

# **APPENDIX 1**

## **LEGAL PROVISIONS FOR WASTE CHARGING IN EUROPEAN COUNTRIES**

Tab. 2: Legal provisions for waste charging including the possibility to apply PAYT in European countries

Country code	Power to impose waste charges			Regulations towards PAYT in the legislation	Applications of PAYT in the country	Legal basis (translated)
	No	Yes	Obligatory			
A		✓			✓	„...the legislation of the Länder may authorise municipalities to charge certain fees; this legislation stipulates the essential elements of these fees, and especially their upper limit.“ Art. 8, para. 5 of the Constitutional Finance law of 1948, amended in 1966
B		✓	✓		✓	Constitutional provision supplemented by regional legislation
CH		✓	✓		✓	„...the cantons shall ensure that the costs of disposal of municipal waste [...] shall be charged, by means of emoluments or other taxes, to those who generate this waste.“ Art. 32a (introduced in 1997) of the federal Law on Environmental Protection of 1983
CZ		✓		✓		Power of local authorities and establishments responsible for waste collection to charge a fee for the services provided derives from Law No. 125/1997 coll., on wastes as amended by No. 37/2000 coll. From 2003 on municipalities are again allowed to design their own fees for municipal waste collection. Law Act No. 275/2002 coll.
D		✓	✓	✓	✓	Constitutional provision supplemented by legislation of the Länder, whereby the latter and the Law on communal charges demand levies for the waste to be made in relation to the respective services obtained. „...fees for waste shall by and large be in relation to the waste collection services obtained. A fee which is entirely calculated on the basis of the number of persons is therefore in no conformity with the law.“ Technical instruction of the State Department for the Interior of the State of Saxony on the implementation of the Law on communal charges of 1994.
DK		✓			✓	„...the local council can fix fees to cover costs in respect of: [...] collection of waste [...] Art. 48 of the Environmental Protection Act of 1998
F		✓		✓	✓	„Municipalities, groupings of municipalities and local public establishments responsible for collection of rubbish, waste and refuse may institute a fee based on the scale of services provided.“ Art. 14, para. 2 of Law no. 74-1129 of 1974
FIN		✓		✓	✓	„Municipalities have the right to collect a waste tax to cover the costs of waste management and related tasks organised by them.“ „The general grounds for setting the waste tax are the type, quality and quantity of the waste“. Art. 28 & 29 of Waste Act 1072 of 1993

Source: Institute for Waste Management and Contaminated Sites Treatment, Dresden University of Technology (2004) 'Handbook on the implementation of Pay-As-You-Throw as a tool for urban waste management' (ISBN 3-934253-32-6)

Country code	Power to impose waste charges		Regulations towards PAYT in the legislation	Applications of PAYT in the country	Legal basis (translated)
	No	Yes			
GR		✓			Taxes for management of waste and for electricity are calculated on the basis of the area occupied by each household..“, Art. 1, para. 1 of Law 25/1975
I		✓	✓	✓	The cost of management of municipal waste are covered by municipalities by means of the institution of a fee comprising a fixed portion in relation to essential components of the service and a variable portion based on the quantity of waste produced, the service provided and management costs. Art. 49 of Legislative Decree no. 22 of 1997 (abolishing the flat-rate tax TARSU) to be fulfilled by large municipalities on January 01, 2005 and for the rest in 2007 respectively
IRL		✓		✓	„...local authorities may impose fees for services provided,.. Art. 2 of the Local Government Act of 1983, and “...each local authority shall collect, or arrange for the collection of household waste within its [...] area.“ Art. 33 of the Waste Management Act of 1996.
L		✓	✓	✓	„The cost of elimination of waste must be paid by [...] the owner of the waste.“ „...taxes for (waste management) services provided must correspond to actual production of waste and in particular to the type, weight and volume of waste.“ Art. 15 and Art. 17, para. 3 of the Law of 1997
NL		✓		✓	„To cover the costs that incur in connection with the disposal of household waste, each municipality may institute a levy...“ Art. 15.33, para. 1 of the Environmental Act of 1993
P		✓			Municipalities may charge fees for the collection of municipal waste. Art. 20 of Local Financial Law no. 42/98 of 1998
S		✓		✓	Municipalities may establish regulations that set fees for the collection [...] of waste within their jurisdiction. Art. 27, para. 4 of the Environmental Code of 1998
SP		✓			Public authorities may establish economic, financial and fiscal means to promote the [...] recovery of waste. Art. 25, para. 1 of Law 10/1998 supplemented by the regulations of Law 8/1989, dealing with charges and public prices/fees
UK	✓				„No charges shall be made for the collection of household waste, except in cases prescribed in regulations made by the Secretary of State.“ Art. 45 of the Environmental Act of 1990

Table produced in adaptation to compilations in the study report of ACR-AVR, (2000): The Application of Local Taxes and Fees for the Collection of Household Waste: Local Authority Jurisdiction and Practice In Europe.

Source: Institute for Waste Management and Contaminated Sites Treatment, Dresden University of Technology (2004) 'Handbook on the implementation of Pay-As-You-Throw as a tool for urban waste management' (ISBN 3-934253-32-6)

## **APPENDIX 2**

### **THIRD PARTY RESEARCH**

## **Waste Watch – ‘Best Practice or Bribery?’**

Waste Watch, a national charity promoting sustainable resource use, undertook a presentation on DVC to the Associate Parliamentary Sustainable Waste Group (APSWG) in October 2004. Entitled ‘Best Practice or Bribery? Charging Households for Waste Management’, it outlined the role that DVC and other schemes could play in achieving householder behavioural change.

The presentation highlighted the following considerations when introducing a DVC scheme<sup>1</sup>:

- Involving retailers e.g. potential for introducing opportunities for householders to leave packaging at the checkout;
- Potential impacts of waste transfer and fly-tipping if adjacent local authorities had different rates of charging;
- Frequency of billing and provision of additional information i.e. comparison of householder’s charge to district/national averages;
- Identifying the role of CA Sites within a DVC scheme;
- Impact of DVC in areas where alternate weekly collections have been introduced and comparing those to areas of existing weekly services;
- Regional differences in the response to DVC schemes (preference to either pay for a collection service or be rebated for doing more themselves).

Ideas and suggestions for the support needed if DVC schemes were introduced were also taken into account<sup>2</sup>:

- Obtaining the support of councillors and elected Members;
- Practical support and advice regarding the collection of charges from households;
- A centralised resource/website where local authorities could refer to ‘best practice’ case studies and obtain updates on progress and experiences;
- The establishment of data collection protocols to allow comparability between local authorities.

## **Local Government Association**

In July 2006 the Local Government Association (LGA) launched a ‘four-point plan’ on how consumers, retailers, local authorities and the business sector could work together to help tackle the increasing volumes of waste in the UK.

As part of the plan, the LGA stated that local authorities needed to be able to break away from the current flat-fee contained within the Council Tax covering waste management services and be given “discretionary powers to charge households directly for the waste they throw away, with reduced rates for less waste”<sup>2</sup>.

In January 2007 the LGA announced the launch of its ‘War on Waste’ campaign which considers a number of issues regarding waste production and disposal. The campaign launch coincided with the release of LGA figures stating that the UK was “officially the ‘dustbin of Europe’”<sup>3</sup> as it landfilled the most household waste in the European Union. As part of the campaign, the LGA intends to lobby for a change to current UK policy on a number of measures, including DVC.

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<sup>1</sup> Waste Watch (2004) ‘Best Practice or Bribery? Charging Households for Waste Management – Notes made for and from a presentation given at the APSWG meeting’

<http://www.wastewatch.org.uk/policy/downloads/APSWGChargingPresentation.doc>

<sup>2</sup> LGA website (2006) ‘Overhaul in rubbish needed to help tackle flytipping say council leaders’

<http://www.lga.gov.uk/newdesign/PressRelease.asp?Section=0&id= SX82C4-A783C2E3>

<sup>3</sup> LGA website (07.01.07) ‘LGA War on Waste launched as figures show Britain is officially the dustbin of Europe’ <http://www.lga.gov.uk:80/PressRelease.asp?Section=0&id= SX8452-A783F328>

The Chairman of the LGA Environment Board, Councillor Paul Bettison stated in an LGA press release that "central Government should give councils 'save-as-you-throw' powers to help encourage people to take more responsibility for the way they throw their rubbish away. If save-as-you-throw were introduced it would mean a reduction in Council Tax and a separate charge for waste collection....It's not about paying more it's about paying in a different way. It's also fairer because if you throw out less you pay less"<sup>3</sup>.

The term 'save-as-you-throw' is likely to appeal more to the general public than the more widely known 'pay-as-you-throw' label for DVC schemes, with its emphasis on financial savings to households rather than costs.

## **Institute for Public Policy Research**

The report 'A Zero Waste UK', published in 2006, was commissioned by The Institute for Public Policy Research (IPPR) and compiled by the Green Alliance. The report aimed to offer "an alternative vision of a shared responsibility between government, product manufacturers, retailers and consumers to increase recycling and waste prevention"<sup>4</sup>.

The report proposes a 'zero waste' goal for the UK, to be achieved by the application of a number of measures including:

- Setting national household waste recycling targets at 50% by 2010 and 60% by 2020;
- Charging householders for the waste they dispose of;
- Implementing bans on the landfilling of recyclable waste.

The report suggests that giving local authorities powers to introduce DVC schemes for the collection of non-recyclable household waste would be the best way to meet current recycling targets and reduce residual waste generation.

The report also suggests that the forthcoming revised Waste Strategy for England and the Local Government White Paper, both expected early next year, provide opportunities for these proposals to be introduced.

In keeping with some of the consultation responses obtained during the Waste Strategy review for England mentioned above, the IPPR report puts forward similar provisos for the introduction of DVC schemes, as follows:

"Before charging schemes receive government approval, local authorities will need to ensure that there are good kerbside recycling services available, put in place measures to mitigate illegal activity such as flytipping and find ways of coping with any disproportionate effects on low-income households"<sup>6</sup>.

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<sup>4</sup> IPPR and Green Alliance (2006) 'A Zero Waste UK'  
[http://www.ippr.org.uk/ecommm/files/A\\_Zero\\_Waste\\_UK\\_web.pdf](http://www.ippr.org.uk/ecommm/files/A_Zero_Waste_UK_web.pdf)

## **APPENDIX 3**

# **STAKEHOLDER QUESTIONNAIRE**

CIWM - Direct and Variable Charging for Household Waste

Stakeholder Questionnaire

1. Should local authorities be given the power on a non-compulsory basis [through amendment of the Environment Act 1990] to levy a Direct or Variable Charge (DVC) to householders for household residual waste? (Delete as appropriate).

- Yes
- No
- Unsure

2. Which of the following DVC schemes do you believe is most suitable for implementation by local authorities in the UK? (Delete as appropriate).

- charging by weight
- charging by volume
- charging by container numbers
- a combination of the above or other (please specify)

3. Please provide any additional reasoning for the above answer

4. What would be the main benefits of introducing a DVC scheme?

5. Depending on the type of DVC scheme introduced, do you think the overall impact on local authority finances is likely to be beneficial?

6. What do you perceive to be the main barriers, obstacles or problems associated with the implementation of DVC schemes?

7. How could the barriers, obstacles and problems identified above be overcome to successfully implement DVC schemes?



8. In terms of the desirability of DVC schemes, would other initiatives be preferable methods of encouraging waste reduction and increasing household recycling/composting rates (for example alternate week residual waste collections, incentive schemes to encourage recycling participation)?

9. Do you believe that there will be widespread public support or opposition towards potential DVC schemes?

10. How can public concerns about DVC be overcome to make schemes more acceptable to local residents?

11. Do you believe that there will be widespread political/member support or opposition towards potential DVC schemes?

12. How can political/member concerns about DVC be overcome to make schemes more acceptable?

If there are any other issues on DVC which have not been covered in the above questions please use the space below for any comments.