



The manufacturers' organisation

EEF Response to England's Waste Strategy- Consultation

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**Consultation
response**

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ABOUT US

EEF, the manufacturers' organisation, has a membership of 6,000 manufacturing, engineering and technology-based businesses and represents the interests of manufacturing at all levels of government. Comprising 11 regional Associations, the Engineering Construction Industries Association (ECIA) and UK Steel, EEF is one of the UK's leading providers of business services in health, safety and environment, employment relations and employment law, manufacturing performance, education, training and skills.

CHAPTER 1 – REVIEW OF WASTE STRATEGY 2000

Our views on the overall approach for the suggested waste strategy for England

The EEF is pleased to have the opportunity to contribute to this consultation. This section outlines our high level concerns and comments to the overall approach for the waste strategy.

- The Government must recognise the increasing regulatory burden faced by our members. This burden incurs additional resources and costs for business to the detriment of competitiveness. Many of our members compete with developing economies where environmental standards and safety are not always implemented with the same degree of enforcement. This inevitably leads to a competitive distortion where our members have to absorb these costs because they cannot pass them on. In addition the introduction of recent regulations have led to increased waste disposal costs. Some of our members have reported increases of 500%. Any review of the strategy should recognise this. The regulatory burden on producers should be balanced with a programme to educate and inform the consumer about the environmental/waste profile of a product. See response to question 22.
- The EEF encourages government departments to engage with business and industry very early in the process of policy development. This includes engagement before the thinking has developed into EU Directives.
- The review correctly identifies a need to facilitate more re-use and recycling. One means of easing the burden on industry would be to recognise re-manufacture as a maintenance activity rather than a waste management operation which requires a Waste Management Licence (WML). The current arrangements are counterproductive as it over-regulates the situation and discourages activities which are environmentally beneficial. (see our response to Question 5).
- We are cautious about condoning targets for the landfilling of commercial and industrial waste – it works better for some sectors than for others. We agree that targets can send signals to the market and bring about a balance of activity that drives the policy forward. However Government must be minded that other factors come into play that resist a direct correlation between the setting of targets and the emergence of a market that delivers their expectations. The recent problems encountered around the definition of waste are an example of this. Recent data shows a downward trend in reusing and recycling of hazardous waste which perversely could see this waste going to landfill eventually.
- There is a clear need for close co-operation between all sectors to make the most of the materials available for recovery/recycling in industrial, commercial and domestic waste streams, and the consultation document suggests increased involvement by local government to improve the

situation. We are supportive of the proposals put forward in the document and believe partnerships with local authorities could address some of the challenges faced by small businesses and will help them to recycle and reuse.

- The EEF supports the Government view that there is a need to design products which generate less waste. However, before extending measures to address producer responsibility an assessment of the effectiveness of the current and pending measures such as Waste Electrical and Electronic Equipment (WEEE), Energy Using Products (EuP) and End of Life Vehicle (EoLV) should be undertaken.
- As an alternative to further legislative measure aimed at specific products we would like to see continued use of sector agreements provided they are voluntary. Assessment of the effectiveness of the current sector agreements will provide a good basis to take this model forward and we welcome engagement with the Environment Agency (EA).
- The provision of help and information through various Government sponsored bodies and other national or regional organisations is essential and very valuable to our members. We are keen to see more work in this area to help business minimise their waste through continued use of existing organisations but some work to externalise a single message and point of entry for business to access this advice and information is essential to drive forward this agenda.
- Finally we support the proposal of Sustainable Waste Programme Board but would like to see an invitation to participate extended to industry and business.

CHAPTER 2 – A NEW STRATEGY

Question 2 - what are your views on proposed national household recycling and composting targets and the level they should be set at?

EEF has no comment to make in response to this question.

Question 3 – What are your views on setting municipal waste total recovery targets?

EEF has no comment to make in response to this question.

Question 4 - What are your views on proposed targets for the landfilling of commercial and industrial waste and the level they should be set at?

The EEF is cautious about condoning setting targets for the landfilling of commercial and industrial waste. We agree that targets can send signals to the market and bring about a balance of activity that drives the policy forward, however Government must be minded that other factors come into play that resist a direct correlation between the setting of targets and the emergence of a market that delivers their expectations. For example the rising cost of waste disposal since the ban on co-disposal does act as an incentive to business to find a means of reducing their waste or finding a way in which it can be recovered. But the introduction of the hazardous waste regulations and Waste Incineration Directive (WID) have reduced the commercial activity around the recovery and recycling of some wastes, driving this waste back to landfill or overseas markets. This situation is driving up the costs for waste producers and closing options for recovery and reuse more locally.

Setting targets can only work where the frameworks are set in place to allow the market to respond effectively. The current UK situation does not reflect that state and until it does we would not be confident that setting targets for landfill will achieve the overall environmental objectives for waste policy.

Additionally we believe that to set targets for landfill would require robust data to ensure that any targets set reflect the potential for reducing, reusing, recycling and redirecting materials to other options for disposal. We do not believe the EA or DEFRA possess robust enough data sets to help determine sensible targets for reducing waste to landfill. We would rather see effort focussed on this to establish a baseline from where future policies can be developed that reflect the trends and reality out in the field.

CHAPTER 3 - THE POLICY FRAMEWORK

Question 5: What further specific improvements, if any, would you like to see to the regulatory framework.

We are encouraged that the Government has recognised the important contribution that individual business can bring to the development of policy and the practical implication of implementation and we will continue to seek future engagement. However, we are disappointed with the response from Government to industry stakeholder groups who have produced examples where policy is not working because the regulations introduced to support the policy are unclear and work as a barrier to reuse and recycle materials. Instead of industry working with Government to adopt sensible practices for the shared

desired outcome of improved environmental management we have a situation where definition of 'waste' is now to be decided at the European Court of Justice on a case by case basis. This is not an efficient use of time and could be avoided if careful, consultative consideration was taken before the regulations were drafted. We will continue to seek engagement with Government and the EA to mitigate the risk of such unsatisfactory outcomes re-occurring. We urge Government to involve stakeholder groups early on in the process both at the European level and prior to transposition into UK regulatory frameworks. (See also the response to question 39).

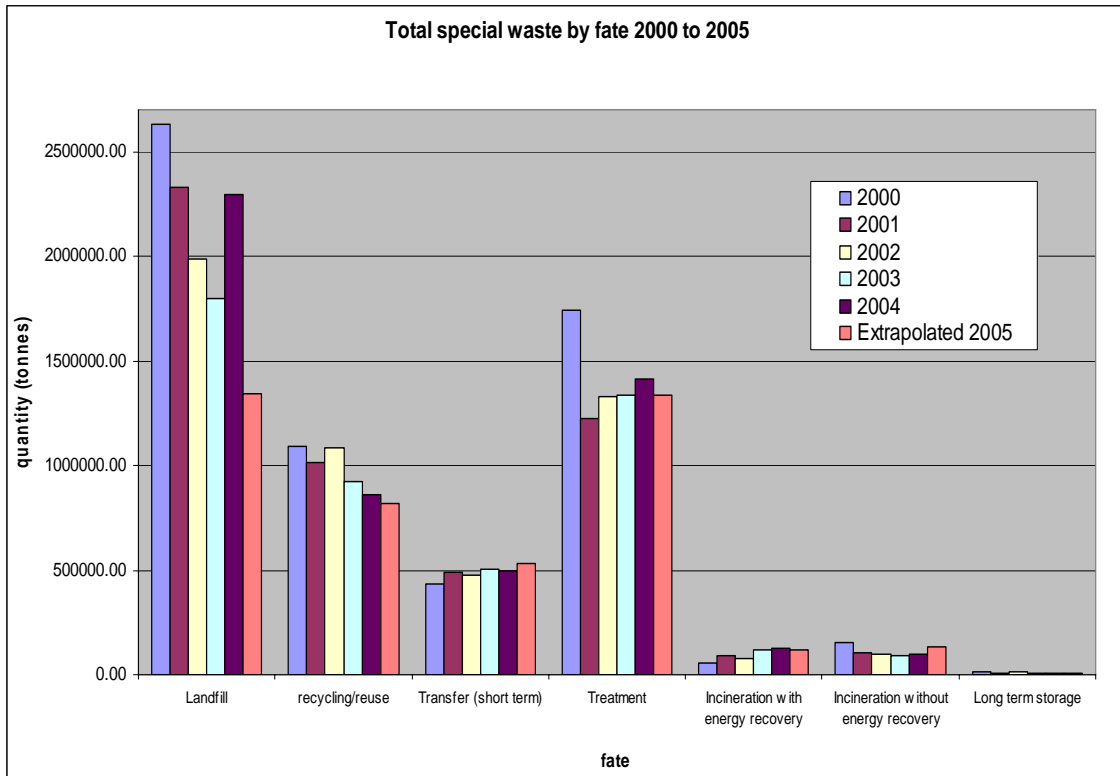


Figure 1 – Total Special Waste by Fate 2000 to 2005

Source – Environment Agency

To illustrate the importance of engaging with stakeholder groups early we reflect on the current situation with the definition of waste. Various stakeholder groups have warned Government officials about the barriers to reuse and recycling for the past year and are frustrated by the lack of ownership on the part of Government to rectify this issue. It should not come as a surprise to officials that recent EA data reflects a drop in recycling and reuse of hazardous waste (see Figure 1) and (Figure 2) – both of which reflect a downward trend in recycling and reuse.

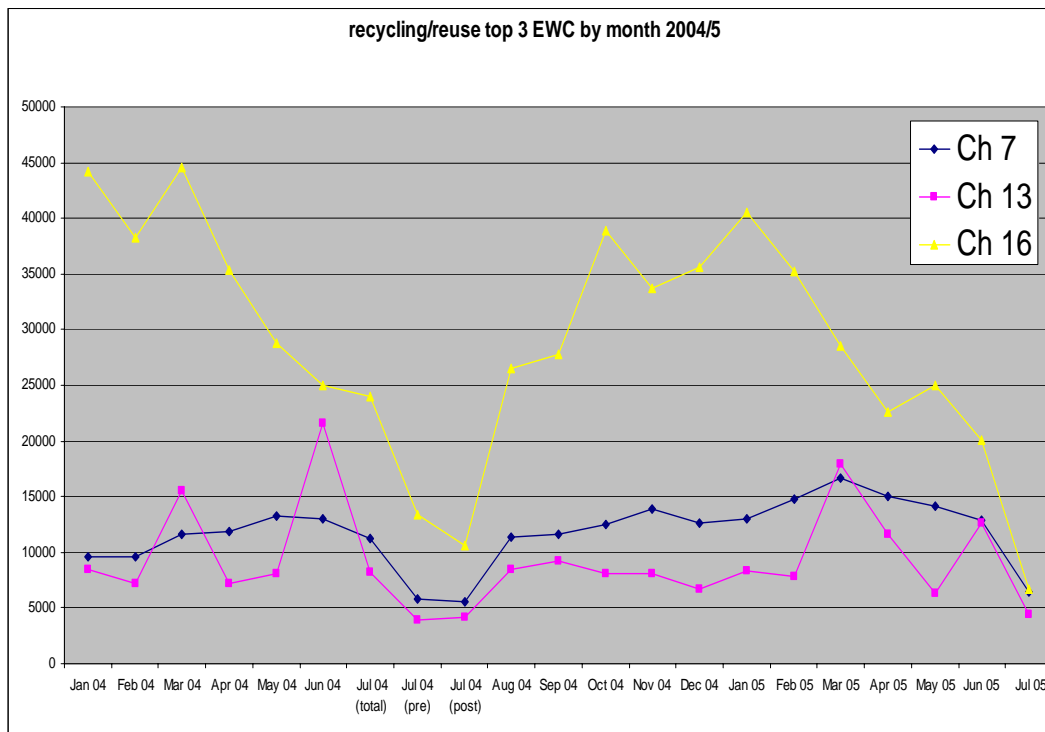


Figure 2 – Recycling/Reuse –top 3 European Waste Catalogue by Month 2004/5
 Source – Environment Agency

We will be interested to see if further analysis of the data finds that the cause is that the definition of waste has resulted in more materials being classified as waste. This increases costs to business who in accordance with the UK regulations now need to apply for waste management licenses and/or become registered waste carriers and eliminates any commercial viability for certain low risk materials to be reused or recycled.

For example an EEF member company has obtained written confirmation from the EA regarding the remanufacture of commercial vehicle parts at its manufacturing plant in England. The Agency's original position was that remanufacturing second hand vehicle parts (returned to the manufacturer 'on exchange' from approved service centres) at a manufacturing site required a WML. The Agency subsequently withdrew this requirement without fully explaining the reason behind their decision. The company provides this service to extend the life of its products, maintain customer loyalty and guard against the entry into the UK market of inferior facsimiles of its products. This activity would be uneconomic if the requirement for a WML were to be enforced.

If such activities were to be acknowledged as keeping products within a chain of utility rather than a waste processing activity any ambiguity would be removed and an environmentally beneficial practice could continue unimpeded.

The review of the Hazardous Framework Directive (HFD) and current work around the Waste Thematic Strategy both provide opportunities to address some of the issues above and to drive forward the better regulation agenda. We hope that the issues similar to those that have arisen around the definition of waste will be avoided by working more closely with business early on in the process. Again we would have welcomed engagement in the review of the (HFD) at pre-formal consultation stage unfortunately it

appears that several business organisations were missed. Given the above, and Government's desire to engage with business, we find this recent lack of engagement surprising and very unsatisfactory. This could again lead to inefficiencies downstream of the process repeating recent and current events.

We welcome the recent initiative on the part of the EA to establish waste protocols but a very limited budget and use of consultants limited the parameters of engagement and we were disappointed not to be able to participate.

Question 6 - What scope is there for extending the 'stewardship' or responsibility of producers and retailers for the impacts of the products they manufacture and sell, and which key products or sectors should be explored?

Several legislative requirements are already in place or are about to come into force that address producer responsibility. ELV, Packaging, EuP and WEEE are all examples of this. We would be keen to see how effective these measures are at achieving the overall objective of reducing waste, increasing resource efficiency and especially with reducing the overall cost of waste if that is their intention. Government need to be sure that these measure have been effective before extending 'the stewardship or responsibility' through further measures.

Take the example of WEEE. Although focused on recycling products at the end of their life. The Directive itself does not encourage people to design products more sustainably or to be easier to recycle at the end of their life. Companies will pay for the recycling of products arising as waste in their sector in proportion to their market share regardless of how recyclable their own products are or how sustainably they have been produced. The focus for the future should be on individual producer responsibility and making companies directly responsible for their own products. We would like to see the UK Government steer future policy in this direction in Europe

In principal we are not against implementation of the 'precautionary principle' in trying to reduce the negative environmental impacts of products that go to market. But we are reluctant to endorse extending statutory stewardship that takes no account of the real impacts this has on manufacturers who compete in a global market and cannot share the responsibility with other players - including consumers, competitors and retailers.

The initial statement in this section that states; *'Producer responsibility is an extension of the 'polluter pays' principle'*, is a gross oversimplification of the reality. It does not reflect the complexities of consumer demand, international trading and other market forces. The consultation document goes on to state that *'As a policy tool it is aimed at ensuring that businesses take responsibility for the environmental impact of the product that they place on the market and particularly when they become waste'*. There is no reference whatsoever to the consumer responsibility. UK manufacturing is already absorbing all the increasing costs of internalising the externalities associated with improved environmental management and is successfully driving forward the de-coupling of negative environmental impacts from production. Meanwhile consumers and retailers drive prices lower increasing demand for products from overseas taking little and often no account of the environmental damage that has arisen.

UK manufacturers have no problem with undertaking responsibility for the pollution of their products BUT the UK manufacturer currently absorb the costs of decoupling - eroding profits and making them more uncompetitive. An assessment of the effectiveness of current measures is first required before extending 'stewardship'.

Question 7 - What are your views on seeing voluntary agreements as an alternative to statutory approaches?

Voluntary agreements can be turned to commercial advantage if marketed effectively. Eco-labeling, CSR and supply chain initiatives are examples of this and the latter has proved successful in driving forward improved standards.

Sectoral agreements on a voluntary basis could be considered as a means of sharing and incentivising best practice. They can send out the right signal to developing economies through the supply chain and reduce the competitive distortions that UK manufactures face for actively wishing to improve standards.

Any initiatives to extend stewardship should not be taken in isolation but considered against the backdrop of the sustainable consumption and production agenda and take into account material flows in and out of the UK. It would require considerable resources and it is not always easy to engage with business that have immediate pressing priorities. The right budget and effective planning would be necessary to make any initiative work. Any use of consultants should ensure that they are instructed to engage with the business organisations who have first-hand experience of the issues and can bring real value to the development of such schemes. Our recent experience with consultants on behalf of the EA excluded EEF from the process. (See also comment at the end of the response to question 5).

Any voluntary initiatives must take into account the effectiveness of current legislative drivers such as the EuP and WEEE.

Question 8 – How effectively do current prices drive the behaviour of those involved in preventing, producing or managing waste.

See response to question 5.

EEF has recently commissioned a study that will help to inform our thinking on this matter. We will be happy to share the findings with the Government once completed.

Question 9 – Are there further tradable allowance (or other) schemes that could be developed to help the market deliver environmental outcomes.

EEF has recently commissioned a study that will help to inform our thinking on this matter. We will be happy to share the findings with the Government once completed.

CHAPTER 4 – WASTE PREVENTION IN THE CONTEXT OF SUSTAINABLE CONSUMPTION AND PRODUCTION

Question 10 - Should there be greater effort to encourage waste prevention and minimisation relative to recycling and, if so, how should this be done.

Yes. Waste prevention and minimisation should be given priority over reuse and recycle which are lower in the waste hierarchy. Unfortunately focus has been on meeting recycling targets despite the associated environmental costs compared with minimisation. More recently a number of government sponsored

organisations have emerged delivering help and advice to business to identify ways of minimising waste. This service is valuable, but to the business community it appears somewhat confusing, particularly where remits appear to overlap. We are keen to see more work in this area to help business minimise their waste through continued use of existing organisations but some work to externalise a single message and point of entry for business to access this advice and information is essential to drive forward this agenda.

As more of our membership has become aware of waste and its issues there is a growing need for more in-depth technical knowledge specific to certain waste or materials. We would like to see the government programmes reflect this shift in their delivery of service.

Question 11 – How can businesses be engaged in their capacity as purchasers and providers of services?

Supply driven initiatives are an effective incentive to engage businesses as purchasers and providers of services. Tools such as sectoral sustainability strategies, sectoral agreements and CSR are already tools employed or considered throughout business. These initiatives would benefit from further resources to help encourage increased implementation. Again we would stress that these tools should be used to encourage international players in developing countries to adopt environmental standards through supply chain pressure.

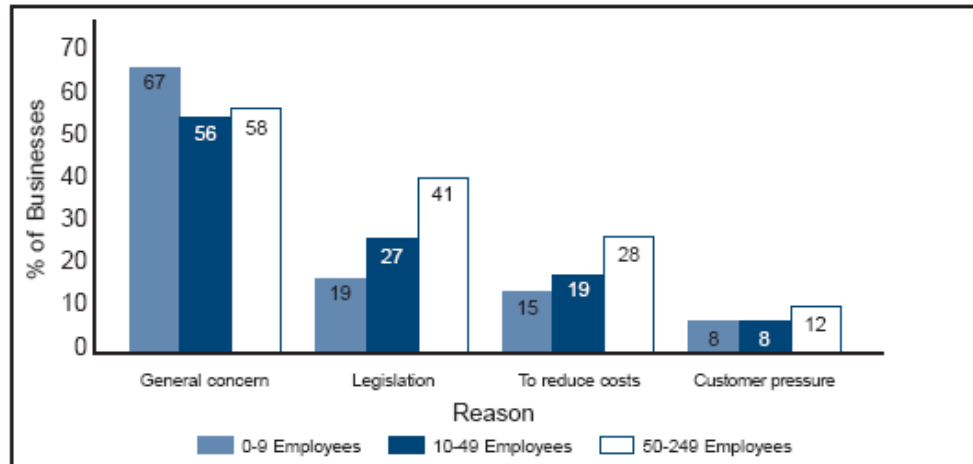
Question 12 – What more can the Government do to provide an example in its own waste management and product procurement policies to reduce waste and waste impacts?

To implement its proposed intentions set out in 'Securing the Future - Sustainability Strategy for the UK', 2005, and to remove some of the barriers to waste reuse and recycling as outlined in the response to question 5.

Question 13 – What are the information gaps requiring waste management-related research in the short and long-term?

To encourage business to address waste minimisation Government organisations use the carrot of economic benefits and cost saving potential that can be realised if waste minimisation is undertaken. However our members have expressed to us a different view in that these figures do not always take into account 'hidden' costs of implementing such measures. In addition, because the message is repeatedly used business becomes sceptical about the actual economic benefits. This in itself becomes a barrier. Research would be useful to identify what the cost really is to business including the 'hidden costs' to implement and comply with waste regulation. If the findings are cost neutral or even negative to the business then this information should be shared to avoid disappointment and cynicism. Business may still want to implement improvements to their waste management activities because of other pressures such as in the supply chain.

Recent research has shown that more businesses want to implement sound environmental management because it is felt the right thing to do. Figure 3 reflects the reasons for addressing environmental issues by size.



N=2,942 Base: Businesses who have introduced measures to address environmental harm (Multiple responses allowed)

Source; Environment Agency – SME-nvironment 2005: UK

Figure 3 – Reasons for addressing environmental issues by size of business

EEF has recently commissioned a piece of work that hopes to assess the burden of waste regulation on SMEs and its effectiveness to reduce waste. This in turn could identify further information gaps and we will be happy to share this information with the Government.

Question 14 – What products and materials do you consider should be priorities for action to reduce waste and waste impacts?

Without being involved in the Market Transformation Programme (MTP) consultation process and not privy to the findings of its study it is difficult to assess which products and materials should be considered for action. We would welcome engagement in this area.

However we would hope that volumes of product to market, turnover of products and assessment of the design of these products would be taken into account when identifying which to prioritise for action. For example, products where it is cheaper to replace than repair or in some cases cheaper to replace the whole product than it is the battery should be prioritised for action where volumes and turnover to market are high. Environmental risk factors should also be factored in.

Question 15 – What is the scope for reducing waste and achieving more efficient resource use at the product design phase.

The EEF supports the Government view that there is a need to design products which generate less waste. We would also add that re-using materials already in the ‘waste’ streams as part of the product design and repair will also improve resource efficiency and direct materials away from landfill.

There is scope for encouraging more companies to address this issue but one of the barriers is the lack of incentive to undertake such initiatives. If the emphasis and focus is ‘front of pipe’ for UK based manufacturers with little thought to educating the consumer and developing a market for the products then the investment is unlikely to take place. Consumers and retailers make the ultimate choice between cheaper imported products that do not have to cost in the effort to redesign and remanufacture and

improve the environmental profile of a product and those that do. We have already alluded to some initiatives that could address these distortions and encourage best practice in our response to question 7 & 16. These initiatives could also identify the scope for improvements in achieving the above. Government sponsored organisations already address some of this but a more coherent sectoral based approach is warranted along with retailer and consumer education about the products they buy.

Question 16 – What is the scope for improving the amount of waste related information provided about products placed on the market.

Although we do not want to see complex requirements through additional labelling we believe that there is a case to explore the possibility of developing a voluntary labelling scheme that reflects the environmental/waste profile of a product. The energy efficiency label has enjoyed enormous success and unlike the eco-label the message is immediately understood by the consumer. As a means of driving forward effort in this area (see also above response to q. 7 and 15) a standard or label could be developed that is instantly recognisable to the consumer. However, we do recognise that there is a danger that the number of different labels that can be applied to products will be too much information for the consumer and could have an adverse affect.

As stated in the response to question 6 Government also needs to assess the effectiveness of current policy and regulatory measures such as EuP, ELV and Weee on improving resource efficiency at product design.

Question 17 – What are your views on how re-use and remanufacture could be stimulated further.

Refer to the example in the response to question 5.

Question 18 – What are the best ways of stimulating business action on resource efficiency, including waste prevention.

As indicated in question 10 a single entry point for business to access information and services from Government sponsored programmes would be useful. Given the fact that many companies have little time and lack the resources to address these issues, it suggests that programmes need to be proactive and take the message directly to business. The recent touring breakfast bus run by Envirowise is a good example in this area and it will be interesting to see an evaluation of this initiative.

Again, voluntary sectoral standards and supply chain pressure are useful mechanisms to explore but with any of these proposals the international competitive pressures manufacturing companies face must be recognised and mitigated where possible.

Question 19: How can resource efficiency, including waste prevention, be stimulated among SME's in a way which does not incur disproportionate costs?

It is unclear if the question is referring to the disproportionate costs incurred by SMEs; or by Government sponsored programmes in relation to the effort needed to realise comparable results with non-SMEs.

However, in either case it is still true that SMEs already face disproportionate costs of waste disposal because of the charges they incur for small volumes. Some SMEs generate waste in amounts and types similar to those in the domestic sector. Therefore, it would seem sensible for SMEs to be treated in a similar way to the domestic sector.

Addressing waste prevention in the SME sector through Government funded Programmes may not prove to be cost effective compared with comparable efficiencies achieved through targeting non-SMEs. A much more structured and coherent approach may be necessary to group this sector and target through common issues. For example groups of SMEs on a trading estate, groups in the same sector sharing same material flows and groups in the same supply chain. Grouping individual SMEs may be more sustainable and likely to bring about success where responsibilities can be shared between the group as well as other resources. (See also response to questions in chapter 6 and how local authorities could play a bigger role in stimulating a response from SME's).

Question 20: What role should Business Links, local authorities or other organisations play in engaging small businesses.

It is outside of the remit of EEF to determine the role of these organisations in engaging small businesses but clearly local authorities, Business Link and other organisations could make a valuable contribution if given the remit and resources to engage. Whatever mechanism or organisation is used to engage with small businesses it must be marketed as a single point of entry.

Question 21: What are your views on developing a sectoral approach to waste prevention including setting waste reduction targets?

The consultation rightly recognises the current mix of regulatory and voluntary measures to address waste prevention. EEF is in support of a voluntary sectoral approach to waste prevention. The sectoral approach provides the opportunity for sector specific issues to be addressed and to set sensible waste reduction targets that reflect the activities of the sector.

Good data is essential to the success of these sectoral agreements and a sound baseline of information would be necessary to develop meaningful agreements and targets.

Question 22: How do we best engage consumers to reduce waste?

This question assumes that the consumer has a choice. At the moment consumers do not have a choice about the packaging of their purchased consumables. It is cheaper and a lot easier to replace equipment than it is to repair it. Product design is vital to reducing waste. To give consumers a choice about reducing their waste will require products going to market that have a lower waste profile, providing them for example with the information through a labelling scheme, allowing the consumer to be in a better position to choose. (See also response to question 7 above).

Reuse and recycling of waste streams could be encouraged through workplace initiatives where changing behaviour transfers action and benefits outside the workplace.

CHAPTER 5 – RECOVERING RESOURCES FROM WASTE

Question 23 – Should we set future statutory performance standards for Local Authorities related to recycling and composting household waste and how far ahead should any future targets be?

The EEF has no comment to make in response to this question.

Question 24 – what are your views on the possible changes to the design of the standards suggested above?

The EEF has no comment to make in response to this question.

Question 25 – What are your views on the possible changes to how standards should apply to local authorities suggested above?

The EEF has no comment to make in response to this question.

Question 26 – Do you have any comments on the proposal to encourage the diversion of wastes from landfill?

EEF supports the policy that considers the deployment of techniques such as Energy from Waste (EfW) provided it;

- Uses only waste lower down the waste hierarchy that cannot be treated in other ways
- Does not detract from objectives to achieve waste minimisation, reuse and recycling
- Has the evidence to ensure that controls mitigate risks to human health and follows stringent emissions guidelines
- Realises the potential to recover energy

EfW will complement the policies to address climate change and energy demand by reducing greenhouse gases from landfill and providing heat through Combined Heat and Power (CHP) to buildings respectively.

Question 27 – Of the two main current Energy from Waste technologies - i.e a) MBT/RDF and b) direct incineration – is there any reason to prefer one over the other), and if so, why?

The EEF has no comment to make in response to this question.

Question 28 – Should landfill eventually be the home of last resort taking only non-biodegradable residues from waste treatment.

The environmental risks and impacts need to be considered for all methods of disposal and should include the transportation and transshipment of wastes. The latter also have indirect environmental global and local impacts. Removing landfill as an option also restricts R&D that may improve the engineering and management of landfills in the future. This questions really needs to be addressed through applying strategic environmental assessment across interconnecting areas of policy such as climate change and energy. Consideration of a single issue in isolation can lead to unintended consequences for other agendas. This has been witnessed in the case of the air quality directive and climate change agendas.

Question 29 – Views are invited on the proposed actions to improve the waste procurement and how to take them forward.

The recent introduction of the hazardous waste regulations has meant that some of our members have experienced difficulty meeting the waste acceptance criteria and treatment of the waste has proven difficult.

Developing partnerships to address the problems of waste disposal options is essential. (See response to questions 40 onwards).

Question 30 – what more could the government do to accelerate the development of markets for recycled materials?

It is important that Government addresses the definition of waste issue sooner than is proposed in the Waste Thematic Strategy. We are pleased the Environment Agency has taken forward the development of quality waste protocols and as stated in question 5, EEF is keen to engage in this process and develop further protocols than the current ten proposed. These protocols would help to overcome the problems with the definition of waste and contribute to the development of markets for recycled materials.

Developing a risk based approach to the requirements for waste management licensing and carriers licences could also perhaps help to reduce the barriers that exist. (See example in response to question 5). The work through Waste Recycling Action Programme (WRAP) and National Industrial Symbiosis Programme (NISP) in coordination with other government programmes such as Envirowise should also continue.

Question 31: How can we improve compliance with the controls that apply to the export of waste for recycling.

It appears that the controls are already in place through the various tiers of regulations (e.g. Duty of Care, Hazardous Waste Regulations, transfrontier shipment of waste etc). In our membership we have found that producers have difficulty understanding the requirements of the regulations and through the landfill regulation group we have expressed that simplified guidance is necessary to help producers comply. Government bodies have expressed that perhaps this is the role of the trade associations but we would argue that only a fraction of all producers are members of trade associations and that greater coverage is necessary to avoid non-compliance.

Question 32: What should the balance be between the development and encouragement of domestic capacity for recycling and the reliance on overseas markets?

EEF supports the use of overseas markets for exporting materials for recovery and recycling where the environmental and safety standards are met. We also agree with the proximity principle of disposing of waste closer to home. However there are some instances where producers have experienced difficulties disposing of wastes here in the UK either because they cannot meet Waste Acceptance Criteria (WAC) or because there is not an appropriate facility that can cope with the particular waste. In these instance where there is an alternative means of disposal overseas, and provided it meets environmental and safety standards, then permission to dispose by export should be an option.

EEF has no comment in response to the percentage of waste that should be exported.

Question 33: How can we encourage more recycling and recovery of commercial and industrial waste?

As pointed out in earlier questions, continued development of waste protocols to address the issue of the definition of waste will be help to encourage more recycling and recovery of commercial and industrial waste. Further development of sector plans with the Environment Agency, voluntary standards to drive

supply chain shifts and continued use of BREW funding to support programmes and initiatives and deliver on the ground support and advice will all help to drive forward this agenda.

Question 34 – What more should we do to encourage reduction, recycling and recovery of construction and demolition waste.

EEF has no comment in response to this question.

Question 35: What are the current practical and cost barriers to recycling SME's?

The consultation document quite rightly identifies that SMEs are charged disproportionately for their waste. Many have a profile similar to that of a domestic householder. The cost barrier is simply that they cannot afford to recycle and recover their waste. The practical barriers range from simply not having the space to segregate and store waste or the time to allocate to the process and in some cases the knowledge of regulations with which they should be complying.

The Environment Agency NetRegs is hailed as the panacea for addressing the latter problem, but in reality small companies do not have the time to search and absorb this information and often it will direct the user to the Office of Public Sector Information (OPSI) website and the actual regulation itself which SMEs have great difficulty in interpreting.

Question 36: What might business and commercial providers do to overcome these barriers and how could the government support them?

A lot more effort and resource needs to be directed at this group, in order to improve ease of compliance. Many EEF members feel they should be able to use the local civic waste disposal facilities, particularly if they are willing to take the materials to the site themselves.

Some ideas of how to address the barriers have been outlined in our response to other questions throughout this paper but to emphasise again there is a real need for a co-ordinated effort with a single message targeted at this sector and the local authority could be the most effective way of achieving this.

Further promotion of existing initiatives, targeted at SMEs may assist. Co-operation on the aggregation and collection of wastes could be facilitated by allowing wastes from separate businesses which occupy adjacent properties (e.g. the occupants of an industrial estate) to be deposited in a single collection centre prior to collection by a licensed carrier. This would necessitate changes in the interpretation of Waste Management and Waste Carriers' licensing arrangements coupled with sympathetic enforcement by the Environment Agency.

Question 37: Do you think the products in paragraph 87 above are sensible priorities for new producer responsibility initiatives and should such initiatives be voluntary or statutory?

The Duty of Care Regulations review will provide an opportunity to address all producer responsibility and this should be the first step. EEF has not considered the recommendation by the Hazardous Waste Forum but is now a member of this committee and will feed in views to this forum directly. We welcome further engagement on this matter.

There are a number of producer responsibility initiatives in place or about to be implemented. A thorough evaluation of these measures should be undertaken before implementing further initiatives so that lessons can be learned and designed into new proposals.

Question 38: Which of the options for household waste outlined above should be taken forward?

EEF has no comment in response to this question.

CHAPTER 6 – ROLES AND RESPONSIBILITIES

Question 39 – What are your views on the proposed Sustainable Waste Programme Board, and on ways for it to engage with waste stakeholders and the wider community?

It is encouraging that the consultation document has correctly identified the challenges faced to deliver the waste policy agenda. The consultation document is quite honest when it identifies the perceived lack of leadership and integration. We support the proposal of a sustainable waste programme board but request that business and industry representatives are also invited to participate. This sector has the advantage of working with the implementation of policy on the ground and can bring valuable information and experience to the board to help develop future workable policy.

Question 40 – do you agree that more emphasis is needed on partnership working between local authorities at the regional and sub-regional level on waste procurement?

We support further development and implementation of regional partnerships that will engage with local authorities provided there is a mechanism for incorporating views from the market players including the producers. These partnerships are essential to drive forward a co-ordinated approach to dealing with wastes and materials for recovery.

Question 41: What role should be played by the RDA's and local authorities respectively in developing a more closed-loop resources economy; and what activities should they undertake?

EEF has no comment in response to this question.

Question 42 – What are your views on the characteristics for good practice in Local Government?

In broad terms we agree with the local characteristics set out in the consultation document. We are especially pleased to see the statement *'maximising opportunities to integrate household and other waste streams, particularly from small businesses, to improve service availability and choice, and to achieve economies of scale and reduce gate fees'*. This echoes our comments in the response to question 36. Skills within the local authorities may need some attention in order to deliver this good practice as well as increased resources.

There is a lot of emphasis on recycling, composting and energy from waste, progress against these is easy to monitor if given targets. However higher in the waste hierarchy is 'reduce' which is more difficult to monitor and measure. There is little attention directed to this in the characteristics for good practice. The difficulties of monitoring and measuring a reduction in waste should not detract from addressing those methods lower in the waste hierarchy. We would like to see local authorities engaged not just in managing waste and meeting recycling targets but part of the co-ordinated effort to reduce it.

Question 43 – How effective have LAA’s been to date in helping to deliver waste outcomes; and how could partnership arrangements be strengthened for the future at the local or sub-regional level?

EEF has no comment in response to this question.

Question 44 – Is there a demand from businesses for increased help form local authorities with recycling services and resource management.

Through various committees and engagement with Government we have expressed the need for local authorities to take responsibility for some non-municipal waste streams, especially from small businesses. Aggregating resource will provide the help that small business needs to implement better waste/resource management practices.

(See also response to questions 36, 40 & 42, 46).

Question 45 – What are your views on the proposed wider strategic roles for local authorities and how this could be supported?

As indicated earlier the wider strategic role for local authorities to help provide recycling services to small business is essential. This funding could come from BREW, however box 3 includes ‘homes’ in this strategic role and BREW funding should not be used to finance initiatives that are non-business. Small business has contributed enormously to this funding, and it is essential that is used to assist them improve resource efficiency.

Question 46: What are your views on placing requirements of this kind on local authorities and/or businesses?

A recycling target could be seen as a disincentive to reduce waste in order that targets are met. Any target set should be in context of the position in the waste hierarchy and as indicated earlier some smart thinking will be required to engage local authorities in the reduction of waste rather than this focus just on recycling.

Small businesses are already charged disproportionately for their waste. If an aggregated and co-ordinated approach was adopted to improve the delivery of services to SMEs either through the local authority or other commercial outfits then this would be welcome. Some of the services would be self financing for the local authority and where costs were not met and if the market is not delivering the policy objectives some government funding may be necessary to stimulate activity.

We are reluctant to see further increases in costs to business where some have seen an increase of 500% or more in the last 14 months. This could be due to increased transportation costs since the ban on co-disposal as well as the increased requirements under the hazardous waste regulations. We hope that the increased transportation costs would reduce if local authorities become engaged in the process.

Question 47 – What changes need to be made to ensure better interaction of producer responsibility schemes and local authorities?

It is clear that an integrated approach is essential to deliver the producer responsibility schemes. The collection of WEEE is an example where engaging the local authorities, retailers and producers in

partnerships is the key to success. In addition these partnerships can also provide the opportunity to educate and inform the consumer. (See also response to question 22 – do consumers have a choice).

We understand that there is to be further consultation on this issue in the near future and we would like to take that opportunity to further expand on our position.

Question 48: What are your views on the approaches above and how the Government can best facilitate a greater contribution by the voluntary and community sector.

The voluntary and community sector (VCS) has made a very valuable contribution and as pointed out is credited with originally developing many of the approaches that have improved waste management practices here in the UK. EEF sees no reason why the approaches outlined should not be developed to increase the services of the VCS. They have proved essential to help deliver services where commercial operators and local authorities have not. Reducing the barriers against partnering with the VSC could see them deliver further improvements in waste reduction, reuse and recycling for all sectors.

CHAPTER 7 – WASTE CRIME

Question 49 – what additional action is needed either to achieve effective enforcement or to prevent waste crime?

The EEF does not agree with the use of BREW funding to increase targeted enforcement. BREW is funded by law abiding businesses that have paid to dispose of their waste in accordance with the law and it should therefore be used to help them improve resource efficiency. We would prefer to see the use of income from fines and penalties hypothecated to address enforcement. Fines could be increased to support enforcement and to act as a deterrent.

Question 50 – Is there evidence to link the types and quality of local waste collections services and general cleanliness to levels of fly tipping? What changes can be made to service provision that will reduce fly tipping.

EEF has no comment in response to this question.

CHAPTER 8 – POLICY SUMMARY THE CONSULTATION PROCESS

Question 51 – Do you have any further comments?

EEF has no comment in response to this question.