

**TO: JOINT WASTE DISPOSAL BOARD**  
**9<sup>th</sup> June 2022**

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**Re3 WASTE CONSULTATIONS REPORT**  
**Report of the re3 Project Director**

**1 INTRODUCTION**

- 1.1 This report provides a briefing for the re3 Board on three important consultations and proposes responses, from the partnership.
- 1.2 The consultations are as follows (please note that the first two are part of the same consultation):
- Call for evidence on Booking Systems at household waste recycling centres.
  - Technical consultation on preventing charges to householders for the disposal of “DIY” waste at household waste recycling centres.
  - Introduction of a UK Emissions Trading System.

**2 RECOMMENDATION**

- 2.1 That Members endorse, subject to any amendments they wish to make, the draft partnership responses that accompany this report and request the Project Director to submit them on behalf of the re3 councils.**

**3 ALTERNATIVE OPTIONS CONSIDERED**

- 3.1 None for this report.

**4 REASONS FOR RECOMMENDATION**

- 4.1 The purpose of this report is to brief Members on the proposed content of three elements within (two separate) Government consultations.

**5 CONSULTATIONS**

**Booking System**

- 5.1 Following the closure of the sites during the first national, Covid lockdown in 2020, the re3 partnership introduced a booking system to assist in the resumption of the HWRC service,. The booking system assisted the councils in operating the sites safely and ensuring that residents could observe social distancing.
- 5.2 Benefits, beyond those relating to previous social distancing requirements, are apparent. They include:
- Reduce queuing and ease of access at the sites.
  - Improved conditions, on site, for users.
  - Improved access to the waste facilities for council refuse freighters and other council users
  - Reduced impact from queuing on neighbours of the two HWRCs
  - Close to real-time assessment of patronage of the HWRCs, per council.
- 5.3 However, we know that some residents would still prefer to be able to visit the HWRCs

without the requirement to book a visit.

- 5.4 The re3 Board decided to retain the booking system through to November 2022. A decision on whether to retain the booking system should be taken before then.
- 5.5 The draft re3 consultation response makes three principal observations. They are as follows:
1. The booking system was introduced to manage the period when social distancing was a requirement and/or a preference for many residents.
  2. Since its introduction, other benefits (listed in the consultation response) have become apparent – both for site users, the councils and neighbours of the HWRC sites.
  3. No decision has been taken by the re3 councils on future retention of the booking system.
- 5.6 The proposed response is appended to this report. Subject to any comments they may wish to make, Members of the re3 Joint Waste Disposal Board are recommended to endorse the response.

#### **Charging for “DIY” Waste at HWRCs**

- 5.7 The re3 partnership has charged for some types of waste, delivered to the re3 Household Waste Recycling Centres at Longshot Lane and Smallmead, since 2016.
- 5.8 The charges are levied against a short list of waste types. The broad list is as follows: soil, rubble, gas bottles, asbestos, plasterboard, sanitaryware (toilets/sinks).
- 5.9 No charges are levied against waste types that can be recycled, such as wood, garden waste, cardboard etc.
- 5.10 Existing re3 charges are:
- Based on the principle of asking residents to pay for the waste they (or their DIY works) have generated - rather than all taxpayers covering the aggregate cost.
  - Non-profit-making. They cover only the cost of handling and/or treating the waste.
  - Levied in accordance with the Controlled Waste Regulations 2012.
- 5.11 The consultation identifies that Government wishes to prevent the charging for what it calls “DIY” waste. As a result, the consultation seeks feedback on the appropriateness of its definition of “DIY” waste, with which it intends to vary the Controlled Waste Regulations 2012.
- 5.12 The draft re3 consultation response makes five principal observations. They are as follows:
1. The means of determining when waste that is presented at an HWRC qualifies as “DIY” waste is impractical.
  2. The DEFRA and DLUHC proposal introduces an unnecessary limitation, for “DIY” waste to be defined by being delivered to an HWRC no more than once a week.
  3. The DEFRA and DLUHC proposal seeks to define “DIY” as referring to amounts of waste of up to 300 litres in volume (explained as the boot capacity

of an average car). For some common waste types, such an amount may breach the permissible payload for many average-sized vehicles.

4. That the decision by DLUHC to waive the New Burdens Doctrine, even though there will be a financially detrimental change in law, will mean that the re3 councils will experience an immediate budget pressure of c£170,000 per annum, from the proposed change.
5. The DEFRA and DLUHC proposals, may increase the amount of waste handled through HWRCs as current, quite reasonable, moderating conditions are removed.

5.13 The proposed response is appended to this report. Subject to any comments they may wish to make, Members of the re3 Joint Waste Disposal Board are recommended to endorse the response.

### **UK Emissions Trading System**

5.14 the Department for Business Energy and Industrial Strategy (BEIS), is consulting about about the introduction of an emissions trading system (ETS) for the UK.

5.15 The Government wishes to align its ETS, with its plans for net zero by 2050 and to ensure continuing progress as the UK replaces the European Union ETS.

5.16 The consultation seeks feedback on a wide range of proposals, covering aspects of trading mechanisms and relating to other sectors such as emissions from maritime and aviation industries. The proposed re3 response will be directed only at proposals for the inclusion of energy from waste plants in an UK ETS.

5.17 The BEIS proposals seek to introduce a levy on the combustion of what is termed 'fossil waste' – waste such as plastic which is high in carbon content. BEIS estimates that EFWs treat waste '*which is predominantly mixed black bag waste [and] typically assumed to be 50% from biogenic material and 50% from fossil material*'.

5.18 The assessment of the content of emissions is proposed to be made either from an analysis of actual EFW emissions or via an analysis of the composition of waste inputs.

5.19 DEFRA estimates that the levy will be applied at c£31.00 per tonne. For re3, that would amount to an increase in costs of £2.2m per annum.

5.20 The draft re3 consultation response makes four principal observations. They are as follows:

1. That there is a considerable risk that insufficient UK, or near continent, processing and recycling capacity will exist at the proposed date for the introduction of an ETS (currently intended for later this decade). Without sufficient capacity for recycling, the measures will represent an unavoidable tax, rather than a levy.
2. That there is potential for waste to be diverted to landfill, if the levy (and market responses to it) made it financially beneficial for the current clients of EFW plants to do so.
3. That the levy should be applied on an escalating basis, starting at a very low level. This to enable alternative treatments to be developed and to act as an encouragement to divert 'fossil waste' from EFW.
4. That the emissions of EFW plants, rather than the composition of waste inputs, should be measured to determine the apportionment of the levy.

5.21 The proposed response is appended to this report. Subject to any comments they may

wish to make, Members of the re3 Joint Waste Disposal Board are recommended to endorse the response.

## **6 ADVICE RECEIVED FROM ADMINISTERING AUTHORITY**

### Head of Legal Services

- 6.1 No advice sought for this report, as it relates to consultation responses only. When the draft legislation is known, the JWDB should seek advice on the impact for the three councils.

### Corporate Finance Business Partner

- 6.2 None for this report, as above.

### Equalities Impact Assessment

- 6.3 None.

### Strategic Risk Management Issues

- 6.4 None

### Climate Impact Assessment

- 6.5 None from the proposed consultation responses.
- 6.6 The re3 Councils are not specifically rejecting the inclusion within a UK ETS of EFW. The re3 Councils are keen to see BEIS ensure that sustainable waste recycling capacity exists in alignment with the introduction of a UK ETS, so that emissions can be avoided.

## **7 CONSULTATION**

### 7.1 Principal Groups Consulted

Not applicable.

### 7.2 Method of Consultation

Not applicable.

### 7.3 Representations Received

Not applicable.

### Background Papers

N/A

### Contacts for further information

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