

NORTH LONDON WASTE AUTHORITY

REPORT TITLE: CONSULTATIONS AND POLICY UPDATE

REPORT OF: MANAGING DIRECTOR

FOR SUBMISSION TO: AUTHORITY MEETING

DATE: 7 FEBRUARY 2019

SUMMARY OF REPORT:

This report provides the regular update on consultations and policy issues that have the potential to impact on Authority operations or activities. The report provides details of the recently released Resources and Waste Strategy for England and the possible operational and/or cost impacts on the Authority. Delegation of authority to respond to a number of upcoming consultations that are expected to be released before the next Authority meeting is requested as a result.

The report includes details of an already published Government consultation on proposals to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10 pence. A response to this consultation is recommended for approval.

Details of new requirements for boroughs to produce Reduction and Recycling Plans and the role of the Authority in supporting their production is also included in the report. Finally, appropriate delegation is sought for responding to any further consultations on the North London Waste Plan the spatial strategy for waste in north London.

RECOMMENDATIONS:

The Authority is recommended to:

- A. delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to any upcoming Government consultation on requirements for local authorities to collect a consistent set of materials should there be insufficient time to bring the consultation to an Authority meeting for consideration;
- B. delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to any Government consultation on a deposit return scheme when it is issued should there be insufficient time to bring this consultation to an Authority meeting for consideration.
- C. delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to any EPR consultation when it is issued should

there be insufficient time to bring this consultation to an Authority meeting for consideration;

- D. approve the draft response to the consultation on the proposal to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10p enclosed as Appendix E; and
- E. delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to the North London Waste Plan should there be insufficient time to bring this consultation to an Authority meeting for consideration.

SIGNED:



Managing Director

DATE: 28 January 2019

1. PURPOSE AND STRUCTURE OF THE REPORT

- 1.1. The Consultations and Policy Update is a regular report which provides an update for Members on consultations and policy issues that are relevant to the Authority such that the proposals have the potential to affect the Authority's operations and/or costs. The report additionally seeks approval for responses where appropriate.
- 1.2. The report is organised as follows:
 - 1.2.1. Resources and Waste Strategy for England and the key milestones and resultant upcoming consultations;
 - 1.2.2. Consultation on single-use plastic carrier bag charges;
 - 1.2.3. Borough Reduction and Recycling Plans (RRPs); and
 - 1.2.4. Update on the North London Waste Plan

2. OUR WASTE, OUR RESOURCES: A STRATEGY FOR ENGLAND

- 2.1. On 18 December 2018, the Government published its Resources and Waste Strategy for England. The strategy runs from 2019 to 2050. This is one of the most significant and wide-ranging documents the Authority has had to consider in its Policy and Consultation updates in recent years.
- 2.2. The Authority issued a press release consistent with previous Member discussion, most notably at the Members Recycling Working Group. In the press release the Chair welcomed the Strategy's publication and in particular the commitment to waste reduction and resource efficiency and its overall approach across the production of materials, consumption and resource management. However, the press release also commented that delivery of the Strategy will rely on new revenue and capital funding being made available to local government. A copy of the Authority's press release about the Resources and Waste Strategy is included as Appendix A to this report.
- 2.3. Appendix B to this report contains a summary of the key milestones in the Strategy and highlights the possible implications for the Authority. A timeline for these milestones is also included as Appendix C. Authority officers are liaising with opposite numbers in East London Waste Authority, the South London Waste Partnership, West London Waste and Authority and Western Riverside Waste Authority to understand if there are likely to be inconsistencies of approach to issues raised in the strategy. In addition the lead officers of these bodies have been invited to become associate members of LEDNet (the London Environment Directors' Network). That will help to provide more effective consideration of long-term strategic waste issues in London.

3. KEY POINTS TO NOTE IN THE RESOURCES AND WASTE STRATEGY AND RESULTANT UPCOMING CONSULTATIONS

- 3.1. The Government intends to introduce a deposit return scheme - subject to consultation. Work was carried out in north London to model the impact of such a scheme. The model was shared with a number of organisations including London

Councils, National Association of Waste Disposal Officers, Waste and Resources Action Programme (WRAP) and Defra. This work suggested that a DRS which covers a wider range of materials and greater capture/diversion, has considerably more benefits to north London authorities than a scheme which is limited in scope and has a lower level of capture.

- 3.2. The Authority is recommended to delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to this consultation when it is issued should there be insufficient time to bring this consultation to an Authority meeting for consideration.
- 3.3. To improve recycling rates the Government is also proposing to legislate to ensure a consistent set of dry recyclable materials is collected from all households and businesses. Government will consult on legislation to specify a core set of materials to be collected by local authorities – timings for introduction will be subject to discussions at the spending review; there will also be consultation on what materials should comprise this core set. The consultation will be carried out in parallel with the consultation on reforms to the packaging waste regulations. Additional detail about the recyclable materials currently managed by the Authority is included in the Services Update report, paragraph 5.3 elsewhere on this Authority meeting agenda.
- 3.4. The proposal is subject to consultation and accordingly the Authority is recommended to delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response when this consultation is issued should there be insufficient time to bring the consultation to an Authority meeting for consideration
- 3.5. The Resources and Waste Strategy also sets out how the Government will invoke the 'polluter pays' principle and extended producer responsibility (EPR) for packaging, ensuring that producers pay the full costs of disposal for packaging they place on the market. As noted at the last Authority meeting, it is possible that producers will in future pay local authorities directly for collecting packaging waste on their behalf. This could accordingly, reduce the Authority's costs, though any funding would also be expected to bring a reporting and performance requirement to demonstrate that money provided under extended producer responsibility reforms is well spent.
- 3.6. The Members' Recycling Working Group has discussed a supportive Authority response to any such proposals, subject to any obligations being matched by appropriate funding. However, we would expect further detail to be made available at consultation. The Authority is recommended to delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to submit a response to any EPR consultation when it is issued.

4. CONSULTATION ON THE PROPOSAL TO EXTEND THE SINGLE-USE CARRIER BAG CHARGE TO ALL RETAILERS AND TO INCREASE THE MINIMUM CHARGE TO 10P

- 4.1. On 27 December a consultation was launched on proposals to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10 pence. The consultation seeks views and evidence on:

- 4.1.1. extending the charge to SMEs, i.e. to companies with less than 250 employees (but without any reporting requirements)
 - 4.1.2. increasing the charge to 10p
 - 4.1.3. requiring “producers” of single use carrier bags to report the volume they place on the market (as an extension of existing packaging producer reporting obligations)
 - 4.1.4. removing the exemption from the 5p charge for retailers in security restricted areas at airports
- 4.2. The minimum charge of 5p on single-use plastic carrier bags was introduced for large retailers in England in October 2015. A single use carrier bag is defined as being 70 microns thick or less, has handles, an opening and is not sealed. In the last two years alone there has been a significant reduction in the supply of single use carrier bags by the major supermarkets of 13 billion compared to levels before the introduction of the charge. An analysis of the latest data shows that 1.75 billion single use carrier bags were sold during the year April 2017 to March 2018 compared to an estimated 10 billion prior to the introduction of the charge. Of the 1.75 billion single-use carrier bags sold in that year around 1 billion were supplied by the 7 main supermarkets – an 86% reduction since the charge was introduced. Additionally, last year alone saw retailers donate £51 million to charities and other good causes from the proceeds.
- 4.3. However, with 1.7 billion bags supplied by large retailers last year and an estimated 3.4 billion supplied by small and medium-sized enterprises (SMEs) at the time the legislation was introduced, the Government believes that further measures are necessary to reduce the usage of single use plastic carrier bags and is accordingly proposing the actions listed in paragraph 4.1 above.
- 4.4. A supportive draft response to the consultation is enclosed in Appendix E which the Authority is recommended to approve.

5. BOROUGH REDUCTION AND RECYCLING PLANS (RRPS)

- 5.1. On 31 May 2018 The London Mayor published his London Environment Strategy (the Strategy). The GLA Act 1999 (as amended) requires both Waste Collection Authorities (WCA’s) and Waste Disposal Authorities (WDA’s) in London (London’s Waste Authorities) to develop and deliver their waste and recycling functions in ‘general conformity’ with the municipal waste provisions of the Strategy. This duty applies when letting new contracts for outsourced services as well as for in house services. However, the duty only has effect to the extent that general conformity does not impose excessive additional costs on the relevant local authority. The Secretary of State is able to issue guidance on the meanings of general conformity and excessive costs although no such guidance is currently available.
- 5.2. Waste collection authorities in London are required by the Strategy to produce Reduction and Resource Plans (RRP’s) to set out how they will make a contribution to the London-wide Strategy targets and demonstrate general conformity with the Strategy. RRP’s are intended as a way for the Strategy’s London-wide objectives, policies and proposals to be reflected and translated into action at the local level.

5.3. In October 2018 the Mayor issued guidance on the production of RRP's alongside a template for RRP's. This guidance was updated in January 2019.

5.4. **Actions to be Included in RRP's**

5.4.1. RRP's should set out key specific and measurable actions with planned milestones. Mayoral guidance also specifies a series of elements that should be included in the actions within each RRP: NLWA will have a lead role in contributing to borough RRP's in some of these elements which are show in bold text.

Actions to be included in RRP's:

5.4.1.1. Local community and business engagement activities, linking with the Mayor's project to reduce single use plastic bottles and Resource London-led behaviour change activities where appropriate (e.g. Recycle for London, Love Food Hate Waste, Love your clothes, and Trifocal)

5.4.1.2. **Measures to help reduce residual waste and food waste produced** and collected.

5.4.1.3. High level plans to scale up and adopt circular economy approaches through the authority's own operations.

5.4.1.4. **Plans for delivering and communicating the Mayor's minimum level of recycling service by 2020 at the latest, including mechanisms for implementation.**

5.4.1.5. Measures for boosting recycling performance in flats and tackle contamination.

5.4.1.6. Measures for boosting recycling performance from non-domestic properties.

5.4.1.7. Plans for transitioning waste fleets to low/zero emission fleets. Boroughs are encouraged to work towards all heavy vehicles being fossil-fuel free by 2030.

5.4.1.8. How new waste contracts or new service arrangements perform against the Mayor's CO₂_{eq} emissions performance standard (EPS) and carbon intensity floor level (CIF).

5.4.1.9. **Plans for maximising recycling at local Reuse and Recycling Centres, including measures to accept a wide range of materials including hazardous waste.**

5.4.1.10. Reference to local plans identifying sites meeting waste apportionment targets as set out in the Draft London Plan.

5.5. RRP's were discussed at the last Members Recycling Working Group (MRWG) meeting and Borough and NLWA officers have also discussed the requirements. It

was concluded that NLWA can best support the production of RRP by providing input on Reuse and Recycling Centres (RRCs), communications and operational matters. Most north London boroughs have not yet had a meeting with Resource London who have been appointed to assist/act as a 'critical friend' in the development of the plans. Further updates will be provided to Members as these plans progress. The plans are to be produced in phases which are detailed below:

Table 1: Phased approach for supporting boroughs to develop RRP

Phase 1: Oct 2018 – Mar 2019	Phase 2: Jan – June 2019	Phase 3: Jul – Dec 2019
Tower Hamlets Wandsworth Enfield Hillingdon Harrow Greenwich Richmond	ELWA boroughs* Kensington and Chelsea Hammersmith and Fulham Waltham Forest City of London Westminster Haringey Bromley Southwark Hackney Islington Barnet	Merton Bexley Ealing Lambeth Lewisham Brent Camden Hounslow Sutton Croydon Kingston

* The East London Waste Authority (ELWA) boroughs (Barking and Dagenham, Havering, Newham and Redbridge) are developing a joint RRP.

6. UPDATE ON THE NORTH LONDON WASTE PLAN

- 6.1. The North London Waste Plan (NLWP) is a multi-borough project which will set out the planning framework for waste management in the north London Boroughs for the next 15 years. It will identify sites for waste management use and set out policies for determining waste planning applications. The North London Waste Authority is not directly responsible for the plan, though it is everyone's interest that the plan provides responsibly for potential future waste needs.
- 6.2. The draft plan has to be approved for public consultation by each of the seven boroughs and has been signed off by six boroughs. Haringey's consideration is taking place in January. Public consultation will take place after sign off.
- 6.3. As reported at the last Authority meeting, an issue which has been raised in connection with the draft plan is whether the Authority's undeveloped site in the London Borough of Haringey at Pinkham Way should be included in the NLWP. NLWA has owned part of the Pinkham Way site for a number of years.
- 6.4. It would be counter-intuitive to exclude from the NLWP land which is undeveloped and owned by the Waste Authority. Inclusion of the site in the plan does not imply an obligation or commitment to use it for waste purposes. Therefore, the Authority does not intend to ask for it to be removed from the draft NLWP. Should there be insufficient time for a draft consultation response to the NLWP to come back to a full

Authority meeting for consideration delegated authority to the Managing Director in consultation with the Vice Chairs to submit a response if necessary.

7. COMMENTS OF THE LEGAL ADVISER

7.1. The Legal Adviser has been consulted in the preparation of this report and has no comments to add.

8. COMMENTS OF THE FINANCIAL ADVISER

8.1. The Financial Adviser has been consulted in the preparation of this report and has no comments to add.

List of documents used:

Our Waste, Our Resources: A Strategy for England, HM Government, 18 December 2018, Available at: <https://www.gov.uk/Government/publications/resources-and-waste-strategy-for-england>

Budget 2018, Single-use Plastics, HM Treasury, 29 October 2018. Available at: <https://www.gov.uk/Government/publications/single-use-plastics-budget-2018-brief>

Ben Elliot appointed as Government's first Food Surplus and Waste Champion to help promote awareness of the issue of food waste. Press notice available at: <https://www.gov.uk/Government/news/gove-appoints-food-waste-champion>

Community Fridge Network – Impact Report November 2017-18, Hubbub, December 2018. Available at: https://issuu.com/hubbubuk/docs/cfn_impact_report_2018_external?e=27090536/66461072

Implementation of the circular economy action plan - 2018 Circular Economy Package Available at: http://ec.europa.eu/environment/circular-economy/index_en.htm

Consultation on the proposal to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10p, Defra, 27 December 2018. Available at: <https://consult.defra.gov.uk/environmental-quality/extending-the-single-use-bags-charge/>

Local authority reduction and recycling plans, Guidance Note Version 1.1, Mayor of London, January 2019. Available at: <https://www.london.gov.uk/what-we-do/environment/waste-and-recycling/waste-policy>.

Local authority reduction and recycling plans, Frequently Asked Questions, Version 1.0, January 2019 Mayor of London, January 2019. Available at: <https://www.london.gov.uk/what-we-do/environment/waste-and-recycling/waste-policy>

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APPENDIX A: NLWA PRESS RELEASE ABOUT THE WASTE AND RESOURCES STRATEGY – ISSUED 18 DECEMBER 2018

NORTH LONDON WASTE AUTHORITY RESPONDS TO GOVERNMENT’S WASTE AND RESOURCES STRATEGY

Cllr Clyde Loakes, Chair of North London Waste Authority, has welcomed the Government’s Waste and Resources Strategy for England (published today, Tuesday 18 December 2018). The Authority serves over two million people and is the UK’s second largest waste disposal authority.

Cllr Clyde Loakes, Chair of NLWA, said: “Waste has been an issue of rising public concern over recent years, especially with the arrival of David Attenborough’s ‘Blue Planet II’ Series. It is therefore good news that the Government has acted on this concern and has finally published its long anticipated waste and resources strategy for England.

“Our Authority already has an active programme designed to support north London residents to waste less, repair, reuse, reimagine and recycle more; we therefore welcome the Strategy’s commitment to waste reduction and resource efficiency and its overall approach across the production of materials, consumption and resource management. In particular we welcome proposals to move away from weight based recycling targets, introduce a core set of recyclable materials, increase the charge for single-use carrier bags, and to overhaul the current ‘producer responsibility’ policies and arrangements, which are in urgent need of reform. However, delivery of this Strategy will rely on new revenue and capital funding being made available to local Government by Government: without it little will change.

“It will now be crucial for the Government to follow up its Strategy with more detailed, properly funded, proposals which turn the aims into a reality within real and meaningful timescales. Clearly, local authorities like ours have a vital role and practical expertise to offer. We can help to ensure that the comprehensive approach outlined in the Strategy provides real and properly enforced long-term solutions that benefit both people and the environment.

“We therefore look forward to learning more about the detail of these proposals and engaging in the forthcoming consultations to press home the message that specific and positive action is needed to provide the sustainable, circular economy we all want to see and the environment desperately needs.”

ENDS

Notes to editors:

- The North London Waste Authority (NLWA) was established in 1986 and is the waste disposal authority for Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. Its primary function is to arrange the transport and disposal of waste collected by these boroughs. NLWA is the second largest waste disposal authority in the country
- For more information, please contact Hannah Paten, Communications Manager, on 020 8489 4360 or hannah.paten@nlwa.gov.uk

APPENDIX B: RESOURCES AND WASTE STRATEGY – KEY MILESTONES IN THE STRATEGY AND UPCOMING CONSULTATIONS RESULTING

1. INTRODUCING A DEPOSIT RETURN SCHEME (CONSULTATION IN EARLY 2019)

- 1.1. In March 2018 the Government announced plans to introduce a deposit return scheme (DRS) to increase recycling and reduce pollution, subject to consultation. NLWA started to anticipate the effects such a scheme may have on its operations and those of its constituent Boroughs at that time, which potentially include:
 - 1.2. For NLWA
 - 1.2.1. Changes in the composition of waste and recycling delivered to NLWA
 - 1.2.2. Altered recycling rates
 - 1.2.3. Altered income share arrangements with the materials recovery facilities
 - 1.3. For Boroughs:
 - 1.3.1. Effect on the quantity and quality of waste and recycling collected
 - 1.3.2. Impact on the way waste, recycling and litter collection services are resourced
 - 1.3.3. Effect on recycling rates
 - 1.3.4. Change to the performance of already established incentive schemes such as Local Green Points
 - 1.4. Work was carried out in north London to model the impact of such a scheme. The model was shared with a number of organisations including London Councils, National Association of Waste Disposal Officers, Waste and Resources Action Programme (WRAP) and Defra. This work suggested that a DRS which covers a wider range of materials and greater capture/diversion, has considerably more benefits than a scheme which is limited in scope and has a lower level of capture.
 - 1.5. The Resources and Waste Strategy confirms that a DRS will be introduced subject to consultation.

2. ENSURING A CONSISTENT SET OF RECYCLABLE MATERIALS IS COLLECTED FROM ALL HOUSEHOLDS AND BUSINESSES (CONSULTATION IN EARLY 2019)

- 2.1. It is proposed that all waste collection authorities collect a consistent set of recycling materials in order to improve recycling rates. Government will consult on legislation to specify a core set of materials to be collected by local authorities – timings for introduction will be subject to discussions at the spending review; there will also be consultation on what materials should comprise this core set. Further detail about the possible implications of this requirement is included in the Operations Update report elsewhere on this Authority meeting agenda.

3. EXTENDED PRODUCER RESPONSIBILITY OF PACKAGING (CONSULTATION IN EARLY 2019)

- 3.1. The Government had already announced, in the autumn 2018 budget, that there would be a new tax on plastic packaging from April 2022. Subject to consultation this tax will apply to all plastic packaging containing less than 30% recycled plastic. The Resources and Waste Strategy reiterates this intention and additionally sets out how the Government will invoke the 'polluter pays' principle and extended producer responsibility (EPR) for packaging, ensuring that producers pay the full costs of disposal for packaging they place on the market. As noted at the last Authority meeting, it is possible that producers will in future pay local authorities directly for collecting packaging waste on their behalf. This would accordingly reduce the Authority's costs.
- 3.2. The Members' Recycling Working Group has discussed a supportive Authority response to any such proposals. However, any details would need to await the consultation.
- 3.3. The tax on plastic packaging would potentially increase the market for recycled plastic which would be beneficial for recycling and NLWA.

4. APPOINTMENT OF A FOOD WASTE CHAMPION (APPOINTMENT IN EARLY 2019)

- 4.1. The appointment of Ben Elliot as the Government's new Food Surplus and Waste Champion was announced on 31 December 2018. Mr Elliot will work with businesses and other stakeholders from across the retail, food, manufacturing, hospitality and food services encouraging businesses to tackle food waste from farm to fork. The appointment is a one year unpaid voluntary role. Further details are available in the press statement - details of which are included in the 'list of documents used' and enclosed at the end of this report. A summary of the objectives of the role is included as Appendix D to this report. The appointment is not anticipated to have a major impact on NLWA for the focus is upon commercial and industrial food waste.

5. LAUNCH OF £15M FOOD REDISTRIBUTION PROJECTS (LAUNCH EARLY 2019)

- 5.1. On 1 October Defra and the Secretary of State for Environment, Food and Rural Affairs announced the establishment of a pilot scheme to reduce food waste supported by £15m of additional funding which has been allocated to tackle food waste.
- 5.2. The scheme will seek to substantially reduce food waste from retailers and food manufacturers. The proposals are unlikely to have significant impact on NLWA as they focus on commercial food waste reduction. However, because the proposals involve redistribution to local communities there will be a social benefit for recipient communities.

6. STANDARDS FOR BIO-BASED AND BIODEGRADABLE PLASTICS (CONSULTATION IN EARLY/MID 2019)

- 6.1. Given the rise in interest and production of biodegradable plastics made from both plant-based materials (bioplastics) and those made from petrochemicals, the Government has announced a consultation on the introduction of standards for these products.
- 6.2. At present, it is difficult for consumers and recycling sorting equipment to identify and separate out bio-based and biodegradable plastics from non-biodegradable or compostable items. As a consequence whilst these products can be composted and/or will biodegrade, we have to advise residents that they should be placed within the residual waste container. We are not aware of any research into sorting systems for such products, and until these are available bio-based and biodegradable plastics will remain problematic.
- 6.3. Standards may help to stimulate the market for the development of new sorting equipment which would help to increase the capture rate of these materials for composting. However, whilst bio-based and biodegradable plastic products remain a small part of a big waste stream such as household waste, it is unlikely to be viable to separate them for recycling, whatever the standards. To make bio-based and biodegradable plastics product recycling viable these products need to be a larger part of the waste stream.
- 6.4. If the Government legislated to require certain types of containers to be made from bio-based and biodegradable plastics for example and accompanied this requirement with appropriate standards, then it is more likely that the recycling of bio-based and biodegradable plastics would become viable. Standards alone are unlikely to be effective at significantly increasing recycling rates for these products.

7. CONSULTATION ON FOOD WASTE REPORTING (CONSULTATION IN EARLY 2019)

- 7.1. The Government expects to issue a consultation on requirements for annual reporting of food surplus and waste by food businesses. This proposal is unlikely to have a significant impact upon NLWA as the focus is upon business waste, and there is likely to be a focus on larger businesses who generally do not have their waste collected by local authorities. However, the principle that businesses might in the future be required to report on the amount of food waste that they throw away is to be welcomed. Such measures are likely to lead to changes in the approach to food waste by businesses. This in turn, could have knock-on effects with consumers.

8. STAGE ONE OF MANDATORY DIGITAL RECORDING OF WASTE MOVEMENTS COMPLETE (2019)

- 8.1. Defra has been secured £80k of funding which will be awarded to five 'tech firms' to scope out digital solutions for tracking individual waste movements. The focus will be upon transfrontier shipments of waste and hazardous waste movements. When completed the work will improve the efficiency of the system for recording waste movements which will assist collection authorities, but will not have a major impact on NLWA.

9. TRANSPOSITION OF THE CIRCULAR ECONOMY PACKAGE (CONSULTATION IN 2019)

- 9.1. In 2015, the European Commission adopted the Circular Economy Action Plan (CEP), which includes measures to help stimulate Europe's transition towards a circular economy, boost global competitiveness, foster sustainable economic growth and generate new jobs. The EU Action Plan for the Circular Economy establishes a programme of action with measures covering the whole cycle: from production and consumption to waste management and the market for secondary raw materials and a revised legislative proposal on waste.
- 9.2. The EU's CEP proposals specifically include amendments to six waste-related directives. The package includes targets to reduce the amount of waste going to landfill (no more than 10% by 2035) and sets higher targets for recycling of various materials, including plastic, paper, cardboard and glass packaging. Municipal waste recycling targets are set at 55% by 2025, 60% by 2030 and 65% by 2035, with a review clause in 2028. Overall packaging waste recycling targets are set at 65% by 2025 and 70% by 2030. Additionally the package looks to extend separate collection requirements to bio-waste (by 2023) and textiles and hazardous household waste (by 2025).
- 9.3. Many of the targets in the CEP are set out in the Mayor of London's Environment Strategy, but the Government notes that as it implements the Resources and Waste Strategy that it also needs to explore whether more stretching targets over and above those proposed by the EU can be developed that will deliver the most effective approach to recycling. These will not just target weight but will also consider the environmental impacts of waste. Should these be preferable the Government will present proposals to the UK Parliament following the UK's anticipated departure from the EU.
- 9.4. For NLWA the most significant elements of the CEP transposition are likely to be the challenge of reaching the recycling targets and any changes that result from considering alternatives to weight based targets. These proposals will be subject to consultation.

10. REFORM OF EXEMPTIONS FROM WASTE PERMITTING FOR HIGH RISK ACTIVITIES (2019)

- 10.1. Waste crime forms a chapter of the Resources and Waste Strategy. Concern is expressed in this chapter that illegal waste activity could be hidden through exemptions from the waste permitting regime. In order to better prevent illegal waste activity it is therefore proposed to reform the existing exemptions regime. Specifically the Government proposes to amend the conditions for operating under exemptions to make it easier to spot and stop illegal activities. Some exemptions will also be removed from the regime altogether so that those activities will need a full environmental permit to continue.
- 10.2. NLWA would support any such measures which tighten up the regulations to protect residents and the environment. The reforms are unlikely to affect NLWA.

11. WASTE CARRIERS AND DUTY OF CARE (CONSULTATION IN LATER 2019)

- 11.1. There is urgent need for reform of the legislative regime which ensures that only appropriately registered organisations collect, transfer and treat/dispose of waste – namely the waste carriers and Duty of Care regime.
- 11.2. The Resources and Waste Strategy proposes a number of changes to the regime. These changes include the digitisation of information and more extensive data collection to improve the information that is available to regulators and the Government on the composition of waste. Going forwards, data from regularly updated composition studies will be combined with the waste tracking system information and data collected by the Environment Agency, in the course of its regulatory duties, to generate far more reliable data on the amounts and types of commercial and industrial waste in particular. Understanding waste composition is fundamental to the Strategy's objectives of eliminating avoidable plastic waste over the lifetime of the 25 Year Environment Plan, working towards eliminating food waste to landfill by 2030 and eliminating avoidable waste by 2050. It will enable the carbon content of mixed waste to be calculated. Future compositional analyses will be required to monitor progress
- 11.3. It is also proposed to extend the requirement for reporting of waste movements from local authorities to commercial and industrial wastes. All businesses that produce or handle waste are already required by law to complete a written description of waste when they transfer it to someone else. However, it is proposed to consult now on the Government's intention to legislate to make these records, including on international waste shipments, digital and mandatory. The Resources and Waste Strategy also includes proposals to make improvements to the national waste database WasteDataFlow into which NLWA and other local authorities record all their waste movements for local authority collected waste. We would strongly support improvements to WasteDataFlow.
- 11.4. Householders also have a duty of care, but this responsibility is generally not well publicised and poorly understood. The Resources and Waste Strategy proposes to make it easier for householders to understand and comply with their duty of care. Legislation has already been enacted to enable local authorities and the Environment Agency to issue fixed penalty notices (FPNs) to householders who breach their duty of care, for example by passing their waste to unauthorised operators who go on to dump it illegally. The penalties came into force on 7 January 2019. Whilst these particular changes in relation to householders' responsibilities for managing their waste will not have a direct impact upon NLWA they are symptomatic of the tightening up of the legislative regime. These measures will be generally beneficial to NLWA and would accordingly be supported.

12. EXTENDED PRODUCER RESPONSIBILITY FROM WASTE ELECTRONIC AND ELECTRICAL EQUIPMENT (CONSULTATION IN 2020)

- 12.1. By the end of 2020 the Government intends to consult on changing the waste electrical and electronic equipment (WEEE) and batteries producer responsibility regimes to incentivise more sustainable product design, increase recycling and ensure alignment with the wider EPR framework. Following these reviews, the Regulations will be amended as necessary. Particular aspects of the review will be

a review of the growing number of internet sellers who do not meet their current obligations and a review of the role of retailers, in particular of the collective Distributor Take-back Scheme (DTS). The DTS allows members who join the scheme an exemption from the obligation to provide in-store take back of WEEE when a new equivalent piece of EEE is purchased. When the WEEE Regulations first came into force approximately £9m was also raised in DTS fees from retailers, which was then used to fund the setup of WEEE collection facilities by offering grants to local authorities such as NLWA to assist in upgrading their Reuse and Recycling Centres so that they could become Designated Collection Facilities (DCFs) for WEEE. Subsequent rounds of funding have supported projects to increase the reuse and recycling of WEEE.

13. REMOVAL OF SINGLE-USE PLASTICS FROM THE CENTRAL GOVERNMENT ESTATE (DEADLINE 2020)

13.1. This milestone will have no impact on NLWA.

14. 50% RECYCLING RATE FOR HOUSEHOLD WASTE (DEADLINE 2020)

14.1. The North London Joint Waste Strategy includes this target, but as a group of authorities we are unlikely to meet 50% recycling by 2020 – having achieved a 32% recycling rate for the last three years.

14.2. Measures proposed in the Resources and Waste Strategy will increase our chances of reaching higher targets in the future including revised EPR schemes for packaging waste and WEEE and the introduction of a DRS scheme. However as noted in the press notice, included in Appendix A, delivery of this Strategy will rely on new revenue and capital funding being made available to local Government by Government: without it little will change.

15. OTHER MILESTONES

15.1. The following milestones are noted without commentary as they are further into the future and often subject to the outcomes of consultations already noted:

15.1.1. Roll-out of a deposit return scheme (deadline 2023 – subject to consultation)

15.1.2. Legislation for mandatory food waste collections (deadline 2023 – subject to consultation)

15.1.3. Extended producer responsibility for packaging comes into force (deadline 2023 – subject to consultation)

15.1.4. Revision of the Resources and Waste Strategy (deadline 2023/24)

15.1.5. 75% recycling rate for packaging (deadline 2030 – subject to consultation)

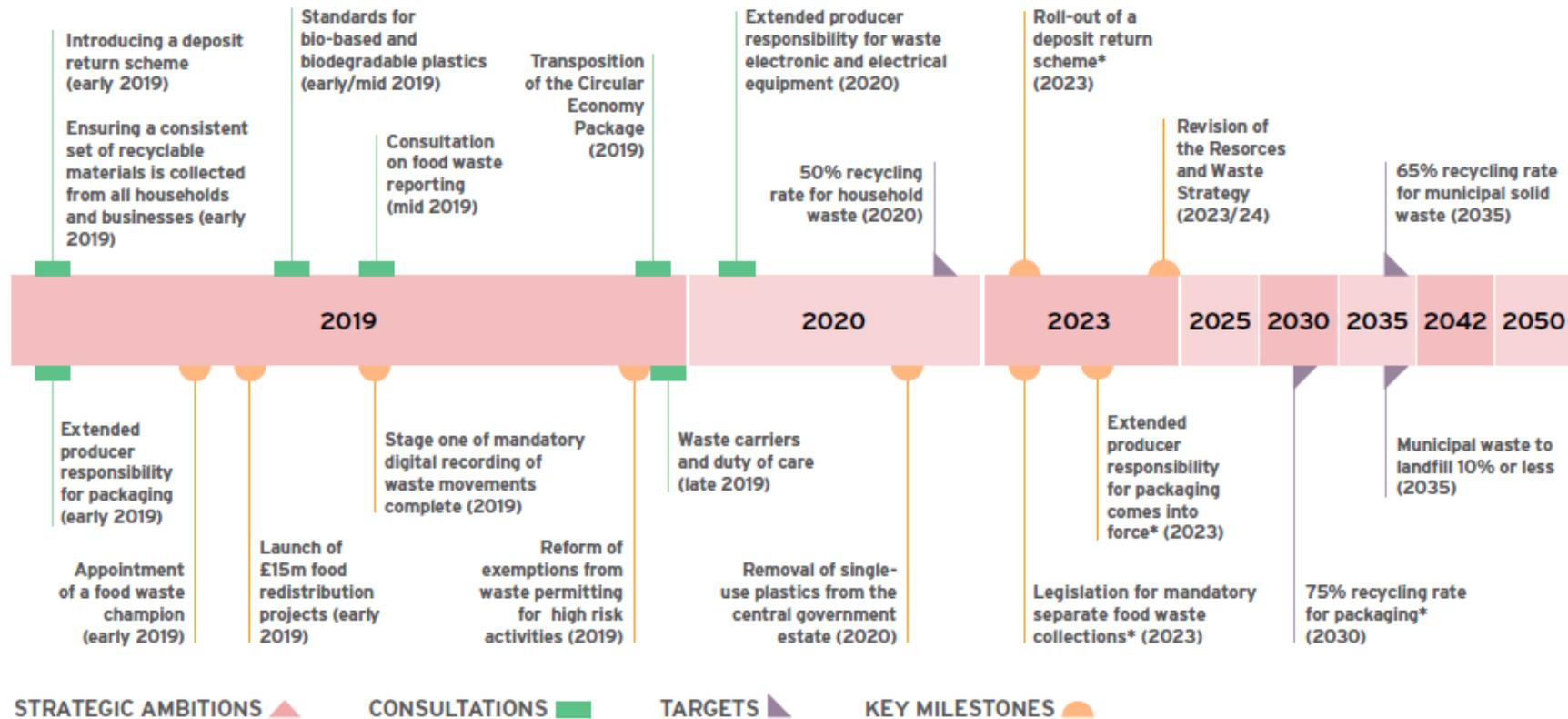
15.1.6. 65% recycling rate for municipal solid waste (deadline 2035 – subject to consultation)

15.1.7. Municipal waste to landfill 10% or less (deadline 2035 – subject to consultation).

APPENDIX C – KEY MILESTONES IN THE STRATEGY

KEY MILESTONES

- Double resource productivity by 2050
- Eliminate avoidable waste of all kinds by 2050
- Eliminate avoidable plastic waste over the lifetime of the 25 Year Environment Plan
- Work towards eliminating food waste to landfill by 2030
- Work towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025



*subject to consultation

APPENDIX D: OBJECTIVES OF THE ROLE OF FOOD SURPLUS AND WASTE CHAMPION

Objectives

- The Food Surplus and Waste Champion will support and champion the implementation of the food waste prevention policies outlined in the Resources and Waste Strategy and encourage actors in the food sector to work together to generate ideas and workable solutions on food surplus and waste issues.
- The Food Surplus and Waste Champion will liaise with WRAP, food redistribution organisations and food businesses and advise Defra officials and Ministers on proposals for the £15 million food waste fund. The champion will support the roll-out of resulting projects encouraging wide ranging engagement from the food sector.
- The Food Surplus and Waste Champion will motivate business leaders to tackle food waste from farm to fork, including through support for the delivery of the Courtauld Commitment 2025, including the WRAP / IGD Food Waste Reduction Roadmap, and through maximising their influence across supply chains to reduce food waste. This will include meetings with individual business leaders, participation in key WRAP led stakeholder meetings and speaking at conferences on behalf of Defra.
- The Food Surplus and Waste Champion will support forthcoming Government consultations on mandatory surplus and food waste reporting, and seeking powers for mandatory food waste reduction targets and surplus food redistribution obligations.
- The Food Surplus and Waste Champion will support the WRAP strategy to address citizen food waste by working with businesses to ensure participation in trialing new behavioural change interventions, adoption of best practice and to amplify campaign messages.
- The Food Surplus and Waste Champion will need to work with businesses and other stakeholders from across retail, food manufacture, hospitality and food service and producers and therefore will remain impartial and will not focus on the specific interests of any one sector.
- This role will report to Defra Ministers responsible for food surplus waste policies.

APPENDIX E: DRAFT NLWA RESPONSE TO DEFRA CONSULTATION ON THE PROPOSAL TO EXTEND THE SINGLE-USE CARRIER BAG CHARGE TO ALL RETAILERS AND TO INCREASE THE MINIMUM CHARGE TO 10P

Defra,
Single Use Carrier Bags
Resources and Waste Team,
Ground floor NE,
Seacole Building,
2 Marsham Street,
London,
SW1P 4DF



**North London
Waste Authority**

Unit 1B
Berol House
25 Ashley Road
Tottenham Hale
London N17 9LJ

8 February 2019

By email to: PlasticBagCharge@defra.gov.uk

T 020 8489 5730

E post@nlwa.gov.uk

W nlwa.gov.uk

wiseuptowaste.org.uk

Dear Sir/Madam

Ref: Consultation on the proposal to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10p

NLWA is pleased to have the opportunity to respond to the government's consultation on the proposal to extend the single-use carrier bag charge to all retailers and to increase the minimum charge to 10p.

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 except in one borough. NLWA also delivers extensive behaviour-change campaigns in the fields of waste prevention and recycling.

Whilst we have reviewed all the consultation questions, we have confined our comments to the elements of the consultation that are relevant to a waste disposal authority in the capital. We also responded last year to the HMT call for evidence on plastic waste and to Defra's consultation on proposals to ban the distribution and/or sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England.

NLWA Comments

We have experience of delivering a number of waste prevention initiatives aimed at reducing single use plastic waste including:

- Running information stalls to encourage north London residents to avoid single use plastic carrier bags when shopping in small retailers (who can still provide single use plastic carrier bags without a 5p charge attached).
- Working with small retailers to encourage them to give out reusable shopping bags rather than single use plastic ones.

Our response draws upon this experience where relevant.

Questions

Q1. *What is your name?* Cllr Clyde Loakes

Q2. *What is your email address?* Please email Barbara.herridge@nlwa.gov.uk

Q3. *What is the name of your organisation?* North London Waste Authority

Q4. *It would be helpful in our analysis if you could indicate which of the sectors you most align yourself/your organisation for the purpose of this consultation:*

a) Public body

Q5. *The government proposes to extend the Single Use Carrier Bag charge to all retailers in England. Do you agree with this proposal?*

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence.

We agree with this proposal because:

1. The environmental impact of a single-use plastic carrier bag is not determined by its source – so there should be no distinction between the tax on a single use plastic carrier bag bought from one retailer compared to another.
2. Adding a charge to all single use carrier bags (SUCBs) sends a much clearer message to consumers that these bags have a negative environmental impact and that we would preferably see them not used.
3. We believe that extension of the tax to bags sold by small retailers will be effective in reducing single use plastic usage. If we don't take some action consumption of SUCBs will remain at current levels of around 4.6 billion plastic bags per year. As noted in the impact assessment - extending the 5p SUCB charge to SMEs is estimated to result in an 80% decrease in SUCBs from 3.6 billion in 2018 to 734 million SUCBs by the third year of the change (2021). Our own research supports the national statistics which show shoppers' use of single-use plastic carrier bags will decline if a charge is introduced for single use products, whilst reusable alternatives are exempt.

Give the Bags a Break

The aim of the NLWA 2017-18 reusable bag project was to reduce the use of single use plastic bags in north London. The project took inspiration from a Street campaign for reusable bags¹ that had been undertaken in Brussels.

¹ For information on the project in Brussels see the two short films that were produced as result:

In Dutch: <https://vimeo.com/204008237>

In French: <https://vimeo.com/204008322>

Through the Give the Bags a Break project, officers worked with small retailers and their customers to encourage reduction of single use plastic bags. Seven large events took place in north London throughout February 2018. Prior to the events, officers held discussions with the retailers as to how the message could be best communicated to their customers and offered promotional posters for their shop.

During the events, officers offered passers-by free reusable bags and encouraged them to complete a survey about their bag habits. Those that completed the survey were entered into a prize draw to win Sea Life London Aquarium tickets.

Seven events were delivered, directly engaging with 736 residents; 1,100 bags (an average of 157 per event) were handed out and 64 residents entered into a prize draw.

Results from the survey indicate that **99%** (132 respondents) said they already use reusable bags, while only **1%** (2 respondents) said they did not use reusable bags. Out of the participants who used reusable bags:

50% (65 respondents) said they always use their reusable bags, whilst a further **6%** (8 respondents) said they used them every time they shop, **21%** (27 respondents) stated they almost always use reusable bags.

From the questionnaire results residents' motivations for using reusable bags show that:

81% (107 respondents) choose reusable bags because of the impact on the environment,

40% (53 respondents) stated money savings as the reason and

19% (25 respondents) because of convenience.

It is interesting however, that although nearly everyone we spoke to said that they already use reusable bags, only half are using them all of the time. The motivations are there to use reusables, but for half of those spoken to, the motivations are insufficient or other factors are more overwhelming; so that they don't choose the reusable alternative every time.

Q6. Do you agree with the assumptions and the assessment of costs and benefits in the impact assessment on extending the charge to all retailers?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence

We agree with the assumptions and the assessment of costs and benefits in the impact assessment on extending the charge to all retailers on the basis that we have seen nothing which counteracts this view.

Q7. Do you support the proposal to increase the minimum charge from 5p to 10p?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence

We support the proposal to increase the minimum charge from 5p to 10p because the impact modelling suggests that this will result in a 90% drop in the use of SUCS at supermarkets, 80% at high street retailers in Year 1 but 90% reduction for smaller retailers only by Year 3. This assumption draws on the evidence from England and other countries. Wales, Northern Ireland, Scotland and England all set the charge at 5p, and all saw average reductions in bag usage of around 81%. In the Republic of Ireland the charge was deliberately set six times higher than the average level that consumers reported that they would be willing to pay for a bag to influence consumer behaviour, this led to a 90% reduction in bag use.

Q8. Do you agree with the government's assessment of the impact on the consumption of single use carrier bags as a consequence of increasing the charge from 5p to 10p?

a) Yes – although we have no additional evidence to provide.

Q9. Do you agree with the government's assessment of the impact on consumption of bags for life as a consequence of increasing the charge from 5p to 10p?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence.

The evidence from other countries including the Republic of Ireland which is outlined in the impact assessment accompanying the consultation provides a compelling case for the assessment of the likely impact of increasing the charge from

Q10. Would you support a requirement for producers of plastic packaging to separately report the number of single use carrier bags they place on the UK market as part of their obligation under the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (see para 36)?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence.

As detailed in paragraph 36 of the consultation document in the absence of data reporting obligations placed on small businesses it is important to ensure the impact of the changes is fully assessed. We consider that a good way of ensuring that the data is as comprehensive as possible is to ask producers of plastic packaging to separately report the number of single use carrier bags they place on the market in England, Scotland and Wales as part of their reporting obligations under the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (as amended).

Q11. Do you support the proposal to remove the existing exemption for carrier bags supplied at security restricted areas at airports (apart for the supply of duty-free alcohol and tobacco sales in sealed bags)?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence.

The environmental impact of a single-use plastic carrier bag is not determined by its source – so there should be no distinction between the tax on a single use plastic carrier bag bought from a high street retailer or a retailer in the security restricted area of an airport.

Adding a charge to all single use carrier bags (SUCBs) sends a much clearer message to consumers that these bags have a negative environmental impact and that we would preferably see them not used.

Q12. Do you support the proposed date of January 2020 by which changes will enter force?

a) Yes

Please give reasons for your answer. Where available, please provide supporting evidence.

A first January date for the changes coming into force would be preferable so that it ties in with producer responsibility obligations reporting timetables. Giving retailers one year to prepare for the changes is also helpful. However, in order to prepare small retailers in particular, for the changes the government should consider an extensive communication campaign to ensure that retailers are ready for the change. As noted in the impact assessment based on the experience in Wales, approximately 50% of complaints were about non-compliance by SMEs. It would be good to ensure as low a level of complaints as possible following introduction of the changes in order to give credibility to the scheme.

Q13. Please provide any evidence or information that moving to a mandatory approach would encourage small retailers to act more uniformly, indicating the level of enforcement that might be needed?

We have no additional evidence to provide.

Q14. Please provide any evidence that demonstrates large retailers' levels of compliance with the existing obligation to charge a minimum of 5p for single use carrier bags?

We have no additional evidence to provide.

Q15. Is there anything else you would like to tell us relating to the proposals set out in the consultation? In particular, is there any additional evidence that we should consider.

It is unclear from the consultation whether the requirements to charge 10p for SUCS will apply to market stalls. It is assumed that they will, but it would be helpful to clarify this so that market traders are aware of their obligations from the outset. For the scheme to be most effective it is essential that all retailers comply with their obligations in order to ensure that there are no distortions in the market which could affect consumer behaviour.

Ensuring that the legislation is properly implemented for retailers' online sales and home delivery services will also be important to make the scheme most effective.

Any products included within the scope of the charge or tax should have a genuine, and similarly easily available, less environmentally damaging alternative for consumers to buy. In the case of SUCS, there was and continues to be a wide range of more durable reusable bags available. It is also still an option for the consumer to choose the single use alternative and pay the tax. We therefore support the implementation of these proposals.

Conclusion

In conclusion, NLWA is supportive of government intervention to reduce the amount of single-use plastic waste which is currently thrown away and welcomes the opportunity to input to the debate on extending the charge for SUCS. We would also welcome the opportunity to input further into this useful and interesting debate and given the extent of our waste prevention activity would be most willing to consider whether we could trial any interventions locally prior to wider rollout.

Yours faithfully

Cllr Clyde Loakes
Chair, North London Waste Authority