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30 November 2017

Dear Sir/Madam

**Ref: WEEE Compliance Fee Methodology 2017 - Evaluation of Proposals, October 2017**

Thank you for providing North London Waste Authority (NLWA) with the opportunity to respond to the Government's consultation on the WEEE Compliance Fee Methodology for 2017 –Evaluation of Proposals, October 2017. This response will additionally be submitted as requested via DEFRA's on-line consultation tool Citizen Space.

**1. About us**

1.1. NLWA is the joint waste disposal authority for north London established by the Waste Regulation and Disposal (Authorities) Order 1985. As a joint waste disposal authority NLWA is responsible for the disposal of waste collected from households and local businesses by seven north London boroughs – Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest, the 'constituent boroughs'. NLWA manages the residual waste from all seven boroughs, recyclable and compostable waste from six boroughs and all the north London reuse and recycling centres (RRCs) except in one borough. All of the north London RRCs and some other sites (which are not publicly accessible) are registered as DCFs (Designated Collection Facilities). NLWA also delivers extensive behaviour-change campaigns in the fields of waste prevention and recycling.

**2. Response**

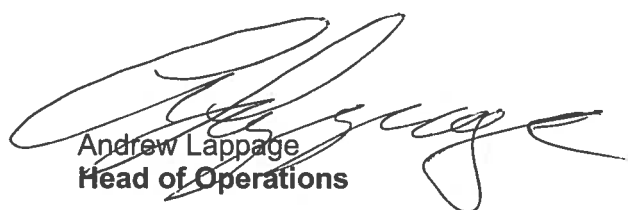
2.1 Although we have reviewed the proposals submitted by the Joint Trade Association (JTA) and Valpak, NLWA is not submitting a scoring sheet for the two competing proposals. Instead we provide some comments in response to Question 3 as detailed below.

2.2 NLWA supports the principle of the compliance fee because if a Producer Compliance Scheme (PCS) misses its target, it has an option to pay a compliance fee for the tonnage shortfall, thus helping to ensure that the WEEE recycling targets are met. The compliance fee also ensures that PCSs which don't offer a recycling service can either rely on buying recycling certificates (evidence notes) from other organisations,

including PCSs, or on paying a compliance fee. Again this supports the overall recycling and recovery of WEEE. Noting that it is at the discretion of the Secretary of State whether a compliance fee is to be set in any given compliance year, NLWA urges that one is set for 2017 for the reasons noted above.

- 2.3 We note that the JTA proposal includes that the fee to be paid by a PCS should be based on an escalator so the further away a scheme is from its target, the higher the fee it has to pay, and that the fee will also reflect the extent to which a scheme has been collecting directly from local authorities and whether it is a member of the Producer Balancing Scheme (PBS).
- 2.4 NLWA supports proposals which incentivise the collection of WEEE from local authorities as a way of reaching the targets set. However, NLWA has recently reviewed the proposed amendment to the 2013 WEEE Regulations which include a proposal for membership of the PBS to be mandatory. If PBS membership becomes mandatory, the JTA's variation in the compliance fee based upon PBS membership or not will no longer be relevant.
- 2.5 It is clear from the information about the number of local authorities using the PBS contained within Valpak's submission that local authorities who find themselves without a PCS need the PBS to ensure that their WEEE is collected. Accordingly, NLWA supports any proposal which encourages the collection of WEEE from local authorities and also any move to make PBS membership mandatory, as the PBS provides an essential back stop for those authorities who find themselves without a PCS to collect their WEEE.
- 2.6 The law requires that the compliance fee is set at a level that encourages compliance through collection. The fee therefore complements national targets by creating an additional financial incentive to collect WEEE because by definition it must at least reflect the true cost of recycling WEEE. We urge that whichever of the two proposals is taken forward that the compliance fee methodology continues to encourage collection of WEEE from local authority facilities, such as the north London reuse and recycling centres (RRCs) and that producers are properly given the responsibility for the material they place on the market which subsequently ends up as waste.
- 2.7 We also urge DEFRA to consider within the compliance fee methodology the value of impacts on local authorities of PCSs not reusing or recycling all that they should to meet their targets. Such impacts may take the form of increased administrative and operational costs to local authorities when dealing with PCS shortcomings, or they may take the form of reduced services or income-sharing in some cases where PCSs have included these in their tenders for contracts.
- 2.8 Finally, we support the use of compliance fee 'income' received by DEFRA being redistributed to local authority schemes to improve the capture of WEEE.

Yours sincerely

  
Andrew Lappage  
Head of Operations