

Call for Evidence to support the near elimination of biodegradable waste to landfill: Questions

May 2023

When responding to questions without a free text box, please put a cross against your answer. Where there is a free text box, please use this to give us as much information as you can. Where possible, please provide links to supporting evidence or data. Where data is numerical, i.e. data related to the composition of mixed wastes, please can you share this in a spreadsheet (.xlsm, .xlsx, or .csv format) in as granular data as possible. For example, if you own or operate more than one landfill site and you are willing to do so, please do share data for each site.

Please submit all data on an annual basis where possible, including the year the data are drawn from. If you are able to, please include detail on the methodology, including granularity used and any limitations on the data.

Please return your completed response to residualwaste@defra.gov.uk

About You

Q1. Would you like your response to be confidential? Please refer to the information on confidentiality and data protection at page 5 of the CfE document.

Yes

No

Q2. If you have answered 'Yes' above, please give your reason.

Q3. What is your name?

Q4. What is your email address?

Q5. Which of the options below best describes you? Please tick only one option. If multiple categories apply to you, please choose the one which best describes you and which you are representing in your response. (Required)

- Academic or research
- Business representative organisation/trade body

- Charity or social enterprise
- Community group
- Consultancy
- Distributor
- Exporter
- Individual
- Landfill operator
- Local government
- Unitary Authority
- Waste Collection Authority
- Waste Disposal Authority
- Other local government body
- Non-governmental organisation
- Product designer/manufacturer / pack filler
- Retailer including online marketplace
- Waste management company
- Other (please provide details)

Q6. If you are responding on behalf of an organisation, what is its name?

North London Waste Authority

Landfill Allowance Trading Scheme

Q7. Does your organisation/authority have in place an active policy to minimise or avoid the landfilling of biodegradable waste?

Yes

No

Not applicable

If you are happy to do so, please can you provide a copy, or details of this policy. <https://www.nlwa.gov.uk/ourauthority/our-strategies/preserving-resources-driving-change>

Q8. If you do actively divert biodegradable waste from landfill, how is this waste treated?

NLWA works with seven Waste Collection Authorities (LB Barnet, LB Camden LB Enfield, LB Hackney, LB Haringey, LB Islington and the LB Waltham Forest) to treat the waste they collect in accordance with the waste hierarchy to achieve the best outcomes for residents.

NLWA manages Biodegradable waste that comes from a range of sources, including:

- Separate food waste to AD;
- Green waste to composting facilities (including open windrow/IVC);
- Co-mingled food and green waste to IVC;
- Paper and card to MRF/mills;
- Wood to recyclers and biomass energy plants;
- Textiles to charity for reuse and recycling or energy recovery

Biodegradable materials presented in the residual waste stream or biodegradables that represent contamination in other recycling streams are overwhelmingly sent for Energy Recovery.

Q9. If you do not have an active policy, does your organisation/authority have any plans to implement policies or actions to divert biodegradable waste from landfill?

We actively divert all waste from Landfill with 0.6% of our Residual stream going to landfill in 2022/23. This represents 0.5% of biodegradable fraction from all sources going to landfill.

Residual waste treatment

Q10. Do you manage biodegradable waste?

Yes x

No

If your answer is no, please go to the next section entitled 'The mixed waste codes'.

Q11. If you do manage biodegradable waste, what proportion (%) of this waste do you usually send to:

Biodegradeable All Streams		
Treatment	Tonnage	Percentage
Recycled/processed	56,483	13.1
AD/Composting	41,133	9.5
ERF	332,022	76.9
Landfill	1,948	0.5
Total	431,587	100.0

(FY 2022-23)

	0-20%	21-40%	41-60%	61-80%	81-100%
Incineration with energy recovery				X 76.9%	
Incineration without energy recovery					
Landfill	X 0.5%				
Anaerobic Digestion/composting	X 9.5%				
Other treatment (please state below)	X				
Processing at MRF's/ Mills	13.1%				

Q12. If applicable, can you describe any factors or issues that influence your choice of biodegradable waste disposal routes?

- Availability of waste treatment options, including location, capacity, haulage etc.
- Contracts; including type, length and disposal options available
- Two-tier working arrangements including collection systems (e.g. separate food waste), contracts
- Costs, including set up, gate fees, haulage, back office (contract management, comms, etc)
- If building a facility, then land availability is another key factor

NLWA expects carbon metrics and social value requirements to become more significant factors in influencing our choice of biodegradable waste disposal routes.

Q13. If you do not routinely send your waste to landfill, how often do you use landfill as a disposal method where there is no alternative option?

We only use landfill when there is no capacity in our Energy Recovery supply chain. We sent 0.6% to landfill in 2022-23, and 3.6% in 2021-22.

Q14. What are the circumstances in which you have used or would consider using landfill as a contingency or emergency disposal option?

NLWA will only landfill as a last resort when capacity at our own plant or our network of 3rd party off-takers is exhausted. In addition, where we contract with 3rd party processors, we ensure contamination whether biodegradable or not is sent for Energy Recovery and not landfill.

Q15. If there are seasonal fluctuations, including seasonal novelty wastes, that impact your waste disposal options, do you have any evidence as to the quantities and composition of these wastes, as well as how they are treated and coded before being disposed of in landfill?

Our treatment options are not varied due to seasonal variations, we do however experience variations in the composition of our waste. For example, the industry experiences larger volumes of green garden waste in the summer than the winter. In the case of the NLWA where this is presented as Garden or BioK it is sent for composting/IVC, where larger volumes of green garden waste are presented in the residual waste stream this is sent for energy recovery using the relevant EWC code.

Q16. If you manage biodegradable waste, how often do you send waste for inter-UK disposal in landfill (i.e. from England to Scotland, Wales, or Northern Ireland)?

Never x

Sometimes (less than monthly, but at least once a year)

Often (monthly)

Very often (more than once a month)

Q17. Are there specific circumstances that influence decisions to send biodegradable waste for inter-UK disposal?

- Lack of available treatment capacity in England
- Existing contracts
- Cost effectiveness
- Other (please state)

The mixed waste codes

Q18. Do you have any evidence or data that details the composition of the 20 03 01 and 19 12 12 waste codes dating from 2011 onwards/that is less than 10 years old?

- Yes
- No

If yes, please share the evidence and/or data

Yes – recent compositional analysis detailing composition of 20 03 01, 20 03 03, 20 03 07 will be available for October 2023

Q19. Do you have a view on why significantly more 19 12 12 waste is sent to landfill than EfW?

- Yes
- No

Please provide information or evidence to support your view.

EWC 19 12 12 is primarily contamination or process loss from mechanical processing of waste, suggesting a general lack of affordable EfW capacity is a factor. The introduction of a Dutch incineration tax in the early 2020s exacerbated the situation, with significant reduction in exports of this waste type to the Netherlands and an almost corresponding increase in UK landfill.

19 12 12 produced by our off-takers is treated with energy recovery.

Q20. Do you know of any innovations, solutions or ideas as to how mixed wastes could be treated or sorted, or existing sorting improved, to remove biodegradable material from these waste streams?

- Yes
- No

If yes, please share details, including any information as to why these innovations or solutions are not already widely adopted if applicable.

NLWA are aware of existing MBT type solutions however the technologies are expensive and offer mixed results. The majority of the solid by-product of MBT is

RDF, which is a fuel source for Energy Facilities or Kilns, the organic by-product is inferior (not compliant with PAS 100, PAS110) and has limited end uses. Where Biodegradable material is not source segregated ie (Residual Waste) it is better to send it for energy recovery.

Waste Fines

Q21. Do you have any evidence or data that details the composition and sources of the waste code 19 10 04: fluff-light fraction and dust from shredding of metal-containing wastes?

Yes

No

If yes, please share the evidence and/or data

Q22. Do you support the establishment of a specific waste code(s) for waste fines?

Yes

No

Please explain your view, including evidence or data to support your view if available.

Yes, in principle however there needs to be a clear understanding of the additional burdens that testing and reporting will have on local authorities and on existing contracts. Government should support local authorities to address any new burdens.

Q23. Do you have any evidence or data to support or oppose the use of separately engineered cells for the landfilling of waste fines only?

Yes

No

If yes, please share the evidence and/or data

Q24. Do you have any evidence or data to support or oppose the introduction of waste acceptance criteria that sets stringent controls on the amount of sulphur bearing waste present in waste fines?

Yes

No

If yes, please share the evidence and/or data

Identification of biodegradable waste and enforcement of policies

Q25. Would you recommend a particular method by which biodegradable waste could be identified prior to disposal at landfill?

Please share any evidence or data that supports your recommendation

This should be carried out through sampling and reporting. However, where sampling becomes a regulatory requirement sufficient thought should be provided to meet new burdens. Given the many different types of material in household residual waste from the population of over 2 million which we serve, it is an unavoidable conclusion that residual waste will have biodegradable content and therefore landfill would in practice become unusable for all household waste.

Q26. Are there, in your opinion, any avoidant behaviours or unintended consequences that may occur as a result of using a particular method of identifying biodegradable waste?

Please share any evidence or data that supports your view

In WTS where waste comes from a variety of sources it is likely that this waste will whether intentionally or not be comingled with other waste and standardized for ease or commercial advantage.

Municipal and non-municipal wastes received at landfill

Municipal waste

Q27. What are the barriers to using alternative treatments for the materials shown in Table 1 of the CfE document other than landfill?

Please share any evidence or data that explains your view.

None

20 03 07 Bulky waste

Bulky Waste requires shredding to meet EfW acceptance criteria, not all EfW are equipped to pre-treat 20 03 07. A lack of clarity over the requirements for pre-treating POPs (soft seating) and other waste that might be considered POPs in the future is also adding to a lack of capacity.

20 03 07 can also contain high quantities of rigid and other plastics with high Calorific Values (CV) that older EFWs need to mix with lower CV waste before treating.

19 05 03 Off-specification compost

unknown

20 02 01 Biodegradable waste

A general lack of capacity in the market.

20 03 03 Street cleaning residues

A general lack of capacity in the market, coupled with the need to dry and mix mechanical sweepings to ensure acceptance at EfWs makes this more problematic.

20 01 08 Biodegradable kitchen and canteen waste

This waste stream is commonly sent for biological treatment. It is (as explained in Question 11) often present in general residual waste 20 03 01/02 etc and as such the same issues with EfW capacity apply. Particularly for non LACW where EfW capacity is in short supply leading to large quantities of 20 01 08 being landfilled.

20 01 38 Separately collected wood

Where wood is separately collected, the majority (84% in the case of NLWA) is recycled, the remaining 16% is sent for Biomass energy recovery. There are some reported issues with a lack of shredding facilities prior to energy recovery, however these have not been experienced locally.

19 12 07 Wood from mechanical treatment

unknown

19 12 10 Combustible waste (refuse derived fuel)

unknown

Q28. Do you have a view on how government could help support alternative treatments for this waste?

Yes x

No

If yes, please share the evidence and/or data

- Government should move quickly to implement consistent collections with appropriate new burdens funding so that food and garden waste can be collected separately where practicable. Local Authorities should retain the opportunity to implement the most appropriate Dry Mixed Recycling option for their area and circumstances.
- Fund services as necessary.
- Develop, fund and support national campaigns for communications to residents and businesses.

- Provide enforcement powers at all tiers of local authorities particularly for compulsory recycling.
- Give Local Authorities the option to restrict residual collection frequency and/or capacity.
- Alternative treatments for these materials will require significant investment in infrastructure. These would need to be preferably UK based, with end markets developed for the output materials.

Q29. Do you have any evidence or data that can help identify the materials and sources of the waste codes shown in Table 1 of the CfE document that denote 'biodegradable waste' and 'Off-specification compost'?

Yes

No

If yes, please share the evidence and/or data

Bulky waste

Q30. Do you have any evidence or data on how much non-POPs containing biodegradable bulky waste is sent for disposal in landfill?

Yes

No

If yes, please share the evidence and/or data

For the NLWA, this is 0.5% as reported through WDF and highlighted in question 11.

Q31. How can government support the movement of these materials for treatment further up the waste hierarchy?

For Government to incentivise the development of additional infrastructure particularly AD/IVC, paper mills and EFW facilities that are capable of treating these materials as an alternative to landfill. This will also require stimulating secondary markets for the use of these outputs in the UK.

The Government needs to support the provision of adequate capacity of energy from waste facilities. These need to be in appropriate locations to minimise emissions from transporting waste to those facilities.

Education - Support targeted consumer behaviour change campaigns at national and local levels. Compulsory inclusion of waste hierarchy principles aimed at primary school children

Provide Local Authorities with regulatory powers to make recycling compulsory.

Non-municipal waste

Q32. Do you have any views, evidence or data that explains why the materials shown in Table 2 of the CfE document are sent to landfill as opposed to alternative treatment higher up the waste hierarchy?

Lack of capacity generally and in particular EfW infrastructure (which tends to be consumed by LACW) creates limited options for the treatment of commercial wastes and an overreliance on landfill.

Food effluent and biodegradable industrial sludges

This waste has a high-water content which makes it less desirable for EfW who generally require higher CV waste types. A lack of capacity for IVC treatment generally means that this difficult to manage low grade waste cannot always be accepted even where capacity does exist,

Non-inert fines

Unknown

Miscellaneous combustible

UK capacity particularly in EfW is a driver. More expensive EfW options in Europe since the early 2020's disincentivize the shipment of waste to EU incinerators and greater use of landfill options within the UK

Commercial and industrial paper and card

Lack of capacity in UK mills and more stringent regulation over the shipment of paper and card to Turkey and Asia are factors.

Commercial/industrial food; abattoir waste

Abattoir waste - Lack of capacity at correctly permitted EfWs is an issue. The complexity of this waste type also means AD facilities are not always able to accept it.

Q33. How can government support the movement of these materials for treatment further up the waste hierarchy?

For Government to incentivise the development of additional infrastructure particularly AD/IVC, paper mills and EFW facilities that are capable of treating these materials as an alternative to landfill. This will also require stimulating secondary markets for the use of these outputs in the UK.

The Government needs to support the provision of adequate capacity of energy from waste facilities. These need to be in appropriate locations to minimise emissions from transporting waste to those facilities.

Education - Support targeted consumer behaviour change campaigns at national and local levels. Include compulsory inclusion of waste hierarchy principles aimed at primary school children

Provide Local Authorities with regulatory powers to make recycling compulsory

Q34. Do you have any evidence or data that details the composition of materials within each category of waste received at landfill as listed above and their origins/sources?

Yes

No

If yes, please share the evidence and/or data

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Q35. Do you have any evidence or data that details the composition of the mixed non-municipal waste code:

19 02 03 – premixed waste composed only of non-hazardous waste

No

19 08 01 – Screenings

No

Q36. Do you have any evidence or data that details the origins/sources of these two waste codes?

Yes

No

If yes, please share the evidence and/or data

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The five key biodegradable materials recommended for elimination from landfill by the Climate Change Committee

Q37. Are you aware of any barriers to expanding the list of separately collected wastes that are prohibited from disposal at landfill (or incineration) without some form of treatment process to include wood, card, textiles, food, or garden waste?

Yes

No

Please explain your answer.

The NLWA agrees that biodegradable waste to landfill needs to be limited, however before a ban is implemented, we are calling on Government to introduce policies that;
Address the shortage of quality infrastructure in the UK,
Develop secondary market for materials,
Provide stable export routes for materials as an alternative to landfill where UK processing capacity doesn't exist,
Provide sufficient time to enable Local Authorities to make variations to long term treatment and disposal contracts

Q38. In addition to the materials detailed in Q37, are there any other potentially recyclable wastes which, when separately collected, could be prohibited from being sent to landfill (or incineration) without some form of treatment process?

Yes

No

If so, please provide any evidence to support this, including details of alternative treatment of these materials

Textiles municipal waste

Q39. Which of the two mixed waste codes (20 03 01 and 19 12 12) are most household and commercial municipal textiles landfilled under?

unknown

Q40. For textiles recorded under the 19 12 12 waste code, where does this usually come from, i.e., a Household Waste Recycling Centre (HWRC), or a Materials Recovery Facility (MRF)?

MRFs – from NLWA, the only textiles that go to landfill are 20 01 03

Q41. Can you provide any data on the biodegradable composition of textiles in the two mixed waste codes?

Yes

No

If yes, please share the data

Q42. Based on your experience, what is the general quality of textiles found in these two mixed waste codes? If you find there is a mix of quality, please detail a percentage against each category.

	0-20%	21-40%	41-60%	61-80%	81-100%
Very poor quality and contaminated – unusable					X (MRF & residual streams)
Poor quality but not contaminated – in need of repair					
No view					
Good quality – usable but showing signs of wear/use	X (HWRC stream)				
Very good quality – like new					

Q43. Is there any difference, in your experience, between the quality and type of household and commercial municipal textiles waste?

Yes

No

Please explain your view

Textiles presented in Household waste streams tend to be small quantities of a wide range of different materials. Whereas textiles from a commercial industrial setting are more likely to be in higher volumes of the same material.

Q44. Do you have any suggestions for incentives government could introduce to divert textiles, particularly biodegradable textiles, from landfill and for treatment that offers better environmental outcomes in accordance with the waste hierarchy?

Expand polluter pays principles to fashion manufacturers – incentivising them to offer shop takeback schemes. Introduce communications campaigns that highlight the environmental impact of fast fashion. Consider the Minimum quality requirements for manufacturers of fast fashion to prevent cheap throw away textiles being dumped on the market.

In support of LARAC's response:

- Extended Producer Responsibility (EPR) for the UK's fashion and textiles industry.
- Eco-design criteria to improve product durability, repairability and recyclability, together with effective product labelling.
- Compulsory presentation of textiles as a separate stream from Commercial sources
- Ban on landfill and incineration for Textiles presented as a single stream.
- Grants and loans to develop recycling infrastructure that encourages single stream collection.
- Support for an increase in separate bring-banks and kerbside collections appropriate to geographical location.

Q45. Should businesses be required to present textiles waste separately for collection?

Yes x

No

Please explain your answer

Textiles presented with other waste particularly 20 03 01 (mixed waste) will not be separated out and where they are they will be contaminated and of such poor quality that they will go to landfill where EfW capacity is limited.

Q46. In your experience, what would be the opportunities and difficulties associated with this?

Do you have any evidence to support your response?

Opportunities

- Compulsory collection of separated textiles in a commercial setting would support business to reduce carbon and move towards net zero target.
- Extending EPR to cover textiles would place the same financial incentives on business as those that will apply to EPR packaging - encouraging a

more sustainable use of materials, less reliance on virgin material and a switch to material that are more easily reused/recycled.

Difficulties

- Potentially increased cost of textile manufacturing and the cost of the EPR scheme itself will be passed to consumers.
- Increased costs for separate collection of textiles and logistical challenges
- Potential lack of capacity for the treatment of separation and treatment of textiles,
- Monitoring requirements of an EPR would need to be funded through the scheme
- Data collection

Interaction with other waste policies

Q47. Based on your perspective, to what extent do you think that the government's committed policies, taken collectively, will achieve the near elimination of biodegradable waste to landfill?

- Not at all (no change in current situation)
- Somewhat (will divert some (less than half) biodegradable waste going to landfill, but not all) - x
- Will ensure that a significant majority (more than half) of biodegradable waste, for which there are alternative treatment options, is diverted from landfill
- Completely (will divert nearly all (more than 90%) biodegradable waste, for which there are alternative treatment options, from landfill)

Please explain your view

While the call for evidence on a ban of biodegradable materials to landfill is potentially a positive step the NLWA would urge Government to concentrate its efforts on delivering the DRS, Consistency of Collection and EPR for packaging materials. The delay in implementing these pieces of legislation has introduced a great deal of uncertainty for local authority and wider industry. The introduction of DRS, EPR and Consistency of Collection would contribute towards a reduction in the amount of Biodegradable materials that goes to landfill amongst other positives and must be the Governments priority

The introduction of an incineration tax will deter the use of more sustainable disposal routes for residual streams containing biodegradable materials and could encourage more biodegradable materials to Landfill.

Q48. Do you have a view on alternative bio-recycling routes for the diverted biodegradable waste other than anaerobic digestion and composting in line with the government's priority uses for biomass?

Yes

No

If yes, can you provide evidence to support your view?

Q49. Are there any instruments you could suggest that would be effective in eliminating biodegradable waste to landfill?

Yes

No

If yes, please can you explain your thinking, including what financial mechanism would be appropriate and how this could work

See 47

Bring forward key legislation such as EPR, DRS and Consistent Collections, with appropriate New Burdens Funding. This will divert biodegradable materials away from mixed-waste residual collections into reuse and recycling streams.

Mandate the use of separate collection services for organic waste, textiles and fiber from commercial and industrial sources

Supported targeted behavior change and communications campaigns. Provide local authorities with the powers they need to make recycling in a domestic setting compulsory.

Expand EPR to include textiles, carpets and mattresses that have high biodegradable content.

The UK Emissions Trading Scheme is set to include EfW, this is likely to lead to increases the cost of this option which has two impacts.

1, it is more likely that landfill will be used as the economic case for using EfW is weakened.

2, The business case for building additional EfW capacity will be similarly impacted leading potentially to less investment in this key disposal route.

It is clearly recognised by Government that ETS is likely to result in higher costs for local authorities. While the NLWA supports the Governments aspirations to reduce carbon emissions it urges the Government to work with Local Authorities and our representative bodies to find solutions that reduce carbon without incentivising a return to landfill.

Timing of policies to eliminate biodegradable waste to landfill

Q50. Do you have any thoughts or evidence as to how policy interventions could be sequenced so as to achieve the near elimination of biodegradable waste to landfill?

- Focus on municipal waste only
- Focus initially on municipal waste before expanding policies to non-municipal waste
- Focus on non-municipal wastes only
- Focus on all biodegradable waste
- Target specific wastes (municipal and non-municipal) now that can be diverted to alternative treatment
- Other x

Please explain your answer

The sequencing should be to focus on the much delayed, EPR and Consistency of Collection legislation, this will support the reduction of Biodegradable waste to Landfill and other forms of disposal into reuse and recycling streams. In terms of specific focus on biodegradable waste being banned from landfill the initial focus should be on Commercial and Industrial waste which is significantly larger than the Municipal waste sector.

Q51. Having considered the timing of other policies, are there circumstances that may arise as a result of interaction with these policies that you would like us to be alert to?

Problems caused by POPs – the recent change in guidance caused a great deal of uncertainty that still has not been addressed.

Local authorities are expecting a significant number of regulatory changes to be introduced. The sheer number and complexity of the changes should be acknowledged with the extra demands these are placing on staff and resources within local government.

Q52. Notwithstanding your response to Question 50 above, in achieving the near elimination of biodegradable waste to landfill, do you have any evidence or thoughts of materials or waste codes that could be targeted before others, or should all biodegradable municipal waste be targeted at the same time?

Food, Textiles and Fibre from C&I sources

Q53. Are there materials that should be considered at a later stage or for exemption because there is no possible current or likely future alternative means of disposal for that waste?

In agreement with NAWDO, labelling around compostable, biodegradable and plant-based materials needs to be clarified and standardized to prevent residents being misled.

Q54. Are you aware of any barriers to bringing forward implementation of policies to achieve the near elimination of biodegradable waste to 2026, taking account of necessary lead in times to prepare the sector?

In agreement with NAWDO, the delay of key legislation and associated guidance/funding (e.g. Consistency and EPR) is a significant barrier. Energy market instability and lack of clear policy direction is further delaying preparation for changes, such as purchasing new vehicles and containers, or establishing new treatment infrastructure. Once policy is clarified, adequate time will need to be factored in to deliver the necessary resources for collections and potentially even longer for infrastructure.

Resident participation in existing food recycling services is still significantly lacking: a considerable amount of food waste (20-30%) remains in the residual stream. The flexibility for local authorities to reduce the frequency of residual waste collections (where appropriate) should be allowed, as this is a proven way to reduce costs and divert more material away from EfW/landfill.

Q55. Do you have a view as to whether we can and should seek to align biodegradable waste to landfill policy scope, timing and implementation in England to those being implemented across the UK?

Yes x

No

If yes, please explain your view and provide evidence and data if available to support your reasoning.

Government should ensure alignment of elimination to landfill policy with those across the rest of the UK. This will reduce unintended consequences such as the risk of waste from other UK countries being transferred to landfill in England, where a ban may be in place before it is in England.

Waste Infrastructure

Q56. How can government support the development of infrastructure required to manage biodegradable waste diverted from landfill?

There should be funding for new technology and infrastructure, as well as research and innovation.

EfW

It is generally accepted that extracting recyclable or reusable materials from residual mixed waste is notoriously difficult. Biodegradable waste remains a significant portion of other household waste streams residual over 30%. If landfill is banned, EfW is the only viable alternative. Government should recognise that there is inadequate EfW capacity for Municipal and C&I waste in England and ensure policies are developed that encourage disposal with energy recovery over landfill options.

Government should recognise that EfW facilities can experience shutdowns, sometimes for prolonged periods, whether this is for planned maintenance or otherwise. To avoid landfill as contingency, there must be reliable and cost effective options to avoid landfill, these should include improved logistical infrastructure to support the movement of waste to regions within England that have EfW capacity.

Biodegradable material streams

The delay in Consistency legislation is preventing investment in collection vehicles, containers, depots, crews etc. for separate organic waste services, e.g. food and garden waste. Once this legislation has been implemented, the government should work with local authorities and the wider industry to increase the amount of biodegradable waste sent for reuse and recycling and where biodegradable material cannot be extracted for reuse and recycling that their remains an economic benefit for EfW over landfill.

Q57. How do you consider infrastructure development might impact on the potential phasing in of policies to eliminate biodegradable waste to landfill?

If you don't have sufficient capacity in the right locations for the biodegradable waste to go to the right infrastructure, then either legislation will not be impactful or the cost and logistical challenges will far exceed optimistic assumptions.

Building new infrastructure takes a considerable amount of time, planning permitting applications can take years to before being approved, similarly

building and commissioning facilities is a matter of years not months. Of equal importance to the requirement for time, the policies that support the development of sound business cases for investment in new infrastructure have to be in place.

It therefore seems it would be unlikely to be achievable by 2026 given the delays with key legislation such as EPR and Consistency.

Q58. Do you have a view on how government could support the prevention of biodegradable waste from arising in the first place?

Yes

No

If yes, please explain your answer

Food waste campaigns – work with supermarkets to better discount food going out of date. Make it compulsory for safe surplus food to be donated to food banks or other charities.

Better education on food usage and hygiene so consumers don't think that a sell by date means use by date or use by date means absolutely throw out.

Manufacturer responsibility, businesses should limit promotions such as BOGOF's (Buy One Get One Free)

NLWA would encourage the Government to shift its focus from recycling rates and household recycling performance and refocus on waste reduction metrics.

Suggested metrics would be to observe and reduce kg of residual waste per capita / carbon savings.

Soils to landfill

Q59. Do you agree that soils and mineral wastes are excluded from the scope of policies to achieve the near elimination of biodegradable waste to landfill (with other cross-government policies focussed on the prevention and reuse of soils and mineral wastes, where appropriate)?

Agree

Disagree

Please share your views and any evidence or data that supports your reasoning.

Cost of achieving the near elimination of biodegradable waste to landfill

Q60. Are you aware of any potential costs that may arise as a result of the near elimination of biodegradable waste to landfill that should be taken into account?

Yes

No

If available, could you provide evidence to support your answer?

Potentially high disposal, operational and haulage costs especially if we need to divert at short notice, for example due to EfW breakdown.

Infrastructure, new contracts, contractual implications for landfill contracts, staffing, vehicles, back office in terms of data tracking and reporting, possible requirements for separation of waste during collection and how that is done.

Q61. Do you envisage any unintended consequences that the government should seek to avoid when developing policies to achieve the near elimination of biodegradable waste being sent to landfill?

Yes

No

If yes, please explain your answer

Local authorities are already contending with a number of key policies expected to be introduced within the next few years; with likely significant impacts on collection and disposal services (including HWRCs) - including the CPR, EfW emissions being included within the ETS and limits on charging for 'DIY' waste at HWRCs – the demands on resources – both time, staff and funding must be factored in.

This proposal has environmental benefits, although it does come with delivery and operational costs/consequences (lack of infrastructure, secondary markets for example) which will be significant. There needs to be policies set out and adequate funding available to support their development and ensure that solutions for biodegradable waste that cannot be extracted from mixed residual waste are encouraged over landfill options.

Any additional information of views to share

Q62. If you hold any evidence, data, views, or thoughts outside of direct requests for evidence, data and views contained in this document that you believe will help us in our ambition to achieve the near elimination of biodegradable waste to landfill, please add this here.

NLWA understand the environmental motivations of the proposal but it would have material operational and financial consequences for us, even as an authority with low landfill levels.

NLWA would recommend Government to support these changes with behaviour change/awareness campaigns; appropriate resources for waste collection authorities, e.g. additional vehicles and caddies; and the appropriate local infrastructure, e.g. AD plants, IVC, which are much needed.

We will share the waste composition analysis results when they become available.

Supplementary section: The future of landfill

Q63. Would you be interested in taking part in any conversations around the future role of landfill and other topics relevant to landfill policy?

Yes

No

If your answer is yes, we will use the contact details provided by you when replying to this consultation.