



The Chartered Institution of Wastes Management

The Chartered Institution of Wastes Management (CIWM) is the professional body which represents around 7,000 waste management professionals, predominantly in the UK but also overseas. The CIWM sets the professional standards for individuals working in the waste management industry and has various grades of membership determined by education, qualification and experience.

Waste Policy Review

CIWM has consulted its members via our electronic newsletter and via our special interest groups. Responses received from our members have helped form this response.

The Chartered Institution of Wastes Management (CIWM) congratulates Defra for this timely and important Waste Policy Review. The Terms of Reference and questions posed show the breadth of this review is much wider than waste management and disposal and involves 'wastes' as part of a broader 'resources' agenda including materials, energy and water. CIWM wants to support Government in making this more powerful point and recognises that it will affect many policy areas as well as public, private and third sector performance and individual / community beliefs and behaviours.

Context of this Review

The scope of this review inevitably means that early outputs in Spring 2011 will be relatively high level and that further work is likely to be needed to develop general policy priorities down to a level of actionable detail. CIWM therefore makes this submission of evidence at a time when the national and international policy context is continually developing. This includes:

- Government priority to tackle UK national debt which will inevitably impact on economic drivers applied to resources markets.
- The Comprehensive Spending Review announcement (October 2010 but with important detail to develop over the next 6 months, at least). This is the most important public sector spending review in this and other related policy areas in working memory. It will drive Government, Environment Agency and local authority priorities and decision making for many years to come.
- The proposed Localism Bill (Autumn 2010) with possibly fundamental changes to come to the strategic and development control planning system in England.
- The proposed Green Economy and Energy Bill (Autumn 2010) which will include vital links between waste / resources and energy policy.
- Government's fast-developing 'Big Society' proposals which should include professional institutions such as CIWM and what they can do to support greater individual and community buy-in and enhanced performance as consumers and users of resources and services.

- Proposals for new funding mechanisms including possible Green Investment and Big Society Banks.
- Fast developing policy and initiatives in devolved UK Governments which increasingly differ from English policy.
- A slowing of new EU policy and legislation after implementation of the revised Waste Framework Directive but with growing national EU and global recognition of the need for concerted environmental action, plans, and targets.
- Development of a separate hazardous waste strategy which CIWM understands will be published in Spring 2011. Hazardous wastes do not, therefore feature in this review and the Institution recognises that CIWM will have an opportunity to comment on policy and strategy for hazardous wastes over the period of this more general review.
- What has been achieved in waste and resources performance in England and the UK – even in the last 10 years? Whilst CIWM can see that much more remains to be done, the Institution would invite this review to recognise what has already been achieved to help throw off the undeserved mantle of the ‘dirty man of Europe’ which some have too readily accepted in the past.

CIWM’s response to this call for evidence is therefore made mindful of the bigger picture around us and recognises that Government policy for waste and resources in England must continue to evolve. CIWM therefore offers this relatively high level response to the consultation together with an invitation to Government to use CIWM’s contacts and body of knowledge to support this review. The Institution will offer support in any way it can.

Priority ‘Waste’ Policy Issues

Wherever possible CIWM has followed the structure of the consultation document for our response, however, CIWM makes a number of generic points below which are common to many, if not all, of the questions posed. The Institution believes these issues, above all, will dictate the rate of progress in this sector towards our full contribution to a more sustainable future for England and the United Kingdom:

1 Overall Objectives

Much of the progress made in recent years in sustainable resources and waste management has been achieved through meeting various EU Directive and domestic targets e.g. Waste Framework, Landfill, WEEE and now Renewable Energy Directives. Within those - often weight based - targets local authorities, the private sector and ‘markets’ have been left to decide their prime objectives – whether that is to maximise energy recovery (renewable or otherwise), organics recycling for addition to soils or recovery of valuable or even rare materials.

Sustainable resources and waste management is now seen as a part of a much larger set of carbon reduction, energy and climate change objectives. We therefore have an opportunity to manage a transition from hitting interim legislation-driven targets to long term decision making based on carbon management. Armed with reliable and agreed life cycle assessment we should, as a nation, be looking to resource management strategies, infrastructure and services and products that are as carbon – efficient as

possible whilst still hitting imposed targets. Preserving a tonne of aluminium or rare earth metal should be more valuable to the environment than a tonne of wood or bricks.

CIWM understands that the Scottish Government favour this approach and are engaged in development of a 'carbon metric' with CIWM and other stakeholders. CIWM sees considerable advantage to this approach including linking it to the Carbon Reduction Commitment and future carbon trading. This needs to be supported by a realistic 'floor price' for carbon to help provide a stable market. In the near future the Institution would see many operators in this sector benefitting from trade in carbon as a direct result of their more sustainable management of resources. However, CIWM also perceives the need for caution in making this transition. The Institution understands that a number of Scottish procurement programmes for services and infrastructure have been suspended pending agreement and launch of the carbon metric. If this continues it will be an unwelcome and possibly damaging delay in providing more sustainable resource management. If such a policy move is proposed for England through this review CIWM would want to see early engagement with local authorities and the 'industry' to plan how this transition can be planned and delivered smoothly.

2 Targets – Interim and Longer Term

Specific targets for local authorities and obligated businesses have been helpful in moving resources and waste management performance forwards. However, CIWM perceives that Government is steadily moving towards indirect steering of resources and waste markets through a broad range of instruments - such as incentive payments or regulation for example - rather than setting increasingly detailed targets e.g. for how much waste ought to be treated via anaerobic digestion or even how much gas from anaerobic digestion should be injected to distribution grids or used to generate electricity locally. This is becoming increasingly important given the need to direct wastes away from landfill other than through local authorities or directly obligated businesses. CIWM believes that the use of instruments to 'steer' materials and wastes needs to be underpinned by a clear view of where we want resources and energy to go to - rather than just steering away from landfill. Getting the balance of a variety of instruments or interventions 'right' to support the right mix of materials recycling, energy recovery etc will require modelling and monitoring of the real world combined impacts of those interventions. The 50MWe threshold for IPC determined planning permission applications and various 'grandfathering' issues over power tariffs are examples of how policy-driven instruments and thresholds drive strategic and commercial decisions in a very direct way. Balancing the impact of policy instruments may also require Government to be prepared to set interim targets in support of achieving the bigger goal of long term carbon resources and climate change management. Even if we strive for ambitious carbon management objectives we will have to accept that the next generation of facilities and services to help achieve those goals will only be interim solutions.

3 Integrated Government Policy and Action

CIWM is pleased to note improved co-ordination between Government Departments - many of whom have a direct interest in resources and waste performance, costs, domestic and export markets, and technologies. Maximising the contribution that sustainable resources and waste management can make to the carbon agenda, to the

UK's renewable energy performance, and to the green economy will require a coherent strategy shared between Defra, DECC, CLG, BIS and the Treasury and effective co-ordination of action and communication. CIWM is particularly concerned about the need to avoid potentially damaging and conflicting messages from different Government Departments, particularly where these undermine the confidence and buy-in of the general public.

CIWM is also mindful of the need for strong links to be maintained with the devolved administrations; particularly as we begin to see potential divergences in major areas of waste policy e.g. landfill bans. There is a need to understand the impact that these differences will have to avoid unwelcome outcomes.

4 Planning

Improved English or UK resources management depends on successful delivery of new treatment infrastructure aligned with waste services and secondary materials / energy markets. The strategic and development control planning systems in this country are capable of delivering this new generation of infrastructure, although it can be unnecessarily laborious, especially where officer-supported proposals are subsequently refused permission triggering the appeal process. These planning permission applications are often highly contentious to at least a proportion of the local community. CIWM would be pleased to explore with Defra, DCLG and other interested parties what support can be given to local authorities in particular – including clear communication of need, priorities and realistic appraisal of the technology options considered for waste treatment.

CIWM also understands that a thorough review of the English planning system is being considered by the new coalition Government – and that this is likely to feature in the forthcoming Localism Bill. If Government are minded to base their proposal for planning reform on the pre-election 'Open Source Planning' document CIWM would like to work with Defra and DCLG on development of this new approach. It is possible a 'bottom – up' approach to strategy development will deliver a completed and co-ordinated suite of plans in, say, 4 to 5 years – although CIWM notes that previous plan systems have been variously completed and co-ordinated in the past. However, the Institution is unclear over many aspects of the proposed system including:

- The timing, format and scope of 'infrastructure plans'
- The future operation of the (current) Infrastructure Planning Commission, including the types of development to be covered and any thresholds which will apply. If there is scope to lower thresholds for entry into this part of the planning system this could ease transition from landfill to resources and carbon / energy management infrastructure and services, and would support appropriately sized infrastructure proposals instead of promoting only very large scale solutions.
- The status of existing plans whilst new Local and Infrastructure plans are being developed and adopted.

At all costs we must avoid confusion and delay in the planning system in England at a critical time of infrastructure development – even to meet short to medium term objectives such as the Landfill Directive, let alone longer term sustainable resource management objectives.

5 Finance

This 'evidence' has been submitted 2 weeks in advance of the October 2010 Comprehensive Spending Review (CSR). The impact of this review on central and local government spending is therefore not known in any detail, but the need for significant efficiencies and possible spending cuts is clear. The severity of this review may be such that it will have a profound impact on central and local government procurement and services, support from government agencies, the future of regulation and enforcement etc.

It is of the utmost importance, however, that financial constraints not be used as an excuse for allowing sustainable waste management to lose ground and revert to the 'cheapest cost solution' approach. This will significantly weaken the contribution the sector can make to key government objectives on environmental protection, carbon and energy recovery. CIWM will want an early opportunity to discuss the review and its impacts on the CSR with Defra and how it will affect this growing sector.

In the meanwhile, private sector funding of the future of sustainable resources and waste management is growing in importance at a time of general tightening in finance markets. The potential of the industry is seen as highly attractive to financiers but the policy, technology and business risks associated with it make funding a serious potential pinch point to future development. Estimates for necessary investment in this sector vary between about £10bn and £20bn by 2020. CIWM believes that the higher figure is more realistic, especially if the UK aspires to do more than just meet the basic requirements of the EU Landfill and Waste Framework Directives. The need for completely new infrastructure to manage and better utilise specific waste streams, including hazardous waste, WEEE and batteries, must also be factored in.

CIWM supports the concept of a 'Green Investment Bank' – designed to underpin more mainstream funding mechanisms – especially in development stages of proposals, and believes that it is essential to signal Government confidence in new infrastructure and services in sustainable resources and wastes management. CIWM found the Green Investment Bank Commission's report encouraging and the Institution awaits further Government announcements regarding the funding and operation of the Bank.

6 Co-ordinated and Sustained Communications

Responses throughout this submission of evidence confirm the importance of sustained and co-ordinated communications. Co-ordination is essential because businesses, people and communities need consistent advice and support in making permanent behaviour changes – at work, as consumers and as partners with professional resources and wastes managers. CIWM has taken a lead in the past in pulling together strategically important communications 'partners', but the Institution believes this central role has to be through Defra as the lead Government department or through their agents – e.g. WRAP. The communication must also be sustained – possibly over many years as has been demonstrated in other policy areas such as the clean air movement, and anti-smoking or drink / driving campaigns. CIWM remains concerned that, driven by fierce spending constraints, 'communications' will be seen as an optional activity by both central and local government. If 'Big Society' is to play its proper role in waste prevention and provision / operation of efficient and effect waste services and

infrastructure, CIWM believes that good communications campaigns have never been more important.

CIWM accepts its responsibility to use its resources to the general public benefit, and therefore as a part of 'Big Society'. The Institution therefore offers to work with Defra and other stakeholders to co-ordinate and deliver effective information and support to businesses, people and communities and government at all levels to achieve our shared long term objectives.

Responses to Section 2: Call for Evidence

2.3 General

2.3.1. What should the nation's ambition for waste management be? What do we need to do to achieve a 'zero waste economy'?

Sustainable resource and waste management in England and the UK needs to be elevated above deadline compliance with requirements of relevant EU Directives. As a starting point, CIWM would like to see the development and implementation of the national waste prevention plan, in advance of the December 2012 deadline.

The contribution of this 'sector's' performance to longer term climate change, rare materials and carbon goals needs to be measured, embedded in future policy and harnessed, especially as CIWM can anticipate that other EU Members States who have already met Directive requirements will be pushing for further and more demanding targets and that other countries will see good performance in environmental industries and general good environment performance by all sectors as a distinct trade advantage.

Linking resources and waste management to the 2050 carbon reduction target should lead to greater use of life cycle assessment to identify priorities for action at both policy and local action levels. CIWM believes this will focus attention on where this sector's contribution is most important and to underline the importance of the hierarchy – led by prevention, supported by re-use and recycling and then energy recovery from residues. More effective exploitation of the energy value of residual wastes in the UK should be seen as an economic advantage and a direct support to our energy security and diversity of supply objectives.

Whilst longer term objectives are being developed for more sustainable resources and wastes management, CIWM recognises that shorter term objectives and targets are still needed including increased producer responsibility targets and controls on residues sent for landfill. As a part of this CIWM would like to see more rigorous implementation in the UK of the Landfill Directive pre-treatment requirement, as advocated in our response to the possible 'Landfill Bans' consultation. The Institution believes that a shorter term objective of 'zero waste *untreated* to landfill' would support more sustainable resources management. The specification of acceptable pre-landfill treatment through policy, legislation and guidance could then have a progressive impact on resources recovered / recycled over time. Provided that finance and planning barriers are overcome to ensure that appropriate waste treatment facilities and technologies are made available this

could allow the UK and England to out-perform the Landfill Directive 2020 target for instance.

CIWM also advocates a shift towards resource flow management - probably best assessed and supported at a regional level. Good examples of early work in this area are well known – including the 'Pathway to Zero Waste' project in the Southeast and Advantage West Midlands where resource 'arisings' are being matched to suitable markets. Continued support for business take-up of secondary materials and alignment with waste derived power and heat will be essential and will be a major challenge for local and regional resources and economic development planning.

CIWM recognises the importance of monitoring and directing resource flows in all sectors – not just through local authorities. This will be vital, even if only because of the increased landfill diversion (tonnage) targets introduced through the re-definition of municipal wastes in the UK. Increased use of financial and market 'tools' to direct resources to the 'right' (or at least better) fates is needed. This will be complex – sometimes with unintended consequences – where a number of policy interventions act on businesses and their resources management. For example future increases in ROCs without complementary measures could result in electricity generation rather than heat export or use of biogas as transport fuel. Careful monitoring of impacts and any necessary review of policies, etc. will need to be more frequent than in the past. This will need data, information and support from a number of stakeholders and CIWM is ready to play its part in support of Government in this task.

In summary:

- **The development and implementation of the national waste prevention plan *in advance* of the December 2012 deadline.**
- **Linking resources and waste management to the 2050 carbon reduction target and greater use of life cycle assessment to identify priorities for action at both policy and local levels.**
- **More rigorous implementation of the Landfill Directive pre-treatment requirements.**
- **A shift towards strategic resource flow management.**
- **More detailed monitoring of ongoing and new policy interventions to allow progress and impacts to be understood and policies reviewed where necessary.**

2.3.2. How could the contribution waste management in England makes to the economy and our environmental and energy goals be maximised?

Resource efficiency rather than just waste management can make a very significant contribution to the UK economy. Developed and developing nations are seizing this opportunity and resource efficiency is certain to provide a competitive manufacturing and service edge plus significant export opportunities for the UK in terms of goods, services and expertise. CIWM would like to see Defra and BIS working closely together to develop clear messages for the UK business community on the benefits of sustainable

waste and resource management, coupled with clearer incentives to encourage behaviour change, including more rigorous implementation of the Landfill Directive pre-treatment requirements, measures to encourage greener design, and mandatory carbon/resource accounting. While CIWM acknowledges the Government's desire to reduce the regulatory burden on business, developing a framework to stimulate resource efficiency across UK industry is essential.

UK environmental and energy goals are becoming closely linked as part of longer term carbon and climate change targets and obligations. CIWM advocates UK resource and waste management objectives beyond compliance with relevant EU Directives. For example, a (small) number EU Member States have met Landfill Directive 2016 (2020 in UK) targets and will be pursuing either better resources performance domestically or suggesting tougher future targets under review of the Directive. CIWM would therefore support resource and waste management objectives and performance more closely linked with life cycle assessment and the 2050 80 percent reduction in Climate Change emissions but linked to shorter term target setting to pave the way.

CIWM applauds progress made and being made in recycling across all sectors but urgent attention is now needed on waste prevention – where CIWM advocates national plan development BEFORE the target date - and on energy recovery from residual waste. Eliminating waste offers significant cost savings for the public sector purse, and EfW represents an important opportunity to develop energy security and diversity of supply in the UK. Our capacity for EfW is poorly developed compared to other near neighbour EU Member States and specific Government support to improve energy recovery infrastructure is needed. (More detail is included in Section 2.7).

Sustainable resources and waste management presents a valuable opportunity for the development of skills and employment opportunities as a part of the Green Economy and there is plenty of evidence suggesting that there is a skills gap that needs to be addressed (e.g. Environmental Audit Committee report: *Green Jobs & Skills*, Dec 2009). The Low Carbon and Environmental Goods and Services market globally was worth £3046 million in 2007/8 (BERR) and growing. A very broad range of skills is needed to maximise the contribution of resource efficiency to broader environment / energy objectives – from highly specialised professionals through to operational and manual skills. CIWM believes that this opportunity should be explored as a matter of priority with the relevant Government departments, appropriate Sector Skills Councils, professional bodies and other stakeholders.

Linking waste and resources effectively into the 'Big Society' agenda also has an important role to play in motivating individuals, communities and businesses to be better informed consumers, to waste less, litter less, and reduce pressure on local authority services. CIWM also accepts the challenges of responsibility as part of 'Big Society' and is keen to explore with Defra and its agencies how we can do this most effectively.

In summary:

- **Resource and waste management objectives and performance more closely linked with life cycle assessment and the 2050 80 percent reduction in Climate Change emissions.**
- **Specific Government focus on waste prevention and energy recovery.**

- **Linking waste and resources effectively into the 'Big Society' agenda.**
- **Exploring, as a matter of priority, the skills gap with the relevant Government departments, appropriate Sector Skills Councils, professional bodies and other stakeholders.**

2.3.3. How can Government make the best use of the skills and knowledge of the private sector, civil society and local communities in delivering a zero waste economy?

Hitting medium term targets and maximising the contribution of waste and resources management to longer term environment and energy objectives will require the full commitment of skills and resources from *all* sectors.

Defra will need to harness the knowledge and capabilities of a broad range of stakeholders, as it has begun to do through the Waste Stakeholders Group. CIWM believes that this potentially powerful group of stakeholder organisations needs to be actively challenged rather than informed, and used to provide input to Government thinking, as well as acting as channels of implementation and communication. Defra and other Government departments should also consider secondment-in of knowledge and support from these organisations, despite the likely difficulties in these people being made available.

CIWM understands that good working contact is maintained with devolved governments in waste strategy and policy development and this should be encouraged. The skills and knowledge that can be gained from such working contact is invaluable.

CIWM has over 7,000 Members, representing a significant 'body of knowledge'. CIWM would like to explore closer working with Defra including departmental input to the Institution's various Special Interest groups (building on good work done through our hazardous waste group, for example). CIWM also offers its knowledge and resources to support the development of guidance, such as its work with Defra and the Environment Agency on the Duty of Care Code of Practice.

CIWM has built a body of over 2,500 Chartered Waste Managers, many of whom are also Chartered Environmentalists and professional members of other institutions. The Institution also has a body of waste managers who have proven their technical competence to operate facilities and under the recently improved competence system – are engaged in proving that they have maintained and up-dated that competence over time. CIWM would like to explore with Defra how this competence and professionalism should be recognised through controls such as the Duty of Care and whether it could be considered as an element of risk assessment and therefore the detail and cost of relevant regulation.

CIWM has also built up a body of expertise in customer sectors through the Waste Awareness Certificate award. CIWM has issued over 10,000 certificates now, covering all sectors of business. The award concentrates on the importance and cost of waste and therefore its prevention – and on compliance with basic legislation for waste. The Institution believes that resource and waste transfer from party to party needs to be underpinned by competence, professionalism and awareness and CIWM would like to explore how this could be better reflected in the Waste Duty of Care.

Civil society in the guise of third sector (not-for-profit) organisations already make an important contribution to sustainable resources management and this will continue or develop – especially where they can operate in niches where private sector involvement

would be uneconomic, or where other social benefit such as employment and training of vulnerable groups in society can be gained. CIWM believes that these organisations will be impacted by the current economic climate and the Comprehensive Spending Review and recognises these organisations will need other forms of support from the public and private sector. This will include access to relevant land/facilities and access to waste, e.g. household waste recycling centres.

CIWM also supports the idea of the 'Big Society' to emphasise the important impact that individual and community performance can have as responsible consumers, as willing partners in collection, cleansing and recycling services; as the eyes and ears of enforcement and response services; and as responsible citizens in littering and communications. Individuals, households and communities or their representatives such as Parish Councils have an important role to play.

CIWM does not anticipate, however, that the concept of 'Big Society' will be stretched beyond logical limits. The Institution could not support the involvement of untrained, unprotected, un-monitored and possibly 'here today but not tomorrow' volunteers providing essential waste services. The hazards associated with waste collection and cleansing are easily underestimated. They are also services that are absolutely key to local resident's perception of quality of environment and of life. These are services that need to be ultra reliable and provided by people who are trained and supported in delivering a routine and high quality service.

In summary:

- **Defra will need to harness the knowledge and capabilities of a broad range of stakeholders, including the Waste Stakeholders Group, and actively challenge these stakeholders to provide useful input and dissemination/communication channels.**
- **Defra to become more involved in CIWM's Special Interest Groups and explore with CIWM how competence and professionalism should be recognised in the regulatory regime.**
- **Support for third sector organisations to fulfil a role in sustainable resource management.**

2.3.4. Do local authorities have the right responsibilities for waste services? Are there further services that could be devolved to local authorities or directly to local communities?

CIWM believes that local authorities, in the main, do have the right responsibilities for waste management. Many have contracted out their services via private and third sector operators, others maintain in-house services. Both approaches are capable of delivering excellent value for money and good quality services. Further changes to division of responsibilities will now be driven by:

- Spending constraints and the pursuit of economy and efficiency. This could take the form of increased partnership working between adjacent authorities or between different 'tiers' of authorities – or increased out-sourcing of services. The decision should lie with individual, or groups of, local authorities
- Barriers to / incentives for extension of collection and recycling services to industrial and commercial waste producers – including the future of the LATS scheme, and revisions to detailed requirements such as Schedule 2 to the Controlled Waste Regulations
- The Localism Bill which could have a profound impact on local strategy development and on development control planning. CIWM understands that

'Infrastructure Plans' are likely to be proposed at a county / unitary level and that 'Local Plans' will probably be built upwards from individual community level plans. CIWM would advocate the need for resource flow plans linking waste and its production and treatment to economic development, employment and skills – at least at a county / unitary level and preferably at regional or sub-regional level.

In terms of devolving services to local communities, CIWM believes that while local communities have a role to play in general behaviour change, as stated in the previous question, CIWM does not recommend the involvement of volunteers in providing essential waste services.

In summary:

- **Defra and DCLG to maintain support to local authorities as currently undertaken through the Waste Information Network, to help drive innovation and efficiency.**
- **Defra to clarify their position to local authorities on LATS and Controlled Waste Regulations as soon as possible.**
- **DCLG to clarify its proposals for the future of the planning system.**

2.3.5. How can illegal waste activity be minimised, including reducing levels of fly-tipping? Are sanctions for breaches of waste regulation fair and proportionate?

Illegal waste activity by businesses occurs in three general forms:

- a) Illegal management and disposal by 'waste producers'. As the cost of responsible waste management continues to rise it drives prevention and resource efficiency but also increases the financial incentive to fly-tip, mis-describe etc.

Detection and enforcement by local authorities and the Environment Agency is vital in tackling this form of waste crime. CIWM would like to see these bodies supported in increasing enforcement and prosecution of those involved. The electronic Duty of Care system should enable better monitoring of this type of activity by all parties involved. CIWM is an active partner in this project and full Defra support for up-take of the system will be vital.

Improved public reporting of fly-tipping to local authorities and the Agency is an important contribution individuals can make as part of 'Big Society'. CIWM is exploring how it can work through the Duty of Care Code of Practice and general communication to make the most of this 'resource'.

- b) Illegal management, especially fly-tipping, by waste carriers. CIWM would like to see a greater degree of professionalism in carriers to help focus the distinction between organised, skilled and responsible operators and criminals who seek to under-cut them. The Institution has suggested a form of proof of competence / compliance for waste carriers to underpin the registration scheme. Customers need some form of proof that they are transferring their wastes to responsible operators and should bear the consequences of failing to do so. CIWM recognises pressure on Government not to introduce new regulatory burdens, but would be pleased to explore how the Institution could help at minimum cost to the responsible elements of our sector.
- c) Mis-description especially regarding exports. The importance of clear quality standards (which are already under development) and inspection/enforcement by

the regulator is clear. The UK must be internationally recognised for reliable materials quality at specifications meeting both regulatory and customers' needs throughout global markets.

Illegal waste management by individuals can be effectively combated through easy access to good quality services including well designed and managed Household Waste Recycling Centres, bulky waste collections, and routine waste collection/recycling services including 'bring' facilities. CIWM remains concerned that local authorities and their contractors may have to reduce or halt development of these services as part of general spending constraints. Individuals also have a powerful role to play in observing/supporting the Duty of Care for wastes and reporting fly-tipping as part of their 'Big Society' responsibilities. CIWM will work with central and local government, waste operators, and other organisations in what has to be a sustained and co-ordinated communications programme – led by Defra.

CIWM has worked closely with the Environment Agency and others regarding the development of civil sanctions the Institution understands that those 'fast-track' sanctions will bring benefits offenders and regulators and help focus an improved future performance and repair of damage. Introduction of this regime through relatively simple administrative sources is sensible. CIWM also understands that the approach is intended to be broadened to cover higher volume enforcement in the near future including Duty of Care and permitting. The effectiveness of these new sanctions will be key to building confidence that sanctions lead to the right outcomes.

In summary:

- **Adequate support for local authorities and the Environment Agency in tackling waste crime through better enforcement and prosecution of those involved.**
- **The requirement for waste carriers to demonstrate their 'competence' to highlight the distinction between organised, skilled and responsible operators and criminals who seek to under-cut them.**
- **The importance of clear quality standards for export markets and strengthened inspection/enforcement by the regulator.**
- **Focus on maintaining the provision of collection services and Household Waste Recycling Centres to ensure they are not compromised by budget cuts to the detriment of local environmental quality.**

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

CIWM Members do not identify waste regulatory burdens as a significant impairment to their business. This is in no small part due to the improvements, efficiencies and more 'modern' regulation which has been championed by the Environment Agency. Their work with stakeholders has steadily reduced regulatory burdens without compromising on environmental / health protection and CIWM will continue to work with them and other stakeholders to maintain this momentum.

Given the multiple priorities for our sector – environmental protection, carbon and Green House Gas emissions reduction, energy recovery, etc – CIWM does not believe that this is an area where significant regulation is appropriate.

Broader regulatory complexities / costs for waste treatment infrastructure and operations were identified in the AD Task group report of 2009. These included the role and requirements of other regulators such as OFWAT – including the use of water industry assets - and energy export regulation such as Gas Transporter Licences, ROCs sampling and analysis, and small scale grid connections. These are common to waste and non-waste facilities and to other waste treatment technologies. CIWM believes that simplified and more modern regulation approaches in these areas of regulation could be more beneficial to development of an appropriate network of waste treatment and dispersed waste to energy generation.

In summary:

- **Continued focus on 'better regulation' through the Environment Agency without compromising environmental protection.**
- **Simplified regulation where waste overlaps with other regulatory regimes, such as water and energy.**

2.4 Waste Prevention

2.4.1. What roles should (i) national and local government; (ii) businesses; (iii) voluntary organisations; and (iv) individuals take in order to prevent waste from arising, and to reduce the hazardousness or environmental impact of waste?

National Government should aim to develop and agree the National Waste Prevention Plan – required under the revised Waste Framework Directive by December 2012 – in advance of this deadline, as a strong message of the importance and urgency of this part of the hierarchy. Historically the UK has concentrated on recycling (especially of municipal waste) rather than tackling waste production itself and resource efficiency in the round. The plan will need to include long term monitoring to assess the effectiveness of measures to control resource use and wastage and to develop and support best practice. CIWM recognises the scale and complexity of what appears to many to be a simple plan to prepare, and Government should draw on all expertise available to it – public, private and third sector – in preparing this Plan.

National Government must also set and monitor the effectiveness of a broad range of financial / taxation instruments to influence resource efficiency and waste prevention. The Landfill Tax has had a profound impact on waste production and management. CIWM applauds the 10 year plan adopted for this tax, and would like to see this length of programme maintained in future. It is a strong signal that initiatives to reduce wastes and environmental impacts are likely to take effect over much longer timescales than the lifetime of any individual Government, and it is likely that other financial and regulatory mechanisms will need similar cross-party support and longevity. The Aggregates Levy already supports resource efficiency in aggregates use and similar raw materials levies should be considered.

Central and local government must explore and pilot household waste collection incentives / charges that reward waste prevention rather than maximising recycled weight. Although CIWM notes the Government's decision to amend the Climate Change

Act to take away powers for local authorities to pilot various incentive schemes, CIWM still believes that there are a range of waste prevention incentive schemes that could be used and that unless these are tested in real situations we run the risk of policy development by guesswork.

Waste Prevention Plans have been a long-standing requirement of PPC Permits. Government should now review the completion and effectiveness of these plans – preferably on a sector by sector basis – to identify best practice and to gauge the effect of this requirement, its costs and benefits and whether there is a rationale for further expansion of this regime.

Although there is clear pressure against introduction of additional regulatory burdens for businesses, CIWM believes that the medium to long term benefits to individual businesses and the UK as a whole through resource efficiency justifies new or improved regulation in this area. Other forms of regulation CIWM would like to explore with Government to support general resource efficiency include: mandatory resource use reporting by businesses as part of annual report and accounts; eco-labelling of products and services (although this would be better pursued at a European level at least); improved reporting of waste production and management through the electronic Duty of Care system; and extended producer responsibilities (EPR). The primary purpose of EPR has been to drive recycling but the allocation of responsibilities does help drive resource efficiency indirectly and CIWM would encourage review of EPR targets, thresholds and materials covered at both an EU and UK level.

Both national and local government must develop, deliver and sustain a plan of communications for businesses and communities / individuals. For businesses there are compliance as well as bottom line, supply chain and Corporate Social Responsibility (CSR) benefits to waste prevention and better resource efficiency. For the public, CIWM can see clear benefit in emphasising personal responsibility and consumer behaviour – linked to community benefit accrued through reduced waste management costs for their local authority and therefore Council Tax, and, potentially reduced waste service costs for their household. The Coalition Government's 'Big Society' message could be an important mechanism in this regard. CIWM as a registered charity is required to use its resource to support general public benefit and the Institution would be pleased to explore with Government how our communications capabilities and the 'body of knowledge' of our members could be used to support this initiative.

2.4.2 What can be done to encourage businesses to design and manufacture products which produce less waste – such as those which last longer, can be upgraded and/or repaired, and don't have hazardous components? How might Responsibility Deals contribute to this?

Voluntary responsibility agreements with specific business sectors have also shown that significant progress can be made as with single – use carrier bags and the Courtauld Agreement. CIWM would support the extended use of such agreements in the future but advises that Government will have to retain the power to back these initiatives through target setting and enforcement if voluntary schemes prove to be inadequate or too slow to deliver desired outcomes.

Local Government already has regulatory powers to combat over-packaging, although they are seldom-used. Given general cost and consumer demands, and extended producer responsibility pressures on packer-fillers and retailers, CIWM would expect to see continued downward pressure on excessive packaging. If there are clear cases of over-packaging, local government should be encouraged to use these powers.

Overall resource efficiency in product design (including eco-labelling) and further reduction in hazardous substances or components in products should be explored by Government at a European level. European standards in restriction of hazardous substances in electrical equipment have been recognised as desirable or essential design criteria in manufacturers worldwide – even if only to be able to maintain European sales markets or in anticipation of these standards being adopted outside of the EU.

Feedback to customers by waste contractors and local authorities on their wastes to inform procurement or design decisions should be seen as a part of value-added service by this sector. More general resource efficiency guidance is offered by some contractors either as part of a broader resource management contract or as an additional (charged) service. Good examples of this closer relationship have been noted between waste contractors and customers in both the construction and retail sectors.

2.4.3. Which waste streams or materials should be a priority for waste prevention?

Priority waste streams for waste prevention should be identified through the whole life cycle approach as suggested in the revised waste Framework Directive rather than tonnage. This clearly needs to be done through an agreed and maintained carbon / LCA metric and CIWM would be pleased to work with Government, its agencies and other stakeholders on such an approach. However, account must also be taken of the quantity of resources which could be prevented from becoming wastes and their value to businesses as cost savings will remain one of the biggest inducements to businesses to cut waste.

2.4.4. How should waste prevention be measured?

Measurement of waste prevention could be done through local authority-controlled wastes with residual waste quantities measured against a base year. If future objectives and performance are to be carbon or life cycle assessed, then the carbon / environmental cost of residual wastes could be used as a future, more effective, measure of waste prevention which could be tied to the Carbon Reduction Commitment.

Industrial and commercial waste prevention could be best measured through waste prevention plans as required under PPC permits. Alternatively, resource flow measurement and reporting by businesses using tools such as the electronic Duty of Care system (under development as a part of a LIFE+ funded project) and mandatory reporting of resources used / wastes produced per unit of product or service against reported sector benchmarks.

In summary:

- **Develop and agree the National Waste Prevention Plan before the December 2010 deadline.**

- **Set and monitor the effectiveness of a broad range of financial / taxation instruments to influence resource efficiency and waste prevention.**
- **Review the completion and effectiveness of Waste Prevention Plans under PPC to gauge whether there is a rationale for further expansion of this regime.**
- **Explore other forms of regulation including: mandatory resource/carbon accounting; eco-labelling; improved electronic Duty of Care reporting; and extended producer responsibilities (EPR).**
- **Deliver sustained communications on waste prevention to business and consumers, focusing on bottom line / cost benefits and personal responsibility to tie in with the Big Society agenda.**
- **Explore and pilot household waste collection incentives / charges that reward waste prevention rather than maximising recycled weight.**
- **Encourage local government to use its regulatory powers to combat over-packaging.**
- **Explore at European level how to encourage overall resource efficiency in product design and further reductions in hazardous substances or components.**

2.5 Preparing for Reuse

2.5.1 What more do you think Government, businesses and civil society could do to increase activities that prepare waste for reuse?

Central and local Government communications in terms of awareness and up-take of re-use opportunities remains essential.

2.5.2 Which waste streams or products are priorities for reuse

Office and domestic furniture, electrical goods and IT equipment are clear priority 'wastes' for preparation for re-use – either in this country or for export, subject to quality / fitness for purpose requirements. Clothing reuse demand does exist in the UK but in limited and already exploited channels. Preparation of clothing reuse in export markets is already practised by many e.g. the Salvation Army, but scope for expansion in separated collection of appropriate quality used clothing probably still exists.

2.5.3 What are the existing barriers to preparing more waste for reuse from both the household waste stream and the 'Commercial and Industrial' and 'Construction and Demolition' waste streams?

Despite the current economic down-turn the UK is still a highly affluent society. This means that the perception of re-used items is often low, especially as consumers can often afford to 'buy new'. The value of re-used items is therefore usually low whilst the

cost of labour and equipment / materials to prepare for reuse is comparatively high in this country.

2.5.4 Who is best placed to deliver an increase in reuse? How could civil society take a role?

As a result of the existing barriers (see 2.5.3) preparation for re-use is most often seen as a not-for-profit or social enterprise. The value of these organisations and the impact they can have both on resource efficiency and in building skills / employment should not be underestimated, however. Many successful examples of charitable / social enterprise / volunteer re-use schemes exist – often working in support of public and private sector waste management services. Such operations must work to the same regulatory, health and safety and fitness for purpose requirements as the private sector and may rely, to at least some degree, on financial or other forms of support from central or local government.

CIWM sees a broad range of advantages to these operations but remains concerned that their support could be seen as an optional spend under forthcoming spending constraints. Local authorities may be able to support these operations in kind rather than financially by making items / materials and space available at Household Waste Recycling Centres – but, again, subject to all appropriate safeguards and requirements.

In summary:

- **Central and local Government communications remains essential.**
- **Office and domestic furniture, electrical goods and IT equipment are clear priority 'wastes' for preparation for re-use.**
- **Changing perception that re-used items are low value.**
- **Civil society has a key role to play in preparing for re-use.**

2.6 Recycling

2.6.1. What should the role and nature of local authority waste management collection and disposal services be?

Recycling, especially for household and municipal waste has been the main focus of waste policy in England. As a result, led by local authorities, recycling performance across the UK has risen from less than 10 percent in 2000 to over 40 percent now. CIWM invites the policy review to recognise this excellent achievement.

Simple target setting and reporting of performance has been a major part of this success and has been developed to some degree in the new targets set in the revised waste Framework Directive. CIWM is concerned, however, that the severity of spending cuts under the forthcoming spending review will drive recycling performance especially by local authorities and their contractors – backwards. Improved service elements such as separated food or plastics collections may well be shelved in the name of economy especially where these are seen as additions to already excellent services.

To avoid a retrograde step in the drive for efficiency and effectiveness, CIWM believes that emphasis should be given to exploring what scope exists in two-tier and unitary authorities for improved joint working in waste and resource efficiency. This should examine better co-ordination between local government tiers, between adjacent authorities and between the public, private and third sectors, including:

- Joint procurement – of equipment and services – to gain advantage of increased purchasing power – in line with recommendations this week from the study undertaken by Philip Green, and increase the scope for future harmonisation of service design and operation – a frequent bug bear for the public
- Joint service planning and delivery – especially by adjacent authorities, whilst recognising the very real constraints of existing facilities and equipment and the individual circumstances of many local authority areas in terms of housing / business premise stock, access to treatments and markets etc
- Joint access to markets – local authorities working together to produce recycled materials of a quality suitable for receiving markets and taking advantage of more secure or better value contracts.

Good examples of all types of joint working already exist and more are being announced – for example Dorset authorities announced a project this week (October 11th) to explore joint working.

Local authorities are also a vital step in recycling / resource refining as they feedstock for reprocessing or separation facilities. Excellent examples exist of collaboration and feedback between collection and treatment operations, working to the advantage of the quality and therefore value of recyclates prepared to meet market specifications.

CIWM has already commented in the Defra consultation exercise: 'Consultation on Meeting EU Landfill Diversion Targets' earlier this year on the future role of the landfill Allowance Trading Scheme (LATS) in England. In line with many comments from local authorities at that stage CIWM advocated retaining this trading scheme for the 2013 target year but probably not beyond. Local authorities advise that it is the Landfill Tax in particular and not LATS which has been most influential in driving their separation and diversion of wastes from landfill – predominantly into recycling.

Local authority members of CIWM also confirm that the LATS scheme has discouraged them from operating affordable waste collection / recycling schemes for industrial and commercial waste customers in many cases. CIWM would like to see this barrier removed – especially given the proposed re-definition of 'municipal wastes' in the UK and see industrial and commercial wastes included in collection services – whether provided directly by the authority or through a contractor.

The Institution would also like to see broader access for businesses to Household Waste Recycling Centres (HWRC) although the constraints imposed by the size and layout of many historic HWRCs are a very real barrier to this extended service. However, where practicable, CIWM would see business access to HWRCs as a general benefit to improved recycling and resource management.

Targets for local authority recycling have traditionally been tonnage based. In line with the 'life cycle thinking' approach promoted by the revised Waste Framework Directive, CIWM would like to see future priorities and performance informed by carbon costs and savings of recycling services. The Institution would therefore like to see future performance related to residual waste rather than recycled tonnages and to carbon

saved. This would stop rewarding high consumption / high recycling and encourage future materials recycling on those with a large net environmental benefit rather than discouraging home composting, for example.

In common with waste prevention etc, recycling service design and performance reporting is data hungry. Local authorities cannot operate efficiently without a good understanding of waste tonnages and waste composition. This must include how quantity and composition vary across seasons and allow a reliable forecasting depending on type of household, industrial and commercial development. This compositional analysis has been a central part of service design for many years and it is unfortunate that this data collection has been construed as 'spying' by some commentators. CIWM calls for very balanced advice to local authorities regarding the design and frequency of this analysis and sharing between authorities to support forecasting and service monitoring / design. The WasteDataFlow system is also at the heart of the best resources and waste data set in this country and possibly beyond and CIWM would like to see cross departmental support from Government for its continuation. CIWM is an active partner of the Life + project for electronic Duty of Care. The Institution would like to see strong Government support of the wide spread adoption of electronic Duty of Care scheme to deliver timely, accurate and complete resources flow and waste information.

Local authorities probably have THE key role in terms of communications with local communities and businesses. CIWM is concerned that this could be seen as an optional service under fierce spending constraints. CIWM would like to see national co-ordination of communications through Defra and will use all of CIWM's resources in communications to support this vital activity. The British public have adopted recycling as their first major behaviour change towards increased sustainability and this momentum should be maintained.

In summary:

- **Emphasis on exploring what scope exists in two-tier and unitary authorities, and between the public and private sector, for improved joint working in waste and resource efficiency.**
- **Retaining LATS for the 2013 target year but probably not beyond, given that it does not encourage local authorities to introduce affordable waste collection / recycling schemes for industrial and commercial waste customers.**
- **Broader access to HWRCs for businesses.**
- **Move away from tonnage-based targets to an approach based on carbon savings and material value.**
- **Clear guidance and balanced advice from National Government to local authorities on the collection of accurate data on waste arisings and composition.**
- **Cross departmental support for existing data collection systems including WasteDataFlow and electronic Duty of Care.**
- **Maintain support for local authority communications to optimise householder buy-in and participation in recycling services.**

2.6.2 How can individuals, businesses and communities best be motivated to recycle more?

Businesses can be motivated to recycle more through a direct contribution to their bottom line performance through avoidance of increasing waste disposal costs. This is secondary to the impact of waste prevention or re-use but a very real driver as landfill tax and landfill gate fees rise. Businesses also gain through supply chain advantages and CSR / greener credentials with shareholders through to customers.

A major contribution to business recycling will be access to affordable waste collection / recycling services – whether these are delivered as part of a local authority service or on a commercial basis. As previously stated, encouragement to local authorities to include commercial and industrial waste services through removal of the LATS scheme in future, plus access to Household Waste Recycling Centres, where practicable, would also be of benefit.

Communities and individuals are, very often, already highly motivated to recycle – the public have adopted this as one of their first active contributions to more sustainable living. Government, WRAP and local authority campaigns to achieve this have been highly successful and should be maintained despite likely budgetary pressures to reduce these programmes. Individual and community responsibility is a large element of the coalition governments 'Big Society' message – to drop less litter, to engage actively with collection schemes and to use bring systems – all have a positive impact on local environmental quality and the scale / cost of cleansing or collection services. CIWM in collaboration with National Federation of Women's Institutes is undertaking a qualitative survey of bring facilities throughout the country. CIWM anticipates early output of the survey will be available Spring 2011 and the Institution will be happy to share preliminary findings with Government departments. CIWM recognises its responsibility to support these shared responsibility messages and will support this initiative with its communications and development of skills and best practice.

CIWM has long recognised the power of positive feedback to households and individuals regarding waste and recycling. Clear identification of the cost of waste services and the benefits to their community including either cost reduction or protection against future cost increases through council tax bills would support engagement and higher levels of participation.

The Institution has also recognised a wide range of 'incentive' schemes which could be used. These include the Recyclebank scheme where householders are rewarded directly for recycled tonnage, but CIWM notes that other options exist that do not involve direct payment such as identifying local facilities or campaigns that would be supported through service savings. CIWM still advocates that local authorities should be encouraged to pilot some of these options to help identify what works well, where and why. Although the Recyclebank scheme has been shown to work well in some local authorities – it has equally been shown to be not necessary in many high performing authorities. Payments for recycling may puncture the argument that individuals and communities should adopt new / better purchasing, consumption and wastage behaviours. Many British citizens already see this as a part of their individual responsibility.

In summary:

- **Co-ordinated communications campaigns for business and consumer audiences.**

- **Clear identification of the cost of waste services and the benefits to the community through council tax bills to support engagement and higher levels of participation.**
- **Allow local authorities to explore a range of incentive options, including those that do not deliver a direct payment reward.**

2.6.3. How does the choice, including frequency, of collection service impact on the quantity and quality of waste fit for recycling?

Waste collection systems – and the quality of their engagement with the ‘producers’ of waste (be they households or industrial commercial sources) - must be aligned with downstream waste processing technologies and facilities in order to deliver the volume and quality of materials required by the market.

CIWM believes that source separated, co-mingled, weekly or lower frequency collections are all capable of presenting wastes for reprocessing to suitable standards and that services need to be tailored to local conditions. However, CIWM is also of the opinion that scope does exist to further harmonise collection practices especially between neighbouring authorities where conditions are broadly comparable.

Most importantly for both capture and quality, collection schemes need to be simple for ‘customers’ to use, well presented and explained, and reliably and professionally delivered to maximise engagement and customer participation.

The quality of contact between waste delivery and waste processing is also essential and CIWM would like to see better feedback from re-processors to collectors on quality of waste inputs from different collection systems. CIWM also supports the WRAP, Environment Agency and ESA work to develop accepted standards for waste processing outputs and will support and promote these as a part of development of skills and best practice to its members and others.

Many local authorities have already invested heavily - equipment, vehicles, skills and public information / support - in various forms of different frequency collections for different waste materials – often generically referred to as ‘alternate weekly collections’. These collection schemes have proven very effective in maximising recycled tonnage and types of material and have been adopted by the majority of high-performing authority services and with high levels of customer satisfaction. Reducing these services to weekly-only collections has been proven to incur additional one-off and operational costs for authorities, coupled with a decrease in recycling performance. In the light of a continued drive for increased recycling and the need for efficiencies or cost cuts, CIWM would see pressure on authorities to return to weekly collection frequencies as a retrograde step in many cases.

In summary:

- **CIWM believes that source separated, co-mingled, weekly or lower frequency collections are all capable of presenting wastes for reprocessing to suitable standards.**
- **Collection schemes need to be simple for ‘customers’ to use, well presented and explained, and reliably and professionally delivered to maximise engagement and participation.**

- **In the light of a continued drive for increased recycling and efficiency savings, CIWM would see pressure on authorities to return to weekly collection frequencies as a retrograde step.**

2.6.4. Should greater emphasis be placed on using recyclable/recycled materials in manufacturing and production and, if so, how should this be achieved?

Stimulating the use of recycled materials in manufacturing and production should be seen as an environmental and economic advantage. Much could be achieved through advice and best practice in procurement – especially for the public sector. Equally, further work on product standards specified in procurement contracts e.g. for construction materials should be undertaken to stimulate domestic demands for secondary materials especially if this is underpinned with Environment Agency / industry – derived standards for those materials.

CIWM has proposed financial incentives for the use of secondary materials in past consultation responses. This could include a lower rate of VAT for these materials but CIWM accepts that this is an argument that may have to be made at a European rather than UK or English level. Alternatively, changes to extended producer responsibility schemes could be considered such that users of secondary materials rather than just producers of secondary materials could be recognised through issue of proofs of recovery or use.

The Environment Agency/WRAP waste protocols project is an excellent example of good practice in materials management to encourage the use of recycled materials. It addresses the twin issues of unravelling administrative and legislative burdens on business while fully recovering the value of previously designated waste materials. The first 12 materials benefitting from this approach have created £1bn in business savings and increased sales of quality waste derived products. CIWM believes that continued support for this initiative is essential.

Greater Government support for, and promotion of, the use of sustainable secondary resources achieves both environmental and economic goals. There are many clear examples of good practice in effective use of a sustainable procurement system to ensure secondary materials are used including closed loop recycling of plastic bottles and the design, specification and building of much of the Olympic site.

Excellent performance in use of recycled content in manufacturing or production also deserves to be recognised. CIWM operates a scheme of Environmental Excellence awards to recognise good practice in the sectors around our industry – e.g. construction and retail. The Institution would be pleased to discuss better promotion and uptake of these awards with Defra and extension of the scheme to specific sectors as a low cost but effective way of identifying and spreading best practice.

In summary:

- **Greater focus on providing advice and best practice on green procurement – especially for the public sector.**
- **Further work on product standards to stimulate domestic demand for reclaimed/recycled materials.**
- **Exploration of further financial incentives to encourage the use of secondary materials.**
- **Continued support the Environment Agency's Waste Protocols work.**

2.7 Energy recovery

2.7.1. *What are the barriers to delivering an increase in EfW capacity, including a huge increase in generation from anaerobic digestion? How might these be addressed?*

Energy recovery from our wastes is still poorly developed in the UK as a whole – including England – compared to other EU Member States, where it is often highly developed and complementary to other forms of resource management, including recycling. CIWM endorses the recent CBI report which concludes that the UK could quadruple its energy recovery from waste through a variety of means and making important contributions to this country's renewable energy targets and security / diversity of energy supply. An acceptance of partial waste treatment prior to export for energy recovery elsewhere in near-Europe means this country forgoes, and will continue to forego, the economic advantage of a significant proportion of future energy needs being derived from our own wastes.

Barriers to greater development of energy recovery from waste include public perception, and therefore opposition, at strategy development and development control planning stages. Community 'ownership' or buy-in will be essential to development of capacity for energy recovery from waste and some useful work in this field has been undertaken by the Associate Parliamentary Sustainable Resource Group (*Waste Management Infrastructure: Incentivising Community Buy-In* report). CIWM would like to see a full exploration of planning benefit for communities local to energy recovery from waste plants, especially in terms of reduced energy or heat costs. This could be particularly important in stimulating local economic development and be a material consideration in development of Local Plans under the proposed planning review.

The planning system itself is cumbersome but tends to deliver permissions in the long run. CIWM understands that a thorough review of the planning system may be included in the Localism Bill later this year and calls for the inherent tension between the localism agenda and the imperative to deliver nationally important strategic infrastructure such as waste to be adequately addressed.

A review would create important opportunities to improve the efficiency and effectiveness of the system including the role and content of 'Infrastructure Plans' and the role of the future manifestation of the Infrastructure Planning Commission (IPC). CIWM sees an opportunity here to review the threshold for determination of strategically important planning applications and would like to see a new threshold that encompasses the majority of energy recovery from wastes (EfW). This would allow for a much broader view of dispersed and decentralised EfW including electricity, gas and heat for local or grid use as a part of a national energy strategy. It is also possible that type approvals or standardised permits / parts of permits could be developed (similar to EA standard permits) especially for smaller installations helping to cut time and cost for applicants and the public sector without compromising on quality / protection.

More detailed barriers to progress have been clearly identified in the 2009 Anaerobic Digestion (AD) task group report on development of an AD action plan. CIWM was pleased to have direct input to this work both in order to support development of AD as an important energy recovery technology but – just as importantly – many of the barriers to development of AD are equally relevant to other technologies. CIWM is pleased to note a growing acceptance in Government that anaerobic digestion is an excellent technology choice for many wastes – especially high water content / high biodegradability wastes such as from the food and drink industry and suitable municipal wastes – but not a panacea for all wastes. Energy recovery from residual waste (i.e. post prevention, recycling and re-use / composting) is likely to be needed in all its forms if we are to gain the benefit of renewable and dispersed energy and heat generation from our wastes.

CIWM understands that a further action plan is planned by Government for release in Spring 2011. Early confirmation of the content and status of that report would be appreciated – especially as the support proposed for AD could be equally supportive for other energy recovery technologies. It will also identify the need for further evidence / research to underpin policy in areas such as waste protocols for process outputs, including incinerator bottom ash (IBA), biochar and digestate, plus hazardous waste classification for IBA, and controls for application of outputs to soil.

CIWM also notes the complexity of the Renewable Obligation certificate system for waste-related energy recovery, especially in terms of the unrealistically onerous sample, analysis and reporting requirements. This is a form of regulation of the industry that merits closer attention to make the scheme fit for purpose.

2.7.2. What role should Government, industry and voluntary groups play in communicating the benefits of EfW to local communities?

Government, local authorities, the waste and renewable sectors, energy generators and distributors all carry responsibility for clear and unbiased communication to support greater development of energy recovery from residual waste – for all parties: from communities and their elected representatives to the press and business customers for services and energy. This can only be co-ordinated through Defra as the lead Government Department but CIWM recognises its responsibility to use its resources in the general public interest and is happy to commit its support and informed / non-commercially interested expertise in this area.

2.7.3. How can Government best support local government in the development of waste management plans that include EfW facilities?

Government must show leadership on the EfW issue, with clearly communicated political support and supporting technical information on emissions and safety issues. It should support further work to explore community buy-in and ownership, and commission further research / evidence gathering to support carbon accounting for wastes such that carbon efficient EfW can be recognised as a tangible benefit in the low carbon debate and in any carbon trading scheme. Ensuring that the carbon benefits of EfW are recognised within the planning system also fits with the application of the Waste Hierarchy in all decision making required by the EU Waste Framework Directive.

A particular issue common to most energy recovery technologies is the vastly improved efficiencies when waste heat can be used locally. Central and local Government must undertake heat market surveys to help match possible sources to customers. The experience gained by Advantage West Midlands in mapping sources and customers should be useful to all parts of the country. There are many CHP-ready plants already in the UK, but not many actually engaged in the export of heat. This should be viewed as a valuable economic resource and should be assessed in terms of incentives for use especially in public sector settings e.g. for hospitals, schools and major commercial developments.

2.7.4. What steps can be taken to encourage community ownership of EfW facilities?

See paragraph 2.7.1.

In summary:

- **Community 'ownership' or buy-in will be essential to development of capacity for energy recovery from waste. Full exploration of planning**

benefit for communities local to energy recovery from waste plants, especially in terms of reduced energy or heat costs, is needed.

- **The planning system needs to be made more streamlined and efficient and any review must address the inherent tension between the localism agenda and the imperative to deliver nationally important strategic infrastructure such as waste.**
- **Government must show leadership on the EfW issue, with clearly communicated political support and supporting technical information on emissions and safety issues. This lead will allow others, such as local authorities, the waste and renewable sectors, energy generators and distributors, to take responsibility for clear and unbiased communications to support greater development of EfW technologies.**
- **Government should support further research / evidence gathering to support carbon accounting for wastes such that carbon efficient EfW can be recognised as a tangible benefit in the low carbon debate and in any carbon trading scheme.**
- **Central and local government must undertake heat market surveys to help match possible sources to customers.**

2.8 Disposal

2.8.1. How best to further reduce the amount of waste going to landfill?

Measures to reduce the amount of waste sent to landfill were fully considered in the early 2010 Defra 'Consultation on the Introduction of Restrictions on the Landfilling of Certain Wastes'. CIWM confirmed that it was supportive of possible landfill bans as a general signal that biodegradable wastes or those containing valuable materials or residual energy value should NOT be landfilled. However, the Institution went on to identify a broad range of existing or potentially new controls that would be complementary to or better than landfill bans in achieving this objective, including:

- The future of the Landfill Tax – beyond the continuation of the 'escalator' to 2014 and the 'floor' under it up to 2020
- Extended producer responsibilities
- Economic incentives / support or other taxes
- More rigorous implementation of the Landfill Directive pre-treatment requirement
- More rigorous monitoring and reporting especially under the waste Duty of Care.

CIWM also identified key issues including the need for a clear view of where wastes should be directed to if not to landfill, the need for adequate waste treatment infrastructure and full implementation / enforcement of the Landfill Directive waste pre-treatment requirement. An early interpretation of 'zero waste to landfill' could, therefore, be 'zero untreated waste to landfill' allowing for increasingly successful removal of materials from wastes prior to real residue disposal.

CIWM understands that both Wales and Scotland retain an open mind regarding landfill bans, but that they are not favoured for England. This does raise the possibility of waste 'tourism' from landfill ban (or stricter pre-treatment or control) countries to no-landfill ban countries in parallel with current net hazardous waste movements into England. Whilst transport of more general wastes from Wales into England could develop as a result of different implementation of landfill bans / controls, the distance and / or cost involved make general waste movements from Northern Ireland or Scotland into England

less likely. CIWM believes that policy continuity between England and Wales in particular should be monitored closely.

2.8.2. What are the types of waste where a continuation of landfill might be acceptable?

Regardless of the effectiveness of pre-treatment requirements or bans, some wastes will still need to be landfilled. These include low value or difficult to use materials such as air pollution control residues from flue gas treatment. Elsewhere, truly inert materials not suitable for re-use / recycling because of economic constraints or demand should still be valuable for mineral extraction reinstatement. This is especially relevant where the residual void is not suitable for restoration to lower levels or other un-restored use e.g. steep sided hard rock quarries or other dangerous voids.

2.8.3. When should we aim to be as close to zero waste to landfill as possible?

Progress towards zero waste to landfill is dependent on the drivers such as landfill tax, landfill bans, and other controls to direct waste away from landfill to more sustainable use. It also hinges on the lead times for the treatment infrastructure needed, the related planning and funding landscapes, and the development of appropriate markets for the products, materials, or forms of energy derived from the wastes.

In summary:

- **Explore existing and additional measures to control landfill, including forward projection of the Landfill Tax, extended producer responsibilities and more rigorous implementation of the Landfill Directive pre-treatment requirement.**
- **Take measures to address the planning and funding implications of developing sufficient alternative treatment capacity.**
- **Be mindful of the potential negative impacts of a lack of policy continuity across the UK.**

4. Terms of Reference For a Review of Waste Policies

CIWM had an opportunity to comment informally on the Terms of Reference for this review at their draft stage and the Institution broadly agrees with the published version. However, the very wide scope of the review does mean that it will take time to complete and that further work is likely to be needed well after any Spring 2011 announcement arising from it.

Comment on these terms of reference will duplicate many of the points raised above. Comment here is therefore limited to more generic issues not easily fitted into the general and hierarchy based questions above.

1 How better waste management can help to preserve natural resources and protect the environment at home and abroad.

See responses to Questions 2.3 (2.3.1 & 2.3.2).

2 How to maximise the contribution that waste management in England can make to UK energy and climate change goals, both renewable energy targets and the long term goals for greenhouse gas emission reduction by 2050.

See responses to Questions 2.3 (2.3.1 & 2.3.2).

3 The need for waste evidence, including the necessary data to consider likely waste volumes and characteristics in the future.

CIWM, and (we believe) the present Government, both recognise that effective policy making needs to be based on sound evidence. Indeed, the development of policies that are not well supported by evidence is likely to result in economic inefficiencies in implementation and may not achieve intended policy outcomes. Ensuring that the evidence is available when it is needed requires a long-term commitment.

Evidence within the context of waste policy making takes a number of different forms:

- The routine collection of quantitative data on waste tonnages, how wastes are managed and their composition (for example, C&I waste producer surveys, WasteDataFlow for municipal waste management; analysis of household waste composition)
- Research that addresses immediate or immanent waste policy issues; reviews implementation issues and informs the working of current policies
- Longer-term primary research to under-pin future policy formulation and provide a more strategic overview.

Since the abolition of the landfill tax credit scheme's funding for research, the sector has relied on Defra's Waste and Resources Evidence Programme (WREP) for funding and leadership in research. The annual budget declared in the first 3-year research strategy published in 2004 was £5 million, and this has already declined to half that figure, while the Environment Agency's research budget in this field has almost disappeared. CIWM believes that the continued role of WREP is essential, and that its budget should not be further eroded. The Institution also believes that it is vital to balance short-term research, related to immediate policy needs, with longer-term primary research, to ensure that the evidence will be available to meet policy needs in say one, three or five years' time. An example here is field trials to show the effects of long-term application of composts and digestates to agricultural soil.

A continued effort is also required to collect data on key waste streams, their quantity, composition and management. Although great strides have been made in recent years in the area of municipal waste data through WasteDataFlow, data on other waste streams remain inadequate for England's strategic needs and policy making. Recently commissioned work to define commercial and industrial arisings, for example, is unlikely to provide sufficiently robust estimates to inform policy making, planning and resource management. A particular problem is the lack of direct measurement of SME arisings in recent survey work.

A recent letter from Defra indicates local authorities should not rely on outdated guidance on compositional analysis issued in 2004 ('Waste Compositional Analysis, Guidance for Local Authorities'). CIWM firmly believes in the value of carrying out compositional analysis work to determine the potential to divert biodegradable materials from landfill, establish the level of material potentially available for anaerobic digestion or other energy from waste technologies, as well as material left in the bin which could still be recycled.

There is a long-established and pioneering history of carrying out compositional analysis to support and inform waste management decision-making in England, stretching back at least 140 years. This has helped to improve the design of waste treatment facilities and recycling schemes. All other industrialised nations carry out compositional studies across a number of different waste streams; many use methodologies that are similar to those developed in England. The guidance referred to in the letter from Defra to local authorities was not prescriptive (it represented guidance) and was designed to provide a summary of methodologies that have been developed to collect and sort waste for compositional analysis. It is an issue for individual local authorities to choose techniques appropriate to their locality. A recent review carried out for Defra has shown the diversity of approaches taken.

Sampling strategies which are not informed by basic techniques used to stratify by area types are likely to be highly inefficient and needlessly expensive. 'Social profiling' (as the press has referred to it) of different area types, in order that a set of samples taken can be regarded as broadly representative of a local authority, has been carried out since the 1920s in England. Random sampling of areas for compositional analysis, without area stratification, would be more expensive to carry out and potentially give misleading results.

The CIWM has played a key role in developing a more professional approach to compositional analysis over the years and will continue to do so in the future. More effort should be made by local authorities in the future to explain why waste compositional analysis is essential to local waste infra-structure decisions and to reassure residents that there is nothing 'covert' or sinister in how the results of such studies are used. The process is no more intrusive than the need to plan local health provision on the basis of local population statistics that show the relative prevalence of different illnesses.

4 Actions to ensure the cost-effective contribution waste management in England can make to the green economy is maximised, including the impact on the finances of both households and businesses, on job creation and on green industries themselves.

See responses to Questions 2.3 (2.3.2 & 2.3.3).

5 Our future infrastructure needs, including energy from waste and anaerobic digestion capacity and the role of planning including to enable community ownership of waste infrastructure.

CIWM assumes that 'community ownership' means acceptance by communities of the need for and possible advantages flowing to them from resources and waste treatment services and infrastructure in their locality. The concept of 'planning gain' will be important in this, including benefits of lower cost heat and power for people near to such plants and possible council tax / business rates support for their local authority.

CIWM awaits detailed proposals of how the local planning system will work under new Localism Bill proposals. However, there is a clear need for reliable and accessible information to local communities and their representatives regarding resources and waste treatment facilities and services – and a clear need for that to come from an

expert and objective source. CIWM recognises a potential role for professional institutions such as this one to be a source of that support as a part of our responsibility to use our resources for the general public benefit. CIWM would be pleased to discuss this need and any possible CIWM role within it with central and local government.

Community ownership of very small scale activities and facilities already exists e.g. through community composting schemes. As with all voluntary sector engagement in waste / resources management this can have appreciable benefit by preventing some materials from ever entering the mainstream waste services. Support for such activities often through local authorities and their continued financial support could be threatened in the light of spending constraints. Authorities may need to assess how else they can support such groups.

6 How potential benefits can be gained from better alignment of policies dealing with business and household waste.

Clear benefits can be gained from strategies and facilities / services to manage waste regardless of their sector of origin. The re-definition of municipal wastes in the UK will help in this respect, together with planning and provision for all wastes rather than the historic focus on development of infrastructure to deal predominantly with household waste. Planning for all wastes as resource flows and maximising their use in local economic development is a major step forwards.

7 The role of the public sector leadership in terms of waste management, including procurement.

See response to Question 2.6.4.

8 The role of product policy in waste prevention.

See responses to Question 2.4.

9 How voluntary Responsibility Deals with businesses can play a role in waste reduction and more efficient use of resources.

See response to Question 2.4.2.

10 The role of regulations and enforcement in waste management, including the role of standards, ensuring we continue to protect the environment and human health whilst reducing burdens on business, in particular small businesses, where possible.

See response to Question 2.3.6.

11 How best to reduce fly-tipping and other forms of illegal waste disposal.

See response to Question 2.3.5.

12 How best to understand and encourage or incentivise individuals, businesses and communities to produce less waste and recycle more.

See responses to Questions 2.4 and 2.6.

13 How to make the best use of the skills and knowledge of the private sector, the third sector and civil society and local communities.

See response to Question 2.3.3.

14 Whether greater emphasis should be placed by Government on using recyclable/recycled materials in manufacturing, construction and production.

See response to Question 2.6.4.

15 How government can work with local councils to increase the frequency and quality of rubbish collections and make it easier to recycle, to tackle measures which encourage councils specifically to cut the scope of collections; and to address public concerns over the civil liberty aspects of inappropriate enforcement practices associated with household collections.

See responses to Question 2.6.3.

16 The means of decentralising power and responsibility for some services to local communities.

See response to Questions 2.3 (2.3.3. and 2.3.4.)

17 How to ensure the right concentration of energy from waste, including delivery of a step change in generation from anaerobic digestion.

See response to Question 2.7.

18 How best to further reduce the amount of waste going to landfill, so that in future landfill is used only for those wastes for which no better use is practicable.

See response to Question 2.8.1.