

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Alun Ffred Jones AM
Chair
Environment and Sustainability Committee
National Assembly for Wales

16th October 2014

Dear Alun

Inquiry into recycling in Wales – further information

Thank you for your letter of 2 October. I set out my answers to your questions, in the same order, below.

1. Householder preference

There are separate issues regarding householder preferences that need to be considered. The first is the principle of consulting residents about services and the second is the narrower legal issue as reflected in the draft guidance on separate collections.

It is good practice for local authorities to consult and listen to all of their residents and that householder preferences are considered when planning and delivering public services. It is indeed a requirement in respect of the improvement objectives set out in the Local Government (Wales) Measure 2009 (not the 2011 Measure). The public can often contribute new ideas that enable services to improve in effectiveness and efficiency.

Nevertheless, local authorities must ensure that their waste management services operate within the law. The Waste (England and Wales) Regulations 2011 give effect to our European Union obligations under Directive 2008/98/EC. That Directive requires member states to collect waste separately if it is technically, environmentally and economically practicable. The draft guidance to the 2011 Regulations states that householder preference will not be a defence to a failure to comply with that requirement of the Regulations. My officials are currently considering the responses to the consultation on the draft guidance.

Where services need to change to be compliant, local authorities will need to explain why and how to their householders in order to carry them with them in making changes. It is reasonable to expect a local authority to address low participation rates or ineffective engagement with their waste management services in order to do this.

Local authorities already do this across Wales as many services are changing, for example, in how residual waste is collected, and it is important for local authorities to be in regular and close dialogue with their residents. It is evident from current experience across Wales that householders are happy with kerb-side sort services where these are deployed and actively engage in using such services where they are efficiently run and properly explained.

The waste Collaborative Change Programme (CCP) is actively supporting local authorities to analyse the service options available to them, including the Welsh Government Collections Blueprint, in comparison to their existing services, in the specific context and local circumstances of their area and population, to ensure optimum cost and value for money and that councils meet their recycling targets in the future.

I can reassure the Committee that the Government is mindful of the legal duties imposed on local authorities under both the Waste (England and Wales) Regulations 2011 and under the Local Government (Wales) Measure 2009. It is not uncommon for more than one piece of regulatory law to apply to a given situation and we do not foresee any difficulty with a local authority complying with both. Local authorities can demonstrate compliance with the 2009 Measure by taking householder views and preferences into account in deciding how they comply with Regulation 13 of the 2011 Regulations.

2. Local authority collaboration

Local authorities and the Welsh Government are looking at ways in which we can collaborate to optimise the income from the sale of recyclables. There are also potential supply chain improvements we can make to ensure that materials collected in Wales are recycled and reprocessed here and available to Welsh manufacturers. This coupled with the proposals in the Environment Bill will make a major contribution to helping to deliver the Welsh Government's 'green growth' aspirations and create green jobs in Wales. While we consider the options the Waste and Resources Action Programme (WRAP) has recently started to help local authorities market their materials as part of its delivery of the Collaborative Change Programme (CCP). WRAP will report on the impacts of this work over the coming year.

3. Sustainable waste management grant (SWMG)

The Sustainable Waste Management Grant (SWMG) was introduced in 2001/02 to help local authorities meet the waste prevention and recycling targets set out in the then Welsh Government waste strategy 'Wise About Waste' published in 2002 (superseded in 2010 by 'Towards Zero Waste'). The new targets represented a radical change from the old way of waste collection and disposal and the sector's understanding of the technologies available and the new services which would be required was much more limited than it is today. Consequently there were relatively few conditions about service configuration attaching to the grant and the design of services was left to be determined at the local level.

Some conditions have been added in recent years to exclude certain types of technologies and practices which have been shown to not achieve good environmental or economic outcomes or to avoid unnecessary expense, for example by not allowing grant to be used to fund so-called 'dirty-MRFs' (mixed waste mechanical recycling facilities which tried to sort co-mingled waste including food, dry recycling and residual waste together) from 2006-07. The Welsh Government also indicated in 2007-08 that it would no longer support investment in MBT (mechanical and biological treatment).

The experience of and research into the different ways of collecting and sorting waste and recyclates over the last decade or so has given us a much clearer understanding of the options and best practice. This includes the financial and environmental costs and benefits

of different options. The trend has been towards more sustainable waste management services requiring earlier separation of wastes and separation of different materials for recycling earlier in the supply chain. There is also now a much greater emphasis on resource efficiency and the circular or closed loop economy as opposed to simply thinking about how we pick up and dispose of our waste, which gives additional weight to doing things differently. This development of ideas and technologies is reflected in the Collections Blueprint published by the Welsh Government in 2011.

There was a major increase in the level of SWMG in the period 2008–2012 in particular to support the introduction of separate collection of food waste from households. Now over 96% of Welsh households are covered by this and it is one of the factors which have helped to raise recycling levels in Wales so dramatically and to ensure Wales meets its EU targets for diversion of bio-waste from landfill. In turn it also helps Wales to avoid heavy infraction fines from the European Commission for failure to meet diversion targets.

Having published the Collections Blueprint, the Welsh Government's preferred way to date to promote its use has been to support local authorities in modelling its application in their areas alongside existing services and any other options they wish to consider, taking account of local factors. This collaborative approach is now starting to pay dividends with the first authorities coming through the options appraisal and business planning stages and moving to implement new services. The benefits can be seen in better environmental outcomes and reduced cost of services as services move towards separate collection.

The conditions of the SWMG were modified in 2012-13 to promote the approach of the Welsh Government's Blueprint:

"Priority must be given to source separated recycling and composting (and anaerobic digestion) collection schemes in order to deliver high quality materials to re-processors. This maximises the carbon emission reduction benefits of recycling and composting (and anaerobic digestion). It is the Welsh Government's preference that kerbside sort methods of kerbside recycling are used in accordance with the "Collections Blueprint" published on 10 March 2011."

In 2013-14 the conditions were strengthened to discourage local authorities that carried out separate collections from switching to a co-mingled approach:

"The Purpose of this Funding does not include requiring changes from 'co-mingled' recycling services to kerbside sort recycling services. Where a local authority currently provides a kerbside sort recycling service it must not use SWMG to change that to a co-mingled recycling service."

In addition, local authorities were advised in February 2011 during the then Environment Minister's meeting with local authority cabinet members that SWMG funding levels would be reduced incrementally over the coming years. This was a reasonable step in view of the level of savings indicated as achievable in the Collections Blueprint.

As I said when I spoke to the Committee, there is certainly scope for greater consistency in local authority waste management services. As well as helping to reduce potential confusion around what can and cannot be recycled, and how, it would bring benefits in procurement and help reduce costs.

Arrangements are currently being made for a review of the SWMG. I shall update the Committee with progress on this review as it proceeds. The review will be conducted in collaboration with stakeholders from local government.

4. Cost of recycling

The costs of recycling and wider wastes management are collated by the Welsh Local Government Association (WLGA) to facilitate financial benchmarking. The benchmarking reports for 2009-10 to 2012-13 are attached.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. Sargeant', with a period at the end.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

The annexes to this paper (benchmarking reports for 2009-10 to 2012-13) are available on the Recycling inquiry page on the Committee's website:
<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?Id=9794>