
UK Waste Management Policy and Legislation

Waste Strategy Guidance, Best Value and Waste Management

To replace the Compulsory Competitive Tendering system of local authority procurement, the government has introduced the Best Value framework for procurement. Published in July 2000, the Waste Strategy Guidance for Best Value provides guidance to waste collection and disposal authorities in applying the Best Value framework to all waste management services.

The guidance states that waste collection and disposal authorities should:

- Develop effective working relationships to deliver comprehensive Municipal Waste Management Strategies, taking account of the Waste Strategy and containing clear objectives and timescales for action
- Put in place effective local arrangements to reduce waste and maximise recycling, composting and recovery value
- Raise awareness locally of the costs of dealing with waste and the part which individuals can play in reducing the amount of waste
- Involve local people in decisions on waste and work with community based schemes to promote re-use and recycling

Limiting Landfill

Limiting Landfill is a consultation paper on limiting landfill to meet the EC Landfill Directive's targets for the landfill of biodegradable municipal waste, published by the Department of the Environment, Transport and Regions (DETR) in October 1999. It sets out a series of options for achieving compliance with the targets set out in the Landfill Directive.

The document applies to only the targets for reductions in the landfilling of biodegradable municipal waste set by the EC Landfill Directive. Consultation on the other aspects of the Directive such as changes to existing controls on landfill operation are subject of a separate consultation exercise. Crucial to the impacts of the implementation of the Landfill Directive will be the definitions of municipal waste and biodegradable municipal waste, which will determine

what quantities of biodegradable waste will need to be diverted from landfill and therefore the scale and number of alternative waste management facilities that will be required.

Limiting Landfill takes the preliminary view that municipal waste means “household waste and any other waste under the control of local authorities or their agents acting on their behalf”. The Directive defines biodegradable waste as “waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste, and paper and paperboard”.

The Implementation of Council Directive 1999/31/EC on the Landfill of Waste

Published in October 2000, this consultation document describes the regulatory requirements set out in the Landfill Directive 1999/31/EC, and considers the likely impact upon both landfill operators and waste producers. It describes how the Government intends to implement the Directive, inviting views on the options.

The consultation paper outlines the options for compliance with some key elements of the Directive, including:

- The separation of landfills into three types: hazardous, non-hazardous or inert waste
- The requirement to treat most wastes before disposal to landfill
- A ban on the disposal of certain wastes to landfill, for example liquid waste, certain hazardous wastes and tyres

A second consultation paper was published in August 2001 which updates issues raised in the first consultation paper and presents issues for further consultation. The second consultation paper sets out the policy and legislative framework in which the Environmental Agency will be implementing the Directive. Guidance on many of the technical and procedural aspects will be issued over the coming months. Issues for further consultation include:

- The implementation of the bans on certain wastes
- National waste acceptance criteria and procedures
- The management of hazardous waste sites

The Landfill Tax (Finance) Act 1996

This came into effect on the 1st October 1996. It is a specifically targeted levy on the disposal of waste in landfills, introduced by the Government to prompt change in the UK waste disposal market.

There are two rates of taxation:

1. A lower rate of £2/tonne for specified “inactive” wastes. These are wastes which do not give off methane or other gases and do not have the potential to pollute groundwater.
2. The standard rate of landfill tax (for active waste) was first introduced at £7/tonne and raised to £10/tonne, from 1 April 1999. The tax is currently £12/tonne for active waste and will rise by £1/tonne annually.

It is expected that the rates of tax will increase in the future to ensure that the revenue targets set by the Treasury are maintained, hence further increasing the cost of landfill and the benefit of diverting waste from landfill to recovery and recycling activities.

UK Management Plan for Exports and Imports of Waste

Published in May 2000, the Plan sets out the UK Government's policies on exports out of and imports into the United Kingdom. It will supersede policies set out in the previous UK Plan, which was published on 1 June 1996.

The Plan is currently being re-drafted, which, if adopted, will have major implications on the cross border movements of waste. Chapter 3 of the consultation paper deals with the export of wastes, specifically Section 3.2 deals with exports to Ireland. The Plan takes into consideration the opportunities for cross-border co-operation with border councils in Ireland where there are sound economic and environmental reasons for doing so. The consultation paper states that under the proximity principle, exports to Ireland for local disposal are permitted, provided they are in accordance with the sub-regional plan. Imports from Ireland will be considered on a similar basis.

The restrictions on imports are also prescribed in the Plan in Section 5.21. Imports to Northern Ireland will be permitted for the following operations, so long as the imports will be disposed of locally, in accordance with the waste management plans:

- Landfill
- Biological, chemical and physio-chemical treatment prior to landfill and imports for incineration other than high temperature incineration
- Incineration other than high temperature incineration
- Blending or mixing of wastes so long as the blended wastes are disposed of in Northern Ireland or returned to Ireland
- Repackaging of wastes so long as the repacked wastes are disposed of in Northern Ireland or returned to Ireland