

## **POLICY BRIEFING**

### **DEFRA Resources and Waste Strategy – December 2018**

#### **Introduction**

This policy briefing outlines the contents of the DEFRA Resources and Waste Strategy that was released today (18 December 2018) along with details of the consultations on some main policy areas that will be coming out in early 2019. Many the policies that are contained in the Strategy are subject to consultations that will determine either whether they will happen and/or the detail of how they might happen.

The Strategy contains some significant changes in waste policy across the UK that will have some fundamental impacts on local authority operations. It also looks to enact some of the requirements of the EU Circular Economy Package that the UK has signed up to and agreed to implement in full.

A slightly more detailed overview of each section of the Strategy is contained in Appendix One.

#### **Announcement**

The press release that DEFRA have issued when releasing the Strategy today is contained in Appendix Two.

#### **Summary of Main Points**

##### Extended Producer Responsibility - EPR (Chapter One)

- Invoke the ‘polluter pays’ principle and extending producer responsibility for packaging, ensuring that producers pay the full net costs of managing packaging waste at end of life.
- Reviewing the effectiveness of legislation designed to minimise packaging and encourage design for greater reuse and recycling.
- Consult on introducing EPR for packaging based around certain principles.
- Review of Packaging (Essential Requirements) Regulations to drive minimisation of packaging.
- Consult (by 2021) on EPR for WEEE, Batteries and ELV.
- Consult on EPR (by 2025) for 5 waste streams including: textiles, bulky waste, tyres

##### Deposit Return Schemes - DRS (Chapter Two)

- Consult on introducing a DRS scheme for single-use drinks containers.
- Consider how to reduce the environmental impacts of disposable cups

##### Consistent Collections (Chapter Three)

- Consult on legislation to allow Government to specify a core set of materials to be collected by all local authorities and waste operators. Timings for introduction will be subject to discussions at spending review.
- Consult on which materials should comprise this core set, and which collection systems would be most effective at preserving material quality. The consultation will be carried out in parallel with the consultation on reforms to the existing packaging waste regulations



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- Consult on introducing non-binding performance indicators for the quantity of materials collected for recycling and minimum service standards for recycling
- Potentially legislate for mandatory separate collections for business.
- Consult on legislation to require weekly separate food waste collections for all householders and appropriate businesses (from 2023).
- Consider whether householders with gardens should have access to free garden waste collections.
- Possible amendment of waste regulations so that HWRCs perform a more effective role in resource efficiency and explore further measures, such as setting reuse targets for local authorities, requiring them to set their own targets, or requiring reporting to encourage provision of reuse facilities. (contained in chapter two)
- Review Controlled Waste Regulations and consult on amending them in relation to HWRC regarding charging and opening hours, with possible minimum service standards for HWRCs being set.

#### Waste Crime (Chapter Four)

- Consult on reform of regulations for duty of care, carrier/broker/dealers, hazardous waste, and international waste shipments.
- Guidance on use of FPNs that come into force on 7 January for household duty of care.
- Launch of a web-based fly-tipping toolkit hosted by the National Fly-Tipping Prevention Group.
- Consult on mandatory use of electronic waste transfer details.

#### Food Waste (Chapter Five)

- Consult on mandatory food waste reporting, targets and distribution by food businesses.
- Publish a new food surplus and waste hierarchy as statutory guidance.
- Hospitality and public sectors need to produce food waste strategies.
- A of review current recommendations on date labelling in 2019.
- Production of guidance for retailers on whether to sell fresh produce loose or packaged.

#### Plastics

- HMT to consult on a tax on plastic packaging not containing at least 30% recycled content and increasing the plastic carrier bag charge to 10p and extending it to small shops.
- Consult on banning the most problematic plastic products (e.g. straws, cotton buds, stirrers).
- Improve the regulation of waste movements, both domestic and for exports, including plastics.
- Launch a call for evidence on standards for bio-based and biodegradable plastics.
- Investing in R&D to tackle plastics.

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Other proposals relevant to local authorities:

- Two-tier working - review the effectiveness of current arrangements for local authority waste management. (this is not reorganisation or a move to unitaries)
- Recycling Credits - two tier cost sharing will be reviewed subject to how packaging reform unfolds.
- Consideration of a UK eco-design mechanism to drive up product standards for the most resource intensive product groups.
- Possibility of a UK Ecolabel post EU exit.
- Promote longer lifetime products through guarantees, extended warranties, and better disclosure.
- Produce guidance on what to do with data-rich SMART devices at end-of-life.
- Drive progress in local authorities (esp. urban ones), through joint working and reviews of HWRCs and the regulatory system.
- Improve waste infrastructure.
- Make it easier to achieve 'end of waste' status.
- Periodic reviews of Waste Data Flow so it continues to be user friendly.

#### **Main Areas of Local Authority Impact**

There will be three major consultations that DEFRA are intending to launch in January:

- EPR
- DRS
- Collection Systems

They will also launch one on increased charges for carrier bags at some point in 2019.

The consultations will run for a minimum of eight weeks and industry has been pushing for them to run for the full 12 weeks.

#### EPR

Implementation of Extended Producer Responsibility (EPR) could see a wholesale shift in how local authority services are funded. Reform of the Packaging Regulations will see the concept of producers bearing the full net cost of managing their products at the end of their life, and the clause in the Circular Economy (CE) Package that states that producers will pay the full net costs of collection and recycling. The Strategy contains the following statement on EPR:

“We will ensure that local authorities are resourced to meet new net costs arising from the policies in this Strategy, including upfront transition costs and ongoing operational costs.”

Below is the extract from the Strategy about reforms to the packaging system, which is the current PRN (Packaging Recovery Notes) system in the UK:

“Packaging reform is our immediate priority. We will launch a consultation to reform the packaging waste regulations shortly. Our intention is to legislate

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by 2021 and to have reforms operational by 2023. We will ensure that the reformed system will match or exceed the revised packaging recycling targets set by the EU for 2025 and 2030.”

There is little detail on the definition of what “full net costs” mean and this could be crucial to how much funding, and what it covers, flows from producers to local authorities.

#### **DRS**

The intention is to introduce a DRS system, subject to consultation. The Strategy is not clear on the detail yet, just stating it will cover “single use drinks containers”. The stated preference is for a UK wide system and that DEFRA are working closely with the Devolved Administrations on this.

#### **Collection Systems**

The Strategy contains an ambition to have more consistent collections across council areas. It also aspires to have these collections preserve “material quality”, however this isn’t defined. There will be consultations on collecting a core set of dry recycling materials. It is stronger on weekly food waste collections indicating that these will be in place by 2023, subject to consultation. There is also an ambition to explore free garden waste collections. Both these are caveated with being assessed to account for new burdens being funded appropriately. There is no indication in the Strategy how food waste collections might link to EPR funding.

#### **EU Exit and Devolved Nations**

Below is the how DEFRA view how their Strategy links to the wide range of legislation that has come from the EU and forms the basis of most of the current waste policy and legislation in the UK.

‘As most of our existing waste legislation is EU-derived, this will be retained in UK law through the European Union Withdrawal Act 2018. And proposals which follow from this Strategy will take account of the future relationship we negotiate with the EU on environmental matters. Where existing legislation is insufficient to deliver our ambition, we will take new powers to do so, including through our Environment Bill. And we will work with the devolved administrations to coordinate policy on resources and waste, to ensure that approaches are aligned and impacts on the UK Internal Market are minimised.’

#### **Next Steps**

We will continue to lobby on your behalf on this topic. We can do this even more effectively if we have the views of our members so if you have a view or information you feel would be useful please send it through to us [admin@larac.org.uk](mailto:admin@larac.org.uk)

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#### **Appendix One - Detailed Contents of the Strategy – Extracts from the Strategy**

Below are extracts from the Strategy that summarise each section of the document.

##### **Chapter One – Sustainable Consumption**

This chapter sets out how DEFRA will:

- Invoke the ‘polluter pays’ principle and extend producer responsibility for packaging, ensuring that producers pay the full costs of disposal for packaging they place on the market
- Stimulate demand for recycled plastic by introducing a tax on plastic packaging with less than 30% recycled plastic
- Harness the potential of extended producer responsibility for other product types
- Set minimum requirements through eco-design to encourage resource efficient product design
- Manage chemicals sustainably and address barriers to reuse and recycling posed by their use, through a Chemicals Strategy
- Develop a model for realising resource efficiency savings, working with businesses through ‘resource efficiency clusters’

##### **Chapter Two – Helping consumers take more considered actions**

This chapter sets out how DEFRA will:

- Incentivise consumers to purchase sustainably
- Provide consumers with better information on the sustainability of their purchases
- Ban plastic products where there is a clear case for it and alternatives exist
- Address barriers to reuse
- Support the market for remanufactured goods
- Encourage appropriate disposal of used products
- Lead by example through procurement and the Greening Government Commitments

##### **Chapter 3 – Resource recovery and waste management**

This chapter sets out how DEFRA will:

- Improve recycling rates by ensuring a consistent set of dry recyclable materials is collected from all households and businesses
- Reduce greenhouse gas emissions from landfill by ensuring that every householder and appropriate businesses have a weekly separate food waste collection, subject to consultation
- Improve urban recycling rates, working with business and local authorities
- Improve working arrangements and performance between local authorities
- Drive greater efficiency of Energy from Waste (EfW) plants
- Address information barriers to the use of secondary materials
- Encourage waste producers and managers to implement the waste hierarchy in respect to hazardous waste



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#### Chapter 4 – Tackling waste crime

This chapter sets out how DEFRA will:

- Improve the transportation, management and description of waste by reforming existing regulations
- Strengthen intelligence sharing and engagement to tackle illegal activity
- Prevent illegal activity being hidden through waste exemptions by reforming the existing regime
- Mandate the digital recording of waste movements, subject to consultation
- Create a Joint Unit for Waste Crime
- Toughen penalties for waste criminals
- Increase awareness of waste regulations and publicise positive work of enforcement bodies as they tackle waste crime

#### Chapter 5 – Enough is enough: cutting down on food waste

This chapter sets out how DEFRA will:

- More effectively redistribute food to those who need it most before it can go to waste
- Consult on annual reporting of food surplus and waste by food businesses
- Consult on legal powers to introduce mandatory targets for food waste prevention
- Publish a new food surplus and waste hierarchy
- Promote awareness of the issue by appointing a new food waste champion
- Support cross sector collaboration through the Courtauld 2025 agreement

#### Chapter 6 – Global Britain: international leadership

This chapter sets out how DEFRA will:

- Promote the goals of our Resources and Waste Strategy internationally
- Drive international political commitments through the ground-breaking Commonwealth Clean Oceans Alliance
- Support developing nations to tackle pollution and reduce plastic waste, including through UK aid, private/public partnerships and sharing of expertise
- Improve the quality of plastics exported for recycling through the Basel and Stockholm Conventions
- Tackle international barriers to a circular economy
- Establish cross-government oversight of the UK's natural resource security

#### Chapter 7: Research and innovation

This chapter sets out how DEFRA will:

- Support further investment and innovation in resource efficiency, working with UK Research and Innovation (UKRI) on our Areas of Research Interest
- Launch a call for evidence on the development of standards for bio-based and biodegradable plastics
- Provide government funding for innovation and seek ways to support further investment in resource efficient technologies, including through the Industrial Strategy Challenge Fund
- Support the Waste and Resources Action Programme

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- Encourage innovative waste treatment technologies that create transport fuels through the Renewable Transport Fuels Obligation (RTFO)

Chapter 8 – Measuring progress: data, monitoring and evaluation

This chapter sets out how we will:

- Work with our partners and stakeholders to develop new approach to data on resources and waste
- Move away from weight-based towards impact-based targets and reporting, focusing initially on carbon and natural capital accounting
- Maintain the coverage and quality of local authority-collected waste and improve data collection to meet future needs
- Work with tech firms to develop innovative digital solutions for tracking waste, and consult on options to mandate the digital recording and sharing of waste movement data

#### Appendix Two – DEFRA Press Release

Gove launches landmark blueprint for resources and waste

- Businesses and manufacturers to pay the full cost of recycling or disposing of their packaging waste under government's Resources and Waste Strategy
- Consistent recycling for every household to drive up recycling rates and supporting comprehensive and frequent collections
- Mandatory food waste prevention targets for businesses, to crack-down on food needlessly going to waste
- Compulsory electronic tracking of waste to clamp-down on illegal movements of waste at home and abroad, and tougher penalties for rogue crime operators

Businesses and manufacturers will pay the full cost of recycling or disposing of their packaging waste, under a major new government strategy unveiled by the Environment Secretary today.

The move will overhaul England's waste system, putting a legal onus on those responsible for producing damaging waste to take greater responsibility and foot the bill.

The announcement forms part of the government's ambitious new Resources and Waste Strategy, the first comprehensive update in more than a decade. It will eliminate avoidable plastic waste and help leave the environment in a better state than we found it for future generations.

Producers will also be expected to take more responsibility for items that can be harder or costly to recycle including cars, electrical goods, and batteries.

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Householders will also see the existing complicated recycling system simplified, with new plans for a consistent approach to recycling across England. Timings for introduction will be subject to discussions at the Spending Review.

Launching the strategy at Veolia's recycling centre in London, one of the most advanced sorting facilities in Europe, Environment Secretary [Michael Gove](#) said:

“Our strategy sets out how we will go further and faster, to reduce, reuse, and recycle. Together we can move away from being a ‘throw-away’ society, to one that looks at waste as a valuable resource.

“We will cut our reliance on single-use plastics, end confusion over household recycling, tackle the problem of packaging by making polluters pay, and end the economic, environmental and moral scandal that is food waste.

“Through this plan we will cement our place as a world leader in resource efficiency, leaving our environment in a better state than we inherited it.”

To help drive up recycling levels further, the government will introduce consistent set of recyclable material for collection, subject to consultation. This will be funded by industry through Extended Producer Responsibility (EPR), which will see industry pay higher fees if their products are harder to reuse, repair or recycle and will encourage sustainable design, subject to consultation. EPR for packaging will raise between £0.5 billion and £1 billion a year for recycling and disposal.

The move builds on the Autumn Budget, which announced a world-leading tax on plastic packaging which does not meet a minimum threshold of at least 30% recycled content, subject to consultation, from April 2022. This will address the current issue of it often being cheaper to use new, non-recycled plastic material despite its greater environmental impact.

The Resources and Waste Strategy sets out how government will:

- Ensure producers pay the full net costs of disposal or recycling of packaging they place on the market by extending producer responsibility – up from just 10% now.
- Review our producer responsibility schemes for items that can be harder or costly to recycle including cars, electrical goods, batteries and explore extending it to textiles, fishing gear, vehicle tyres, certain materials from construction and demolition, and bulky waste such as mattresses, furniture and carpets.
- Introduce a consistent set of recyclable materials collected from all households and businesses, and consistent labelling on packaging so consumers know what they can recycle, to drive-up recycling rates.
- Ensure weekly collections of food waste, which is often smelly and unpleasant, for every household – restoring weekly collections in some local authorities. This will be subject to consultation which will also consider free garden waste

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- collections for households with gardens, to reduce greenhouse gas emissions from landfill
- Introduce a deposit return scheme, subject to consultation, to increase the recycling of single-use drinks containers including bottles, cans, and disposable cups filled at the point of sale.
  - Explore mandatory guarantees and extended warranties on products, to encourage manufacturers to design products that last longer and drive up the levels of repair and re-use.
  - Introduce annual reporting of food surplus and waste by food businesses. Should progress be insufficient, we will consult on introducing mandatory targets for food waste prevention.
  - Clamp-down on illegal movements of waste at home and abroad by introducing compulsory electronic tracking of waste, and tougher penalties for rogue waste crime operators if they mislabel their waste to dodge tax rules.

The strategy sits alongside government's [25 Year Environment Plan](#), the recently published [Bioeconomy Strategy](#), and the [Clean Growth Strategy](#) which sets out how the UK is leading the world in cutting carbon emissions to combat climate change and driving economic growth.

Speaking at Veolia Southwark's Integrated Waste Management Facility in London, Richard Kirkman, Veolia's Chief Technology and Innovation Officer, said:

"The government has listened to industry and these steps have the clear potential to dramatically change the way the sector operates to increase recycling and recovery rates.

"With consistent collections and advanced facilities like this at Southwark more recyclable materials can be collected for reprocessing into new products. As a business we are ready to invest, to take advantage of new technology, build more infrastructure and work with brand owners and local authorities to harness resources on an industrial scale.

"It's the direction we have been hoping and waiting for, and with the public and businesses playing their part the UK can build a sustainable future."

Paul Vanston, CEO of the Industry Council for Packaging and the Environment (INCPEN) said:

"Substantial credit is due to Secretary of State [Michael Gove](#), Environment Minister [Therese Coffey](#) and officials for the high quality and depth of their engagement work in the lead up to this Resources & Waste Strategy.

"The focus on whole-system changes is welcome including packaging reforms, consistency of councils' household collections, and ways to increase investment in recycling infrastructure."

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Sir James Bevan, Chief Executive of the Environment Agency, said:

“We support a circular economy and welcome the resource and waste strategy that will help us all deliver it.

“The plan embodies a solid commitment to tackling serious and organised waste crime, which drains the economy and blights communities.

“Last year, the EA closed down over 800 illegal sites and carried out 93 successful prosecutions. The strategy sets to build on our successes, with additional resources, better innovation and improved partnerships across government and enforcement agencies.”

The strategy builds on existing government work to tackle unnecessary waste including a [world-leading ban on microbeads](#) in personal care products, a 5p plastic bag charge which has taken over [15 billion single-use plastic bags out of circulation](#), a [£15 million pilot scheme](#) for reducing food waste, and [up to £10 million](#) to clear the worst abandoned waste sites that blight local communities.

On the same day, the government announced £8m of funding for eight new research projects that will explore new and different ways of making, using and recycling plastics.

The government is also investing £20m to tackle plastics and boost recycling: £10m more for plastics research and development and £10m to pioneer innovative approaches to boosting recycling and reducing litter, such as smart bins. This is in addition to the £20m for plastics research and development through the Plastics Innovation Fund announced in March 2018.

The government is committed to being a world leader in resource efficiency and driving international action, including through our ground-breaking Commonwealth Clean Oceans Alliance and a [£66 million package of funding](#) to boost global research.

Notes to editors:

- ‘Extended Producer Responsibility’ (EPR) is a powerful environmental policy approach through which a producer’s responsibility for a product is extended to the post-use stage. This incentivises producers to design their products to make it easier for them to be re-used, dismantled and/or recycled at end of life. Alongside stakeholders,<sup>[1]</sup> we consider EPR to be a crucial tool in moving waste up the hierarchy, and stimulating secondary markets. It has been adopted in many countries around the world, across a broad range of products, to deliver higher collection, recycling and recovery rates. The most successful schemes use a range of measures to encourage more sustainable design decisions at the production stage.

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- The **'circular economy'** is linked to the concept of the 'circle of life' – nature's way of returning life back to the earth so that when something dies, it gives new life to another. In terms of materials and resources, the circular economy relates to the re-use, re-fashioning, or remanufacturing of goods, thus extending their lifespan.
- Packaging reform is government's immediate priority. We will launch a consultation to reform the packaging waste regulations shortly. We will ensure that the reformed system will match or exceed targets set by the EU.
- Subject to consultation we will legislate to allow government to specify a core set of materials to be collected by all local authorities and waste operators.
- Timings of all the proposals can be found in the attached document.
- Household waste recycling rates in England have risen from around 11% in 2000/1 to about 45%, but since 2013 rates have plateaued.
- The over-arching objectives in the strategy are to achieve: zero avoidable waste by 2050, doubling of resource efficiency by 2050, zero avoidable plastic waste by 2042, zero food waste to landfill by 2030. **A 30 second explainer video is available for use on your social media channels:** <https://we.tl/t-qmE5WA236B>
- Government recently commissioned and [published](#) the [recommendations](#) of an independent review on Serious and Organised Crime in the waste sector