made a statutory requirement for all development above specified thresholds as a part of the planning permission application and determination process.
 - Consideration of lowered packaging producer responsibility thresholds demonstrated through modelling of costs and benefits of such a change to stimulate both recovery/recycling and packaging reduction.
 - Consideration of new Producer Responsibility schemes in England

Table 5.2: Summary of specific actions that could/should be included in the review of Waste Strategy 2000

(and the rest of the UK) based on the environmental impact of the materials involved – for example, mineral and lubricating oils.

- § Introduce statutory green procurement targets for central and local government through mandatory plans to identify and reduce environmental costs associated with their three (say) most environmentally significant procurement decisions.

Economic and Financial Issues:

- § Review English Local Authority funding for more sustainable waste management so as to avoid the current situation with short term/short notice bidding rounds focused on a variety of funding sources. This should provide proportionate and more equitable funding to all authorities for both capital and revenue expenditure and should reflect experience and best practise in all four national strategies.
- § Increase the Landfill Tax escalator from £3 per tonne to at least £5 per tonne per year and model the impact of a higher rate of increase for possible future imposition. The CIWM believes that the current level of Tax has only a marginal impact on the waste market and should be raised more quickly. Balanced against this, the Tax increase should be predictable (planned and announced on at least a 3 year rolling basis) thereby allowing time for waste producing businesses to change their practises.
- § Keep the Landfill Tax ceiling under review as part of the rolling three year plan.
- § Evaluate the costs and benefits of requiring local authorities to pay the Landfill Tax as well as having to comply with LATS targets and associated potential penalties.
- § Stimulate ‘green procurement’ by businesses and demand for recycled and recovered materials through tax incentives for high recycled content products (subject to meeting minimum product quality standards); also introduce priority virgin raw materials taxes.
- § Encourage the introduction of Differential and Variable Rate (DVR) charging, or other incentives, to encourage householders to minimise residual waste for disposal by allowing/facilitating pilot schemes by representative local authorities across England.

Table 5.2: Summary of specific actions that could/should be included in the review of Waste Strategy 2000

- § Stimulate industrial and commercial waste treatment and reduction at source through supported capital investment in appropriate technologies.
- § Investigate mechanisms to facilitate private sector funding and development of waste recycling and recovery facilities such as Enhanced Capital Allowances for approved technologies or site-specific proposals.
- § Encourage the use of prudential borrowing by local authorities to fund waste management projects.

Policy or Legislative Issues:

- § Government should show clear leadership in adopting a more sustainable approach to resource use/waste management through a clear expression of the need for residual waste management capacity required after the logical limits of reduction, re-use and recycling have been reached.
- § Support the provision of accurate and reliable data across all waste streams and facilities by giving statutory backing to the requirement to provide timely, accurate and complete waste data.
- § Increase waste producer responsibilities to characterise, describe and report waste types and quantities produced under the Duty of Care and the Waste Data Strategy.
- § The National Waste Strategy must be supported by a properly funded , co-ordinated and sustained Communications Strategy, with the overall objective of influencing waste and resources management by people at work and in their own homes.
- § Encourage and actively promote the use of secondary resources through BSI standards – for example, for secondary aggregates, and through ‘green kite’ marking/branding.
- § Provide greater clarity on the definition of ‘recovery’ of wastes so as to reduce the administrative burdens and costs associated with secondary resource use and to remove the current stigma associated with the use of waste-derived products or materials wherever possible.
- § Assess the impact of a ban on the incineration or thermal treatment of certain recyclable materials (for example, dense plastics).

Table 5.2: Summary of specific actions that could/should be included in the review of Waste Strategy 2000

§ Simplify the current system of environmental permitting for waste recovery operations, whilst at the same time seeking to avoid compromising the protection of people or the environment.

§ Mandatory medium term (3 to 5 years) business plans should be published by packaging waste compliance schemes. These should show the proposed use of PRN-derived monies to stimulate provision of infrastructure or services to increase the availability of recoverable materials and the capacity to treat them. These plans should also show where partnership working with local authorities and the waste management industry is proposed.

Structural, Institutional or Delivery Issues:

§ Clarify and promote the Lead Department status of Defra in developing and monitoring the delivery of the waste strategy - with a medium term aim of re-instigating an Environment Department with a clear focus on waste and environmental issues.

§ The Lead Department to maintain a high level 'Steering Group' tying together all waste policy and initiatives between Government Departments with a role or interest in waste management.

§ The Lead Department should be responsible for maintaining a multi-disciplinary 'Strategic Waste Network' through creation of a single body or co-ordinated network of existing/new agencies, departments etc, whose roles and responsibilities would include:

- to commission, monitor and disseminate waste research and development;
- to collect, collate and disseminate waste data/information relating to technologies, arisings, capacity and also current proposals at the planning stage;
- to provide projections of future waste arisings and waste management capacity requirements at a national level;
- to develop, maintain, provide and support decision support tools for regional and local bodies;
- to support Government negotiation and joint working at a European level either directly or through commissioned expertise from the waste industry (public and private sector) including 'horizon scanning' of new EU policy/legislative proposals;
- to advise Government on the need for policy, strategy or legislative changes necessary to promote more sustainable waste/resources management;

Table 5.2: Summary of specific actions that could/should be included in the review of Waste Strategy 2000

- to advise Government on the allocation of resources to support public sector waste strategy development/planning or service delivery;
 - to advise Government on the allocation of resources to stimulate better waste/resources management in the private sector;
 - to co-ordinate and support regional/local waste strategy development and procurement through the identification and dissemination of best practise;
 - to provide up-to-date market analysis and prediction of likely impacts of new initiatives;
 - to advise on any further changes proposed to the role of existing bodies such as WRAP and Envirowise and the need for any further institutional/structural changes necessary to deliver the strategy in a more effective or efficient manner; and
 - to manage the preparation and delivery of the Communications strategy that the CIWM believes is required to accompany the new National Waste Strategy.
- § The Lead Department should maintain a joint government/industry forum to monitor and advise on the work of the Strategic Waste Network and to source the information, skills or other resources necessary to support the work of the Network.
- § If reliance is to be maintained on existing public sector bodies and structures to deliver the waste strategy then these must be given a clear understanding of their responsibilities and deadlines and be fully resourced to meet the workloads involved (for example, the Planning Inspectorate who should anticipate an upturn in planning appeals and referrals over the next 2 to 5 years and be resourced accordingly).

Table 5.3: Longer term issues

The following issues have been raised in discussions with CIWM members and others as worthy of full discussion. They are presented here in recognition of their potential importance to the future of more sustainable waste management and because of a desire by many to see these issues debated 'in the open'. They almost certainly fall outside of the scope of the proposed review because:

- § They may not be deliverable by England or the UK acting alone. Some issues may need to be agreed at a European level for example.
- § The issues and their solutions may be too complex to be delivered within the time or resources available in this review.

§ They have implications for public/private sector policy well beyond waste and resources management.

Local and Regional Government Structure: It has been suggested that there should be a major overhaul and restructuring of local and regional government so as to remove the current two-tier system which is believed by many in the waste management sector to constitute a significant barrier to delivery of the services and infrastructure required to meet targets and objectives. Such a restructuring would need to consider the following issues:

- § Short term encouragement of, and support for joint planning and waste contracting between neighbouring county authorities so as to share skills and resources and to deliver more co-ordinated waste management.
- § Undertake a full appraisal of the creation of Unitary Resource Management Authorities or statutory joint arrangements to replace the two-tier system of Waste Disposal and Waste Collection Authorities in England.
- § Undertake a full appraisal of the costs and benefits of creating Regional Strategic Waste Authorities with responsibility to develop strategies, plan procure and deliver waste services across the Region and to work alongside Regional Development Authorities to encourage and support more sustainable waste and resources management by public and private sector organisations throughout the Region

Definition of waste: It has been suggested that the definition of waste should be re-examined. The CIWM recognises that this could only be done through the EU but may be something that arises out of the thematic strategies associated with the Sixth Community Environment Action Programme (Environment 2010: Our Future, Our Choice). Four priority areas for urgent action are identified in the Programme – climate change, nature and biodiversity, environment and health and quality of life and natural resources and waste within the context of seven strategies (one of which focuses on waste prevention and recycling). The EU is also proposing a review of the Waste Framework Directive.

Re-structuring of the planning system: It has been suggested that the planning system should be re-structured so as to elevate decisions of strategic importance to a higher tier of local/Regional government. It is recognised that this could only follow a period of monitoring of the performance of the proposed new planning regime to be introduced under PPS10; it can therefore only be seen as a much longer term issue for consideration. The immediate challenge is to ensure that the existing planning system is capable of delivering permissions for a large number of diverse waste management facilities over the next 5 years if the Landfill Directive target for 2010 is to be achieved. Future changes to the planning system will assist in the delivery of the later targets to 2020.

Appendix 1

Review of Waste Strategy Development in Scotland, Wales and Northern Ireland

Appendix 1.1 – Lessons to be Learned from Scotland

Meeting the targets – progress to date

- § Overall performance across Scotland has significantly improved in the last 2 years with respect to material diverted for recycling and/or composting, increasing from 8% in 2002/2003 to 13% in 2003/2004
- § In the same period, the total household waste collected for recycling increased from 206,166 tonnes to 299,390 tonnes, an increase of 45%.
- § In the same period, household waste disposed to landfill decreased from 2,998,804 tonnes to 2,273,723 tonnes, a reduction in weight terms of 24%.
- § Unless the rate of improvement is further increased, it is likely that Scotland as a whole will fail to meet its 2005/06 recycling and composting target of 25%
- § However, it is likely that Scotland will meet its 2010 targets, although this is dependent on continuing substantial investment in kerbside collection of dry recyclables and green waste for composting, together with increases in waste minimisation through home composting.
- § Overall it is expected that Scotland will not meet its 2013 targets, without substantial investment in treatment and process facilities for residual waste
- § A draft strategy for the management of non-municipal or ‘business’ wastes has been prepared by SEPA for stakeholder consultation; this will form the basis of Scotland’s future strategy for the sustainable management of non-municipal wastes, as required by the National Waste Plan

Lessons to be learned

- § The approach to waste strategy development and implementation adopted by the Scottish Executive and SEPA is one of cooperation with Scotland’s 32 Unitary Local Authorities. The principle of Joint Working between authorities was established when the Area Waste Strategy Groups were set up, and this has resulted in all of Scotland’s authorities participating in the process and recognizing the technical and commercial benefits which result.
- § A positive incentive has also been added by the Scottish Executive, who have indicated to authorities that the award of funds for facility development will depend on clear and unambiguous evidence of joint working and cooperation in the project plans submitted for funding support.
- § Significant funds have already been awarded to authorities (£320 million in total so far) for specific projects, with other funds expected to be made available from the Scottish Executive’s Strategic Waste Fund for specific approved infrastructure projects or service contracts to support the delivery of the NWS.
- § Targets for recycling and composting in Scotland are not statutory. Local Authorities, however, are encouraged to work jointly with their neighbouring authorities within the Area Waste Plan structure, where appropriate, to plan for, and then initiate, infrastructure and collection schemes which will provide Best Value with respect to returns and economy of scale.
- § The long-term strategies being developed by each of the 11 Area Waste Groups are based on a specific BPEO approach for each Area which typically includes waste minimisation, maximising the collection of source-segregated materials for recycling and composting and the identification of preferred treatment options for the residual wastes. With the exception of the Energy from Waste (EfW) plants in Dundee and the Shetland Islands, the Area Waste Plans have adopted an approach which does not promote the use of EfW.
- § However it is recognized in most of the Area Waste Plans that the BPEO and future technology options should be kept under regular review and as part of the next review of the NWP and AWP, it is expected that the need for EfW, as a means of attaining the 2013 and 2020 diversion targets, will be practically addressed.

Appendix 1.1 – Lessons to be Learned from Scotland

Principal barriers to meeting the targets going forward

Whilst it is recognized that significant progress has been made in Scotland to increase the level of recovery and recycling achieved by the local Authorities, and to decrease the dependency on landfill disposal, there are still barriers which need to be overcome which the Scottish Executive, the local Authorities, SEPA and the private sector are striving to address. These include:

- § The planning system is regarded as a potential barrier to the delivery of the number of facilities necessary to deliver the requirements of the NWP. Structure plans, in the main, are out of date, most of them having been adopted in the period 1997-1999. Local Plans are in the process of revision, and the new local plans being adopted by Local Authorities do recognize the provisions of the NWP, with the Planning Authorities (32 Local Authorities and 2 National Park Authorities) stipulating that land requirements for waste management facilities need to be recognised within development strategies.
- § It is recognised that Scotland is distant from many of the UK's secondary materials reprocessing facilities and recycling markets and that this may add significant additional transport costs to the costs of waste management. The development of new markets has therefore been a priority with WRAP and Remade Scotland, with local voluntary sector companies being supported by the waste industry and the Executive both financially and technically, to ensure materials which can be used locally are indeed used, especially where they displace materials which would otherwise have to be imported to the locality.
- § Scotland has spent substantial monies in promoting the messages of waste minimization and recycling – to householders and business - through the Scottish Waste Awareness Group, funded through the Scottish Executive, Local Authorities and some private sector companies, as the principal organization charged with this task. The continuation of this public education programme is seen as crucial to the future success of the delivery of the targets set out in the NWP, and any diminution of the education and awareness initiative would present a significant barrier to further progress

Appendix 1.2 – Lessons to be Learned from Wales

Meeting the targets – progress to date

- § The overall performance in terms of the proportion of municipal waste diverted for recycling or composting has improved dramatically over recent years – rising from 8.4% in 2001/02 to 16.25% in 2003/04
- § The target set in 'Wise about Waste' for recycling/composting of municipal waste of 15% by 2003/04 has therefore been exceeded
- § Over the same period (2001/02 to 2003/04) the amount of municipal waste recycled or composted has increased 122% from around 144,000 tonnes to 319,000 tonnes, with the amount of waste composted increasing by 200% from around 37,000 tonnes to 111,000 tonnes
- § The total amount of municipal waste sent to landfill decreased by 5% over the period 2001/02 to 2003/04 (from 1.57 million tonnes to 1.50 million tonnes)
- § The amount of biodegradable waste being sent to landfill is decreasing at a rate that gives confidence that the 2010 target set for Wales will be met
- § Targets set in 'Wise about Waste' for the reuse and recycling of construction and demolition waste for 2005 and 2010 have already been easily exceeded
- § The targets set for minimisation of household waste (on a per household basis for 2009/10 and per person basis for 2020) are very challenging and more progress will be needed to meet these

Appendix 1.2 – Lessons to be Learned from Wales

Lessons to be Learned

The approach adopted by the Welsh Assembly Government in setting out the Welsh waste strategy in 'Wise about Waste' is different to that adopted in England in a number of key respects. The Assembly Government has also sought to provide support to a number of important initiatives. These are highlighted below:

Targets:

- § Targets for the recycling/composting of municipal waste are the same for all 22 Unitary Authorities in Wales (whereas in England the targets vary from one Authority to another). This is seen by the Assembly Government as being a more equitable approach
- § The Assembly Government stresses that these targets are very much seen as the minimum required, with the expectation that each Authority should be aiming to exceed them
- § Currently the targets are not statutory as such (whereas in England they are), although this has not prevented the average performance across Wales exceeding the figure for 2003/04
- § The target for diversion of municipal waste identifies minimum figures for both recycling and composting, with the aim of achieving a balance between the two. There is no target for recovery (as there is in England)
- § Material diverted for composting only counts towards the target if the material is source segregated. This is aimed at ensuring the production of high quality, marketable compost; it also seeks to prevent Authorities trying to adopt a 'short cut' approach of sending lower quality material to landfill as cover
- § A specific target has been set for waste reduction in the public sector (this was not included in Waste Strategy 2000)

Policy, structure and delivery:

- § There is a focused waste strategy/policy group in Wales responsible for monitoring and implementation of the strategy. This avoids difficulties that can occur when a number of Government departments have responsibilities for different aspects of waste policy and delivery (as is the case in England)
- § The Assembly Government has sought to adopt a 'team' approach to delivery of the waste strategy. The concept of 'Team Wales' is actively supported by the Assembly Government and draws together a range of public and community sector agencies and organisations
- § There is a major emphasis on involvement of the community sector in Wales, working in partnership with Unitary Authorities and the private sector. This is actively encouraged by the Assembly Government
- § There are 22 individual Unitary Authorities in Wales, and therefore no two tier structure as in many parts of England. This avoids the potential conflict that can occur between Waste Collection and Waste Disposal Authorities
- § Each Authority has been required to prepare its own municipal waste management strategy. Although not a statutory requirement all but 2 or 3 had completed a strategy prior to the end of 2004
- § An overarching Regional structure has been established, with three defined Regions – south-east, south-west and north Wales
- § Regional Waste Plans have been prepared, in line with national planning policy (Technical Advice Note 21 – Waste) to provide an overarching framework for establishing waste management infrastructure needs for all controlled waste streams (and not just municipal waste)
- § Joint working between authorities is encouraged by the Assembly Government. There are a number of examples where this has happened, or is happening, but further work is required on this issue
- § The Landfill Allowance scheme was introduced in Wales on 1st October 2004, 6 months earlier than the date for England. Trading of allowances is not permitted in Wales (as it will be in

Appendix 1.2 – Lessons to be Learned from Wales

England), with each Authority required to meet its own individual target. This is aimed at ensuring that all Authorities are committed to diverting BMW from landfill, rather than relying on others and then trading allowances.

- § Until recently the Assembly Government took a strict stance against energy from waste. More recently this stance has softened, although Unitary Authorities are still encouraged to meet targets to 2009/10 through source segregation techniques, with residual treatment (possibly including some energy from waste) utilised to achieve the longer term Landfill Directive targets

Funding and economics

- § There has been an equitable approach to the provision of funding to each Unitary Authority; all have received funding and therefore have not needed to spend time on putting detailed bids together.
- § The Assembly Government monitor use of funding very carefully to ensure delivery of service and value for money
- § The Assembly Government has committed to funding several years into the future, therefore removing some level of uncertainty over the economic sustainability of new revenue related services (e.g. kerbside collection schemes)
- § Unitary Authorities can also bid for additional funding through the Strategic Recycling Scheme (SRS), partly supported through EU Objective 1 funding (which does not apply to all of Wales)
- § The Assembly Government has provided support for the development of the 'Exemplar' initiative, with 5 Unitary Authorities (in partnership with the community sector and private sector) given additional funds to achieve 50% recycling/composting within a 3 year period. To date the scheme has seen mixed success and is unlikely to achieve the target identified
- § The Assembly Government has provided significant funding to WRAP and CWMre (Creating Welsh Markets for Recyclate) for the development of recyclate and compost markets in Wales
- § There is a major focus on using the development of waste management services for local job creation and social/economic benefit

Principal barriers to meeting the targets going forward

Whilst considerable progress has been made in Wales, there remain a number of barriers which could prevent further progress towards meeting all the medium to longer term targets. Principal barriers include:

- § The potential for failure of the planning system to deliver the waste management infrastructure required to achieve all of the targets
- § The potential that local markets will not be developed for the reprocessing of recyclate and use of compost sufficient to match production in line with the targets
- § In the longer term, the risk that markets will not be established for the use of RDF or biomass from residual waste treatment facilities in Wales
- § The risk that revenue intensive kerbside collection schemes are not sustainable in the longer term due to reduction or termination of funding to Unitary Authorities
- § The potential of failure to fully engage the public, industry and commerce in waste minimisation and recycling schemes
- § The risk that Unitary Authorities fail to develop partnerships which can deliver services and infrastructure on a more cost-effective basis

Appendix 1.3 – Lessons to be Learned from Northern Ireland

Meeting the targets – progress to date

- Annual progress reports are produced by Northern Ireland's District Councils within each of the province's three sub-regional groupings. The total recovery rate for the 12 months up to September 2004 was reported as 16.1 % - a significant increase from previous years. This figure is based solely on processing of the source-segregated materials collected for recycling and composting, as there is currently no other form of waste processing in the province.
- On the basis of the current rate of performance improvement, it is anticipated that as a whole, Northern Ireland will meet its first target of 25% recovery (recycling and composting) by 2005/06, although the performance of individual District Councils is variable and some are likely to fail to achieve this target.
- The achievement of the Waste Strategy targets beyond 2005/06 will likely require the development of significant new waste processing infrastructure capacity in the province for residual waste. The nature of this 'larger' infrastructure is dependent on the outcome of the 'NI-wide' BPEO (due mid-2005) and the updated Strategy (due early 2006), as well as the ability to overcome the barriers to deliver outlined below.

Lessons to be learned

- The principle of joint working between Northern Ireland's 26 unitary District Councils is now well established - through the three sub-regional working groups and the preparation of the Waste Management Plans (WMPs). Although the statutory duty for preparation of a WMP lies with each District Council, Northern Ireland's Waste Strategy requires the Councils to work jointly in groups and so in practice, three joint sub-regional WMPs are being developed for the province, that will collectively seek to deliver the province's BPEO and Waste Strategy requirements.
- The concept of joint working between local authorities has been taken a stage further in Northern Ireland. The potential barriers to joint procurement of a long term PPP type waste services contract with several local authorities, has been addressed by the DoE making the necessary changes to the law to allow the three local authority sub-regional groupings to establish their own corporate entity which is legally able to enter into a long term waste contract with a private sector waste services provider. Through this system, it is hoped that many of the barriers to the joint procurement of the long term contracts that the province needs to meet its later targets, have been removed.
- Northern Ireland is involved in a number of cross-border initiatives with the Republic of Ireland. These include 'all Ireland' initiatives for a waste awareness campaign for public and business, a north-south paper mill feasibility study and a joint clinical waste arrangement.
- Development Planning control in Northern Ireland is exercised by a single authority for the entire province - the Planning Service of the DoE. A new Planning and Waste Management Planning Policy Statement 11 (PPS 11) was issued by the DoE in December 2002 and sets out the planning policies for the development of waste management facilities. PPS 11 has an important role in supporting the development of a range of waste management facilities consistent with the principles and objectives of the WMS and WMPs. Consequently both the WMS and WMPs are important material considerations in assessing development proposals for waste management facilities. However despite the presence of a single planning authority, planning control remains one of the key barriers to delivery of the infrastructure necessary to support the Strategy.

Principal barriers to meeting the targets going forward

- The principal barriers to meeting the targets going forward are: BPEO; Planning; Procurement (including funding); waste minimisation and secondary markets; these are discussed below.
- BPEO: the province lacks an area-wide BPEO – although this is currently under preparation and is expected to be published early in 2005.
- Development Planning: despite NI having a single Planning Authority, there remains considerable

Appendix 1.3 – Lessons to be Learned from Northern Ireland

concern in the waste management community about the ability of the planning system to deliver the larger waste management facilities that will be required in the next 5 years to process residual waste and meet the 2010 and later targets. The current system is very sensitive to consultation responses and subject to regular judicial review of planning decisions, which together act to slow down the decision making process. This perception of the current system is acting as a disincentive to waste management contractors seeking to bid for future infrastructure and services projects.

- **Procurement and Funding.** Northern Ireland does not have a PFI mechanism like the rest of the UK. Also the current system of grant allocation may need to be revised to deliver the funding necessary for the new large-scale infrastructure required before 2010. Historically grant funding has been distributed equally amongst the District Councils (on the basis of a number of criteria including population, area etc); however, a change in this mechanism may be required to deliver the funding support for future projects that are delivered on behalf of joint council groupings. The draft Investment Strategy for Northern Ireland over the next 10 years totals £280 million.
- Waste minimisation forms a key element of the Strategy and there is concern about the perceived lack of a clear UK-wide strategy to deliver the necessary levels of waste minimisation – both household and business waste – to meet the Strategy requirements
- The small population in Northern Ireland (1.6 million) means that many secondary markets do not exist in the province and it will have to look to the rest of the UK and the Republic of Ireland for these markets, with the additional burden of transportation costs.