

NORTH LONDON WASTE AUTHORITY

REPORT TITLE: CONSULTATIONS AND POLICY UPDATE

REPORT OF: MANAGING DIRECTOR

FOR SUBMISSION TO: AUTHORITY MEETING

DATE: 4 APRIL 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 four recently released consultations resulting from the Resources and Waste Strategy for England and the autumn 2018 budget statement. These consultations were anticipated as set out in the Consultations and Policy Update report provided at the last Authority meeting in February.

In addition, this report provides details of the final stage consultation for the North London Waste Plan, the spatial strategy for waste in north London. Members are asked to approve the draft responses to these five consultations.

RECOMMENDATIONS:

The Authority is recommended to:

A. note the following draft Authority responses:

- (i) to the 'Consultation on reforming the UK packaging producer responsibility system', from the England, Wales, Scotland and Northern Ireland governments, attached as Appendix C;
- (ii) to the 'Consultation on consistency in household and business recycling collections in England', from the Department for Environment, Food and Rural Affairs (Defra) attached as Appendix D;
- (iii) to the 'Consultation on introducing a Deposit Return Scheme in England, Wales and Northern Ireland', from the England, Wales and Northern Ireland Government attached as Appendix E;

B. Agree that responses should be finalised in line with the drafts and taking account of Members' comments in the meeting;

- C. delegate authority to the Managing Director in consultation with the Chair and Vice Chairs to finalise the consultation responses referred to in recommendations A(i) to (iii) above prior to the end of the consultation periods;
- D. approve the draft NLWA response to the Her Majesty's Treasury (HMT) consultation on introducing a tax on plastic packaging which contains less than 30% recycled content attached as Appendix F; and
- E. approve the draft NLWA response to the North London Waste Plan (NLWP) Regulation 19 consultation, attached as Appendix G.

SIGNED:  **Managing Director**

DATE: 25 March 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. Defra consultation on reforming the UK packaging producer responsibility system;
 - 1.2.2. Defra consultation on consistent collections by local authorities;
 - 1.2.3. England, Wales and Northern Ireland Government consultation on the introduction of a deposit return scheme on drinks;
 - 1.2.4. Consultation on introducing a tax on plastic which contains less than 30% recycled content and
 - 1.2.5. Consultation on the North London Waste Plan
 - 1.2.6. Appendix A, titled 'Background to the Producer Responsibility, Packaging Waste Regulations and the need for reform', provides supplementary information to support the consultation response on the packaging legislation referenced at paragraph 1.2.1 above.
 - 1.2.7. Appendix B provides details of the list of key milestones and consultations in the Government's Resources and Waste Strategy including those listed in this report.
 - 1.2.8. All other appendices (C, D, E, F and G) - provide draft Authority consultation responses for consideration and recommended approval.
- 1.3. The first four consultations (listed in paragraphs 1.2.1 to 1.2.4 above) are aimed at helping the UK meet the requirements set out in the Government's 25 Year Environment Plan, the EU Circular Economy Package and the resultant Waste and Resources Strategy. The consultations all launched on 18 February and close on 12 May (tax consultation) or 13 May (remaining consultations). The draft Authority responses are based on our understanding of the potential impacts. However, on the first three consultations, officers are continuing to work with constituent boroughs, with London-wide organisations and with other waste authorities across the country to ensure that the Authority's responses take account of information from those sources, including analytical data. Where there is agreement on messages it is more powerful to coordinate action with other respondents and this ongoing activity is designed to achieve that impact.
- 1.4. The paper highlights key proposals in each of the consultations and then draws out relevant aspects of the Authority's draft response. A key issue with the three Defra consultations is that they involve changes which require confidence in long term commitments from Government for increased financial support to local authorities. The details of the changes and therefore the details of any specific commitments

(including distribution of any funding between authorities) would be decided following future consultations if the policies proceed as currently indicated. The suggested responses also express concern that the particular challenges of increasing recycling in dense urban environments need to be recognised in both payment calculations and standards. The full draft responses are included in the appendices.

2. CONSULTATION ON REFORM OF THE PACKAGING WASTE EXTENDED PRODUCER RESPONSIBILITY (EPR) REGIME IN THE UK

- 2.1. On 18 February a consultation was published by all four of the UK nation's governments on proposals to reform the Producer Responsibility, Packaging Waste Regulations. Further background information on the need for reform is set out in Appendix A, titled 'Background to the Producer Responsibility, Packaging Waste Regulations and the need for reform'.
- 2.2. The proposals will potentially have a significant operational and financial impact on local authorities. Currently, (private sector) companies with statutory packaging waste recycling and recovery obligations operate within a private sector-led system to meet their statutory packaging recycling and recovery targets without any interface with local authorities. Local authorities currently operate within a separate public sector system aiming to locally identify recycling targets. For example, in north London, NLWA and the seven north London boroughs (Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest) aim to meet the recycling targets set out in the North London Joint Waste Strategy.
- 2.3. It is proposed that this two-system approach will be replaced with an arrangement where the two systems of recycling achievement work together. The practical result will be that funding will flow from the private sector, from obligated producers, converters, packer fillers and retailers to local authorities to collect and recycle material on their behalf. The aim of this reform is to ensure that packaging producers pay for the full net costs of the recycling and recovery of the packaging that they place upon the market.
- 2.4. **Key proposals**

2.4.1. Full cost recovery -

It is proposed that producers will pay local authorities for the collection and management of household packaging waste and support the collection for recycling of household-like packaging arising in commercial waste. Local authorities will be paid for the 'full net costs' of collecting and transporting household and household-like packaging waste for recycling. The proposed definition of full net cost covers:

- Collecting and transporting household/household-like packaging waste for recycling.
- Sorting and treatment of household/household-like packaging waste (where required) for recycling. The income obtained from the sale of recyclable materials would be netted off.
- Treating/disposing of any packaging disposed of in the residual waste stream.

- Providing information to consumers on recycling packaging waste and anti-littering.
- Clean up of littered and fly-tipped packaging items.
- The collection, collation and reporting of relevant packaging and waste management data (including litter and fly-tipping).

It is also proposed to set up a strategic fund to support local and national anti-littering communications messages.

2.4.2. Local authorities will not be reimbursed for the actual costs incurred of waste collection, treatment, disposal, communication and clean-up listed in paragraph 2.4.1 above but will be paid using a cost estimate. It is proposed that the cost estimates will be determined by local authority type. The local authority types proposed for determining payments are :

2.4.2.1. R1 Predominantly urban, higher deprivation

2.4.2.2. R2 Predominantly urban, lower deprivation

2.4.2.3. R3 Mixed urban/rural, higher deprivation

2.4.2.4. R4 Mixed urban/rural, lower deprivation

2.4.2.5. R5 Predominantly rural, higher deprivation

2.4.2.6. R6 Predominantly rural, lower deprivation

2.4.3. Communications funding will be based upon a fixed proportion of producers' fees.

2.4.4. **Driving better packaging design** – In order to drive better packaging design, two options are proposed to encourage packaging producers to alter their designs. The consultation does not go into detail but the options are as follows:

Option one - the principle underlying this option is that a more difficult-to-recycle e.g. multi-material type of packaging would attract a higher fee per tonne than a single material, easy-to-recycle type of packaging. The consultation document refers to this option as, a 'modulated, placed on the market (POM), fee'. Because the fees paid by producers are based upon the quantity and types/formats of packaging producers are incentivised to keep their fees to a minimum by producing and using more-easily recycled packaging. **Option two** – In this option producers pay an annual deposit upfront at the start of the compliance year, and then receive a rebate based upon the amount of evidenced packaging recycled. This option should also incentivise packaging producers to design packaging that can be recycled, because they are more likely to receive a rebate with more easily recycled products.

2.4.5. **Definition of obligated producers** - The proposed reforms would remove the shared responsibility for packaging recycling compliance across the packaging chain to a single point of obligation. So rather than distributing

shares of packaging recycling target achievement among a range of players, as at present, (packaging makers, firms who put packaging around goods and retailers) it is proposed that responsibility for reaching the targets will rest with one type of player in the packaging chain. This means that a single type of business in the packaging chain would be responsible for meeting the packaging recycling targets and the costs of producer responsibility. The consultation asks whether consultees would prefer the obligation for target achievement to rest with brand owners or sellers if the shared responsibility is removed. The alternative is to retain the shared responsibility of the current system.

2.4.6. **Supporting improved collections and infrastructure** – Section 4 of the consultation document reviews the use of packaging payments as a driver for improved capture of packaging waste for recycling and the adoption of minimum service standards for recycling collections from households and businesses in England. Collection frameworks are already established in Scotland and Wales. It is proposed that collection payments are based upon six local authority typologies associated with rurality and deprivation. It is proposed that payments for packaging waste in residual waste would be based on the average disposal gate for household waste for landfill or incineration. Payments for the collection of household-like packaging waste from businesses and other public-sector organisations would be made on the basis of a formula which takes account of the cost of collection, the proportion of the target recyclable packaging materials in the waste stream and the weight of the target materials recovered for recycling.

2.4.7. **Helping consumers do the right thing - communications and labelling** - it is proposed that a proportion of producers' fees is allocated to pay for consumer communications. It is also proposed that a mandatory UK-wide labelling scheme is introduced to provide clear advice to consumers about what can and cannot be recycled.

2.4.8. **Governance models** – The consultation proposes four alternative models for the organisation and governance of a future packaging extended producer responsibility system ranging from a 'near-to-business as usual' model to a deposit-based management scheme.

2.5. **Relevant aspects of the Authority's draft response**

2.5.1. In summary the key aspects of the Authority's draft response include:

2.5.2. **Overarching support for reform**, on the grounds that businesses will bear the full costs of managing the packaging they handle or place on the market under the proposed new scheme. This reflects the polluter pays principle. Two key concerns are expressed in the NLWA draft response:

2.5.2.1. The need for reassurance about the longevity of funding.

2.5.2.2. Secondly in deciding formulae for allocating funding to meet the costs of collecting recycling, account needs to be taken of the costs and the reasonable expectations of collecting recycling in the capital. London should have an earmarked allocation from

within national funds which is then allocated through an agreed London Councils' mechanism.

- 2.5.3. **Support for producers to pay a modulated, POM fee** - The modulated fee is supported on the grounds that it is clear and workable. The alternative as set out in paragraph 2.4.4 is too complex. A similar deposit and refund system previously in place in the electricity sector has been reformed.
- 2.5.4. **Support for a single point of compliance** - The current regime, with shared responsibility, as set out in paragraph 2.4.5, has resulted in a lack of clarity. The draft Authority response supports the brand owner having the responsibility for meeting the targets.
- 2.5.5. **Payments to local authorities** – The Authority's draft response is supportive of the principle of payments to local authorities for collecting and managing household packaging waste being based on:
- (a) provision of collection services that meet any minimum standard requirements (by nation);
 - (b) quantity and quality of target packaging materials collected for recycling; and
 - (c) cost of managing household packaging waste in residual waste
- 2.5.6. However, the draft response raises concerns about the calculation of payments within the capital and the need for the payment mechanism to properly reflect the costs of collection with London.
- 2.5.7. **Communications funding** – The draft Authority response supports the view that communications funding should include an element channelled to local authorities, on the basis that local communications can be the most action-orientated and targeted. However, the draft response suggests that in order to maximise impact and the benefits of consistent collections and labelling, that national branding could be used, as long as it is sufficiently flexible in application.

3. CONSULTATION ON CONSISTENCY IN HOUSEHOLD AND BUSINESS RECYCLING COLLECTIONS IN ENGLAND

- 3.1. This consultation is about whether the Government should set minimum service standards for recycling collections from households and businesses in England. There is already a requirement under the Waste (England and Wales) Regulations 2011 (as amended) for separate collections of glass, paper, metals and plastics where necessary and practicable but this proposal goes beyond that. The consultation is concerned with having consistent collections and recycling to improve the quantity and quality of municipal waste recycled in England. It directly impacts on local authority waste collections and is looking at proposals for all waste collection authorities to:
- collect the same core set of dry recyclable materials from households
 - have separate weekly food waste collections from households
- 3.2. In Scotland additional requirements are already in place.

3.3. The rationale behind this proposal is three-fold:

3.3.1. **Static recycling rates** - Household recycling rates in England increased significantly from 11% in 2001 to 45.2% in 2017. However, in recent years, progress has been slower, and rates have remained at around 44/45%. In north London recycling rates have been static at 32% for the last three years. While many local authorities continue to make improvements and introduce new services some have seen a drop in recycling rates and do not collect the full range of materials that can be recycled.

3.3.2. **Stakeholder demand** – stakeholders have called for greater consistency of what is and is not collected for recycling - householders who want to recycle more are confused about what can be recycled.

3.3.3. **Tightening markets** - Tightening global markets for recycling means greater focus on product quality. China's ban in 2018 on the import of post-consumer contaminated plastic and paper added to the need to improve the quality of what is collected for recycling and to reduce contamination. Contamination arises from people putting items in their recycling bin that are not collected locally for recycling or materials which are not collected as part of dry recycling, such as nappies or food waste. Improving the consistency of collections should reduce confusion about what can and cannot be recycled, and thereby improve the quality of material collected which in turn should help to increase demand for these materials in the UK and help to ensure that they meet higher quality standards for export too.

3.4. Although the Authority is not directly impacted by the waste and recycling collection requirements in this consultation, what and how much material is collected as a result of the changed collection services, will impact upon the Authority's services. Officers are therefore working with borough colleagues to review this consultation, but some questions are not answered as they are so clearly collection related. In addition, officers are continuing to work with London-wide organisations and with other waste authorities across the country to ensure that the Authority's responses take account of information from those sources, including analytical data. Where there is agreement on messages, the responses will have more impact if the points are made consistently.

3.5. **Key proposals:**

3.5.1. **Local authorities collect a core set of materials for recycling** – The consultation proposes that all householders in England should be able to recycle a common set of dry recyclable materials and food waste.

It is proposed that local authorities should collect at least the following core set of dry materials from households:

- glass bottles and containers – including drinks bottles, condiment bottles, jars etc.
- paper and card – including newspaper, cardboard packaging, writing paper etc.

- plastic bottles – including clear drinks containers, HDPE (milk containers etc.)
- detergent, shampoo and cleaning products etc.
- plastic pots tubs and trays
- steel and aluminium tins and cans

It is estimated that 70% of local authorities in England already collect this set of dry recycling materials.

- 3.5.2. **Food waste collections** - For food waste, the consultation proposes that all local authorities should provide all households with a separate weekly food waste collection by 2023. The assumption is that this would be separate from garden waste unless there are exceptional circumstances. The accompanying impact assessment estimates an investment in the range of £180 million - £260 million would be needed to roll out separate food waste collection across England. This would be needed to cover additional bins, vehicles and transportation of food waste to anaerobic digestion facilities. These costs also include free caddy liners.
- 3.5.3. It is proposed that the Government will legislate by 2023 so that local authorities will have to provide all kerbside properties and flats with access to at least a weekly separate collection service for food waste, including provision of containers and liners.
- 3.5.4. **Free garden waste collections** – The consultation proposes that households generating garden waste should be provided with access to a free collection service. If introduced this this would be a minimum fortnightly collection service of a 240-litre capacity container (either bin or sack).
- 3.5.5. **Separate collections of additional materials** - In addition to the new requirements for a core set of dry recycling materials to be collected for recycling, the Government would also like to promote the separate collection of materials where this is feasible and can help to improve quality. This could include for example collecting paper or glass separately from the other materials.
- 3.5.6. **Funding for infrastructure** - It is proposed that the Government will provide funding and support to local authorities to help put in place the necessary collections infrastructure.
- 3.5.7. **Performance Indicators** - Views are sought on the benefits of developing a set of non-binding performance indicators to help local authorities to improve the way waste and recycling services are delivered and to attain high quality and quantity in recycling. The proposed non-binding indicators would support current publicly available information on local recycling and provide an agreed set of indicators for recycling and waste reduction. This would help local authorities to benchmark their performance and to identify areas for service improvement to increase recycling yield or to reduce residual waste. The performance indicators would be non-statutory and be transparent and help local authorities understand how their performance contributes to overall municipal recycling rates. This would provide a more

detailed understanding of recycling nationally and help the Government to understand challenges to local authorities and to offer support or additional intervention were needed. It is also proposed that alternatives to the current set of weight-based i.e. tonnage, indicators would be developed and views are sought on alternatives to weight-based metrics. (Tonnage information would still have to be collected as metrics such as carbon are derived from weight-based information).

3.5.8. **Waste from Businesses** - The consultation outlines three different collection options for businesses in relation to recycling as set out below. The consultation identifies that improving recycling from businesses so that they recycle a greater proportion of materials than households is a part of achieving higher national performance:

- Separate dry recycling and separate glass
- Separate dry recycling and separate food waste
- Separate dry recycling, separate glass and separate food waste

The consultation questions also offer the opportunity to suggest something else.

3.6. **Relevant aspects of NLWA's draft response**

3.6.1. Although this consultation is of most direct relevance to the individual north London boroughs as collection authorities, it is proposed that the Authority responds because the output of the collection system is delivered to NLWA to manage so the Authority will be impacted by any changes.

3.6.2. **Minimum standards of collection** – The draft Authority response is supportive of the proposals for minimum standards of collection on dry waste recycling. However, this is qualified that space constraints in dense urban environments will affect what can be achieved with residents and businesses in the NLWA area, especially where there are alternate weekly collections. The seven north London boroughs already collect the proposed core set of dry recycling materials from households although not from businesses.

3.6.3. **Food waste collections** – the Authority response recognises that a weekly food waste collection can be necessary where residual waste collections are fortnightly. However, the response also says that a clear environmental benefit needs to be evidenced. The consultation refers to anaerobic digestion as a preferred alternative to landfill but does not address the comparison to disposal in an energy-from-waste plant, with NLWA having a modern, efficient, high quality energy recovery facility shortly to be available. In addition the response notes practical concerns regarding space for residents to store food waste in flats. Given the variation which would be required to take account of different types of dwelling for collection and different alternatives for disposal, the response questions whether setting a national requirement is justified. The Government has said that the cost of collecting food waste separately would be covered by the “new burdens” process. This would mean the Government making additional funding available. However, uncertainties include the specific level of funding which

would be provided, the distribution of that funding to individual authorities and the extent to which any funding would be made available to waste departments.

3.6.4. **Garden waste collections** – Making garden waste collections free should, in principle ensure that none of this recyclable waste is diverted to other routes, and so help to increase recycling rates. The Defra modelling work suggests that by introducing free garden waste collections, local authority recycling rates could go up by six percentage points on average. However, a number of authorities in the country as a whole argue that they have not seen any material loss of green waste under charging arrangements and therefore that the six percent assumption would be extremely unlikely to be borne out in practice. The Authority response is therefore sceptical that this measure would achieve its aims, especially as the funding to local authorities in lieu of charging is uncertain.

3.6.5. **Business waste collections** – in terms of collections from businesses the Authority's draft response is supportive in principle of the proposals but suggests that the Government should consider the option of allowing the collection of separate paper and card rather than separate glass and separate food). Paper and card are higher value materials and need to be clean so why not have that as the separate material stream.

3.7. Early indications are that this collection consultation is receiving more public attention than the other consultations. The rationale for local waste and recycling collection arrangements varying according to the specific circumstances is not well understood. Therefore it is important that the NLWA response, along with other local authorities' replies, set out the practical implications of proposed changes.

4. CONSULTATION ON THE INTRODUCTION OF A DEPOSIT RETURN SCHEME ON DRINKS CONTAINERS

4.1. Deposit return schemes (DRSs) are used throughout the world as a way of encouraging more people to recycle certain drinks containers, like plastic or glass bottles and metal cans. They work by charging anyone who buys a drink a small deposit for the bottle or can it comes in. The customer can get this money back when they return the bottle or can back to a designated return point for reuse or recycling. This consultation seeks views on proposals to introduce a DRS for drinks containers in England, Wales and Northern Ireland, whilst recognising that any DRS should form part of a coherent system across the UK. Scotland is consulting separately on whether to introduce a DRS.

4.2. Key Proposals

4.2.1. **Scope and operational model for a DRS** - Two different models of operation are proposed:

4.2.1.1. The **'all-in'** model which would not place any restrictions on the size of drinks containers in-scope of a DRS. This option gives a central net present value of £2,189 million. The cost is modelled at £7,211 million over the first 10 years with 2018 as the baseline.

- 4.2.1.2. The **'on-the-go'** model which would restrict the drinks containers in-scope to those less than 750ml in size and sold in single format containers (multi-packs would be excluded). This option gives a central net present value of £249 million. The cost is modelled at £2,764 million over the first 10 years with 2018 as the baseline.
- 4.2.2. **Material in the scope of a DRS** - In terms of the materials in the scope of the DRS it is proposed that that PET (Polyethylene terephthalate) and HDPE (high density polyethylene), plastic, steel and aluminium cans and glass bottles would be included in the scheme.
- 4.2.3. **Impact on local authority collection systems** - The introduction of a DRS would divert in-scope material away from local authority collection services, but it would be unlikely to divert everything. It is therefore proposed that local authorities will be able to redeem the deposit on any in-scope drinks containers which find their way into the kerbside collection system, potentially without having to physically return them via a designated return point.
- 4.2.4. **Running the DRS** - It is proposed that the scheme would be managed by an independent Deposit Management Organisation (DMO); the Government's preference is for an industry-trade association to run the DMO. The DMO would oversee the system including measuring and reporting on recycling rates as a result, running communications campaigns to increase uptake and setting and distributing the handling fees paid to organisations which host return points. All retailers would be obligated to provide a return point unless they fall below a potential de minimis level which would exempt them.
- 4.2.5. **Setting the deposit amount** - It is proposed that the Government would set the deposit level(s) on advice from the DMO and that level of deposit may reflect the recyclability of the packaging and the deposit for glass may be higher to reflect the injury risk it poses if littered and broken.
- 4.2.6. **DRS and EPR** - As all the items under consideration for inclusion in a potential DRS are packaging, there is recognition in the consultation that any future packaging regulations must take this into account so that producers would not be unfairly disadvantaged by a double-charge under both the new EPR system for packaging referred to above and the DRS.
- 4.3. **Relevant aspects of NLWA's draft response**
- 4.3.1. **Support for a DRS** – Although the costs of setting up the deposit return infrastructure are high for those funding it, the draft Authority response enclosed in Appendix E is supportive of introducing a DRS. The proposals for a reformed EPR on packaging are significant, but their success relies on public behaviour. A DRS can bring in additional users to the recycling system – the modelling work referenced in the consultation documents suggests an 85% return rate for DRS material. Evidence from other countries suggests that a DRS also provides good quality material. This is

because there is a limited range of material which attracts a deposit so communications can be clear and the risk of contamination is low..

- 4.3.2. **Operational model** - Impact modelling work carried out last year 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. This is because a larger DRS would lead to more diversion of waste from local authorities' collection and disposal system. On disposal there could be a significant saving particularly in glass, which is heavy and so expensive to process. The draft Authority response is therefore supportive of an 'all-in' model rather than one which is more limited in scope to 'on-the-go'.

Concluding remarks on the three consultations in Sections 2 – 4 of this report

- 4.4. As mentioned in para 1.3, the consultation timetable runs for a further five and a half weeks after the Authority meeting. Given the significance of the consultations in Sections 2, 3 and 4 of this Authority report, officers recommend that authority is delegated to the Managing Director in consultation with the Chair and Vice Chairs to make any final amendments to this and the other consultation responses listed in appendices C-E namely:
- 4.4.1. Consultation on reforming the UK packaging producer responsibility system (Appendix C)
 - 4.4.2. Consultation on consistency in household and business recycling collections in England (Appendix D)
 - 4.4.3. Consultation on introducing a Deposit Return Scheme in England, Wales and Northern Ireland (Appendix E).
- 4.5. The remaining consultation periods would be used to finalise the responses, including following up issues identified by Members at the meeting or taking account of any new information which becomes available during the remainder of the consultation periods. Accordingly, whilst this Authority report recommends Member approval of the draft responses enclosed in Appendices C to E it is also proposed to allow for further amendment through consultation with the Chair and Vice-Chairs.

5. HMT CONSULTATION ON INTRODUCING A TAX ON PLASTIC PACKAGING WHICH CONTAINS LESS THAN 30% RECYCLED CONTENT

- 5.1. At the autumn budget 2018 the Government announced that from April 2022 it would introduce a new tax on the production and import of plastic packaging with less than 30% recycled content, subject to consultation. Plastic packaging accounts for 44% of plastic used in the UK, but 67% of plastic waste, and over two million tonnes of plastic packaging is used each year. The vast majority of this is made from new, rather than recycled plastic.

5.2. The Government's call for evidence in March 2018, which NLWA responded to, received a record 162,000 responses and highlighted that using recycled plastic is often more expensive than using new plastic, despite its lower environmental impacts.

5.3. The rationale behind the proposals for a tax is to shift the economic incentives involved in the production of more sustainable plastic packaging, encouraging greater use of recycled plastic and helping to reduce plastic waste. The tax proposals complement the proposals to reform the Packaging Producer Responsibility regulations noted above.

5.4. **Key Proposals**

5.4.1. **Applicability of the plastics tax** - The tax will apply to businesses that produce or import plastic packaging which uses insufficient recycled content, taking effect from April 2022. The Packaging Producer Responsibility reforms will encourage businesses to design and use plastic packaging that is easier to recycle and discourage them from creating plastic packaging which is difficult to recycle, which will increase supply of easier-to-recycle plastic. The Government believes that the tax and Packaging Producer Responsibility regulations will provide business with the right incentives to recognise the impact of their plastic packaging decisions and drive the development of more sustainable packaging. The government proposes that the tax would apply to all plastic packaging manufactured in the UK and unfilled plastic packaging imported into the UK. It would only apply to plastic packaging (as defined by the tax) with less than 30% recycled content.

5.4.2. **Definition of plastic packaging** - The definition of plastic packaging for the specific purposes of applying the tax would be set out in legislation. However, packaging is currently defined within the Packaging Producer Responsibility regulations as:
'all products made of any materials of any nature to be used for the containment protection, handling, delivery and presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer. Non-returnable items used for the same purposes shall also be considered to constitute packaging.'

In practice this will mean bio based, biodegradable and oxo-degradable and fossil fuel-based plastic along with all primary, secondary and tertiary packaging as defined in the Packaging Producer Responsibility Regulations will be liable for the new tax.

5.4.3. **Threshold recycled content** - The Government wants a threshold for recycled content that is both achievable and ambitious. The intention is to change behaviour and not to raise tax revenues. As some businesses having already committed to 30% recycled content the Government is content to use this as the benchmark.

5.4.4. The Government has proposed two options in setting the thresholds for tax:

5.4.4.1. Option 1: Multiple tax bands could provide a clear incentive to increase recycled content for more types of plastic packaging manufacturing, but it would make the tax more complicated and increase burdens on business.

- 5.4.4.2. Option 2: Setting different thresholds for different types of products. This would require clear definitions to distinguish between packaging types according to their format and their liability to the different tax rates. This would make the tax more complex and costly for businesses to administer. It could also favour forms of plastic packaging in a manner which might be inconsistent with the logic of the tax.
- 5.4.5. **Imports** - For imported, unfilled plastic packaging, the tax would be charged when liable products are imported into the UK and released onto the UK market as plastic packaging or plastic packaging material which will be used to make plastic packaging. Unfilled plastic packaging that is exported would not be subject to the tax.
- 5.4.6. **Tax rate** - The tax will be set at a rate that provides a clear economic incentive for businesses to use recycled material in the production of plastic packaging, which will create greater demand for recycled plastic, and in turn stimulate increased levels of collection and recycling of plastic waste. The tax would be charged on the full weight of the packaging product, at a flat rate set per tonne of packaging material.
- 5.5. The consultation outlines the Government's proposal for how the tax will work. The consultation document contains a large proportion of questions which are of most relevant to the plastics industry. Accordingly, the draft Authority response at Appendix F does not attempt to answer all the questions but rather focusses on the principle of the proposals and is broadly supportive.
- 5.6. **Relevant aspects of NLWA's draft response**
- 5.6.1. **Support for the tax** - The Authority response is supportive of the Government's proposals for a plastic packaging tax to influence manufacturers to use recycled plastic in production of new products. This will stimulate manufacturers to work with companies producing recycled plastic and develop a level of certainty to this sector which has suffered due to under investment and volatility based on oil prices in recent years. For the Authority this gives us confidence that there will be reliable end markets for the plastics collected on behalf of the 6 constituent boroughs in the future that are sustainable. The response argues that the income from the tax should be used to fund waste activities.

6. CONSULTATION 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 a key consultee for the plan. It is important that the plan provides responsibly for potential future waste needs.
- 6.2. The draft plan was approved for public consultation by each of the seven boroughs and issued for consultation on 1 March 2019. This is the final (Regulation 19) consultation prior to an examination hearing on the draft NLWP in public, by an inspector. At this stage comments should be confined to matters of 'soundness' i.e.

whether the NLWP is positively prepared, justified, effective and consistent with national planning policy.

6.3. Draft Authority response

- 6.3.1. A draft Authority response to the consultation which is supportive of the soundness of the draft NLWP is enclosed at Appendix G.
- 6.3.2. The response also provides a rationale for retaining the Authority's undeveloped site in the London Borough of Haringey at Pinkham Way within the NLWP. NLWA has owned part of the Pinkham Way site for a number of years. 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 specific waste purposes. By contrast, excluding the site from the plan would make it more difficult for the site to have economic use.

7. COMMENTS OF THE LEGAL ADVISER

- 7.1. The Legal Adviser has been consulted in the preparation of this report and comments have been incorporated.

8. COMMENTS OF THE FINANCIAL ADVISER

- 8.1. The Financial Adviser has been consulted in the preparation of this report and all comments have been incorporated.

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>

'Consultation on reforming the UK packaging producer responsibility system', Defra, Welsh Government, Scottish Government and Department of Agriculture, Environment and Rural Affairs, Northern Ireland, February 2019. Available at: <https://consult.defra.gov.uk/environmental-quality/consultation-on-reforming-the-uk-packaging-produce/>

'Consultation on Consistency in Household and Business Recycling Collections in England, Defra', February 2019. Available at: <https://consult.defra.gov.uk/environmental-quality/consultation-on-consistency-in-household-and-busin/>

'Introducing a Deposit Return Scheme (DRS) in England, Wales and Northern Ireland', Defra, Welsh Government and Department of Agriculture, Environment and Rural Affairs, Northern Ireland, February 2019. Available at: <https://consult.defra.gov.uk/environment/introducing-a-deposit-return-scheme/>

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

'Plastic packaging tax: consultation', HM Treasury, February 2019. Available at:
<https://www.gov.uk/government/consultations/plastic-packaging-tax>

'North London Waste Plan, Regulation 19, January 2019', Proposed submission North London Waste Plan, the seven North London Local Planning Authorities of [Barnet](#), [Camden](#), [Enfield](#), [Hackney](#), [Haringey](#), [Islington](#) and [Waltham Forest](#) ('North London Boroughs'), 1 March 2019. Available at: <https://www.nlwp.net/document-centre/>

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APPENDIX A – BACKGROUND TO THE PRODUCER RESPONSIBILITY PACKAGING WASTE REGULATIONS AND THE NEED FOR REFORM

The current consultation is about the principles of how a reformed packaging extended producer responsibility regime might work in the UK. The packaging producer responsibility regulations oblige organisations which place packaging on the market, either because they produce packaging material, convert that material into packaging, fill packaging with products or sell it directly, to recycle and recover a certain percentage of the weight of material which place on the market. The Regulations give obligated companies recycling and recovery responsibilities by individual packaging material and in total. The share of the country's packaging recycling targets for which the different players are responsible is determined by where they sit in the packaging production chain, so producers are responsible for meeting the smallest share of the target and retailers the largest.

Obligated companies typically join a producer compliance scheme which collectively meets the targets on behalf of members. They do this most often by buying evidence notes termed 'packaging recovery notes (PRNs)' or 'packaging export recovery notes (PERNs)'. The PRNs or PERNs are issued by accredited reprocessors or exporters and are issued to show that a certain number of tonnes of packaging was recycled or recovered, e.g. through energy recovery in the UK, or exported for reprocessing. The cost per tonne of buying PRNs or PERNs fluctuates depending on the type of packaging material i.e. whether there is an over or under supply of recycling of the particular material and the difficulty of reaching the material and overall packaging recycling and recovery targets in a given compliance year.

For several years there have been calls to reform the packaging regime because although it provides low cost compliance for obligated companies, other elements of the system are not working as well. The Secretary of State for the Environment, Michael Gove, invited WRAP (Waste and Resources Action Programme), along with INCPEN (Industry Council for Packaging and the Environment) and Defra's Advisory Committee on Packaging (ACP) to facilitate a series of cross-sector discussions as a result which culminated in a letter entitled "Reform to regulations relating to packaging", being sent by the Chief Executive of WRAP to the Minister on 15 May 2018 setting out the underpinning principles that a reformed regime should meet, namely:

- Better packaging design
- Making it easier for people, whether at home, at work and on-the-go
- Higher quality, consistent collections
- High quality feedstock for reprocessing
- Markets with strong demand for recycled content

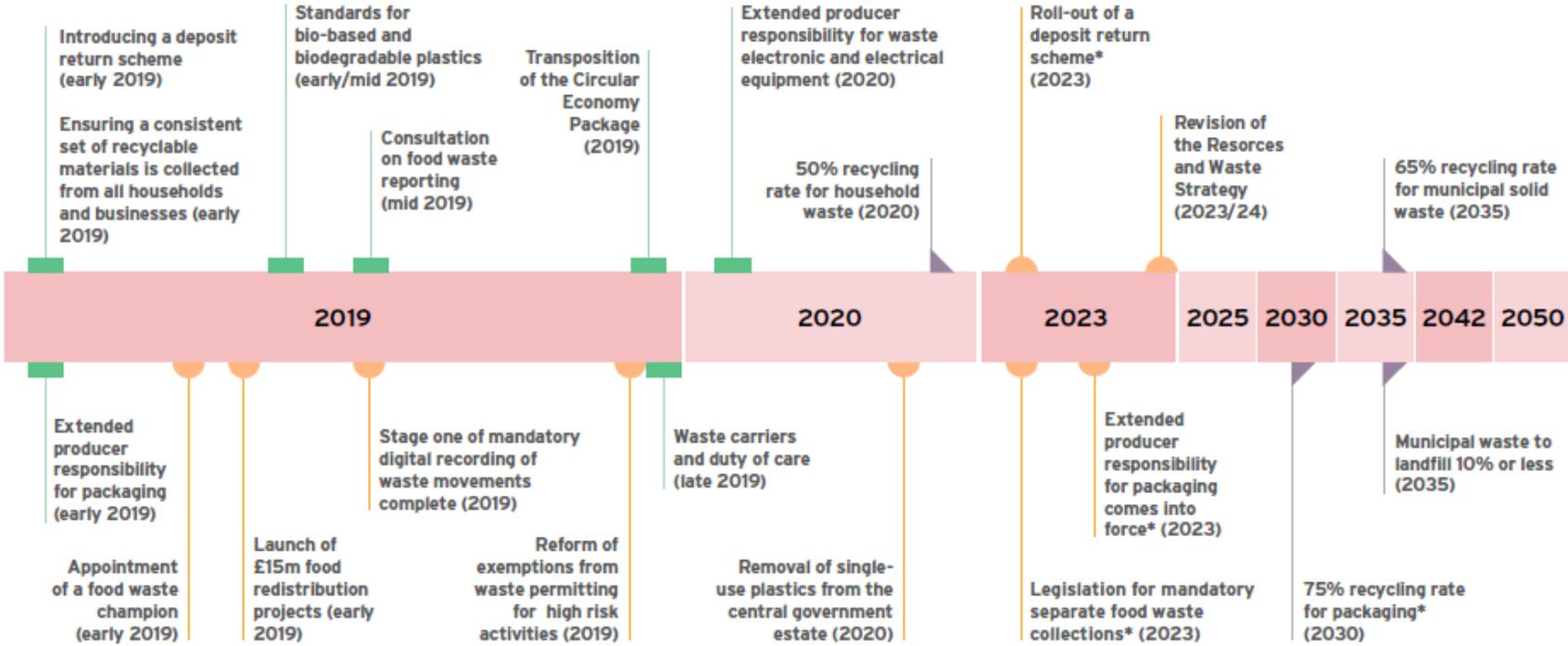
The letter is available at: <http://www.wrap.org.uk/blog/2018/05/reform-regulations-relating-packaging>

APPENDIX B – KEY MILESTONES IN THE RESOURCES AND WASTE STRATEGY

APPENDIX B – KEY MILESTONES IN THE RESOURCES AND WASTE 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 -----



STRATEGIC AMBITIONS ▲ CONSULTATIONS ■ TARGETS ▼ KEY MILESTONES ●

*subject to consultation

**APPENDIX C - DRAFT NLWA RESPONSE TO THE DEFRA CONSULTATION ON
REFORMING THE UK PACKAGING PRODUCER RESPONSIBILITY SYSTEM**

Extended Producer Responsibility Team,
Department for Environment, Food and Rural Affairs,
Ground Floor, Seacole Block,
2 Marsham Street,
London,
SW1P 4DF



**North London
Waste Authority**

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

T 020 8489 5730

E post@nlwa.gov.uk

W nlwa.gov.uk

wiseuptowaste.org.uk

Xxxx 2019

By email to: packaging@defra.gov.uk

Dear Sir/Madam

Ref: Consultation on reforming the UK packaging producer responsibility system

NLWA is pleased to have the opportunity to respond to the Government's consultation on reforming the UK packaging producer responsibility system.

Questions

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

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

Q3. Which best describes you? Please provide the name of the organisation/business you represent and an approximate size/number of staff (where applicable)

Type of organisation – **Local government**

Name - **North London Waste Authority**

Approximate size/number of staff – **We serve over 2 million north London residents with a team of 28**

Q4. Please provide any further information about your organisation or business activities that you think might help us put your answers in context. (Optional)

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.

Q5. Would you like your response to be confidential?

No

Our approach

Principles

Q6. Do you agree with the principles proposed for packaging EPR?

(a) Yes

Although implementing the changes requires us to have confidence in the long term commitment for increased financial support to local authorities. We recognise that the details of the changes and therefore the details of any specific commitments (including distribution of any funding between authorities) would be decided following future consultations if the policies proceed as currently indicated but it is essential that this information is provided as soon as practicable. We are also concerned to ensure that the particular challenges of increasing recycling in dense urban environments is properly calculated and fully recognised in both payment calculations and standards.

Please briefly state the reasons for your response.

Reasons for our response:

- Because businesses will bear the full costs of managing the packaging they handle or place on the market under the proposed new scheme. The principle of an extended producer responsibility (EPR) regime is that producers are responsible for the impact of the products that they place on the market from 'cradle to grave'. Whilst the current packaging EPR makes everyone in the packaging chain, above a de minimis, responsible, it does not make producers responsible for the full costs of managing packaging waste, which undermines the principle of EPR. The consultation document notes that "At most around 10% of costs are covered¹; but our analysis indicates that less than 7% of the costs of managing household packaging waste are covered by producers." Therefore, in particular we support principle 3 – that businesses will bear the full costs of managing the packaging they handle or place on the market.
- Because the proposed packaging EPR will better implement the waste hierarchy and more clearly support the principles of the circular economy than the present scheme. The reformed EPR will not incentivise reuse specifically. However, the second proposed principle of the new scheme is that businesses will be incentivised to reduce unnecessary and difficult-to-recycle packaging and to design and use packaging that is recyclable. As a result, the proposed new scheme should more clearly support the waste hierarchy and the principles of the circular economy than the present arrangement.
- Because it will provide for improved consumer information on packaging which should result in reduced contamination and more effective recycling. For any EPR scheme to work effectively the product users must understand their role and act accordingly. At present, the consumer information obligations for packaging waste are unclear, which coupled with weak enforcement, has led to uncoordinated implementation of the consumer information obligations for packaging waste. This has resulted in different obligated businesses within the current scheme providing different information about how consumers should recycle the packaging on the products that they buy. As a result consumers are often confused about what to do when they come to dispose of a

¹ House of Commons Environmental Audit Committee Report, December 2017
<https://publications.parliament.uk/pa/cm201719/cmselect/cmenvaud/339/339.pdf>

product and its packaging which leads to less effective recycling and higher levels of recycling contamination than we want. With current household recycling rates in north London static at 32% we therefore particularly support the principle for the new regime to address packaging labelling – principle 5.

Disposable nappies packaging – a case of unclear labelling

In 2017/18 our average contamination rate of recycling in north London was 11-12% with disposable nappies one of the top three contaminants. We estimate that the cost of contamination to NLWA this year (2018/19) will be around £1 million.

Research commissioned by NLWA, from Keep Britain Tidy, showed that 32% of expectant parents and 29% of parents of babies or toddlers selected a bin other than their general waste bin for the disposal of dirty nappies. 13% of those putting dirty nappies in the wrong bin took their information from on-package labelling.

² Source: reference at bottom of page

Outcomes - what we are hoping to achieve

Q7. Do you agree with the outcomes that a packaging EPR should contribute to?

(a) Yes

- [Because the outcomes, which include a reduction in difficult-to-recycle packaging and unnecessary packaging as well as increased packaging recycling, support the waste hierarchy, implementation of circular economy principles and should result in the achievement of higher recycling rates. In conjunction with a potential deposit return scheme (DRS) the new EPR for packaging should also reduce littering of packaging waste which will benefit the natural environment.]³
- The accompanying Impact Assessment to this consultation states that the money raised through the system should fund better recycling collections, domestic recycling infrastructure and services under clear conditions that deliver overall system savings. The consultation document doesn't mention the aim to deliver overall system savings and in fact states that there is sufficient high quality reprocessing capacity in the UK to handle the increasing quantities of packaging waste for recycling.

Definition of packaging and packaging waste

Q8. Do you think these types of items not currently legally considered as packaging should be in scope of the new packaging EPR system?

(a) Yes

² A Case Study: Contamination.

Understanding recycling contamination caused by dirty nappies in North London. Sarah Forgione, North London Waste Authority and Stephen Baker, Keep Britain Tidy, presentation to the LARAC Annual conference 2018.

³ This paragraph is included to provide clarity for the Authority report and will be deleted in the final response because no reasons are requested to justify any response.

Please briefly state the reasons for your response and provide any information to support your view.

- Out of the list of possible additional items (foil, cling film, jiffy bags, paper cups and [rolls of] sandwich bags not currently legally considered as packaging the only one we consider should be included in the new EPR is jiffy bags. We expect, although have no data to verify this, that jiffy bags are used as much by producers and packer fillers as well as in the home e.g. for online sales of products, so for this reason would like to see them included in the EPR. They are also difficult to recycle.
- We would like to see paper cups considered for some type of EPR in due course, but a separate scheme for single-use cups of any type is likely to be more relevant (rather than just focussing on paper ones).

Types of packaging and sources of packaging waste

Q9. Which of these two classifications best fits with how your business categorises packaging?

- (a) Primary, secondary, tertiary
- (b) Consumer-facing and distribution/transit
- (c) Neither – please say why, and provide a description of how your business categorises packaging

Not applicable

Part A: Packaging extended producer responsibility – key principles

1. Full net cost recovery

Q10. Do you agree with our definition of full net cost recovery?

- (a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- We support the definition of full net cost recovery, and in particular welcome the inclusion of the costs of providing information to consumers on recycling packaging waste and anti-littering and the costs of clean-up of littered and fly-tipped packaging within the scope of the definition.
- However, we are unclear how income from the sale of recyclable packaging will be netted off. We are concerned that if the income netted off is an average annualised amount per tonne for example, that it may be insufficient incentive for materials recycling facilities (MRFs) to get the best possible price for the sale of the packaging material for recycling. The way the system is structured will need to ensure that the commercial/market incentives for the trading of recyclate are maintained.
- The consultation document notes that there is an expectation that recycling costs per tonne of packaging will decrease over time. There is no detail in the consultation document

or impact assessment about how this has been modelled. It will be important for all parties to understand better how the costs have been and will continue to be calculated in order to understand how 'full cost' recovery has been determined.

Q11. Do you agree that producers should be required to fund the costs of collecting and managing household and household-like packaging waste, i.e. all consumer facing packaging?

(a) Yes

Q12. Do you agree that packaging for commercial/industrial applications should be out of scope for full net cost recovery?

(a) Yes

Q13. We would welcome your views on whether or not producers subject to any DRS should also be obligated under a packaging EPR system for the same packaging items.

(b) No they should not

Please briefly state the reasons for your response.

- In our view the EPR should be viewed as the over-arching system for making improvements to the way in which waste packaging is managed and recycled and DRS is just one of the ways of meeting the obligations imposed.
- However, whilst the EPR scheme and the DRS will, need to work side-by-side for practical reasons they will be operated separately:
 - The waste packaging material subject to EPR will continue to be collected by local authorities through household collection services or directly by the obligated companies e.g. through on-site recycling banks.
 - The waste drinks containers subject to DRS will be collected for recycling through new recycling infrastructure – reverse vending machines, in-store collection points etc associated with a repayment mechanism to the consumer.
 - Depending on the proposals that are implemented the EPR will have a single not-for-profit producer management organisation in place (Model 2 and NLWA's preference) to support the system, whilst the DRS will be supported by a separate Deposit Management Organisation (DMO).
- We would therefore recommend that whilst the data recording systems for the two schemes need to be complementary and at national level it will be important to include both EPR and DRS packaging tonnages towards each country's obligations, it will be easier for practical reasons for the two systems to be operated separately and therefore for material attracting DRS and associated tonnages to be excluded from EPR packaging obligations.

2. Driving better design of packaging

Q14. Do you agree with the development of an 'approved list' of recyclable packaging to underpin the setting of either modulated fee rates or deposits?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Clarity of labelling for consumers can only be brought about if there is an approved list of what can and cannot be recycled, and recycling will be more effective if the labelling is clear. Please see our response to question 6 for evidence of the importance of clear labelling. However, the practicalities are that different MRFs accept different ranges of materials so it will be important to find a way in which the national variability of what can and cannot be recycled is incorporated during any transitional period.
- The consultation document notes that determination of whether something is recyclable or not will include whether it can be collected and sorted for recycling at an acceptable cost. In our experience it is very helpful to have the ability to explain to consumers that whilst something might be technically capable of being recycled, that it is too expensive to do so or that the end markets don't exist for a particular item which is labelled as 'recyclable'. An example of the sort of explanation that NLWA provides is available on our reuse and [recycling centre web pages](#) - we have had to add some information about why our sites no longer accept hard plastics for recycling as an example. If this type of information was available nationally through an approved list, it would give consumers much more confidence in the reasoning behind different recycling decisions.

Q15. Do you think the payment of modulated fees or the payment of deposits with the prospect of losing some or all of the deposit would be more effective in changing producers' choices towards the use of easy to recycle packaging?

(a) Modulated fee

Please briefly state the reasons for your response and provide any information to support your view.

Modulated fee:

- We support a modulated, placed on the market (POM), fee for producers - whereby they pay fees based upon the quantity and types/formats of packaging they handle - as the best approach for changing producers' choices towards the use of easy-to-recycle packaging. We know from our and our contractor's (LondonEnergy – formerly LondonWaste's) participation in the [RSA's Great Recovery Project](#) that product designers are often just not aware of the difficulties associated with disassembling or recycling the products that they have designed⁴. A modulated fee would send a clear signal to producers and designers to consider end-of-life at the design stage. Fees could be flexible allowing for the fees to be adapted as new packaging types come onto the market such as compostable, or biodegradable packaging or packaging with electronic sensors for example in-built, and could be set to take account of composite materials.

Deposit and fee:

- This approach is similar to how the energy market operated for a period of time with companies paying upfront based upon an estimate of their annual energy use and then a repayment at the year-end based upon their ranking in the market. It may be useful to look at why this system was changed.

⁴ The Great Recovery project ran from 2012 – 2016 and connected designers with the waste industry and others to look at the impact of the products they design and how product design could be more sustainable. NLWA and its wholly owned contractor LondonEnergy Ltd (then LondonWaste) participated in the project hosting visits to waste facilities in north London and attending workshops to advise about what happens to products at the end of life.

- In our view a deposit (for recyclable packaging) and fee (for non-recyclable packaging) is likely to be too difficult to operate and potentially make it more difficult for businesses to budget for their annual costs of compliance.
- Although the deposit and fee approach would potentially be more responsive to market pricing – with deposits returned based upon the real cost of recycling, the risk with this approach is that producers could contribute more than the full net cost overall of packaging placed on the market – which the consultation document recognises.
- Although the deposit and fee is attractive, because it is more likely than a modulated fee to stimulate a circular economy approach; on balance we support the modulated fee.

Q16. Do you think there could be any unintended consequences in terms of packaging design and use arising from:

(a) Modulated fees

(b) Deposit (for recyclable packaging) and fee (for non-recyclable packaging)

Please briefly state the reasons for your response and provide any information to support your view.

- Both modulated fees and a deposit/fee approach are expected to encourage producers to substitute less easily recycled material for more easily recycled material in their product packaging. However, the provision of materials and recycling facilities varies across the country. So, one unintended consequence as the result of the substitution of one material for another could be that the average transport distances could increase for both transporting materials for packaging manufacture and at the end of life to packaging recycling facilities.

Q17. Do you agree that the deposit approach should be designed to incentivise more closed loop recycling?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- A fiscal signal to include easily recyclable material, whether that be a deposit/fee or modulated fee, raises awareness of the need to design in recyclability from the outset and the deposit approach also provides the opportunity to incentivise closed loop recycling.
- See the RSA Great Recovery project information linked in our response to Question 15.

3. Obligated producers

Q18. What do you consider to be the most appropriate approach to a single point of compliance, the Brand-owner or the Seller approach?

(a) Brand-owner - **Yes**

(b) Seller

(c) Other

(d) I don't support moving to a single point of compliance

Please briefly state the reasons for your response and provide any information to support your view.

- The current system of shared responsibility across the packaging chain has worked well since its introduction, but we note that this creates the potential for four separate organisations to be obligated for one unit of packaging – the material manufacturer, the converter, packer-filler and seller. We also recognise the risk of the price signal being diluted by having a shared responsibility approach. As a result, we support reform to a single point of compliance.
- We support compliance at the brand-owner level on the basis that the brand owners are the ones putting the product forward to the market but have no further evidence to support this view. Brand owners and sellers are best placed to answer this question.

Q19. If a single point of compliance approach was adopted, do you think the de-minimis should be:

- (a) Replaced with a lower turnover threshold? **Yes**
- (b) Retained and wholesalers and direct-to-retail sellers take on the obligation of those below the threshold?
- (c) Other, please state
- (d) Don't know

Please briefly state the reasons for your response and provide any information to support your view.

- Replacing the de-minimis with a lower turnover threshold still retains the principle of producers being obligated under producer responsibility legislation, albeit that very small and micro-businesses would be exempt such as an independent café that fills takeaway boxes at the point of purchase.
- A move to retain the de-minimis threshold and obligate wholesalers and direct-to-retail sellers of unfilled packaging seems to undermine the principle of producer responsibility – because the wholesalers and direct-to-retail sellers would have to pay the fees on the unfilled packaging products that they sell to producers (albeit that the prices they would charge would be inclusive of EPR obligations).
- Whilst we note the littering impact of packaging placed on the market by takeaway businesses our view is that it is better to introduce the new system first as proposed with a lower threshold and then review it at a later date if it becomes clear that the exemption of very small businesses is causing a problem.

Q20. Should small cafés and restaurants selling takeaway food and drinks whose packaging is disposed 'on the go' be exempt from being obligated?

- (a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Small cafés and restaurants selling takeaway food and drinks whose packaging is disposed 'on the go' should be exempt from being obligated:

- Because the drinks they sell will become obligated under the proposed DRS (assuming that the 'all-in' model is adopted) anyway.
- Because, it may be better to consider reform at a later date to incorporate these smaller businesses, as noted above rather than including them immediately.

- Thirdly, accountability for these types of containers may be best placed within the legislative framework to reduce single-use plastics rather than within the packaging regulations – particularly for cups.

Q21. If shared responsibility is retained, is Option A or Option B preferable for including smaller businesses or the packaging they handle in the system?

- (a) Option A (Lower or remove the de-minimis)
- (b) Option B (De-minimis threshold remains as is and obligations extended to distributors of packaging or packaged products)
- (c) Other, please state
- (d) I don't know

Please briefly state the reasons for your response and provide any information to support your view.

We do not think shared responsibility should be retained so have not answered this question.

Q22. If you have stated a preference for A, do you think the de-minimis threshold should:

- (a) Be reduced (please state your suggested threshold)
- (b) Be removed entirely

Please briefly state the reasons for your response and provide any information to support your view.

Not applicable

Q23. Overall, do you have a preference for maintaining a shared responsibility compliance approach, or moving to a single point of compliance?

- (a) Single point of compliance

Please briefly state the reasons for your response and provide any information to support your view.

Please see our response to question 18.

Q24. Do you have a preference for how small businesses could comply?

- (a) Pay a flat fee to include a contribution to a communications fund
- (b) Apply an allocation formula
- (c) Other, please describe

Please briefly state the reasons for your response and provide any information to support your view.

Others are best placed to answer this question.

Q25. Do you think that requiring operators of online marketplaces to take the legal responsibility for the packaging on products for which they facilitate the import would be effective in capturing more of the packaging that is brought into the UK through e-commerce sales?

- (a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Operators of online marketplaces should, as a matter of principle be sharing some of the producer responsibility burden associated with the packaging for which they facilitate the import and then pass into UK consumers' homes and waste.
- These are digital businesses so the ease of compliance should be high and the costs of ensuring accurate reporting relatively low. However, incorporating these businesses into the EPR framework is inevitably likely to result in some self-reporting.
- Given that more and more people now buy on-line it seem perverse to exempt these businesses from the overall regime.

4. Supporting improved collections and infrastructure

Q26. Do you agree payments to local authorities for collecting and managing household packaging waste should be based on:

- (a) provision of collection services that meet any minimum standard requirements (by nation);
- (b) quantity and quality of target packaging materials collected for recycling;
- (c) cost of managing household packaging waste in residual waste

Please briefly state the reasons for your response and provide any information to support your view.

- Yes, we agree that the payments to local authorities for collecting and managing household packaging waste should be based on all of the above measures.
- A long-standing complaint of producers and retailers has been the varying collection systems provided by local authorities across the country and that as a result communication about recycling on a national scale is more difficult. Collection services which meet minimum standard requirements by nation would help to address this and ensure that the efficacy of communications is maximised.
- We note that the consultation states that if additional packaging items, such as film plastic waste produced by households (which is mostly LDPE) and compostable plastic packaging, were to be required to be collected from households in the future then producers would be expected to cover these costs. However, in some cases these items are collected and recycled already. We would recommend that the system is sufficiently flexible to allow for the costs of other materials than those which are mandated should be able to be recovered too if they contribute to the producers' targets.
- Payments which are sensitive to the cost of managing household packaging waste in the residual stream is sensible.
- However, we are concerned that the reference costs which will be used for making payments to the following groupings of local authorities in England will not properly reflect the costs of collection in the capital. [Namely:
 - R1 Predominantly urban, higher deprivation
 - R2 Predominantly urban, lower deprivation
 - R3 Mixed urban/rural, higher deprivation

- R4 Mixed urban/rural, lower deprivation
- R5 Predominantly rural, higher deprivation
- R6 Predominantly rural, lower deprivation]⁵

Q27. Do you think we have considered all of the costs to local authorities of managing packaging waste?

(a) No

Please briefly state the reasons for your response and provide any information to support your view.

- The consultation document notes that producers should not be expected to cover the costs of inefficient service delivery and their financial contribution should not exceed the costs necessary to provide those services (Section 1). However, we are concerned that the detail is not provided to understand how the efficiency of a collection service will be assessed and whether, if some costs have been excluded, a service may be erroneously judged as being inefficient.
- The need to provide consistent collections, including the additional separation of materials, is likely to require additional bulking bays for separate materials at transfer facilities. It is unclear if the full costs of additional bulking bays at transfer facilities have been incorporated.
- Thirdly we are unsure if collection depot running costs have been included.
- A key piece of work is to understand how much the costs of managing packaging waste vary between local authorities in London within the different rurality groupings provided and ideally other comparable authorities outside of London. Undertaking collections in London is more expensive for all sorts of reasons (labour costs, sub-optimal depot infrastructure, journey times, mayoral transport and clean air requirements etc.). Further work is needed to ensure that the costing modelling is comprehensive, particularly for urban authorities such as our own.
- We are also concerned that the payments for packaging waste in residual waste which will be based on the average disposal gate fee for household waste for landfill or incineration, using either national average rates or regional average rates have sufficient granularity. If residual waste is transported to a region with very different disposal costs it is important that this is reflected in the payments so that the producing local authority is properly recompensed.
- There is also a lack of clarity about items recycled from residual waste such as in an MBT plant.

Q28. Do you agree with our approach to making payments for the collection of household-like packaging waste for recycling?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- We support the principle of payments for the collection of household-like packaging waste for recycling being similar to those for household waste, namely a formula which takes into account the cost of collection, proportion of target recyclable packaging materials in

⁵ Included to aid understanding to the Authority report but will not be included in the final response.

the waste stream and weight of target materials recovered for recycling. However, our comments regarding omissions as set out in response to question 27 also apply to household-like packaging waste collected from businesses.

Q29. Should businesses producing household-like packaging receive a payment for the costs of household-like packaging waste in residual waste?

(a) No

Please briefly state the reasons for your response and provide any information to support your view.

- There should already be an incentive for businesses to recycle because they pay for the costs of their waste service, so a payment should not be needed. However, if it would help to capture more of the material then it perhaps could be considered at a later date.

Q30. Are there other factors, including unintended consequences that should be considered in determining payments to:

(a) Local authorities?

Please explain the reasons for your response and provide any information to support your view.

There will be a period of transition as the new EPR system is implemented. Two options are provided for in the consultation document regarding the ownership of packaging waste recovered for recycling which need to be factored into considerations regarding payments to local authorities. If ownership of material is retained by producers then local authorities could be paid their gross costs and hence would no longer bear the risk of fluctuating material prices. Or, as now, local authorities could continue to receive income for the sale of their recyclable packaging materials and this income would need to be taken account in payments made to local authorities as producers are required to pay net costs. During the transition period between the current and new regime and depending on which option above is considered there may be a need to consider operating both systems side by side. Transitional arrangements should be taken into consideration.

(b) For the collection and recycling of household-like packaging waste?

Please explain the reasons for your response and provide any information to support your view.

None to note.

Q31. Do you have any information that would help us to establish the costs incurred by local authorities and other organisations of cleaning up littered and fly-tipped packaging items?

No

Q32. How do you think producer fees could be used to improve the management of packaging waste generated on-the-go?

- One option may be for local authorities to receive an additional payment if their on-the-go recycling system is identical to the minimum standard (dry materials) for kerbside services. This could be introduced at a later date but it would be necessary not to disadvantage smaller rural authorities with limited on-the-go provision.

- Another option would be to ensure that communications provision included on-the-go so that there would be an incentive for local authorities to make their on-the-go provision consistent with their kerbside service.

Q33. Do you have any information that would help us to establish the costs of collection and disposal of increased on-the-go provision?

- No – because on-the-go material is mixed with household kerbside collected waste for disposal so we don't have separate costs available.

Q34. Do you agree that provision for the take back of single-use disposable cups for recycling should continue to be developed a voluntary basis by business prior to a government decision on whether disposable cups are included under an EPR scheme or DRS?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Given the volume of single use disposable cups being used and thrown away and the voluntary measures already in place the Government should take a short amount of time to review the evidence on the effectiveness of these schemes and then implement a mandatory regime.

Q35. Do you think the recycling of single-use disposable cups would be better managed through a DRS or EPR scheme?

(a) DRS

(b) EPR

(c) Both

(d) None of these options

Please briefly state the reasons for your response and provide any information to support your view.

(a) DRS

- Given the often repetitive nature of purchases of single-use disposable cups, a deposit return scheme could be very effective as consumers often return time and again to the same outlet to buy a drink and take it away.
- The difficulty is that single-use cup sales are often made from very small/micro businesses with limited space e.g. a small hut on a station platform, so the practicalities of collection may preclude a DRS.
- If implemented, it would also be best if the scheme could incentivise reuse, rather than just return for recycling. London School of Economics (LSE) for example has introduced a 10p 'tax' on disposable cups from 24 September 2018. The money used is ring-fenced for sustainability initiatives within catering services. By using a reusable cup, customers avoid the tax and also receive a 25p discount on the cost of their drink. The aim of the initiative is to reduce the use of disposable cups by 20% which will remove 66,000 disposable cups from the University's waste stream each year. Consideration should be given to incorporating reuse into the DRS.

Q36. Do you think a recycling target should be set for single-use disposable cups?

- (a) Yes
- (b) No
- (c) I neither agree nor disagree

Please briefly state the reasons for your response and provide any information to support your view.

- No – because it would be preferable to incentivise reuse rather than recycling.

5. Helping consumers do the right thing – communications and labelling

Q37. Should producer fees be used to support local service-related communications delivered by local authorities?

- (a) Yes

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

- We support the use of producer fees for local service-related communications, but this support could be on the proviso that suitably flexible national branding is used and that the money is ring-fenced for communications.
- As an example of the effectiveness of local communications NLWA worked with its WEEE (waste electrical and electronic equipment) compliance scheme several years ago to deliver communications about WEEE recycling in north London. During one year the compliance scheme paid for a number of communications initiatives including the cost of a leaflet and associated distribution to promote the door-to-door collection of WEEE for recycling. Research from our annual attitudinal Tracker survey of north London residents' attitudes and awareness at the time (2016) showed that by the end of the year 14% of respondents said that they had seen publicity promoting the collection of unwanted or broken electrical items from the doorstep within the last 12 months. This compares with 43% who said that they had seen or heard publicity in the last 12 months about the benefits of reducing the amount of food that is wasted. The food waste campaign had been running for many more years and with national publicity too, whereas the WEEE campaign had only run locally. However, within a year to achieve a 14% recognition of the service is relatively good which shows the important role of localised communications.
- Research carried out by MEL Research for NLWA in 2013 also showed that there was a role for local communications too, in particular in delivering localised 'how to' messages about recycling.
- Local communications can be targeted and customised and are a vital part of the communications mix, reducing the 'bystander bias' of national activity. Examples from other sectors to support the need for local communications including the National Blood Transfusion Service which became far more effective at gaining blood donors when it changed its communications from national messaging about giving blood, to a more localised approach saying that the local hospital was running low on supplies. Spotify has also localised its communications to attract more users.
- Local communications will also be particularly important in the transition period before consistency of collections is in place across each nation.

Q38. Should producer fees be used to support nationally-led communications campaigns in each nation?

(a) Yes

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

- We suggest that it is appropriate for funding to be used for national branding, research and communications materials but not for communications campaign delivery until consistent collections are in place.

Q39. Are there any circumstances where producers should be exempt from contributing to the cost of communications campaigns?

(a) No

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

- We cannot think of any reasons for exemption.

Q40. Do you agree it should be mandatory for producers to label their packaging as Recyclable/Not Recyclable?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Because as noted in our response to question 6 consumers are often confused about what to do when they come to dispose of a product and its packaging which leads to less effective recycling and higher levels of recycling contamination than we want. With current household recycling rates in north London static at 32% we therefore particularly support the principle for the new regime to address packaging labelling – principle 5.

Q41. Do you think that the percentage of recycled content should be stated on product packaging?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Because labelling about the recycled content of the packaging would reinforce consumer messaging about the outcome of recycling, i.e. that the material consumers recycle gets made into new products.

Q42. If you responded yes to the previous question, how could recycled content information be provided to consumers?

Please describe briefly.

- The labelling could be colour coded like energy efficiency ratings.

Q43. Do you have any other proposals for a labelling system?

Please describe briefly.

- No.

Q44. Do you have experience to suggest an appropriate lead-in time for businesses to incorporate any mandatory labelling requirements?

- No – this is a question for producers.
-

Part B: Packaging waste recycling targets

6. Packaging waste recycling targets to 2030

Q45. In your view, are the estimates made in the Material Flow reports for packaging waste arisings the best available data?

(C) I don't know / I don't have enough information

Q46. Are you aware of any other factors which may affect the estimates of packaging waste entering the waste stream?

(b) No

Q47. In your view, are there other factors which may affect the amounts of obligated tonnage reported?

(C) I don't know / I don't have enough information

Q48. Do you agree with the packaging waste recycling targets proposed for 2025?

(a) Yes

Q49. Do you agree with the packaging waste recycling targets proposed for 2030?

(a) Yes

Q50. Please provide your views on the policies and actions that could help us achieve an even higher overall packaging recycling rate, for example 75%, as well as your views on the costs associated with doing so.

We do not have any other views on this matter.

Q51. Do you foresee any issues with obtaining and managing nation specific data?

This is not a question that we can answer.

Q52. Should a proportion of each material target be met by “closed loop” recycling, e.g. as is the case for glass recycling targets?

(a) Yes – ideally

Please briefly state the reasons for your responses and provide any information to support your view.

As we seek to transition to a more circular economy it would be helpful if the producer responsibility packaging waste regulations could assist us to do so.

However, the practicalities of closed loop recycling may prevent the immediate implementation of such a requirement.

Packaging producers and recyclers are better placed to answer this question.

Q53. Should government set specific targets for individual formats of composite packaging?

(a) Yes – ideally

If yes, what key categories of composite packaging should be considered? Please briefly state the reasons for your responses and provide any information to support your view.

We don't have enough knowledge of the packaging sector to answer this question but we support the principle of setting targets for composite packaging recycling.

Q54. Do you agree with the proposed interim targets for 2021 and 2022 set out in Table 6?

(a) Yes

Please briefly state the reasons for your responses and provide any information to support your view.

The targets proposed take account of current performance and the required trajectory, so seem reasonable, although it is unclear if any implications of Brexit have been incorporated.

Q55. Do you agree with the proposal to increase the allocation method percentage to 35% for 2021 and 2022?

We are unsure about this.

Part C: Governance arrangements

7. Governance models

Q56. Overall, which governance model for packaging EPR do you prefer?

(b) Model 2 – Single not-for-profit scheme

Please briefly explain your preference.

- Many other countries operate a single governance model – so it is a well-established approach for packaging compliance and the costs and operating model are known.
- A single governance model simplifies the current regime of competing compliance schemes which has delivered compliance and at a low cost but which has led to a fragmented approach where the whole scheme costs and investment back into recycling collection services is not as transparent as we would wish.
- Model 2 is underpinned by modulated fees which we believe will be the best approach for changing producers' choices towards the use of easy-to-recycle packaging.

Q57. If you had to modify any of the models in any way to make them better suited to achieve the principles and outcomes government has set for packaging EPR what changes would you suggest?

- Model 1: Enhanced near-to-business as usual - compliance schemes.

- Due to the competitive nature of the market under this model, schemes would compete for local authority services as with the WEEE compliance approach now. In order to provide a comprehensive service, it would be necessary to include a mechanism to prevent the most costly-to-collect-from local authorities from being without a compliance scheme provider into which all schemes would have to contribute.
- This model requires the transfer of a proportion of funds to an independent board which would run communications campaigns on behalf of the schemes. In order to ensure that this worked well it would probably be necessary to establish a governance structure whereby one of the compliance schemes took the legal lead. Prior to the establishment of WRAP the National Waste Awareness Initiative as it was then known, (now Recycle Now) was run by a board. However, because there was a need to let contracts to communications agencies, research agencies etc. that board then had to become a legal entity in order effectively deliver the campaign. A quicker approach is to let one of the member organisations take the lead.
- The complexity of each compliance scheme working alongside the DRS would possibly also require a combined management body to ensure a coherent system was created.
- Model 2: Single not-for-profit producer management organisation.
- Model 3: Separate schemes for household/household-like packaging and commercial/industrial packaging.
 - Data collection management would be one of the most difficult aspects of this model, because with different schemes responsible for household/household-like packaging and commercial/industrial packaging no-one organisation would have a complete picture of the progress towards recycling target achievement. A data sharing arrangement would be required with one of the schemes taking the lead for providing information to government.
 - Communications funding for reducing littering would also need to be co-ordinated between the schemes because communications to reduce littering does not necessarily need to distinguish between the sources of the litter or if it does communications require co-ordination.
- Model 4: Deposit-based government managed system.
 - The consultation document notes that the Government has not found a similar scheme operating elsewhere so it could include a number of unknown costs and risks.
 - One difficulty of this model is how best to approach compliance in the four nations – which government would manage the scheme or is it proposed that there would be four separate schemes, one for each nation? If so, this may not lead to as coherent a system without the creation of an additional co-ordinating body.

Q58. Do you have any concerns about the feasibility of implementing any of the proposed governance models?

a) Yes

b) No

If yes, please provide specific reasons and supporting information for each governance models that you have concerns about.

All of the models are feasible, but some as indicated above would require more time and complex structural arrangements to put be put in place in order to make them effective.

Q59. Do you think that any of the governance models better enable a UK-wide approach to packaging producer responsibility to be maintained whilst respecting devolved responsibilities?

Yes – Model 1, because there could be single not-for-profit management organisations within each nation.

Q60. Stakeholders have suggested that a compliance fee mechanism similar to the arrangements currently in place under the WEEE producer responsibility scheme should be introduced if a competitive evidence market continues to operate such as in Model 1. Do you agree?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Firstly because of the requirement to provide support for authorities who have not been able to award a contract to a compliance scheme for whatever reason. The compliance fee can be set to ensure that each scheme pays into a fund which can support the provision of services to such local authorities.
- Secondly because it would potentially be able to fund comprehensive communications.

Q61. Should a Packaging Advisory Board be established to oversee the functioning of the EPR system and the compliance schemes in the competitive compliance scheme model 1 or do you think other arrangements should be put in place?

(a) Packaging Advisory Board

(b) Other – please provide details

Please briefly state the reasons for your response and provide any information to support your view.

We are unsure about the alternatives so cannot comment upon this question.

Q62. Please let us know your thoughts as to whether the proposed single management organisation should be established on a not-for-profit basis or as a government Arm's Length Organisation.

There are pros and cons of each approach but on balance we recommend a non-for-profit basis.

Q63. If such a management organisation is established as not-for-profit, one option is for government to invite proposals from potential operators and then issue a licence to operate for a defined period of time. Do you agree with this approach?

(a) Yes

Q64. Should a single scheme be established for household/household-like packaging and C&I packaging as described for model 2?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Because a single scheme can ensure a co-ordinate approach to data collection and reporting of the same.

Q65. Or, should there be a separate system for managing compliance for household/household-like packaging and C&I packaging as described for model 3?

(a) No

If no: do you have suggestions on an alternative approach?

This is for others who are closer to the detail of how compliance can operate to respond to.

Q66. Under model 4 are producers more likely to?

(a) Manage their own compliance?

(b) Join a compliance scheme?

Please briefly state the reasons for your response and provide any information to support your view.

Don't know.

8. Responsible management of packaging waste domestically and globally

Q67. Do you agree that government should seek to ensure export of packaging waste is undertaken in a transparent and environmentally responsible manner?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q68. Do you agree that measures identified here would help ensure the export of packaging waste is undertaken in a transparent and environmentally responsible manner?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q69. Have we missed potential measures that you believe need to be considered alongside those measures we have proposed?

(b) No

Q70. Do you have any concerns about the feasibility and / or costs of implementing any of the proposed measures?

(a) Yes

If yes, please provide specific reasons and supporting information for each measure that you have concerns about.

The transition period will be complex as producers and local authorities move to the new system, consistent collections come into force and a DRS is implemented, assuming that all three new measures are implemented. Coupled with any complexities introduced as a result of Brexit, this could lead to unforeseen delays and costs.

9. A more transparent system

Q71. Do you agree that accredited reprocessors and exporters should be required to report their financial information?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view. If you answered no, how would you suggest transparency is provided on how income from the sale of evidence has been used to support capacity building?

A requirement to report financial information will provide confirmation to show how the income from the sale of evidence has been used to support capacity building, thereby supporting the transparency principle number 8 of the governance principles behind the reform to the packaging regime.

Q72. Should accredited reprocessors and exporters be required to generate evidence for every tonne of packaging waste that they process?

a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q73. Should accredited reprocessors and exporters be required to report on the packaging waste they handle monthly?

a) Yes

Q74. Do you think that any additional measures to those already described would be required to ensure transparent operating of the evidence market in model 4?

(a) Yes

If yes, please provide details

The risk with this model is that schemes pay more than they need at the start of the year. Accurate estimates would be required, particularly for small businesses where paying the fee up-front could cause unnecessary cash-flow difficulties.

Q75. Are there any additional requirements that should be placed on compliance schemes to ensure greater transparency of their operations and reporting?

(a) No

If Yes, please briefly state the reasons for your response and provide any information to support your view.

Q76. Under a reformed system do you think compliance schemes should continue to be approved by the existing regulators or do you think a different approach is required?

(a) Yes, approved as now

Q77. Are there any additional requirements of a single producer organisation to ensure transparency of its operation and reporting?

(a) Yes

If yes, please briefly state the reasons for your response and provide any information to support your view.

Q78. Do you think there is a need to make more information on packaging available to consumers?

a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

- Because we know there is confusion about the recyclability of packaging and whether recycling information on packaging refers to the product or the packaging. In particular, we also find that residents want information about why if you take two different products made of the same material one may be recyclable and the other not. A single link to a helpline and a website containing comprehensive packaging recycling information would be sufficient.

10. Compliance monitoring and enforcement

Q79. Are there other datasets that will be required in order to monitor producers in any of the proposed models?

Don't know.

If yes please explain which datasets will be needed.

Q80. Is there a specific material, packaging type or industry sector whereby producing accurate data is an issue?

Don't know – this is a question for others to answer.

If yes, please provide further information on where producing accurate data may be an issue.

Q81. Do you think a single database, as opposed to the current range of methodologies available, would be an effective alternative?

(a) Yes – if it is possible.

Please briefly state the reasons for your response and provide any information to support your view.

Q82. Do you agree that compliance schemes (models 1 and 3), the producer management organisation (model 2) or the scheme administrator (model 4) should be responsible for carrying out audits of producers, which should be reportable to the regulators?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q83. Do you support the broadening of legally enforceable notices to obtain required information?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q84. Are there other enforcement mechanisms that should be considered which would be timely and effective to bring producers into compliance, for example in relation to free riders?

Unsure.

If yes, please explain which other enforcement mechanisms should be considered.

Q85. Are there any further data that should be required to be collated / collected via compliance schemes or a single management organisation?

Please provide brief details

It would be helpful to link the data sets in a reformed EPR with the number and type of complaints received through the packaging essential requirements regulations. In theory with a better EPR scheme and improved design for recyclability there should be fewer complaints about packaging design, but it would be interesting and useful to capture this information.

Q86. Do you think a penalty charge, as described, is the correct lever to ensure packaging recycling targets are met?

(C) I don't know

Please briefly state the reasons for your response and provide any information to support your view.

Q87. Should stakeholders other than reproprocessors or exporters be able to issue evidence of recycling?

(b) No

Please briefly state the reasons for your response and provide any information to support your view.

Q88. Are there any additional enforcement powers that should be applied to waste sorters, MRFs and transfer stations handling packaging waste?

a) No

If yes, please explain which other enforcement powers should be available.

Q89. Do you agree with the proposed amendments to enforcement powers relating to reproprocessors and exporters?

(a) Yes

Please briefly state the reasons for your response and provide any information to support your view.

Q90. Do you have any evidence to indicate that under any of the proposed governance models the likelihood of waste packaging being imported and claimed as UK packaging waste might increase?

(b) No

If yes, please provide information on any evidence you have.

Q91. Is the current requirement for a sampling and inspection plan and subsequent auditing by the regulator sufficient to address any misclassification of imported packaging waste?

Unsure.

Please briefly state the reasons for your response and provide any information to support your view.

Q92. Are there other mechanisms that could be considered that would prevent imported UK packaging waste being claimed as UK packaging waste under the proposed governance models?

Unsure

If yes, please explain which other mechanisms could prevent imported packaging waste being claimed as UK packaging waste.

Q93. Do you have any additional data or information that will help us to further assess the costs and benefits (monetised or non-monetised) that these reforms will have?

No

Q94. Do you have further comments on the associated Impact Assessment, including the evidence, data and assumptions used? Please be specific.

No

Q95. If you have any other views or evidence that you think we should be considering when reforming the packaging waste regulations, which you have not yet shared, please add them here.

Conclusion

In conclusion, NLWA is supportive of government intervention to change the EPR regime packaging waste and whilst we have not been able to respond to all of the questions we trust you find our response of use.

Yours faithfully

Cllr Clyde Loakes

Chair, North London Waste Authority

**APPENDIX D - DRAFT NLWA RESPONSE TO THE DEFRA CONSULTATION ON
CONSISTENT COLLECTIONS**

Consultation on consistency in household and business recycling collections in England

February 2019

About you

1. What is your name? **Cllr Clyde Loakes**
2. What is your email address? Please email Barbara.Herridge@nlwa.gov.uk
3. Which best describes you?

Please tick only one option. If multiple categories apply to you please choose the one which **best describes you** and which you are representing in your response. (Required)

- Local Authority
- Waste management company
- Business representative organisation/trade body
- Product designer
- Manufacturer
- Distributor
- Retailer
- Reprocessor
- Community group
- Charity or social enterprise
- Independent consultancy
- Academic or researcher
- Individual
- Other (please provide details ...)

4. If you are responding on behalf of an organisation, what is its name?

North London Waste Authority (NLWA)

5. Would you like your response to be confidential? **No**

Part 1 Measures to improve the quantity and quality of household recycling collected by local authorities

Consultation questions on dry recycling

Proposal 1

We propose that all local authorities in England should be required to collect a core set of dry recyclable materials at kerbside from houses and flats.

Q5 Setting aside the details of *how* it would be achieved, do you agree or disagree with the proposal that local authorities should be required to collect a set of core materials for recycling?

- Agree – local authorities **should** be required, to collect a core set of materials
- Disagree – local authorities **should not** be required, to collect a core set of materials
- Not sure/don't have an opinion

The details of the changes and therefore the details of any specific commitments including distribution of any funding between authorities would be decided following future consultations if the policies proceed as currently indicated. However, a key issue is that the changes to local authority collection systems that are proposed require confidence in long term commitments for increased financial support to local authorities too. We are therefore concerned to ensure that funding side of the changes is confirmed.

We are also concerned that the difficulties associated with inner-city recycling need to be recognised in both payment calculations and standards.

Q6 We think it should be possible for all local authorities to collect the core set of materials. Do you agree with this?

- Agree
- Disagree – If you disagree please provide further information and evidence as to what circumstances it is not practicable to collect the full set of materials

We agree in principle to collecting a core set of materials but the practical achievement of collecting the core set of materials and providing a consistent service will depend on local circumstances and the infrastructure and proximity of processing and treatment facilities. The complexity of providing a consistent collection service in densely populated urban areas should not be underestimated.

Q7 What special considerations or challenges might local authorities face in implementing this requirement for existing flats and houses in multiple

occupancy?

There are often storage constraints inside and outside multiple occupancy properties; there is often a higher transient population in these types of dwellings and accessibility of recycling bring sites particularly for residents in multiple occupancy dwellings is more challenging than for low-rise kerbside services. There are also more challenging drop off/waste and recycling transfer arrangements needed in densely populated urban areas and the service for flats is expensive too.

Q8 What other special considerations should be given to how this proposal could apply to flats? Please provide additional information on your answer.

Communications and engagement will need to be more focussed, so residents and landlords support the benefits of the services. Existing recycling facilities may need to be reviewed to ensure they meet the aims of this proposal, in particular with very limited in-flat storage, provision outside may need to be expanded.

Q9 Do you have any other comments to make about Proposal 1? Please use this space to briefly explain your responses to questions above, e.g. why you agree/disagree with proposals.

Service consistency will help with the transient nature of some flats' residents and communications messages shouldn't need to be promoted so frequently – so a consistent service will help in the long term.

Proposal 2

We propose that the core set of materials will be glass bottles and containers, paper and card, plastic bottles, plastic pots tubs and trays, and steel and aluminium tins and cans.

Q10 Do you believe that all of these core materials should be included or any excluded?

	This should be included in the core set	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Glass bottles and containers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paper and card	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bottles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic pots tubs and trays	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steel and aluminium tins and cans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q11 What, if any, other products or materials do you believe should be included in the core set that all local authorities will be required to collect?

	This should be included in the core set from the start of Consistency	This should be included from the core set but phased in over time	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Food and drinks cartons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bags and film	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other materials (please specify)				

Q12 If you think any of these or other items should or should not be included in the core set immediately please use the box below to briefly explain your view.

Plastic films are currently a low value product, come in many forms, are confusing for people to identify one polymer type from another and therefore sort and more likely to be contaminated. Food and drink cartons have unreliable end markets and are difficult to process.

Q13 If you think these or other items should be considered for inclusion at a later stage, what changes would be needed to support their inclusion?

Possibly nappies. They are evident as a contaminant in the existing recycling services and there is technology available to treat these and other personal hygiene products.

Q14 Do you have any other comments to make about Proposal 2?

We would like to see local authorities be given enforcement powers to tackle contamination and to improve material quality.

Proposal 3

We propose that this core set of materials should be regularly reviewed by government and, if appropriate, expanded over time provided that

- a) evidence supports the benefits,
- b) there are viable processing technologies for proposed materials,
- c) there are sustainable end markets,
- d) local authorities would not be adversely affected, including financially.

Q15 Do you agree that the core set should be regularly reviewed and, provided certain conditions are met, expanded?

- Yes
- No
- Not sure/don't have an opinion

Q16 Do you believe that the proposed conditions a) b) c) and d) above are needed in order to add a core material?

- Yes – but I would also add some (please specify which conditions you believe should be added ...)
 - No additional materials should be added without a clear case that there their addition does not add excessive cost. Although the Government has said that local authorities will not be financially disadvantaged by the new collection requirements we remain concerned that the structure of the proposed payment calculations will inadequately recompense urban authorities such as our own.
 - Secondly, we are concerned that recycling collection systems may be altered as a result of the new requirements but that the money proposed for local authorities to transition and implement the new systems of collection is not maintained for the long term, so that we are left with an inadequately supported, and possibly more expensive collection regime. So, no new materials should be added without a further commitment on the longevity of additional financial support.
- No – some/all should be removed (if some please specify below)
- No – some should be added and some should be removed (please specify which ...)
- Not sure/don't have an opinion

Q17 Do you have any other comments to make about Proposal 3? **Nothing more to add**

Consultation questions on separate food waste collection

Proposal 4

By 2023 we propose to legislate for local authorities to provide all kerbside properties and flats with access to at least a weekly separate collection service for food waste, including provision of containers and liners.

Q18 Which aspects of the proposal do you agree and disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) at least a weekly collection of food waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) a separate collection of food waste (i.e. not mixed with garden waste)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) services to be changed only as and when contracts allow	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) providing free caddy liners to householders for food waste collections	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q19 Are there circumstances where it would not be practical to provide a separate food waste collection to kerbside properties or flats.

- Yes (if yes please provided further details below)
- No
- Not sure/don't have an opinion

Q20 Do you have any other comments to make about Proposal 4 including on circumstances where it may not be practical to provide a separate food waste collection?

A weekly food waste collection can be necessary where residual waste collections are fortnightly. However, a clear environmental benefit needs to be evidenced. The consultation refers to anaerobic digestion as a preferred alternative to landfill but does not address the comparison to disposal in an energy-from-waste plant, with NLWA having a modern, efficient, high quality energy recovery facility shortly to be available. We are concerned that there may be minimal benefits for urban authorities choosing between providing a collection service for food waste in the residual waste stream or a separately collected food waste service. If the food waste in the residual waste stream is going to energy-from-waste with heat recovery, compared to separately collected food waste being processed in an AD facility – are the environmental benefits clear cut? If markets for digestate are uncertain, new AD facilities have to be built and/or are far away and if participation in a separate food waste collection service is low then the decision may be less clear cut.

In addition there are practical concerns regarding space for residents to store food waste in flats. It will be a challenge for densely populated urban areas where it is difficult to store additional containers for separate materials inside or outside the home. It is also very challenging for people in multi occupancy properties to participate in a scheme where recycling bins may be some distance from their dwelling so they may need additional resources to facilitate this.

We do not believe liners should be provided as they are expensive and depending on how they are sourced may not be from a sustainable supplier. AD infrastructure will need to be reviewed to ensure it is available and of sufficient capacity.

Given the variation which would be required to take account of different types of dwelling for collection and different alternatives for disposal we question whether setting a national requirement is justified. The Government has said that the cost of collecting food waste separately would be covered by the “new burdens” process. This would mean the Government making additional funding available. However, uncertainties include the specific level of funding which would be provided, the distribution of that funding to individual authorities and the extent to which any funding would be made available to waste departments.

Proposal 5

We will provide funding and support to local authorities to help put in place the necessary collections infrastructure.

Q21 If you are responding on behalf of a local authority, what kind of support would be helpful to support food waste collection? (tick as many as apply)

- I am not responding on behalf of a local authority
- Specific financial support (please specify)
- Procurement support, (e.g. free advice on renegotiating contracts; centralised purchasing of containers)

- Communications support, (e.g. free collateral that can be adapted and used locally)
- Technical support, (e.g. free advice from a consultant about round re-profiling)
- Other (please specify ...)

Q22 Do you have any other comments to make about Proposal 5?

As a waste disposal authority (WDA) there will be an impact on waste and recycling contracts and on the communication materials we provide. We procure the recycling contracts for mixed dry recycling and food and garden waste on behalf of our constituent boroughs (which includes AD for food waste) and there may be consequences we are not aware of if these changes are implemented.

Proposal 6

We believe it would be desirable for local authorities that have contractual commitments with IVC facilities, which needs mixed garden and food waste, to require separate presentation of food waste but then be able to mix it with garden waste for treatment purposes. This is because our evidence shows that separate presentation of food waste leads to higher yields.

Q23 What are your views on this proposal?

This approach would allow flexibility so that a change to AD would be possible if facilities become available while maintaining optimum recycling levels of food waste. This is a policy that some of our constituent boroughs have already adopted.

Consultation questions on collecting garden waste

Proposal 7

We are seeking views on whether households generating garden waste should be provided with access to a free collection service. If introduced this this would be a minimum fortnightly collection service of a 240-litre capacity container (either bin or sack). Local authorities may provide additional capacity or more frequent services and would be able to charge for this additional provision.

Q24 Which aspects of the proposal do you agree or disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) a free garden waste collection for all households with gardens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) A capacity to 240l (bin or other container e.g. sack)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) A fortnightly collection frequency (available at least through the growing season)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) ability to charge households for additional capacity/collections/containers over the set minimum capacity requirement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(v) this new requirement to start from 2023 (subject to funding and waste contracts)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Q25 Do you have any other comments to make about this proposal

As these questions refer directly to collection arrangements these questions are best answered by the waste collection authorities. The Defra modelling work suggests that by introducing free garden waste collections, local authority recycling rates could go up by six percentage points on average. However, a number of authorities in the country as a whole argue that they have not seen any material loss of green waste under charging arrangements and therefore that the 6% assumption would be extremely unlikely to be borne out in practice. We are therefore concerned that this measure would achieve its aims, especially as the funding to local authorities in lieu of charging is uncertain.

Consultation questions on separate collection to improve quality

Proposal 8

In addition to the new core set of materials that we will require to be collected, we want to promote separate collection of materials where this is feasible and can help to improve quality. We propose to amend the law to clarify this and will include guidance in our proposed statutory guidance on minimum service standards to help local authorities and waste operators in decision making on separate collection.

Q26 Do you agree the proposed approach to arrangements for separate collection of dry materials for recycling to ensure quality?

- Yes
- No (why ...?)
- Not sure/no opinion/not applicable

Q27 What circumstances may prevent separate collection of paper, card, glass, metals and plastics? Please be as specific as possible and provide evidence.

It will be difficult for residents and businesses in urban environments to separate their waste and recycling due to space constraints especially where there are alternate week collections. Operationally it could result in additional vehicles being required due to the extra sorting of materials which may have health and safety implications concerning increased manual handling, traffic and emissions. Any changes would need to be assessed based upon local circumstances.

Q28 Do you have any other comments to make about Proposal 8?

Consultation questions on bin colour standardisation

Proposal 9

Assuming that we progress with proposals for a core set of materials that must be collected for recycling, the government welcomes views on whether England should move to standardised waste container colours for those materials, together with residual waste, food and garden waste.

Q29 Do you agree or disagree with this proposal?

- Agree – bin colours **should** be standardised for all waste streams
- Agree in part – bin colours should be standardised for some waste streams but not all (**for paper/card, cans, glass and plastics, commingled**)

- Disagree – bin colours **should not** be standardised for any waste streams
- Not sure/no opinion/not applicable

Q30 There would be potential for significant costs from introducing standardised bins colours from a specific date. What views do you have on a phased approach or alternative ways to standardising the colours of containers for different materials?

- Phased approach 1 – as and when waste contracts are renewed
- Phased approach 2 – as and when old/unserviceable bins are replaced
- Other ways please specify...

Q31 Do you have any other comments to make about Proposal 9?

To standardise bins the approach could be a combination of when old bins are replaced and when there are services changes as renewed contracts don't necessarily mean new services and / or containers.

Consultation questions on service standards

Proposal 10

We are proposing to prepare statutory guidance on minimum service standards to which local authorities will be required to have regard. The detail of this guidance will be consulted upon in our second consultation

Q32 Do you agree or disagree with the proposal to publish statutory guidance?

- Agree – government **should** publish statutory guidance
- Disagree – government **should not** publish statutory guidance
- Not sure/no opinion/not applicable

Q33 We propose reviewing the guidance every few years, revising it as required and then allowing sufficient lead-in time to accommodate the changes. Do you agree or disagree with this timescale?

- Agree
- Disagree – it should be **more often**
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable

Q34 Subject to further analysis and consultation we propose to use the guidance to set a minimum service standard for residual waste collection of at least every alternative week Do you agree or disagree with this proposal?

- Agree
- Disagree – it should be **more often**
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable

Q35 Do you have any other comments to make about Proposal 10?

Consultation questions on communicating about recycling

Proposal 11

We will continue our support for Recycle Now and the tools produced by WRAP to help local authorities to communicate effectively on recycling.

Q36 Do you have any comments to make about Proposal 11?

The tools produced by WRAP are helpful in providing consistency of messaging. Secondly they are useful to use because we know that they are supported by robust research which gives confidence in using them. However, in NLWA we have not used WRAP Recycle Now tools extensively to date because:

- a) we often have other communications priorities at the times when WRAP is recommending promotion of recycling.
- b) because it has not always been possible to adapt WRAP materials to meet local circumstances.
- c) because we have sometimes wanted to do something slightly different or specifically targeted to a particular demographic in north London which is not accommodated within WRAP's national suite of materials.

Q37 What information do householders and members of the public need to help them recycle better?

Clear information on what can and can't be recycled, what happens to recycling and waste after collections and the potential environmental impacts if it is not managed responsibly. They would also benefit from instructional information for any service changes and how to report issues

Proposal 12

We will work with local authorities and others to improve transparency of information available to householders on the end destination for household recycling.

Q38 Do you agree or disagree with this proposal?

- Agree – government **should** work with local authorities and other stakeholders on this
- Disagree – government **should not** work with local authorities and other stakeholders on this
- Not sure/no opinion/not applicable

Q39 Do you have any other comments to make about Proposal 12?

Consultation questions on end markets

Proposal 13

Q40 Please use this space to briefly explain any comments you have on the issues discussed in this section.

It would be good to go a step further than the plastics tax on items with less than than 30% recycled content and also include other products / materials linking this in with procurement requirements to include recycled content.

Consultation questions on non-binding performance indicators

Weight based metrics are less ambiguous than some alternative metrics and will continue to be needed going forwards as they are required as the basis for calculations of carbon dioxide equivalent emissions for example. However, we are also supportive of introducing additional measurements.

Proposal 14

We propose developing a set of non-binding performance indicators for local authorities to use to monitor waste management and recycling and to highlight where services can be improved to delivery higher recycling and minimise waste. In addition to the headline household recycling rate for the local authority we would propose 4 additional indicators covering the yields of dry recycling, food waste for recycling, garden waste for recycling, and residual waste. We would also work with local authorities to develop these and other indicators to reflect areas such as quality or contamination levels and service delivery.

Q41 Do you agree or disagree that introducing non-binding performance indicators for waste management and recycling is a good idea?

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q42 Do you agree or disagree that the proposed indicators are appropriate?

- Agree
- Disagree (please expand ...)
- Not sure/no opinion/not applicable

Q43 Do you have any comments to make about Proposal 14 or examples of indicators currently in use that may be of assistance?

Non binding indicators would be useful for benchmarking purposes and as long as they are not resource intensive.

Consultation questions on alternatives to weight-based metrics

Proposal 15

We will look at metrics that can sit alongside weight-based metrics and will work with stakeholders to develop these as set out in the Resources and Waste Strategy.

Q44 Do you agree that alternatives to weight-based metrics should be developed to understand recycling performance?

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q45 Do you agree that these alternatives should sit alongside current weight-based metrics

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q46 What environmental, economic or social metrics should we consider developing as alternatives to weight-based metrics?

We would welcome additional indicators such carbon dioxide equivalent emissions per tonne of waste managed because this allows for the environmental impact of lighter waste materials to be factored into decision-making. In London we already provide carbon equivalent emissions information. Additional indicators that could be considered include social benefit indicators as well as some metrics to better reflect the impact of waste prevention activities. We would welcome the opportunity to input into further consultation on metrics.

Consultation questions on joint working

Proposal 16

We want to support and enable greater collaboration and partnership working between authorities where this would accelerate the move to consistent collections and improve recycling and delivery of services.

Q47 in what way could greater partnership working between authorities could lead to improved **waste management and higher levels of recycling**?

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q48 What are the key barriers to greater partnership working?

Agree with all the barriers (a - g) that are identified. The main benefits of joint working appear to be more economic than performance related. The overall recycling rate may increase but there may be hidden inequalities of those boroughs that invest and put in the effort and those that don't.

Q49 How might government help overcome these barriers?

Targeted resources for the poorer performing boroughs may help. Some of the other issues such as political differences are more difficult and possibly these could be overcome with an overhaul of the borough boundaries and reduction in local authorities.

Q50 Do you have any other comments to make about Proposal 16?

Part 2 Measures to improve recycling by businesses and other organisations that

Consultation questions on measures to increase recycling from business and other organisations that produce municipal waste

Proposal 17

We want to increase recycling from businesses and other organisations that produce municipal waste. We think the most effective way of doing this would be to legislate so that these establishments have to segregate their recyclable waste from residual waste so that it can be collected and recycled by waste operators.

Q51 Do you agree or disagree that businesses, public bodies and other organisations that produce municipal waste should be required to separate dry recyclable material from residual waste so that it can be collected and recycled?

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not

applicable Q52 Which of the 3 options do you favour?

- Option 1 mixed dry recycling and separate glass recycling; no food waste collected for recycling
- Option 2 mixed dry recycling and separate food recycling; no glass recycling
- Option 3 mixed dry recycling, separate glass recycling, separate food recycling
- Something else (please expand ...) *Why not consider option 1 but separate paper and card rather than separate glass and separate food). Paper and card is a higher value materials and needs to be clean so why not have that as the separate material stream.*
- Not sure/no opinion/not applicable

Q53 We would expect businesses to be able to segregate waste for recycling in all circumstances but would be interested in views on where this may not be practicable for technical, environmental or economic reasons

- Yes – it should be practicable to segregate waste for recycling in all circumstances
- No – some exceptions are needed for particular circumstances (please provide examples below)

Not sure/no opinion/not applicable

Q54 Should some businesses, public sector premises or other organisations be exempt from the requirement?

Yes (which ones and why ...?)

No

Not sure/no opinion/not applicable

Q55 Do you have any other comments to make about Proposal 17? For example, do you think that there are alternatives to legislative measures that would be effective in increasing business recycling?

Proposal 18

Where a business, public body or other organisation produces sufficient quantities of food waste we propose to legislate for this to be separated from residual waste and arrangements made for it to be collected and recycled.

Q56 Do you agree or disagree that businesses, public bodies or other organisations that produce sufficient quantities of food waste should be required to separate it from residual waste so that it can be collected and recycled?

Agree

Disagree (why ...?)

Not sure/no opinion/not applicable

Q57 Do you agree or disagree that there should be a minimum threshold, by weight, for businesses public bodies or other organisations to be required to separate food waste for collection?

Agree

Disagree (why ...?)

Not sure/no opinion/not applicable

Q58 Do you have any views on how we should define 'sufficient' in terms of businesses producing 'sufficient' quantities of food waste to be deemed in scope of the regulations?

Suggest that 'sufficient' is more than 20 kgs. However, this would need to be assessed with other factors. If a contractor collects from multiple points in once street that makes economic sense but if the collection points are far apart the min weight would need to be higher to make it worthwhile.

Q59 Do you have any views on how we should define 'food-producing' businesses?

Any business whose sole purpose is to process, manufacture or sell food to generate 50% or more of their revenue.

Q60 In addition to those businesses that produce below a threshold amount of food waste, should any other premises be exempt from the requirement?

Yes (which ones and why ...?)

No

Not sure/no opinion/not applicable

Q61 Do you have any other comments to make about proposal 18?

Proposal 19

If the proposals above are adopted, we would like to support businesses, public sector and other organisations to make the transition. In particular we would like to find ways to reduce the impact on small and micro businesses.

Q62 What are your views on the options proposed to reduced costs?

Consider providing concessions for businesses under a certain size or for certain recycling streams such as food waste

Q63 Are there other ways to reduce the cost burden that we have overlooked?

To provide tax relief or funding to the businesses until they realise the benefits of changing their waste management systems.

Q64 Do you have any other views on how we can support businesses and other organisations to make the transition to improved recycling arrangements?

It would be worthwhile to have some sort of advice/ helpline during the transition period to support businesses making this change.

Business waste data

Proposal 20

As part of implementing consistency, we will work with waste producers and waste collectors in the non-household municipal sectors to improve reporting and data capture on

waste and recycling performance of businesses and other organisations. Any requirements will be subject to consultation.

Q65 Do you have any views on whether businesses and other organisations should be required to report data on their waste recycling performance?

- Agree
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q66 Do you have any other comment on Proposal 20?

It will be good to get this information if possible as it is not currently easy to get accurate non-household municipal waste data and it will help manage this element of the waste stream more effectively.

APPENDIX E - DRAFT NLWA RESPONSE TO THE DEFRA CONSULTATION ON THE INTRODUCTION OF A DEPOSIT RETURN SCHEME ON DRINKS CONTAINERS

Consultation on introducing a Deposit Return Scheme in England, Wales and Northern Ireland

About you

1. **Would you like your response to be confidential?**

No

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

3. **What is your email address?** Please email Barbara.Herridge@nlwa.gov.uk

4. **Please provide information about the organisation/business you represent.**

Type of organisation - **Local Government**

Name – **North London Waste Authority**

Approximate number of staff in your organisation? **We serve over 2 million north London residents with a team of 28**

5. **Please provide any further information about your organisation or business activities that you think might help us put your answers in context. (Optional)**

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

6. **Does your organisation have any recent experience of a DRS or related policy schemes? If so, can you please briefly explain your experiences?**

Not directly although an NLWA officer is on the Board of ACR+ (Association of Cities and Regions for Sustainable Resource Management) which has recently commissioned a piece of research into DRS schemes across Europe. The report is available at: <http://www.acrplus.org/en/news/news-from-our-members/1596-reloop-global-overview-of-deposit-return-systems-2018>

7. **Are you content for the UK government, or in Wales, the Welsh Government, or in Northern Ireland, DAERA to contact you again in relation to this consultation?** Yes

Basic principles for a DRS

8. Do you agree with the basic principles for a DRS?

Yes

It makes environmental and economic sense based on the evidence provided to capture resources in this way and provide a direct incentive to stakeholders to maximise the quality and quantity of recycling collected.

Proposed models for a DRS system

9. Should the following materials be-in scope of a DRS:

- a. PET bottles

Yes

Many drinks containers are made of PET and it has a value in the commodities market. From the MRF information we receive for the borough delivered mixed recycling, approximately 9% is PET and HDPE plastics by weight so this would contribute to the recycling targets in the DRS.

- b. HDPE bottles

Yes

There is a value for this material and it is widely used for drinks containers. From the MRF information we receive for borough delivered mixed dry recycling approx. 9% by weight is HDPE and PET plastics.

- c. Aluminium cans

Yes

Recycling aluminium is very efficient from an energy perspective and the material has a high market value currently at around £750 per tonne. From the MRF information we receive for borough delivered mixed recycling approx. 1% is aluminium.

- d. Steel cans

Yes

Steel is easy to recycle but not commonly used for drinks and more so for food items. So is the proposed DRS restrictive about this? These comprise approx. 2% of the borough delivered mixed recycling to the MRF.

- e. Glass bottles

Yes

Glass is easily recyclable and widely available. Glass forms approx. 25% by weight of the mixed recycling delivered by boroughs to the MRF. It will be a significant contributor to meeting the recycling targets in the DRS if these are weight based.

10. Should the following materials be-in scope of a DRS:

- a. Cartons e.g. Tetrapack

No

Cartons do not currently have a value and are notoriously difficult to recycle due to their multi material composition. However, they are widely used and so could be considered for the DRS at a later stage.

b. Pouches and sachets, e.g. for energy gels

N
o

The recycling market for these items is limited at best if they exist at all.

11. If a DRS were to be introduced, should provisions be made so that glass bottles can be re-used for refills, rather than crushed and re-melted into new glass bottles?

I don't know / I don't have enough information

The details of this are unclear as there are a number of potential changes that would need to be made to facilitate this such as redesigning the bottles and having washing facilities. Would separation into different colours be required as was previously the case and what are the additional financial and environmental impacts of making these changes?

12. Should the following drinks be in-scope of a DRS:

a. Water **Yes**

While water is still available in plastic bottles it should be included although the wider campaign to get people to use reusable containers and filling points should be continued.

b. Soft drinks (excluding juices) **Yes**

Soft drinks are provided in the target containers for a DRS and will contribute to the recycling targets to be met.

c. Juices (fruit and vegetable) **Yes**

Soft drinks are provided in the target containers for a DRS and will contribute to the recycling targets to be met.

d. Alcoholic drinks
Yes (all)

It meets the criteria of the DRS and many alcoholic drinks are in aluminium cans of bottles both of which can contribute financially and by weight to the DRS targets.

e. Milk containing drinks
Yes (all)

The DRS should be as inclusive as possible to keep costs down so any drink types should be considered for the scheme.

f. Plant-based drinks (such as soya, rich almond and oat drinks)
Yes

The DRS should be as inclusive as possible to keep costs down so any drink types should be considered for the scheme.

g. Milk Yes

For consistency and as a drink milk should be included in the DRS but not for milk bottles that are still delivered by the milkman and returned for rebottling. As an incentive of true recycling perhaps they can also be rewarded indirectly?

13. Do you think disposable cups should be in the scope of a DRS?

a. Disposable cups made from paper with a plastic lining (such as those used for coffee)

No

b. Disposable cups made of plastic (such as those used in vending machines)

No

It would be good to include disposable cups but practically it is difficult as they are made from so many different materials and often contaminate other recyclables. Recycling 'on the go' bins are regularly contaminated by the contents of disposable cups. It is a product that could be considered at a later date.

14. Do you agree with the proposed material flows as described above?

Yes

The material flows in the diagram are as expected.

15. Do you agree with the proposed financial flows as described above?

I neither agree nor disagree

In principle this looks reasonable. It would be useful to have more information about the handling costs and, who would pay for these? What about the financial flows for unsold / past sell by date of products wastage and deposit reimbursements?

Overlap with the packaging producer responsibility system

16. Should producers obligated under a DRS be:

a. **Exempt from obligations under the reformed packaging producer responsibility system for the same packaging items?**

b. Also obligated under the reformed packaging producer responsibility system for the same packaging items?

c. Other (please explain)

d. I don't know/I don't have enough information

Yes

It would make sense for it to be one scheme or the other but not both as this could cause confusion and possible duplication.

17. If producers were obligated under both a DRS and a reformed packaging producer responsibility system for the same packaging items, how could we effectively ensure that they would not be unfairly disadvantaged by a 'double charge'?

Please briefly state the reasons for your response. Where available, please share evidence to support your view.

I don't know / I don't have enough information

Deposit Management Organisation (DMO)

18. Do you agree that the DMO should be responsible for meeting high collection targets set by government?

Yes

The DMO has a strategic overview and tools to hand to affect performance against targets so it makes sense that they should be accountable. They should also delegate responsibilities through the supply chain but ultimately take responsibility for the targets.

19. Should the DMO also be responsible for meeting high recycling targets set by government?

Yes

The DMO has the strategic overview and tools to hand to affect performance against targets so makes sense that they should be accountable. Everyone in the chain should be incentivised to achieve targets.

20. Should unredeemed deposits be used to part-fund the costs of the DRS system?

Yes

Agree this should be the case if there is a deficit in the system.

21. If unredeemed deposits are not used to part-fund the costs of the DRS system, do you agree they should be passed to government?

No

Deposits could be used to increase awareness or make the scheme more accessible where there is poor coverage. If the money were to go to Government it should be put towards supporting the local authorities.

22. Do you have alternative suggestions for where unredeemed deposits could be allocated?

As above.

23. If the scheme is managed by the DMO, which of the following bodies should be represented on the management board:

- a. Industry (drinks producers)?
- b. Government
- c. Trade associations representing those hosting return points (e.g. retailers, small shops, transport hubs)?
- d. Companies representing those hosting return points (e.g. retailers, small

- shops, transport hubs)?
e. Other (please specify)

All of the bodies mentioned above should be included on the management board. It would also be useful to have a representative from one of the consumer groups such as the National consumer Federation or Which? as well as Local Authority representation such as LARAC.

24. Should there be government involvement in the set-up/running of the DMO body?

Yes

As the DRS is an initiative proposed by the Government, they should ensure that the scheme is set up as intended but not necessarily the running of it.

25. Do you agree with the Government 's proposals that a DMO would:

- a. Advise government on the setting of the deposit level/s

Yes

Agree with this proposal but need to ensure that the deposit costs are not unreasonable as there will be a risk that some stakeholders will not pay it.

- b. Set producer/importer fees

I neither agree nor disagree

It would make sense for the DMO to set this as they will have an overview of the whole scheme although the mechanics of this are not clear.

- c. Be responsible for tracking deposits and financial flow in the DRS – and ensuring those running return points are paid the deposits they refund to consumers

Yes

Agree with this approach as long as the administration of the DRS is not too onerous.

- d. Set and distribute the handling fees for return points **Yes**

The DMO will have an overview of the whole system so are in the best position to manage the fees relating to all aspects of the system.

- e. Be responsible for ensuring that there are appropriate return provisions for drinks containers in place, and that these are accessible?

Yes

- f. Be responsible for maintenance of reverse vending machines (RVMs) and provision of bags/containers to those running manual return points

Yes

Agree that the DMO should be responsible for return provisions but there may be areas and circumstances where this is not possible especially in rural and densely populated urban areas.

- g. Own the material returned by consumers **Yes**

Based on the design of the proposed DRS, this seems a necessary measure for the scheme to work as the costs are transferred around the system.

- h. Reimburse those transporting returned drinks containers to recyclers/counting/sorting centres – and manage these contracts

Yes

Generally agree but should look at existing transportation/ collection infrastructure to optimise these rather than relying on a new resource. Use of supermarket delivery vans, UPS, reverse logistics as long material quality is not compromised.

- i. Fund counting sorting/centres – and manage the contracts for counting/sorting centres

Yes

The DMO have a strategic overview of the systems and finances so can better manage the counting / sorting centres. They are in a position where they can make adjustments anywhere in the DRS process if required.

- j. Be legally responsible for meeting the high collection targets set by government for drinks containers within scope of the DRS.

Yes

The DMO should have overall responsibility but depending on how the scheme is set up it may be appropriate to delegate this to some of the other members of the scheme.

- k. Measure and report recycling rates to government **Yes**

This is a very expensive scheme which according to the modelling could generate significant funds so the scheme should be accountable and performance scrutinised

- l. Run communications campaigns to aid consumer understanding of the DRS

Yes

The scheme will not work unless there is buy in from consumers and effective communications will be essential in supporting this behaviour change.

Producers

26. Do you agree with our proposed definition of a producer?

Yes

This definition makes sense in the context of the EPR consultation.

27. Should there be a de minimis which must be crossed for producers and importers of drinks in-scope of a DRS to be obligated to join the scheme?

I don't know / I don't have enough information

It would depend on what the costs of joining the scheme will be. Is it a flat rate or banded depending on size of company/ products put on the market? Would it be an administrative burden if all producers are included in the scheme.

28. Should a de minimis be based on:

- a. Number of employees

- i. If yes, how many employees?
- b. Sales figures
 - ii. If yes, what figure?
- c. Volume/weight of drinks put on the market
 - iii. If yes, what volume/weight?
- d. None of these
- e. Other

It is proposed that initially this could be in line with the plastic bag tax and apply to organisations of more than 250FT employees.

29. If there is a buy back scheme for recycled materials, do you have evidence for how this could be effectively run?

After drinks container materials collected through a DRS are sent to a recycler, our preference would be for this to then be recycled back into drinks containers where possible. Producers who initially put a certain number of tonnes of (for example) PET onto the market may wish to have the first rights to 'buy back' the same amount of recycled PET for use in their own drinks containers. Alternatively, to give smaller producers an opportunity to use recycled materials in their containers, this could be allocated on a percentage based on the materials they put on the market in the first place.

30. In line with the principle of full net cost recovery, the Government proposes that producers would cover the set up costs of the DMO? Do you agree with this proposal?

Yes

Agree with this and would also request whether the DRS could contribute to the local authorities implementing the mandated kerbside collections?

31. Should the DMO be responsible for co-ordinating the set-up of the DRS, including buying RVMs and an IT system?

Yes

It makes sense for the DMO to coordinate the infrastructure implementation to keep the administration and costs down as much as possible.

Operational costs

32. Should producers of drinks within a DRS be responsible for DRS operational costs?

Yes

In line with the principles of full net recovery, the producers should cover all aspects of the DRS including operational costs unless there is already a provider fulfilling the same function.

33. Which of the following should be obligated to host a return point?

- a. Retailers who sell drinks containers in scope
- b. Transport hubs
- c. Leisure centres
- d. Event venues

- e. None of these
- f. Other (please specify)

Agree that all the suggestions above should be obligated to host a return point. It makes sense to locate these facilities where there is high footfall but this will be dependent on local circumstances - space, collection requirements

34. What might the impacts be on those hosting:

(a) Reverse vending machines? Where available, please share evidence to support your view.

The machines used seem large so there may be space constraints for the organisations hosting the RVMs. There could be issues if the equipment breaks down or if the collections are not frequent enough or delayed there is potential for flytips.

(b) Manual return points? Where available, please share evidence to support your view.

There may be storage issues for smaller businesses like corner shops and problems if any failures with the collection service.

35. Are there any Health and Safety-specific implications that may be associated with hosting return points?

There may be some manual handling concerns for the manual take back schemes. RVMs would need to be in relatively secure areas so the risk of vandalism is reduced. May be necessary to do risk assessments for proposed take back points.

36. Is there a de minimis level under which businesses who sell drinks in scope should be exempt?

I don't know / I don't have enough information

For smaller businesses hosting a take back scheme may be an unreasonable burden depending their available storage space, staffing levels and location.

37. Should a de minimis be based on:

- a. Floor size
 - i. If yes, what floor size?
- c. Sales figures for drinks in scope
 - ii. If yes, what figure?
- d. Number of employees
 - iii. If yes, how many employees?
- e. None of these
- f. **Other (please specify)**

38. Please briefly state the reasons for your response. Where available, please share evidence to support your view

Rather than floor size of the whole premises, instead the size of available floor space or daily / weekly customer numbers could be considered for an idea of footfall and whether or not it is suitable for a drop off point?

39. Do you have alternative suggestions for return provisions that could be used to accept the return of drinks containers? Please provide details.

The possibility of using 'on street' bring sites could be considered as they are often in convenient locations.

40. For consumers who would have difficulty returning empty drinks containers, what provisions could be put in place so that these consumers are able to return drinks containers and receive their deposit refund?

This could be covered by the local authority kerbside services where assisted collections are usually provided. Additional financial contributions towards this would need to be factored in.

41. What provisions could be put in place for rural areas where there may be few small retail outlets spread over a wider area, in order to ensure that there are adequate return and collection facilities?

Consider locating RVMs at local community hubs such as village halls, pubs if appropriate. Also consider use of the existing local authority collection services. Possible financial contributions towards this may be necessary.

42. Do you have evidence that would help inform us about whether there is potential for siting RVMs outdoors e.g. in parks, at existing outdoor recycling centres, on highstreets?

This could be possible but would need more evaluation as it may have planning and cost implications and is difficult in some environments especially if a power supply is needed.

43. Should online retailers selling drinks in in-scope containers be obligated to pick up and refund DRS material?

Yes

If on line retailers are not included it may create a loophole and cause other retailers to sell more through that outlet. On line supermarket shopping is popular and increasing so it makes sense to include it in the DRS so the scheme is more equitable.

44. Should there be a de minimis under which online retailers would not be obligated to pick up and refund DRS material?

I don't know / I don't have enough information

This could work for the larger retailers such as the supermarkets but it is not clear if this is practical for the smaller retailers.

45. Should certain businesses which sell drinks in in-scope drinks containers host return points, e.g. pubs, hotels, cafes? Please provide details.

Yes

These types of businesses usually have frequent delivery and return systems in place so would make sense to be included in the DRS.

46. Should there be an opportunity for retailers that don't stock drinks / those who may not be obligated to provide a return point to 'opt-in'?

Yes

If they can demonstrate that there is a high enough footfall, suitable location and that it would be cost efficient for them to be part of the DRS they should be considered and particularly in areas where return points are sparse.

47. Do you have any further views, comments or evidence in relation to retailers not already covered above?

We are unclear if retailers or organisers of sporting events such as large running events like will be obligated under the DRS and will therefore need to provide return points. Similarly venues such as sports centres or railway stations which have vending machines for obligated drinks containers.

On-trade Sales

48. How should a DRS account for 'on-trade' sites such as bars and restaurants

Agree with the example provided that businesses pay the deposit and then they decide locally what the redemption method will be as long as it is not too much of a burden.

The deposit

49. What do you consider to be the optimum deposit level to incentivise return of drinks containers?

It should be high enough to affect behaviour change and cover the costs of the scheme. Given that glass bottle deposit schemes in 1970 were 10p a bottle, then (based on inflation) they should be at least 30p.

50. Should the deposit level be a flat rate across all drinks containers covered by the DRS?

Yes

This appears to be the most straight forward approach although there might need to be some flexibility if target materials are not meeting the required recycling rate

51. Should there be an alternative deposit level for drinks containers in a multipack, rather than each container carrying the same deposit?

No

If there were an alternative deposit level for multi packs this could lead to abuse of the system if they are split and sold individually

52. How do you think deposits should be redeemed? Please tick all that apply.

- a. Voucher (for deposit value, printed by the reverse vending machine or by the retail assistant at manual drop-off points)
- b. Digitally (for example a digital transfer to a smartphone application)
- c. Cash
- d. Return to debit card
- e. Option to donate deposit to charity
- f. Other (please state)
- g. None of the above

All the above options should be considered. Because of peoples differing circumstances there should be flexibility in the way people can redeem the deposits.

Sending material on for recycling and data recording

53. Should the DMO be responsible for ensuring that there is evidence that drinks containers have been recycled?

Yes

This will be necessary for assessing performance against targets and for managing the income from the materials.

54. In addition to reporting on collection rates, should the DMO also be obliged to report on recycling rates of in-scope drinks containers?

Yes

For many reasons it makes sense to capture this data as it will impact local authority performance data, MRF operations, end markets and performance of the DRS.

Transparency

55. How do you think transparent financial flows in a DRS could be achieved most effectively?

Is there already something similar for the packaging producer compliance scheme that could be adapted or used for this purpose? It would be better to use a proven system if such a thing already exists.

Auditing whichever system is implemented would help provide confidence and transparency in the scheme.

Monitoring and enforcement

The DMO

56. Would Environment Agencies in England, Wales and Northern Ireland be best placed to monitor/enforce a DRS covering England, Wales and Northern Ireland?

Yes

The Environment Agency are already the inspection / enforcement agency for most waste and recycling activities so it would make sense for them to fulfil this role.

57. How frequently should the DMO be monitored?

(This monitoring would look at, i.e., financial accounts, material flows, proof of recycling rates, setting of deposit level (if done by the DMO))

b. Bi-Annually

Bi-annually is a reasonable time scale to measure performance and identify trends. At the start of the DRS it may be worth increasing the frequency to quarterly until it has bedded in and there is confidence that the scheme is working.

58. How often should producers be checked for compliance with the DRS (if compliance is obligated)?

Bi-annually

Ideally bi-annually but this could be very resource intensive so annually is probably more realistic unless only a certain percentage of the producers is audited at any one time

59. Should enforcement focus on:

a. A sample of producers?

b. All producers?

A sample is probably the most efficient way of using the resources available and attention could be focused on specific producers depending on their performance or other factors as

appropriate.

60 Should any penalties (fines) on the DMO or producers/importers be set by the regulator appointed to monitor the DMO?

Yes

Or the environment agency if they end up not being the regulatory body.

Fraud

61. Are there any points in the system which you think would be particularly susceptible to fraud? Please state

Where there are manual take back systems there may be a risk of fraud as items may not be accurately recorded. Also with the labelling system there could be forgeries with fake labels.

62. Which labelling/markings on drinks containers in scope would best protect against fraud?

Please select all that apply:

- a. Deposit value amount**
- b. Marking indicating inclusion in DRS**
- c. Existing product barcode (containing DRS information when scanned)**
- d. Other (please specify)
- e. None of the above

Barcodes seem an established method of categorising items but not sure how fool proof they would be for this purpose. It would be beneficial to include the deposit value so there is no ambiguity about the redemption cost.

63. How could return via reverse vending machines (RVMs) best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions.

This technology is not used much in the UK so not aware of how it currently works but it should be robust and as tamper proof as possible and in or within close proximity of retail outlets. Evidence of transactions from deposit point to handling plants and reprocessors and income should all be recorded and provided to the DMO.

64. How could the process of manual returns best be protected against fraud? We are particularly interested in any evidence you may have to support suggestions.

If bar codes are used, scan all items on receipt at the drop off points and ensure they have the correct DRS labelling to demonstrate they are part of the scheme.

65. How could a DRS best protect against fraud across Devolved Administrations in the event of similar schemes with common underlying principles (but not one uniform scheme)?

Unsure

DRS Options – ‘all-in’ and ‘on-the-go’ ‘All-in’ option

66. Should drinks containers over a certain size, for example beer kegs and containers used for water coolers, be excluded from an all-in DRS?

Yes

Generally agree with all size drinks containers being in the DRS but for the items mentioned above there are already generally take back schemes in place and would also have to be handled manually as they would not fit in the reverse vending machines. These are also items that are unlikely to be littered.

67. If drinks containers over a certain size were excluded from an all-in DRS, what should the maximum cut-off size be?

> 3 Litres

> **4 Litres**

> 5 Litres

Other

There should be no maximum size cut-off

Containers larger than 3 litres are not very common, unlikely to be littered and may be a problem for the reverse vending machines.

'On-the-go' option

68. Do you agree with our definition of 'on-the-go' as less than 750mls in size?

No

It is true that the majority of drinks containers are 750 ml although 1,000 ml containers are sometimes used so should also be included.

69. Do you agree with our definition of 'on-the-go' as excluding multipack containers?

No

Multi packs are split into individual parts when consumed and disposed of so they should form part of the DRS.

70. Based on the information above, and where relevant with reference to the associated costs and benefits outlined in our [impact assessment](#) (summarised below), which is your preferred DRS option?

All-in

The all-in scheme shows the most benefits although there are some concerns about the robustness of the commercial data and the dis-amenity calculations based on the attitudes of the public rather than hard facts. Given the scales of the costs involved there is some nervousness about the level of investment.

Summary of approach to Impact Assessment

71. Do you agree with our impact assessment?

Yes

Generally agree with the impact assessment but we have some concerns about the gaps in the commercial data and the calculations of the dis-amenity of litter savings in particular. We are concerned that the dis-amenity figure may be an over-estimate - it is based on the attitudes of the people approached in the survey.

72. Do you think more data is needed? If yes, please state where.

Yes

As mentioned previously there are gaps in the commercial data but not sure if there is anyway to cover this as it's a wider issue not just for this impact assessment. It would be useful to see the overview of how the 4 current consultation and how they interlink especially between the DRS, EPR and collection consistency.

73. Are there other costs and benefits which we have not covered in our impact assessment?

Unsure

74. Do you have further comments on our impact assessment? Please be specific.

None

75. The dual objectives of a DRS are to reduce litter and increase recycling. Do you wish to suggest an alternative model that would be more effective at achieving these objectives? If so please briefly describe it, making reference to any available evidence

No

76. A potential option for introducing a DRS could be to start with the 'on-the-go' model, and then expand/phase roll-out to 'all-in'. Do you think this would be an effective way to introduce a DRS?

No

This approach was considered but thought to be too complicated so prefer the 'all in option' from the outset.

Outcomes of what we are hoping to achieve

77. Do you think a DRS would help us to achieve these outcomes? Please briefly state the reasons for your response. Where possible, please share evidence to support your view:

- a. Reduction in litter and litter disamenity (include expected % decrease where possible)

Yes

Based on the evidence in the Eunomia Impact on Local Authority report 2017 there

should be cost savings from litter reduction if a DRS is introduced.

- b. More recycling of drinks containers in scope of a DRS, especially those disposed of 'on-the-go'

Yes

People will have more options to recycle and directly benefit from taking back their drink containers.

- c. Higher quality recycling

Yes

Items will be cleaner recycled this way although not sure if liquids in drinks containers can be detected by the RVMs and if they will cause problems if they are accepted by the machine.

- d. Greater domestic reprocessing capacity through providing a stable and high-quality supply of recyclable waste materials

Yes

This makes sense in principle.

78. Do you think a DRS, as set out in this consultation, is necessary in helping us achieve the outcomes outlined above?

Yes

If it performs as the impact assessment suggests.

79. Do you think the outcomes of what we are hoping to achieve could be reached through an alternative approach?

Other (please state)

There are other more punitive systems such as compulsory recycling and incentive schemes such as local Green points which if introduced may achieve similar results if considered as an option.

80. Do you think an alternative approach would be a better way of achieving the outcomes?

I don't know / I don't have enough information

Alternative options would need to be explored with the same impact assessments which have been undertaken for this consultation.

Statutory local authority recycling targets in Wales

We are not proposing to answer the following questions 81-84 which are applicable to Wales.

81. Are there particular local authority considerations that should be taken into account when considering whether to implement either an "all-in" or "on-the-go" model?

82. Are there specific considerations associated with your local authority that DRS policy makers should consider?

(Specific examples and any cost estimates, where applicable, would add value to this response).

83. What benefits and/or disadvantages can a DRS provide to your local authority?

(Specific examples and any cost estimates, where applicable, would add value to this response).

84. Are there any specific considerations associated with local authorities that collect waste from designated DRS return points that we should consider?

(Specific examples and any cost estimates, where applicable, would add value to this response).

Design of drinks containers

85. How should a DRS drive better design of packaging? Please select all that apply:

- a. Varying producer fees that reflect the environmental cost of the products that producers are placing on the market
- b. An additional producer fee for producers using unnecessary and/or difficult to recycle packaging
- c. Other (please specify)**
- d. None of the above

Possibly include a RAG status on the labelling as to how 'recyclable' a product is based on value and ease such as red for cartons, green for alu cans.

86. Who should be involved in informing and advising on the environmental cost of products? Select all that apply

- a. Government**
- b. Reprocessors**
- c. Producers**
- d. Local Authorities**
- e. Waste management companies**
- f. Other (please specify)

This should be the responsibility of all stakeholders in the DRS

DRS and other waste legislation

87. Do you agree or disagree with our assessment of other waste legislation that may need to be reviewed and amended?

Agree

With new initiatives like this where there isn't a precedent it is necessary to review existing legislation to ensure that existing relevant legislation is updated to reflect any changes and to ensure there are no conflicts with other legislation which affects this scheme.

88. Do you have evidence to suggest that we might need to revise any other waste-related regulations as part of introducing a DRS? Please specify.

There is possibly planning legislation that will need to be included in this review.

Further comments

In addition to this consultation, we are also carrying out social research with the public and other analytical research to support our evidence base for decision making.

89. Is there anything else we should be considering related to drinks container recycling and litter reduction which has not been covered by other questions?

We have no additional comments.

**APPENDIX F - DRAFT NLWA RESPONSE TO HER MAJESTY'S TREASURY (HMT)
CONSULTATION ON INTRODUCING A TAX ON PLASTIC PACKAGING WHICH
CONTAINS LESS THAN 30% RECYCLED CONTENT**

Plastic packaging tax consultation
Energy and Transport Tax team
HM Treasury
1 Horse Guards Road
London
SW1A 2HQ



North London
Waste Authority

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25 Ashley Road
Tottenham Hale
London N17 9LJ

020 8489 5730

post@nlwa.gov.uk

nlwa.gov.uk
wiseuptowaste.org.uk

Xxx April 2019

By email to: ETTanswers@hmtreasury.gov.uk

Dear Sir/Madam

Ref: Plastic packaging tax consultation

NLWA is pleased to have the opportunity to respond to the government's consultation on **proposals to introduce a plastic packaging tax**.

As many of the questions are not relevant to us we have confined our comments to answering the first few questions and then making some general comments as follows:

Questions

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

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

Q3. Which best describes you? Please provide the name of the organisation/business you represent and an approximate size/number of staff (where applicable)

Type of organisation – **Local government**

Name - **North London Waste Authority**

Approximate size/number of staff – **We serve over 2 million north London residents with a team of 28**

Q4. Please provide any further information about your organisation or business activities that you think might help us put your answers in context. (Optional)

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.

Q5. Would you like your response to be confidential? No

Q9. Which of the above options for defining plastic packaging for composite material items do you think works better for the purposes of the tax?

From the Authority's perspective Option 1 would seem a sensible approach ensuring all plastic containing products are in scope which would hopefully drive packaging producers to review materials used in packaging.

Q14. Do you agree with the government's preferred approach of a single threshold, and why? If not, what alternative would be better, and what are the risks associated with this? Please explain your answer and provide any supporting information and evidence.

The Authority considers that having more than one threshold would be preferable because this would reward organisations that go beyond 30% recycled content. For the Authority option 1 seems more logical in promoting the use of recycled plastic packaging.

The Authority support the government's proposals for a plastic packaging tax to influence manufacturers to use recycled plastic in production of new products. This will stimulate manufacturers to work with companies producing recycled plastic and develop a level of certainty to this sector which has suffered due to under investment and volatility based on oil prices in recent years. For the Authority this gives us confidence that there will be reliable end markets for the plastics collected on behalf of the 6 constituent boroughs in the future that are sustainable.

**APPENDIX G – DRAFT NLWA RESPONSE TO THE NORTH LONDON WASTE PLAN
REGULATION 19 CONSULTATION**

Archie Onslow
North London Waste Plan
Regeneration and Planning
Camden Town Hall
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London
WC1H 9JE



North London
Waste Authority

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Dear Archie

Ref: Consultation on the Proposed Submission North London Waste Plan

Thank you for providing the North London Waste Authority (NLWA) the opportunity to respond to the consultation on the Proposed Submission Version of the North London Waste Plan (NLWP).

As you are aware, NLWA is the second largest waste disposal authority in England, handling around 3% of national municipal waste collected by the seven London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. NLWA has a statutory responsibility for providing municipal waste disposal services for its seven boroughs and powers to arrange for the reuse, recycling and composting of municipal waste.

NLWA owns the Edmonton EcoPark. A Development Consent Order (DCO) has been granted for the North London Heat and Power Project (NLHPP) for the construction of a replacement Energy Recovery Facility (ERF) for the existing Energy from Waste (EfW) facility. Construction started in January 2019 with preparatory works now underway in the temporary laydown area in the Lee Valley Regional Park. The new facility is expected to be operational from 2025.

NLWA also own the Friern Barnet Sewage Works / Pinkham Way site (proposed site A22-HR). Pinkham Way is an important asset for NLWA due to its strategic location and designation as an employment site.

NLWA would like to take this opportunity to note our support for the NLWP which we consider to be both sound and legally compliant.

It is noted that the modelling in the NLWP is based on the most up to date information at the time of production and we consider the waste forecast modelling to be sound. National and regional waste policy will be subject to change over the lifetime of the NLWP and we would expect planning applications to take account of such changes, for example future measures to increase household recycling.

Detailed comments can be found in 'Part B – Your Representations' attached.

Yours sincerely

Cllr. Clyde Loakes
Chair, North London Waste Authority

Attachments:

- Part A – Your personal details
- Part B – Your representation

INFORMATION TO BE COPIED INTO PART B FORMS (ONE FOR EACH PARAGRAPH COMMENTING ON). COPIED HERE FOR THE CONVENIENCE OF REVIEW.

Name or Organisation

North London Waste Authority

**1. To which part of the North London Waste Plan does this representation relate?
(Please use a separate response sheet for each representation)**

See below

2. Do you consider the North London Waste Plan to be legally compliant?

(please select one answer)

Yes *X*

No

3. Do you consider the North London Waste Plan complies with the duty to cooperate?

(please select one answer)

Yes *X*

No

4. Do you consider the North London Waste plan is sound? (if No please also answer Question 5; otherwise please continue to Question 6).

(please select one answer)

Yes *X*

No

5. If you consider the North London Waste Plan to be unsound, please also indicate which of the following test(s) you consider are not met:

(please select all that apply)

Positively prepared

Justified

Effective

Consistent with national planning policy

6. Please give details of why you consider the North London Waste Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the North London Waste Plan or its compliance with the duty to cooperate please also use this box to provide your comments.

NLWA would like to support the legal compliance and soundness of the NLWP. We would like to make some additional specific comments in respect of the proposed allocation of area A22-HR Friern Barnet Sewage Works/Pinkham Way.

The NLWP aims to achieve net self-sufficiency for Local Authority Collected Waste (LACW), Commercial & Industrial waste (C&I) and Construction & Demolition waste (C&D) waste streams, including hazardous waste, and support a greener London by providing a planning

framework that contributes to an integrated approach to management of materials further up the waste hierarchy.

It is essential that the NLWP allocates sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their waste management needs throughout the plan period. Area A22-HR is an essential component of this.

NLWA does not have any immediate plans for the use of Pinkham Way however it remains an important asset for the Authority and is considered essential to achieving statutory waste management functions in the medium term. Exclusion of the area would make the NLWP unsound since it would not meet the requirements of National Planning Policy for Waste to identify sufficient sites to manage the area's forecast waste.

The following characteristics of the A22-HR make it suitable for allocation as a proposed area:

- it is located centrally within the seven north London boroughs, which can provide benefits in terms of reducing cost and environmental impact of road transport by reducing the distance collection vehicles need to travel. It is also compatible with the NLWP's principle to seek a geographical spread of sites;
- the majority of the area is within NLWA's control. The primary function of NLWA is to arrange for the transport and disposal of waste collected by the seven boroughs and to promote waste minimisation and recycling. The landowner is therefore committed to using the site for waste management in the future and the site is deliverable within the plan period (2020 – 2035);
- the area is currently vacant;
- the area is already designated employment land in the adopted Haringey Site Allocations DPD (Site DEA 13);
- it has been subject to a robust site selection methodology and can be delivered in accordance with the requirements of Policy 5;
- its suitable for a range of waste uses in line with the waste hierarchy;
- allocation of A22-HR avoids the potential need to use Compulsory Purchase Powers to acquire additional sites;
- adjacent uses are compatible with a waste use and the nearest residential property is approximately 100m from the site; and
- there are no technical constraints in providing access to the adjacent A406.

The NLWP includes ambitious targets to increase LACW recycling from 29% in 2016 to 50% by 2025 and achieving net self-sufficiency for LACW and C&I by 2026, and C&D by 2035. The NLWP clearly demonstrates that new capacity will be needed to meet North London's identified need for waste management over the Plan period. Furthermore, there is a need to plan for more land than might be needed as not all sites will come forward for waste development within the plan period, and not all proposals will secure planning consent.

As acknowledged in Para 8.11 it should be expected that some existing waste sites will be lost during the Plan period and these cannot all be forecast. Similarly, some of the proposed areas might not be able to come forward for waste use during the Plan period, for example the exact alignment of Crossrail 2 might mean that some of the proposed areas come under increasing pressure to be used for higher value non-waste uses.

Table 7 identifies that 9 hectares of land is required to meet net self-sufficiency for LACW, C&I and C&D. Furthermore, sites need to be available at the right time as the capacity needed for different treatment types varies over time. Although the site area of A22-HR (5.95 hectares) appears to be one of the smaller areas, in practice the largest areas in the table comprise multiple individual plots with different landownership/rights and the whole area is unlikely to come forward for waste use. Given NLWA owns the majority of area A22-HR, it

has the potential to be one of the larger sites to come forward for future waste treatment. This means that if the site were not allocated potentially multiple sites would be needed to replace the capacity it could provide. The ability of areas to accommodate a range of types and sizes of waste treatment facility is important to the flexibility of the NLWP. A22-HR provides flexibility not only in site size and treatment type, but in timing of delivery since it is currently vacant and not subject to any land ownership constraints.

- 7. Please set out what modifications you consider necessary to make the North London Waste Plan legally compliant or sound, having had regard to the Matter you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Plan legally compliant or sound. If possible please include your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate cannot be modified at examination).**

Response 1

Paragraph 1.11 and Paragraph 7.9, p.4 and p.49

Paragraph 1.11 states: *“The North London Waste Authority’s (NLWA) has produced the Joint Municipal Waste Management Strategy (JMWMS) (2009)”* this should be corrected to: *“The North London Waste Authority’s (NLWA) and the seven constituent boroughs have produced the Joint Municipal Waste Management Strategy (JMWMS) (2009)”*. The Strategy is jointly produced by NLWA and boroughs, and we are all collectively working to achieve the recycling targets it includes.

The same comment applies to Paragraph 7.9 which should be corrected to read: *“The NLWA and seven constituent boroughs are seeking to achieve a household waste recycling target of 50% by 2020 consistent with the targets set out in the North London Joint Waste Strategy.”*

Paragraph 1.11 requires an additional correction. It currently states *“The NLWA is responsible for managing the waste collected by the north London boroughs, in particular household waste but also waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW).”* Waste collected at RRCs is household waste; business waste is not accepted at RRCs. Therefore, this paragraph should be corrected to read: *“NLWA is responsible for managing the household waste collected by the north London boroughs and also for the household waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW).”*

Response 2

Figure 6: Key Diagram p.24

The key diagram is hard to interpret and could be made more legible. The following changes are suggested:

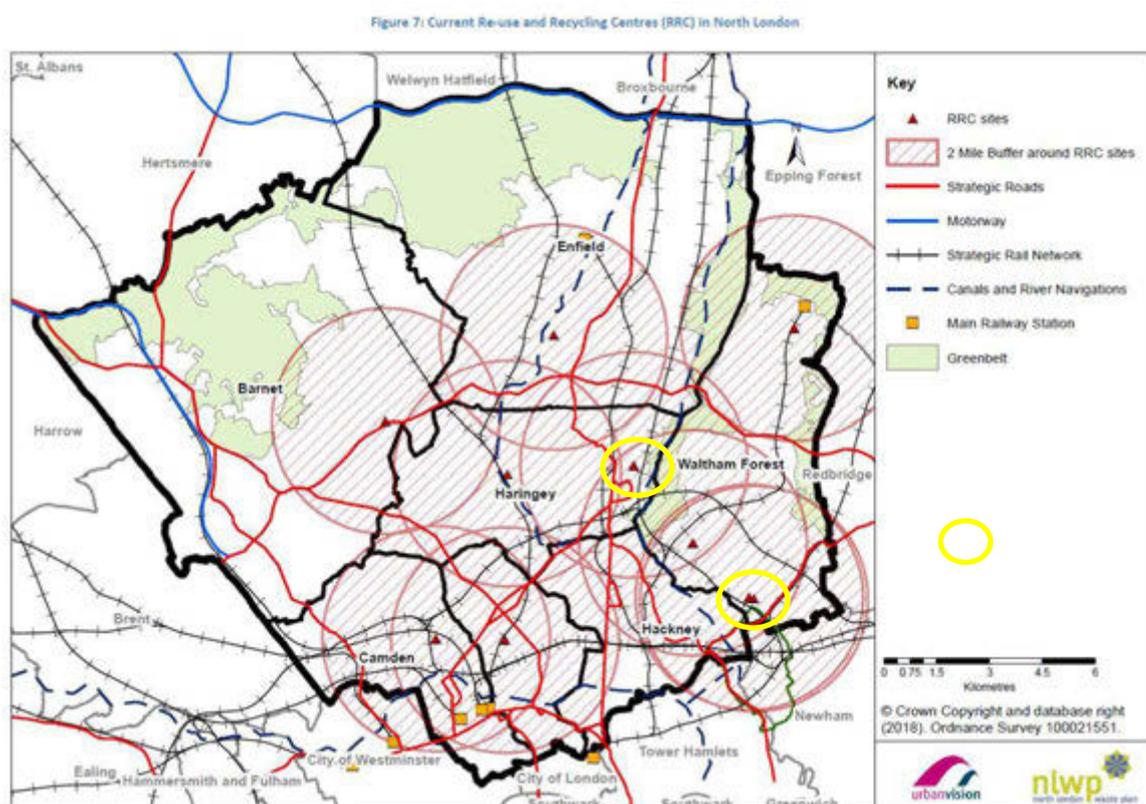
- The Key includes ‘Potential Area for Decentralised Heat’ and ‘Decentralised Energy Opportunity Area’, yet the latter does not appear on the diagram. ‘Decentralised Energy Opportunity Area’ should be deleted from the Key.
- Existing waste sites need to be added to the diagram.
- Proposed waste sites should be added to the diagram and Key.
- The ‘Potential Areas of Decentralised Energy’ are overly dominant. The existing and proposed waste sites should appear more dominant than other features such as roads and rail which are provided for context.

Response 3

Figure 7: Current Re-use and Recycling Centres (RRC) in North London p.26, Paragraph 9.32, p.73, Figure 6: Key Diagram, p.24 and Figure 9: Existing Waste Sites, p.33

Figure 7 shows ten RRCs but there are only eight in operation, the following corrections should be made as marked up on the extracted image below:

- Two RRCs are illustrated in Haringey, the site shown to the east of the borough is the former Park View RRC which has closed.
- Two RRCs are shown at Gateway Road to the south of Waltham Forest. This site comprises an RRC and a separate depot operated by Bywaters, however the Bywaters site is not an RRC. Only one RRC should be illustrated at this location.



Related to this Paragraph 9.32 states: “There are currently nine RRCs in North London of which eight are the responsibility of the North London Waste Authority (NLWA)”. This should be corrected to “There are currently eight RRCs in North London of which seven are the responsibility of the North London Waste Authority (NLWA)”.

These corrections should also be translated onto Figure 9 which shows all existing waste sites including RRCs and Figure 6 Key Diagram.

Response 4

Table 11: Schedule 2 Area suitable for waste management, p.67

Table 11 identifies ‘Waste Facility Type’ for each of the proposed sites. The NLWP should not specify what type of treatment is appropriate at each site; this should be a matter for the planning application stage when proposals will be tested against the criteria in Policy 5, and other relevant local, regional and national policies.

The NLWP should not favour one treatment type over another because it is likely that during the period covered by the NLWP new technologies will emerge, as will the ability to mitigate any impacts, meaning that some treatment types may become more acceptable at particular sites. The NLWP should seek to retain maximum flexibility by not indicating what type of treatment might be suitable, thereby prejudicing future planning applications. The 'Waste Facility Type' column should therefore be deleted from Table 11.

Should 'Waste Facility Type' be retained for each site, we agree that proposed site A22-HR Friern Barnet Sewage Works/Pinkham Way is suitable for recycling (Category A), Composting (Category B) and waste transfer (Category E). Additionally, the site should be recorded as suitable for Category "*D Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)*". NLWA has no intention to use the site for thermal treatment or mechanical biological treatment during the lifetime of the NLWP. However, A22-HR might be suitable for other types of treatments included within Category D, for example anaerobic digestion is likely to have similar potential effects and material planning considerations to indoor composting in that it would be enclosed and potentially result in similar effects.

Proposed site A22-HR should also be recorded as suitable for and Category "*C integrated resource recovery facilities / resource parks*". The site is well suited for use as an integrated resource recovery facility. '*Rubbish in – Resources Out*' produced for the Mayor of London and Design for London recognises that with good design waste treatment facilities are increasingly acceptable in urban locations. The document includes a concept design for an integrated resource recovery park on the urban fringe which bears many similarities with site A22-HR. It would receive waste in refuse collection vehicles directly from several boroughs – A22-HR's central location makes it ideal for this purpose. It is also of the right size for a facility of this nature and next to buildings which would be of a similar scale.

These changes would make Table 11 consistent with Appendix 2 which identifies the site as having potential for "*Integrated resource recovery facilities/resource parks, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment Waste transfer, processing and recycling, indoor composting, in-vessel composting and outdoor composting. Thermal Treatment facilities may be viable but should only be considered if a combined heat and power facility could be incorporated into the facility and linked up to a district heating system*". Reference to "*mechanical biological treatment*" should be deleted from information on A22-HR in Appendix 2.

Proposed site A15-HC Millfield LSIS should also be recorded as suitable for Category "*D Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)*" because the power facility here may make the site suitable for energy recovery.

Response 5

Policy 5, p.74

Policy 5 m) requires "*appropriate permits are held or have been applied for from the Environment Agency*". Planning policy should not duplicate other regulatory requirements. In this case permits to operate waste facilities are already required by the Environmental Permitting (England and Wales) Regulations 2019 and as such criteria m) of Policy 5 should be deleted. Furthermore, the policy as worded prevents permits being sought after planning consent is granted and before operation; in some cases, this sequencing may be most appropriate.

Policy 5i) requires development to “*make the fullest possible contribution to climate change adaptation and mitigation*”. This is an unrealistic expectation for all waste developments and should be deleted.

Policy 5 p) requires “*job creation and social value benefits, including skills, training and apprenticeship opportunities*”. This might not be appropriate for all scales of waste treatment facilities since small sites could have a very small number of employees. A caveat should be added to the criteria that this should be required unless a small number of employees are based at the site.

Supporting text for Policy 5 at Paragraph 9.44 requires development “*to protect and enhance local biodiversity*”. The reference to enhancing biodiversity should be deleted to make it consistent with the wording of Policy 5 which requires “*no significant adverse effect on local biodiversity*”.

Response 6

Appendix 1: Table 17: Schedule 1: Existing safeguarded waste sites in North London and Figure 9: Existing Waste Sites, p.33

The following corrections should be made to Table 17:

- The EcoPark is currently listed in Table 17 as several sites, as follows: ENF19 ‘London Waste Ltd Composting, Edmonton Eco Park, Advent’, ENF 20 “London Waste Ltd, Edmonton EcoPark, Advent Way”, ENF 20 “London Waste Bulk Waste Recycling Facility, Edmonton EcoPark, Advent Way”, ENF 22 “Edmonton Clinical Waste Treatment Centre”, ENF 27 “Edmonton EFW” and ENF 33 “Ballast Phoenix Ltd”. Note there are two sites called ‘ENF 20’. The table should include one entry - ‘ENF 20’ - covering the entirety of the EcoPark and all facilities within it. Although specific permitted activities take place within the EcoPark the entirety of the site is required to deliver effective, integrated waste treatment;
- HAR10 is listed as ‘LondonWaste Ltd. Western Road HWRC’, however the other reuse and recycling centres (RRCs) operated by LondonEnergy Ltd are not identified as such. To make the wording consistent HAR 10 should be recorded as ‘Western Road RRC’;
- The full address and postcode of all safeguarded sites should be included; and
- It is not clear why this table is referred to as both ‘Schedule 1’ and ‘Table 17’, it should have one title to avoid confusion.

It is also noted that the references in Figure 9 Existing Waste Sites do not match those in Table 17, as an example on Figure 9 ENF 19 is the Bulky Waste Recycling Facility whereas in Table 17 ENF 19 is the Composting facility. Existing waste sites and safeguarded waste sites are not the same, so the references do not have to be identical, however, to avoid confusion it would be helpful if references could be made consistent where possible.

Response 7

Throughout

All references to *LondonWaste Ltd* should change to *LondonEnergy Ltd*.

8. If your representation is seeking to make a change to the North London Waste Plan, do you consider it necessary to participate in the oral part of the examination?

(please select one answer)

Yes, I wish to participate at the oral examination. X

No, I do not wish to participate at the oral examination

9. If you answered yes to question 8 please outline why you consider this is necessary. Please note the appointed inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination

NLWA has a role and responsibility in implementing the Plan as identified in Table 15. This states that NLWA is responsible for:

- Delivery of replacement Edmonton ERF plant;
- Delivery of other facilities enabling achievement of desired performance levels;
- Prioritising infrastructure delivery that moves waste up the Waste Hierarchy; and
- Support / promote / deliver waste reduction initiatives.

As the statutory waste disposal authority for the seven north London boroughs, and owner and operator of existing and proposed waste sites, it is essential that NLWA is provided the opportunity to participate in the examination.

10. Do you wish to be notified of future stages in the North London Waste Plan, including Submission, Examination and Adoption?

(please select all that apply)

Submission YES

Examination YES

Adoption YES