

Response ID ANON-QWDR-WGQN-U

Submitted to Consultation on the reform of the waste carrier, broker, dealer registration system in England
Submitted on 2022-04-11 09:44:00

Introduction

1 Would you like your response to be confidential?

No

Please explain:

2 What is your name?

Name:
Dan Turner

3 What is your email address?

Email:
dan.turner@nlwa.gov.uk

4 What is the name of your organisation, if appropriate?

Organisation:
NLWA

5 Are you responding as:

a local waste disposal authority

Please explain:

6 INDIVIDUAL RESPONDENTS ONLY: Do you have an interest in the consultation because you:

work for a business or organisation in the waste sector

Another reason - please specify:

7 BUSINESSES THAT HANDLE OR MANAGE WASTE ONLY: Do you:

manage waste as your main activity

Something else – please specify:

8 Do you (select all that apply):

hold a waste operation environmental permit

9 How many staff are employed in your business or organisation?

10 - 49

10 In which of the following countries does your business operate? (select all that apply)

England

11 Do you act as a: (select all that apply)

None of those

12 What business activities do you undertake? (select all at apply)

None of these

13 What types of waste do you carry or handle in the course of your business? (select all that apply)

14 Are you registered as a waste carrier, broker or dealer?

No

Reforming the Carrier, Broker, Dealer regime

Terminology around Carriers, Brokers and Dealers

15 We think that assigning legal responsibilities for managing and transporting waste to 'controllers' and 'transporters' rather than 'carriers, brokers and dealers' better reflects the way the waste and resources industry works. Do you agree or disagree?

Agree

Please explain:

16 We think that assigning legal responsibilities in this way will enable us to regulate the management and transport of waste more effectively. Do you agree or disagree?

Agree

Please explain:

17 We believe assigning responsibilities in this way will help ensure that all waste handlers are held accountable for any mismanagement that occurs. Do you agree or disagree?

Agree

Please explain:

The move to environmental permitting

18 Do you agree or disagree with our proposal to bring the current CBD regime under the environmental permitting regulations?

Agree

Please explain:

19 Do you agree or disagree with our proposal to introduce three types of permit – controller only, transporter only and combined controller/transporter?

Agree

Please explain:

20 Do you agree or disagree that standard rules permit types should be differentiated according to the activities to be carried out under the permit i.e. controller/transporter/both?

Agree

Please explain:

21 If you disagree with our proposal, how do you think the standard rules permits should be differentiated?

Not Answered

Other - please explain:

Applying for a standard rules permit and the conditions of the permits

22 Do you agree or disagree that it should be a permit condition to show a permit number on advertising?

Agree

Please explain:

23 Do you agree or disagree that it should be a permit condition to clearly display permit numbers on any vehicle used for the collection and transport of waste?

Agree

Please explain:

24 Do you agree or disagree that these measures would help improve Duty of Care compliance?

Agree

Please explain:

Renewal/reviews

25 Do you agree or disagree that a renewal element should be built into the transporter/controller permitting system?

Agree

Please explain:

26 Do you agree or disagree that with our proposal to implement permit renewal through self-declaration process?

Agree

Please explain:

27 If we introduce permit renewal, how frequently do you think permits should be renewed?

annually

Some other frequency (please specify):

Charging

28 Do you agree or disagree that subsistence charges should align with charges under the Environmental Permitting Regulations to fund the same range of regulatory activity?

Agree

Please explain:

Enforcement

29 If you have any comments please leave them below

Free text:

Exemptions from a requirement to operate under a permit

30 Do you agree or disagree that charities/voluntary groups operating a non-profit service should be able to operate under a non-registered exemption?

Disagree – they should be required to operate under a registered exemption

Please explain:

We feel that charities/voluntary groups should comply with the revised proposed standards to ensure compliance is adhered to, and also to mitigate any ambiguity

31 Do you agree or disagree that local authority waste collection and disposal authorities and regulatory authorities should be able to operate under a non-registered exemption?

Agree

Please explain:

32 Do you agree or disagree that charities operating a chargeable, commercial service should be required to apply for the relevant standard rules permit?

Disagree – they should be required to operate under a non-registered exemption

Please explain:

Waste disposal and collection authorities have a statutory duty to collect waste from business premises if requested to do so. As the statutory duty remains we believe the non-registered exemption should also stay.

33 Do you agree or disagree that waste disposal and collection authorities operating on a commercial basis should be required to apply for the relevant standard rules permit?

Agree

Please explain:

34 Do you agree or disagree that those who transport and/or control waste produced by themselves in the course of their business, and where that waste is construction/demolition waste and/or the waste is subject to a higher level of control should be required to apply for the relevant standard rules permit?

Agree

Please explain:

35 Do you agree or disagree that those who only transport and/or control non-construction or demolition waste, produced by themselves in the course of their business, should be allowed to operate under a registered exemption?

Agree

Please explain:

36 Do you agree or disagree that businesses removing third party waste produced in the course of their business should be required to apply for a permit?

Agree

Please explain:

37 Do you agree or disagree that the distinction and risks between scenarios (e) and (f) are sufficiently clear to require two different regulatory approaches?

Agree- they should be treated different

Not Answered

38 Do you agree or disagree that those transporting/controlling waste from mines and quarries should be required to operate under a registered exemption?

Agree

Please explain:

39 Do you agree or disagree that companies transporting/controlling agricultural waste should be required to apply for a permit?

Agree

Please explain:

40 Do you agree or disagree that farmers should be required to operate under a registered exemption if they are only transporting their own agricultural waste?

Agree

Please explain:

41 Do you agree or disagree that those who transport/control only animal by-products should operate under a non-registered exemption?

Agree

Please explain:

Implementation

42 Do you agree or disagree that those who currently hold an upper tier registration should be required to apply for a permit at the time when this registration is due to be renewed?

Agree

Please explain:

43 Do you agree or disagree that those who currently have a lower tier registration should be required to either register an exemption or apply for a permit within 12 months of the system going live?

Agree

Please explain:

Demonstrating competence for permitted activities

44 Do you agree or disagree with introducing technical competence as a controller/transporter permit requirement?

Agree – for both controller and transporter permits

Please explain:

45 Do you agree or disagree that a regulatory approach to assuring technical competence is likely to be the most effective in achieving a good standard of competence in waste controllers and transporters?

Agree

Please explain:

46 If you are a business that handles waste, which of the following waste technical competence qualifications do you and/or your employees hold? (tick all that apply)

Don't know/not applicable

Other – please specify:

47 Who do you think should be required to hold a full level of competence? (tick all that apply)

The permit holder (this can be an individual or a legal entity), Nominated person(s)

Something else – please specify:

48 Do you agree or disagree that having a nominated person responsible for cascading competence through the workforce is a proportionate approach for companies to demonstrate that their staff are at a suitable level of competence?

Agree

Please explain:

49 To what extent are you in favour of a workforce-based competence scheme, such as the existing Energy and Utilities Skills scheme, being considered as an approach for waste controllers and transporters?

I don't know enough about the Energy and Utilities Skills scheme to comment

Please explain your views. :

50 Do you agree or disagree that an online 'assessment', which needs to be completed as part of the initial application process, should be introduced as a way of demonstrating competence when applying for a permit?

Agree

Please explain:

51 Do you agree or disagree that those operating under a registered exemption should still be required to hold an appropriate level of transporter/controller technical competence?

Agree

Please explain:

52 If you agree, do you agree or disagree that some form of basic online assessment, possibly forming part of the registration process itself, would be a proportionate approach?

Agree

Please explain:

Transition period for the introduction of competence requirements

53 Do you agree or disagree that there should be a phased introduction of the competence requirements?

Disagree – there should be full competence from day one of implementation

Not Answered

Please explain:

54 Do you agree or disagree that those operators applying for a transporter/controller permit with no existing CBD registration should be required to provide evidence of full competence at application stage?

Agree

Please explain:

Ongoing competence

55 Do you agree or disagree that there should be a requirement to demonstrate continuing competence?

Agree

Please explain:

56 If we were to introduce a requirement for demonstrating continuing competence, how often do you think this should be undertaken?

every 2 years

some other time period – please specify:

57 Do you agree or disagree that there should be some sort of accredited third party assessment as part of this continued competence?

Agree

Please explain:

How will technical competence be monitored and enforced?

58 If you have any comments please leave them below

Free text:

The link to Duty of Care

59 If you have any comments please leave them below

Free text:

Waste exporters

60 Are you an exporter* of waste, and are you currently registered as a broker or dealer in England or elsewhere?*For the purpose of this consultation 'exporter' is defined as 'any natural or legal person who intends to carry out a shipment of waste or intends to have a shipment of waste carried out on their behalf'

No, I am not an exporter of waste

61 Do you agree or disagree with the proposal that operators exporting waste from England must hold a permit?

Agree with the proposal – all operators exporting waste must hold a permit

Please explain:

Please explain:

62 If we were to require operators exporting waste from England to have a permit, do you agree or disagree that the permit should be time limited?

Agree

Please explain your views.:

63 Do you agree or disagree with the principle of including a requirement for applicants to demonstrate technical competence as a requirement to hold an exporter of waste permit?

Agree

Please explain your views.:

Any other comments

64 Do you have any other comments to make about our proposals to reform the law on waste carriers, brokers and dealers?

No - thank you for your input

Free text:

Consultee Feedback on the Online Survey

65 Overall, how satisfied are you with our online consultation tool?

Satisfied

Please explain: