

**BAN Waste Response to the
Review of Waste Minimisation
by the House of Lords
Science and Technology Select Committee**

We are grateful for the opportunity to comment on this issue.

We consider that there are a number of overarching principles upon which the Government should be basing its waste minimisation policy:

- The prevention of hazardous chemicals from entering the material supply chain;
- Waste reduction measures including producer responsibility measures and eco-design;
- The development of infrastructure and markets for services and products which promote waste minimisation;
- The promotion of waste reduction, product repair, re-use, recycling and composting services.

We are concerned that prevention of hazardous chemicals from being produced does not appear to be a high priority for the Government as this would seem to us to be a fundamental element of a resource based waste management policy.

WS2007 makes considerable reference to waste prevention however we are concerned that current Government proposals may simply result in a switch from landfill to energy recovery at the expense of higher options. This would make a move to the next step up much harder. If waste minimisation is to be achieved and landfill and incineration prevented, then a great deal of new policy, legislation and incentives now need to be introduced.

In our view, the Government needs to harness a range of policies in order to create the circumstances for a resource management and sustainable consumption strategy to flourish. There are a number of approaches which we believe could be considered by the Government to strengthen uptake of waste prevention and minimisation measures. In particular we would highlight the role played by:

- Regulation;
- Fiscal incentives, disincentives and support;
- Behaviour change systems (eg incentive schemes);
- Sustainable procurement policies;
- Statutory waste minimisation targets, re-use/repair/return targets and source separation targets for local authorities, commercial and industrial organisations;
- Infrastructure and market development;
- General public information and awareness raising campaigns (targeting both children and adults);
- The development of information, education, training and advice services to support commercial and industrial sectors, local authorities, government and enforcement agencies. assessment, inspection and enforcement practices.

Policies to reduce and prevent waste need to be strengthened and targeted at:

- Household and school children;
- The extraction, commercial, manufacturing, industrial and trading sectors;
- Government bodies and Local Authorities; and
- Enforcement agencies (Health and Safety, Environment Agency, Customs and Excise and Trading Standards).

The chosen mix of regulatory budgetary, fiscal instruments, procurement and enforcement measures will need to trigger change without threats of short term inflationary shocks (as prices are raised to offset environmental costs and taxes) or unemployment (as UK businesses move overseas or cease production rather than compliance with tougher environmental standards).

We urge the Government to seriously explore the important role to be played by regulatory and fiscal measures.

The Government does appear to recognise the importance of education and training and we welcome the wide range of initiatives that the Government has introduced over the last 5 years.

We are concerned about the bias of funding support in favour of large, capital-intensive waste, re-use and recycling initiatives. This could well be at the expense of the most innovative and important waste minimisation sector in terms of the waste hierarchy – SMEs and the voluntary and community sector.

Infrastructure desperately needs to be improved and local networks of small enterprises set up to support a locally based sustainable consumption and resource managed economy.

Producer Responsibility Regulation

We support the Government policy aim of the use of the producer responsibility approach to ensure that businesses take responsibility for the environmental impact of products that they place on the market, and particularly once they become waste. However we believe that producer responsibility measures should be mandatory rather than voluntary.

We welcome the recent introduction of legislation which incorporates some elements of producer responsibility requirements, eg Packaging Directive and the WEEE and ELV Directives but we believe that producer responsibility needs to be greatly extended into new fields to capture other products and sectors. Producer responsibility, for instance, should be extended to primary industries, such as the agriculture, quarrying, mining, water and energy producers since they produce amongst the greatest amounts of waste. Mining, construction, agricultural and sewage industries cause the majority of waste from raw resource usage and the majority of waste is generated from manufacturing, construction and demolition and mining activities (p34, Biffa, Future Perfect 2003).

Manufacturing, transport infrastructure and building industries should also be targeted since it is at the point of design that there is the greatest capacity to develop product and process alternatives. With reference to the construction and transport infrastructure industry, we welcome the development of Site Waste Management Plans and the Code for Sustainable Homes but consider that there is a need to introduce regulatory environmental management measures. This would help improve sustainability performance, including waste minimization and hazard reduction during the construction stage, period of usage and demolition.

Producer distributors, retailers, vending operators, fast food outlets and event organisers could also play a role in producer responsibility through stewardship agreements.

We welcome the Government's aim of reducing the overall cost of waste management by establishing incentives for producers to consider the end of life waste management costs however we feel that the focus should be on the prevention of waste, and particularly hazardous waste. It is our view that the Government's view of producer responsibility should be widened to include a requirement on businesses to address and urgently phase out the use of hazardous materials or processes. The aim would be to prevent pollution and achieve zero discharge of persistent or bio-accumulative substances.

We support the methods proposed by the Government of identifying products and materials which have particularly negative waste growth and environmental impacts being developed for Sustainable Consumption and Production (SCP). (Securing the Future, UK Gov Sustainable Development Strategy, Mar 2005) We would suggest that this method could be used to identify products and sectors requiring stronger producer responsibility guidance, support or measures.

We believe that there is a need for better integration of different policies affecting waste policy and key to this is the development of linkages between waste and other government policies. We therefore support the development of a Sustainable Development Strategy. It is our view that producer responsibility should require strategic partnerships to be developed with re-processors and links developed to agriculture, water and energy. The producer responsibility approach could create and optimise the development of a more integrated recycling and recovery infrastructure and could level the playing field amongst manufacturers and primary

industry operators who are adopting more sustainable and responsible but, possibly, more costly practices eg eco design or organic farming.

In our view, there are a number of producer responsibility approaches which could be explored:

1. The producer deals with the liability costs of the environmental damage caused by their product.

With this aim in mind, all new materials could be required to undergo mandatory toxicity tests. Manufacturers of materials could be required to take out insurance against any environmental or health problems arising from new products over a 50 year period.

2. The producer pays for the economic costs of setting up the infrastructure needed to provide re-use, repair, return, recycling or composting facilities to extend the 'life' of their products and packaging. The facilities could be on the premises of distributors or traders.

The payment methods could be structured in such a way as to reduce costs for companies which produce of durable, repairable, easily recyclable or compostable products with minimal packaging and to deter companies which do not adopt environmentally responsible policies. Stewardship agreements could easily be linked to producer responsibility measures.

3. The producer manages the physical products and their packaging or the effects of the products and their packaging.

4. The producer adopts a take back ownership system.

This approach would combine physical management and economic payment for the product and its waste management.

5. The producer takes responsibility for the product information.

Standardised systems would aid reliable information feedback to customers and stakeholders.

Life cycle analysis

We support the European Thematic Strategy recommendation of a whole life-cycle approach to products, services and materials to identify key environmental impacts from waste and resource use.

In our view, the definition of 'Life cycle' impacts needs to be comprehensive. We consider that the life-cycle approach should not simply be restricted to the production and consumption phases of products and materials. One option might be to adopt an entire life-cycle approach to producer responsibility incorporating responsibility for waste generated from the extraction of raw materials for the product to post consumption waste. The Ecological Paradigm is an approach which examines the full impact of any chemical product ie its feedstocks, by-products, wastes, compound transformations as it breaks down throughout the life cycle from extraction, synthesis, processing use and disposal until all associated products and wastes are converted to chloride ions. (Thornton, Pandora's Poisons, 2000) Life cycle analysis, when used for long-term decision making, must reflect how each stage of a life cycle is likely to change over time due, for example, to waste composition changes etc.

We support the Government's proposals to focus on developing data on the environmental impacts, including waste-related impacts, of products across their life-cycle. We welcome proposals for a review of Sustainable Consumption and Production evidence, to identify gaps and priorities and new research requirements.

We agree with the methods outlined in the recent England Waste Review 2007 report of identifying products and materials which have particularly negative waste growth and environmental impacts. We would add 'durability of the product' to the list of: "amounts of waste generated and amounts of hazardous waste generated, projected growth rate of product

sales and/or product waste; weight and volume; hazardous waste content; use of recyclates and used components; and ease of re-use and recycling."

Hazardous materials and waste

We welcome the introduction of a Hazardous Waste Forum and support the Government's aim to introduce a form of producer responsibility to industrial sectors producing products containing hazardous waste streams such as solvents used for industrial cleaning or lubricating oils, garden pesticides and decorative paints. However, we believe that the government should also target pharmaceuticals products, cleaning agents, DIY chemicals, general building products (eg insulation), car maintenance chemicals, hygiene and beauty products, agricultural pesticides, growth hormones, weed-killers, slurry, mining and quarrying wastes, ship-building wastes, nuclear waste as well as ammunitions chemical and biological weaponry.

We also welcome the introduction of the REACH regulations.

We support the key challenges set out by the Government for hazardous waste management over the next 5 years:

- continue the trend for reductions in arisings;
- provide treatment capacity for waste diverted from landfill;
- meet the landfill waste acceptance criteria; and
- tackle mis-management of hazardous waste.

We would add a new target:

- To prevent or reduce the harmfulness of materials, products or processes.

This target would support the European Framework Directive on Waste which requires member states to encourage "the prevention or reduction of waste production and its harmfulness." It would also comply with the European Commission's thematic strategy on the sustainable use and management of resources which will include proposals to reach the Sixth Environmental Action Programme's aim whereby: "the wastes are non-hazardous or at least present only very low risks to the environment and human health."

The statistics on chemicals testing are shocking. There are over 11,000 organo-chlorines produced commercially and thousands produced accidentally as by products. In 1984 there were over 48,000 registered industrial chemicals, 3,300 pesticides, 8,600 food additives and 3,400 cosmetic ingredients in the US alone! For industrial chemicals there have been no complete health checks carried out and no data is available on 78% of the chemicals. Information on accidental by products formed by the chlorine industry is even less. (Thornton, Pandora's Poison, 2000). Even 100% post-consumer recycling will manage only 2% of the total waste stream, without addressing toxicity issues. In our view, all new chemicals should automatically undergo toxicity testing.

In our view a stronger approach is required where toxics have been identified to support the replacement and phase out of those substances. Tighter regulation would help the environment, encourage innovation and stimulate investment in cleaner technologies as was found when CFC's were treated this way under the Montreal Protocol.

In order to ensure that UK businesses are not commercially disadvantaged by tighter regulation, we urge the Government to consider legally binding international agreements to restrict and phase out and eventually ban the manufacture, generation, use, storage, discharge and disposal of persistent, toxic bio-accumulative substances (similar to international agreements on global warming and ozone depletion.) Priority could be set according to the largest scale, most toxic chemicals and processes based on current understanding of hazard posed. The introduction of a rapid phase out process could then be introduced to encourage the development of cleaner substitutes. This could then be followed by a gradual phase out of other synthetics.

In the meantime, in order to encourage greater producer responsibility, chemical companies should be forced to face up to the risks associated with the release of these unknown chemicals on to the environment without toxicity tests. Chemical companies should be required to automatically undertake toxicity tests on all new and hitherto un-tested chemicals before

being allowed to sell them on. They should be mandated to obtain insurance for any chemicals they produce and they should not be allowed to release the products to the public without insurance cover for their potential health and environmental impacts.

With reference to household hazardous waste, we welcome the introduction of guidance on good practice by the National Household Hazardous Waste Forum and the Chartered Institute of Waste Managers and are pleased that the Government recognises the need for separate collections of household waste. Household hazardous items requiring immediate attention might include: batteries, oils, pharmaceuticals, paints, pesticides, cleaning fluids etc.

There is also an urgent need to develop hazardous household waste plants for dealing with:

- Fridges and WEEE
- Cars
- Flourescent lamps
- Batteries

The banning of materials from landfill is another approach which the Government should consider for deterring the use of hazardous materials in products and for promoting recycling and composting. However, materials bans from landfill must not be undertaken without simultaneous measures to deter incineration and maximize recycling of plastics, paper, cardboard, bio-degradable material etc. We recognise that the banning of specific substances from landfill will reduce the use of landfill. Landfill product and substance bans have, for example, been successfully used in Nova Scotia, Canada, to reduce landfill. In Nova Scotia the following materials have been banned from being landfilled: biological waste which has not been treated and neutralised, beverage containers, corrugated cardboard, newsprint, lead-acid batteries, spent industrial lubricants, used oil, paint, ethylene glycol (car anti-freeze), some plastics, steel/tin containers, glass food containers, compostable organic material from industrial, commercial, institutional and residential sources. Nevertheless, it is our view that landfill material bans should be accompanied by similar restrictions on incineration. The Government's proposal to ban "all combustible waste" is a key example of an integrated approach to landfill bans. Many combustibles, obviously, have high calorific value and would be extremely useful to the incineration industry but could equally be a valuable resource to re-processors or composting companies. Without an integrated policy approach, the banning of all combustible waste from landfills could simply be used as a regulatory carrot to promote incineration at the expense of recycling and composting.

Information gaps

The Government's acknowledgement that it does not consider that there is sufficient information and evidence on which to base a single prevention target for all waste or for single major categories of waste points to the need for work to be undertaken to address the issue. Research could be undertaken to:

- Analyse who produces waste, where, what the composition of waste is, why they produce it, whether they recycle, compost or dispose of it and how their behaviour and the waste composition might change under different circumstances;
- Identify resource exchange schemes, recycling collection services, reprocessing, waste minimisation services and products and suppliers.

A detailed analysis of waste content, waste flows and current infrastructure is essential if the Government and Regional Development Agencies are to: identify the likely future composition of waste; scope the number of processing facilities required and identify the infrastructure strengths and weaknesses in each region. It will also help them to review the likely future infrastructure, costs, regulatory options, charges and taxes and fiscal remedies, procurement policies, contracts and funding requirements.

The New Technologies Fund has provided excellent opportunities for research into capital based back-end technology approaches to waste management however much more support needs to be provided to establish the best approaches to front end elements of the waste strategy:

- Waste minimisation (re-use and repair schemes, producer responsibility measures);

- Educational issues;
- Network support;
- Market development and price intervention measures; and
- Support for the community sector.

Regulation

A firmer approach is required to promote waste minimisation, recycling and composting. Where this has been used (LATS/ landfill tax /PRN's / incineration directive) this is when real changes occur. A phased introduction of voluntary to mandatory would allow for the considerations of business to be taken into account.

The recent report by the Sustainable Consumption Round Table (May 2006) 'I will if you will' claims that people want to adopt greener habits, but many believe individual action is futile. The Government cannot therefore wait for businesses and consumers to take voluntary measures to adopt green practices and lifestyles. According to the Round Table report action stimulated by regulation can be effective and go down well with the public. People are generally quite happy with measures that bring positive environmental results, even at some cost to themselves, so long as those measures are applied fairly. This means that government must take a lead in mandating and implementing regulatory, fiscal and best practice initiatives.

We would urge the Government to introduce mandatory 'stewardship' requirements on producers and retailers, traders and event organisers.

We believe that there is a need to design products which generate less waste in use, result in less process and end-of-life waste and do not use any potentially hazardous materials in their manufacture. However, we do recognise the need in exceptional circumstances a restricted amount of pharmaceuticals to use hazardous components.

We welcome the Government's assurance that it is committed to promote eco-design as a mainstream element of good design practice by bringing together expertise through a new Sustainable Design Forum and the international Sustainable Products Task Force, with support from the Market Transformation Programme, Envirowise's Designtrack scheme and WRAP's Innovation Fund.

We support the development of policies designed to bring forward products, streams and services which are less harmful to the environment through the work of the Market Transformation Programme and the Environment Agency. We support the promotion of less harmful products, systems and services although we would prefer the use of enforcement practices rather than the introduction of voluntary measures. It is therefore our view that the "consensus" approach should be replaced with a mandatory requirement to reduce waste and achieve more efficient resource use at the product design phase.

We welcome the Eco-design for Energy-saving Products Framework Directive.

We also welcome the two new policy instruments (Site Waste Management Plans and the Code for Sustainable Homes) to promote the adoption of more responsible environmental management systems in the construction sector.

However, more producer responsibility measures need to be introduced which result in a sustainable process whereby any product, service or process leaves no unusable waste; uses sustainable energy and replenishes the resource base in a closed loop economy. This means designing out pollution and waste at the start of the process through Clean Product Design and Clean Production, and sensitive material selection. If there is a problem at the end of the useful life of a product, process or service, then the point at which the 'problem' was introduced must be re-designed so that the problem is no longer within the process. Successful waste and pollution management can only be achieved if the entire chain is considered.

There are a number of regulatory approaches which could be used to promote producer responsibility practices:

- On-site recycling and composting facilities requirements for large businesses;

- Packaging take-back, re-fill or ease of recyclability or compostability requirements (especially for transport packaging companies eg pallets, cardboard; secondary packaging and primary packaging eg cans, jam jars etc);
- Minimum recycled or recovered material content standards (especially in non-food packaging);
- Minimum energy, water and materials-efficiency standards;
- Ease of dismantling requirements (for re-use, repair, replacement or upgrading of parts);
- Disposal bans and restrictions;
- Materials bans and restrictions;
- Product bans and restrictions;
- Trade protection measures;
- Toxicity testing of new or untested chemicals requirements;
- Mandatory insurance cover for companies which make chemicals to cover the costs of any potential health and environmental impacts;
- Separate kerbside collection service for hazardous household waste;
- Separate kerbside collection service for kitchen and garden waste;
- Minimum 7 materials kerbside recycling collection service.

Fiscal Issues

Current production and waste management practices are unsustainable. Therefore, we believe that the Government should not be relying solely or too heavily on market forces and pricing structures to develop sustainable industrial, business and householder practices. Given that non-renewable resources will eventually have to be phased out, the Government should be planning how to implement that process in the least damaging manner. We consider that more direct government intervention in pricing policies can help to achieve environmental goals by ensuring that prices reflect environmental impacts and discourage behaviour that damages the environment. We therefore welcome the:

- Ending co-disposal of hazardous and non hazardous wastes in landfill;
- Landfill tax;
- Aggregates levy;
- Local household incentive pilot schemes;
- Landfill Allowance Trading Scheme (LATS); and
- Tradable Packaging Waste Recovery Notes (PRNs).

We support the use of economic instruments to encourage behaviour change by manufacturers, traders, local authorities and consumers, but this needs to be combined with other regulatory, educational, research and best practice policies.

A number of EU instruments are currently being prepared which may impact on business behaviour and that these may create price drivers to stimulate industry higher up the waste hierarchy. Those EU instruments relate to:

- Producer Responsibility;
- Traded Pollution Permits;
- Energy Taxation or offsets.

We welcome the broad aim of those proposals.

However, we do not believe that the tax and economic instruments currently in use and proposed are sufficient to stimulate moves towards industries higher up the waste hierarchy. It is our view that the economic playing field must be rebalanced and the hierarchy of profitability must match the environmental hierarchy.

In our view, Government intervention could further stimulate the following scenarios:

- The cost of waste disposal increasing (due to inflation, fiscal and regulatory disincentives towards landfill and incineration);
- The development and implementation of best practice techniques of collection and sorting (due to the introduction of waste minimisation and source separation targets and the development of new 'Green Academies' and other educational initiatives);

- Source separated kerbside collection costs decreasing. (As these schemes become more efficient, costs will reduce, markets will pick up, prices will rise and more people will be enthused to take part in recycling. Investment in the necessary infrastructure will be essential to develop local industries);
- The long-term costs of raw materials rising particularly those subject to environmental constraints;
- The use of hazardous materials decreasing and the increasing use of eco-design and producer responsibility measures (due to fiscal and regulatory policies);
- The cost of reprocessed materials reducing (due to increased materials supply and more supplier outlets);
- Innovative, industrial techniques replacing artisan methods of disassembly and reprocessing with the result of reduced costs (due to the increasing use of producer responsibility measures);
- The development of a waste minimisation, recycling and composting infrastructure that is locally based and dominated by SM enterprises and voluntary and community organisations. The SMEs and VCOs operating repair and re-use services could be based in busy, convenient locations such as supermarkets thereby encouraging customer behaviour change.

This could be promoted by the introduction of a number of fiscal measures – environmental taxes, tax breaks and exemptions, subsidy reform, grants and local tax rebates. The aim would be to change price signals in the market place in favour of more environmentally friendly products.

Economic instruments which **could** be considered include:

- Virgin materials taxes;
- Removing subsidies for virgin materials;
- Abstraction taxes;
- A requirement on all primary industries, manufacturers and retailers to contribute to the cost of recycling as well as disposal;
- Removal of tax advantages for industrial processes that give rise to environmental degradation;
- Polluter taxes (eg energy, pollution, emissions and/or discharges taxes) on all companies which produce the most toxic classes of chemical eg chlorine and organo-chlorines, SO_x, NO_x, CO₂;
- Cutting the subsidies presently given to incineration. The application of the Climate Change Levy, for instance, to mixed waste energy from waste schemes would enable practices higher up the waste hierarchy to compete on a more level playing field;
- Tax rebates or subsidies to manufacturers for eco-design/producer-responsibility schemes;
- Producer responsibility trading systems linked to the National Industrial Symbiosis Programme on-line database for tracking hazardous waste, composting, re-used and recycled materials. The database could be greatly expanded and processes introduced to link the system to producer responsibility trading schemes;
- Grants for: business collaboration, networking and academia work to support producer responsibility processes;
- Grants for: re-use, re-manufacture facilities (like the BREW fund).

Disposable product taxes (for low durability or short life products such as disposable nappies, tampons, plastic bags). This would help more accurately reflect the cost of disposal. Repair and reconditioning services are often perceived as being expensive or inconvenient. Some products are increasingly cheaper to dispose of than repair (eg watches and shoes). Taxes on low durability, short life products could be used to set up the infrastructure needed to support businesses that repair and recondition products and improve

- customer access to those services;
- Resource toxicity taxes eg on companies that use toxic materials in products (eg heavy metals) where safer, more sustainable materials are available;
- Repair, re-use or environmental performance improvement allowances. Tradable allowance options of this kind could be introduced to help the market deliver environmental outcomes more efficiently;

- A sustainability levy applied to all goods and services;
- Introducing a price guarantee scheme for recycled materials to fund the build-up costs of seven stream recycling (including food waste and hazardous waste);
- Grants for doorstep collection/delivery re-use schemes. These might help to address the difficulties of access to services;
- Deposit/refund systems (where consumers have to pay high mandated deposits on non-refillable containers but they can claim the deposit back for refillable containers);
- Recycling/re-use tax rebates for retailers operating take-back schemes to meet storage costs;
- Business rebates for charities and re-use community/voluntary organisations to contribute to the high costs that this important sector is forced to undertake to dispose of low quality donations that cannot be sold or recycled;
- Import tariffs on imported clothing and shoes. The negative perceptions of second hand goods have seriously impacted on the work of the charity sector because of the cheapness of foreign imports particularly of new clothing and shoes;
- Export tariffs on the sale of commingled recyclates;
- Advanced disposal fees (paid when the product is bought) imposed on products which are hazardous and harder to dispose of eg fridges, pvc, batteries, electrical goods, vehicles;
- Introducing a disposal tax that reflects the environmental hierarchy by changing the current landfill tax into a waste disposal tax that reflects the environmental costs of different disposal options;
- A change in the landfill tax regulations so that the 20% offsets are paid into a publicly-run waste minimisation / recycling fund;

The tax revenue accrued could be used to pay for:

- Building the infrastructure needed to promote the re-use, repair, return, recycling or composting facilities to extend the 'life' of their products and packaging. Re-use, repair, return, recycling and composting services need to be convenient and locally based to promote the market and make the service a more economic option for customers;
- Funding local authority, community and voluntary sector schemes and the Strategy Unit;
- Promoting greater partnership work between local authorities, community and voluntary groups and small firms;
- Setting up a materials recovery fund;
- Recycling and waste minimisation educational programmes;
- Setting up a transition fund for workers and communities working in the most polluting industries (eg chlorine and organo-chlorine industry based areas) to support alternative economic development and training during the transition phase to safer technologies.

Currently, the bulk of the financial costs, penalties and risks associated with recycling, composting and waste disposal of UK and imported goods are being borne by Council Tax payers and Councils. The introduction of fiscal measures would be the quickest method of encouraging businesses to review their waste and resource management and purchasing practices. When waste becomes a cost issue to business, waste minimization, recycling and composting targets will also become greater priorities. Measures need to be introduced which divert the costs of recycling or disposal of household waste collection (particularly hazardous waste) away from taxpayers to primary industries, manufacturers, distributors and retail operators. In this way, those organisations dealing with, and financially benefiting from, a product (from extraction of raw materials to disposal) could be held accountable for their role in creating waste and other environmental impacts. The producers would be required to develop and implement waste (and other) environmental management strategies to reduce the environmental impact of their activities. In this context, producer responsibility would be extended from manufacturing to cross all sectors and would include a broader range of sustainability issues. It would also encourage more responsible and integrated working practices.

In our view, other measures could also be introduced targeting local authorities to promote the development of waste strategies higher up the waste hierarchy. These could include:

- Funding to local authorities to set up the infrastructure required to promote waste minimisation and other policies high up the waste hierarchy;
- A mandatory restriction on waste contracts of 5 years. This would help create the flexibility needed to enable local authorities to genuinely review their policies at 5 yearly intervals. This would also allow local authorities to honestly feed into the 5 year waste reviews by the Regional Technical Advisory Bodies. In addition, it would enable developing national and European policies and changes in waste management policies to be more quickly enacted;
- Stop joint tendering of recycling collection and refuse contracts to private companies (as these threaten the ability of community groups to compete with national companies.) Longer term integrated waste contracts shut out competition and penalise community groups;
- More stringent green procurement requirements on Government and public bodies to support environmentally preferable products procurement systems. Government criteria for awarding Local Authority Beacon status should include demonstrating best practice in waste minimisation measures, buying recyclables etc;
- End the commercial confidentiality of waste contracts;
- Grants to support waste minimisation practices within the local authority area with an emphasis on support for local small businesses and other organisations;
- Greater flexibility for local authorities to develop local environmental taxes and rebates. For example, we support the mooted proposals to allow local authorities to introduce variable charging for services to householders in a form (eg general waste/recycling ratio) that supports the waste hierarchy and supports the polluter pays principle. This would raise awareness about the issues but would also have to be accompanied with a major awareness raising campaign to explain why such local fiscal measures were needed.

An Environmental Tax Commission could be set up to examine the complex economic and regulatory impacts ahead of and after their introduction. Such a commission could be responsible for rebalancing the economic and sustainability playing field. The Commission could administer transitional funds and assess methods of 'animating' change.

Green Procurement and Practices

Local government procurement policies could stimulate the market for green businesses. However, there is a lack of knowledge about these issues amongst officers (as well as the public, businesses, academic institutions and other networks.) Government bodies need guidance on green procurement.. We therefore very much welcome the Sustainable Procurement Task Force and plans to achieve sustainable development through procurement practices and the production of a National Action Plan.

There is a need to map out and promote best practice in terms of:

- Green procurement policies;
- Waste minimisation practices; and
- Sustainable practices and environmental management systems within businesses.

Green procurement could apply to building specifications, lighting, energy, etc. This would help boost and support a stable 'green' market.

The Environment Agency green procurement policy embraces a whole range of factors including the environmental performance of the potential supplier. This might provide a good starting point.

Punitive measures could be introduced to encourage best practice by local authorities. Financial penalties could be used against local authorities and government agencies that fail to meet targets for waste management and green product procurement to reduce waste and waste impacts and promote green manufacturers.

The development by local authorities of publicly available lists of approved local suppliers with green/social credentials might encourage suppliers to support businesses with higher environmental management standards. If the list was publicly available this could be an excellent resource for members of the public and businesses. It would act as a further

stimulant to businesses and suppliers to become more responsible and would additionally act as an excellent publicity outlet for exemplary companies. The British Standard for environmental management

systems could be useful indicator for local authorities to use in relation to identifying and supporting responsible suppliers and manufacturers.

Market Development

Market development is very much linked to the RDA aspect in the new WS2007. However, RDAs do not have a background in that area and have extremely limited resources. Consideration needs to be given to how RDAs will interact and communicate with local authorities. This is certainly not a standard practice at the moment.

In our view, if the development of markets for recycled materials is to be accelerated, then systems need to be put in place to ensure the promotion of:

- High quality of materials particularly through increased and improved sorting;
- Information and tracking systems;
- Security of supply;
- A larger number of local materials supplier outlets;
- More recycling and reprocessing facilities;
- Green procurement as standard practice;
- Business education and training ;
- Fiscal incentives or disincentives for businesses to recycle.

If the full environmental and economic benefits of composting and recycling are to be achieved then end markets must exist. If end markets are to be developed and sustained, then customers must have trust in the reliability and quality of products they buy.

Standards are critical in order to reassure those members of the public or reprocessors planning to use the materials confidence in a consistent product. In our view, the establishment of high standards for materials is critical if the market for recycled goods, and, in particular, municipal compost is to be developed.

Collection authorities therefore need to focus on the collection of high quality materials. The Composting Association has reported that a number of mixed waste plants abroad have failed because of the poor quality of the material and particularly the inability of processors to extract small glass fragments from the material.

In our view, cleanliness is key to the production of high quality materials. Separate collection (as opposed to mixed waste collection which is subsequently sorted) is therefore critical for the efficient collection of clean feedstock.

We note with some concern Defra's proposal that "The main potential outlets (for biodegradable waste material) include agricultural land, which depends on its value as a soil improver and fertiliser, plus horticultural, landscaping or domestic uses." The National Farmers' Union has stated that the potential to use composted mixed municipal waste for agriculture is probably limited. The NFU have concerns about contaminants getting into the food chain. We agree with that view and do not believe that agricultural, sewage and forest material should be mixed with the composted elements of residual general waste. We have concerns that once land where 'soil improver' has been used has been sold on it may inadvertently be used for food production.

We understand that compost had now been given or is imminently due to be given new quality standards that enable it now to be called a product not waste. We welcome this measure. Composting by community organisations has been discouraged by some waste regulations. We hope that this measure will encourage greater composting by community organisations.

In our view, the current BVPI definition of compost which incorporates the term "soil improver" set standards that are so low that they bring the current BVPI definition of compost into disrepute. In our view, there is a need for clarity on the Best Value Performance Indicator for compost. The definition of compost should be consistent across EU in order to stimulate demand for compost and establish common quality standards to help with acceptability. There

should be a requirement that local authorities undertake separate doorstep collections of organic matter in order to prevent the sham recovery of waste materials. "Soil improver" should therefore not classify as compost under the BVPI definition for compost.

The NFU have pointed out the need for tracking systems for compost and "traceability". That is a requirement which we would support.

The statutory imposition of targets for commercial organisations and local authorities would both help to secure a constant supply of materials for recycling collection and reprocessing organisations and increase the materials available.

Alternatively, export controls or tariffs might be a means of maximising security of supply by restricting the opportunities for exports of materials abroad.

The development of large-scale recycling will also depend on the creation of regional-level processing and remanufacturing plants that can draw on local materials and use existing infrastructure as well as the connections between these producers and wider international markets.

Facilities developing recycled materials are widely distributed (relative to most primary materials) so there are opportunities to develop the materials market.

This sets a challenge for the new regional development agencies; they should work with local collection authorities to build up local processing capacity to match the expanded supplies of recycled materials, and with the private sector to expand the recycling of wood, construction and demolition waste, tyres, commercial organics etc.

For this to occur there is a need for education and training of businesses and pecuniary incentives to recycle.

Green procurement practices must be promoted to become the norm. We therefore welcome Defra's proposal to continue to fund WRAP projects which stimulate domestic markets for recycled materials and promote 'green' procurement. We also support the Sustainable Procurement Task Force's work to stimulate markets through the development of innovative goods and services.

Investment in waste swap systems might be a useful means of making the reprocessed materials market more accessible to the wider public and businesses.

Regional economic policy could play a crucial role in linking all these issues through the local economy to the global economy.

The focus of waste minimisation, re-use and repair activities need to focus on the work of the Voluntary Community Sector and Small to Medium Enterprises. This is dealt with below.

VCSs and SMEs

The waste minimisation sector is dominated by small to medium sized enterprises and voluntary and community organisations. This is likely to continue however the sector requires major support if it is to expand and the barriers that are deterring customers from using repair and re-use services and products need to be urgently and effectively addressed.

We welcome the review of the WIP to consider how to encourage the development of new providers of services and facilities (including community sector).

However, it is our view that voluntary and community waste organisations need much more support to enable them to compete on a more even playing field with the private sector.

Currently, the cost of industrial technologies, the size of plants and treatment means SMEs and the VCS are excluded from PFI opportunities but if the focus was on services higher up the waste hierarchy, especially waste minimisation, recycling and composting then the opportunities for SMEs and VCSs could be opened up.

The size of PFIs should be limited to discourage capital intensive technology projects eg incineration/pyrolysis or large materials reclamation facilities. PFIs should support less capital waste minimisation and recycling / composting projects. Local authority PFI projects should also have to fulfil various general criteria eg promotion of sustainable development,

contribution to local cultural, social, health, safety, regeneration or educational objectives and rigorous cost benefit analysis.

Local Authorities need to be encouraged to support community and voluntary sector recycling organisations through procurement packages that emphasize the additional training and educational services that charities and re-use initiatives often offer. In addition, we consider that the general emphasis of national, regional and local regeneration work should be towards sustainable resource management and sustainable consumption policies rather than sustainable waste management.

Local authorities could encourage economic regeneration through work with local SMEs and VCS businesses and Regional Development Agencies. However in order to undertake such work local authorities would require considerable additional resources to provide the necessary support and investment.

Barriers to the procurement of services by local authorities from the VCS and SME sector could be reduced by the employment of regional waste liaison and business development officers whose role could be to:

- Improve co-ordination and development of contractual and partnership opportunities, best practice, legal advice, start-up support;
- Liaise between local authorities and other organisations;
- Address financial barriers by evaluating and disseminating best practice; and
- Improve future practice by supporting research and innovation.

Statutory performance standards and targets for Local Authorities and the large business sector

Waste reduction is at the top of the waste hierarchy so the Government decision not to have targets for local authorities for waste reduction is, in our opinion, more than an oversight. This decision could result in another fridge mountain style of crisis.

In our view, targets should reflect stated government policies and the policies should be supported with regulatory, educational, best practice, structural and fiscal initiatives. Other countries do set national waste prevention targets. Scotland has set targets for waste reduction and the EU is discussing including waste reduction targets in new version next year

We suggest that the Government could produce a waste reduction target for local authorities.

Another approach might be to develop repair/return/re-use targets for local authorities. Materials reduction, return, repair and re-use is higher up the waste hierarchy than recovery so these targets should replace the current recovery target for collection authorities.

Higher levels of divergence from landfill would be more likely to be achieved and the clear message established that waste is a resource if targets for the land-filling, re-use, recycling, composting of commercial and industrial waste were set. The introduction of business and industry re-use, recycling and composting targets and targets for other sustainability issues (such as those relating to energy and water use) would create a more integrated approach to waste and sustainability policies. They would stimulate greater awareness about sustainability issues – particularly if they were accompanied by fiscal penalties or incentives. Targets for large businesses would also create economies of scale that could help to boost the recycles market and general green economy.

Currently the Government acknowledges that it “does not consider that there is sufficient information and evidence on which to base a single prevention target for all waste or for single major categories of waste” (page 21, paragraph 28, England Draft Waste Review) points to the need for work to be undertaken to analyse who produces waste, where, what the composition of waste is, why they produce it, and how it might change under different circumstances.

The Government proposal that directors of large private and quoted companies will be required to consider and report on non-financial key performance indicators that are relevant to their business, including information relating to environmental matters, including waste” could provide a starting point on which to obtain this basic information. The report Future Perfect by Biffa (2003) suggested that targets for waste reduction and recycling by businesses could

include a statutory requirement to provide environmental reporting data on waste management performance, resource productivity, biodiversity etc in the annual reports and accounts. If the data collection and reporting was carried out in a standard format and automatically passed to the Environment Agency, then the information gathered could provide the basis for the development of national, regional and local waste strategy policies and the assessment of waste infrastructure needs as well as funding requirements. That is a measure we support and believe would encourage transparency as well as greater corporate social responsibility. If this work is to be carried out by the Environment Agency, then the Agency will need considerable investment to enable it to process the information quickly. Such work would provide the basis for baseline waste prevention (and recycling) targets.

As a starting point, we welcome the proposal that the Environment Agency will set a reduction in 'waste disposal target' for industries that it regulates.

Statutory waste reduction and materials repair, return and re-use targets for manufacturers and other large companies might be another method of promoting best practice amongst commercial and industrial organisations – particularly manufacturers. The introduction of statutory waste reduction, re-use/repair/return targets and recycling and composting targets across all waste sectors together with producer responsibility measures would also push waste issues higher up the business agenda. Non-compliance with the target could result in financial penalties or other measures. Waste reduction targets for the biggest polluters could be monitored by the Environment Agency.

Home and community composting of kitchen and garden waste is the most sustainable form of composting yet it is not classed as a category of composting. According to a recent report by Dr Alan Knipe (May 2006, Lets Recycle) councils could save millions of pounds a year by encouraging householders to compost food waste at home, rather than splashing out on major centralised treatment plants. "Based upon the 10% of UK households using food waste digesters between 10 and 25 centralised treatment facilities need not be constructed and there would be potential cost savings of in excess of £20 million a year." The House of Commons Select Committee proposed that local authorities could estimate the amount of home composted waste by identifying households with gardens and following the purchase of home composters (from local authorities or other major suppliers). They recommended that the government, Local Government Association, Composting Association and Community Composting Network should find a method for assessing the amount of home composting in the targets to local authorities. There is a similar need to monitor composting on allotments and other forms of community composting. The current definition of compost creates a disincentive to local authorities to promote home and community composting of kitchen and garden waste. Therefore home and community composted waste should be included in municipal composting figures.

The promotion of waste minimisation measures is difficult where co-mingled wheelie bin systems in operation using compaction lorries to crush the recyclates. The use of compaction lorries for collecting products is not compatible with the aim of restoring and repairing them. The mandatory use of box schemes for the collection of waste minimisation or hazardous materials would require local authorities to collect products for re-use or repair such as tools, spectacles, stamps, cds, dvds, videos, watches, etc or the reduced disposal of hazardous waste materials. A further system of assessment might therefore be to introduce a new 'source separated materials collection' target whereby local authorities could be required to increase the number and range of materials collected by means of source separation methods of collection. This might have to be individualised to take into account the composition of the waste of each of the local authorities. We would suggest a minimum number of 3 separate waste streams (including compost and hazardous waste) but with the aim of collecting a minimum of 7 waste streams.

A separation target would probably require a mandatory increase in the number of waste streams that local authorities are required to provide a kerbside collection service for. We therefore consider that there is a need to increase the number of recyclable items collection authorities are required to collect from households. We suggest that the Household Waste Recycling Act 2003 be amended to increase the number of items to at least 7.

Education

We support the Waste Minimisation Toolkit which is a valuable aid in the development of data collection, measurement tools and behaviour change approaches.

In our view, there are a number of barriers discouraging members of the public from using services or buying products which reduce waste or promote re-use, recycling or composting:

- Lack of knowledge about the environmental impacts of actions they take and services and products they use;
- Lack of knowledge about what they as individuals can do to minimize those impacts (eg using washable nappies, Mooncups, composting waste);
- Lack of knowledge about best practice products and services available locally (nappy laundry services, community composting facilities, hire companies);
- Lack of knowledge about environmental issues relating to individual products;
- Negative perceptions about re-use schemes (eg share, lease, hire, repair, re-fill and return services) – in particular facilities being inconvenient;
- Negative perceptions that second-hand products, refurbished goods or items made from recycled materials are poor quality and/or expensive;
- Lack of interest in or incentive to change behaviour;
- Lack of access to information about the above.

Lack of knowledge about the environmental impacts of actions they take and services and products they use

We support the Environmental Action Fund's aim to promote greater awareness on these issues.

The Eco and Enviro Schools schemes are other useful tools for promoting responsible attitudes amongst young people towards their environment and encouraging them to understand information that is already available about products.

Both schemes warrant continued support.

Lack of knowledge about what they as individuals can do to minimize those impacts

We support Environment Direct – a public advice service on the impacts of different goods and services and on how to make the most sustainable consumption choices. The website is a superb resource.

We also support the Recycle Now and Smart Shopping communication campaigns. These, too, are educational tools which should be continued on a sustained basis.

Lack of knowledge about best practice products and services available locally

Whilst we support national educational campaigns such as the Recycle Now media advertising, the work of WRAP and the retailers Re-usable Bag Campaign, we consider that it is essential that educational campaigns should also be supported which promote local schemes (both waste minimisation and recycling/composting). In our view local campaigning works best because it can be adapted to suit the particular characteristics of the audience and schemes operating in the area.

In addition, educational campaigns should be aimed at a wider audience (including hard to reach communities) and be a sustained activity.

There is a need to map out and promote best practice businesses and services to the public and other businesses, academic institutions and other networks.

Policies promoting corporate social responsibility and public access to information would also encourage companies to demonstrate greater public accountability.

Other information to assist customers in extending the life of their purchases could include:

- Information provided by operators of convenience stores, vending and fast food outlets, organisers of public and private events about the locations of local repair centres, facilities to support re-use, recycling and composting. This could be publicised on sales receipts (eg Nova Scotia), posters or leaflets;
- Recycling system endorsement labelling (eg Germany's Green Dot system where consumers can leave the product in designated bins and the product is guaranteed to be recycled).

Lack of knowledge about environmental issues relating to individual products

We support the recent development by Defra of a web site and a pocket sized guide to environmental labels in order to help people understand the many different kinds of labels already produced. We think this will be a useful public tool.

However, product information in different sectors needs to be standardised. Information needs to be in a usable, clear and honest form.

There is widespread mis-use of symbols, which not only causes confusion to members of the public but can create problems for reprocessing companies. The plastic recycling symbol, for example, has widely been abused by packaging producers to suggest to members of the public that the product could be easily recycled. In fact, the wide range of plasticisers, softeners etc that could form part of a container means that, whilst plastic bottles often have a similar chemical make-up, yoghurt containers and other packaging with the recycling symbol on do not and so can not be easily recycled.

Lack of knowledge about environmental issues relating to individual products

Information needs to support the customer in:

- Comparing products; or
- Identifying the options realistically available to them for extending the life of the product.

Potential labelling and symbols which would support comparison on sustainable consumption indicators could include:

- Seal-of-approval types of environmental labelling;
- Environmental information labelling (energy efficiency, CFC use, recycled content or targets, recyclability, expected lifetime);
- Ecological Foot printing or Environmental Assessment Measures;
- Product hazard and product durability labelling (eg listings of the hazardous properties of the product produced during its life cycle and their impacts);
- Lead by example schemes which identify and promote businesses adopting best environmental practice.

Lack of interest in or incentive to change behaviour.

We support waste minimisation measures such as behaviour change systems (especially positive incentive schemes).

Whilst we do support the right of local authorities to introduce variable charging and other punitive behaviour change systems with members of the public we think that the emphasis should be on incentive schemes. It is our view that well promoted incentive schemes can encourage greater public support for recycling and waste minimisation and can help to reduce the need for punitive measures.

In addition, there is an imperative to combine incentive/disincentive work with simple to use, clearly promoted and supported recycling, composting and waste minimisation schemes. For example, box collection schemes are far easier to support in terms of educating residents about contamination issues. When contamination of wheelie bins takes place, the collection crews are unable to see contamination at the bottom of the bins. Nor are they able to simply leave a clear card explaining why particular materials are not collected. Instead, local

authorities have to rely on the far more intimidating and negative method of employing monitoring officers to identify bins with contamination and then door knocking the householder to explain what they have 'done wrong'.

Currently, members of the public are not encouraged to use repair services, buy second-hand or re-conditioned products or products that are made from recycled materials. Incentive schemes combined with awareness raising campaigns could be used to educate members of the public about the benefits of supporting sustainable products and services and motivating them to take action. Washington State's Get in the Loop scheme has proved successful and works by combining advertising (about the importance of buying recycled and telling them where they can buy recycled content products) with free promotional material to participating retailers and retailer promotion according to their level of participation in the scheme. Incentive schemes and awareness raising campaigns could be used in a similar way to motivate members of the public to buy second hand or refurbished goods.

Behaviour change campaigns could also be used to change trader, manufacturer or supplier behaviour eg low waste packaging procurement policies.

Negative perceptions about re-use schemes – in particular facilities being inconvenient.

There is an urgent need to explore measures (particularly fiscal policies) to develop a waste minimisation infrastructure dominated by small, locally based businesses. If a sustainable consumption and resource management economy is to be developed then issues of logistical inconvenience for reprocessors and potential customers must be addressed. However, these policies need to co-exist with educational campaigns to address issues relating to negative perceptions and lack of knowledge.

Negative perceptions that second-hand products, refurbished goods or items made from recycled materials are poor quality and/or expensive

The UK reprocessing and manufacturing industries compete on the world market by focusing on quality products. This fact highlights the importance of encouraging the collection of quality recyclates and composting materials and the imperative of encouraging source separation methods of collection (rather than co-mingled collection systems which suffer from high rates of contamination). A move to targets focussing on source separation and waste minimisation would assist in this regard.

Members of the public and reprocessors must have faith in the products they buy. It is vital that standards are improved.

Market development of quality goods needs to be combined with promotional work. Promotional advertising needs to be sustained to raise awareness and support for waste minimisation activities, services and products, recycling and goods made from recycled materials.

Lack of access to information

Gaps exist in public access to information about the above-mentioned issues. In particular hard to reach groups are often overlooked because of the expense of the communication methods required to target those groups.

We welcome the Government's recognition of the importance of local authorities translating information on services into languages spoken by ethnic communities but in our experience local authorities are reluctant to provide that service. The problem relates to cost and the number of languages spoken (65 in Newcastle).

The situation is even worse as far as the provision of information to individuals with disabilities is concerned especially deaf individuals who may require the information in BSL format and blind or partially sighted householders who may require formats for their particular sight

difficulties (eg cd, tape, large print, Braille, daisy disc etc). This is despite the provisions of the Disability Discrimination Act 1995.

Similar difficulties relate to providing information (eg in tape format) to individuals who cannot read. In our opinion, local authorities require additional support to target these hard to reach groups.

Other information gaps include involvement of customers and stakeholders. Attention needs to be paid to widening access to information to:

- Members of the public in general;
- Customers; and
- Shareholders.

We welcome the requirement on Directors of large private and quoted companies to consider and report on non-financial key performance indicators that are relevant to their business, including environmental and waste issues.

Additional information to shareholders, customers and other stakeholders could be supplied through performance data relating to statutory targets for waste reduction and recycling. Customers and shareholders could be more heavily involved in discussions and decisions about sustainability issues.

Business support

Businesses need support and easy and cheap access to information, training, advice and funding to enable them to make informed choices themselves.

We support the BREW funded work of Envirowise, the Environment Agency's NetRegs, WRAP and the work of Business Links. We also support the Environment Agency's pilot on-line internet service 'What do I do with my waste' and Net Regs guidance.

In addition, we welcome Defra's proposal that it could help improve SME's access to appropriate recycling and recovery services by a combination of:

- Advice and support under BREW, for companies to improve their waste management and maximise resource efficiency;
- Financial support under BREW for organisations to set up recycling collection services for commercial enterprises; and
- Placing recycling obligations on some or all businesses and/or waste management companies.

We welcome the introduction of the National Industrial Symbiosis Programme (matching one operator's waste with another's raw materials needs) and believe that the principles of industrial symbiosis provide significant potential for further resource efficiencies. We believe that the database could be expanded to contain information about distribution centres and waste resources. This would be especially useful for manufacturers and organisations wishing to exchange, sell or buy materials. The promotion of the National Industrial Symbiosis Programme or a similar type of database amongst the charity, refurbishment, repair and re-use sector might prove useful. An on-line database for tracking hazardous waste, composting, re-used and recycled materials could also be linked to producer responsibility trading systems.

Businesses need clarity about which organisations to approach for advice. Training and educational opportunities for businesses, public and statutory professionals across all sectors could be supported further in relation to green economies with the establishment of:

A new type of Green Academy. It could be charged with developing organisational forms, knowledge and skills relevant to zero waste and sustainable consumption. Its curricula and priorities would be set by the needs of developing environmental markets. Hence its research, teaching and skill formation would be linked closely to ground level projects providing learning opportunities to those in or outside employment. The promotion of sustainable

- Business practices including resource efficiency and waste prevention and environmental education would be part of the training of infrastructure development of professionals and unskilled staff;

- The appointment of Zero Waste Advisers – some recruited from leading waste minimisation, recycling and composting projects overseas – to advise on waste reduction and recycling schemes and projects. The group could be part of an international network, promoting exchanges and part time attachments and linking into practitioners' associations;
- A Sustainable Development Agency incorporating a Zero Waste Agency to promote resource efficiency and act as a guardian of public health;
- A national network of Regional Waste Reduction and Recycling Coordinators. Work of this nature is invaluable but needs funding;
- Best practice guidance (perhaps through the use of a web site) on green procurement practices could be made publicly available for use by central and local government, their agencies and public bodies. Best practice guidance could also be supplied on ways of supporting waste minimization, repair, re-use, recycling and composting. This sort of information could be of assistance to a wide range of individuals and organisations.

If businesses are to respond appropriately to legislation then the Government and Environment Agency need to provide clear and comprehensive guidance well in advance of regulatory changes in order to allow sufficient time for investments. The government currently uses a wide range of communications channels to inform business about the requirements of legislation but we consider that there need to be clearer points of reference for business training and education particularly in relation to sustainable business development.

There may be business opportunities for consultancies to open up a niche market on advice on resource efficiency but this may require some initial Government support.