



Waste Management

Introduction

Waste management is a topic of considerable importance in Wales. Space for landfill – still the main waste disposal method – is running out, and European legislation requires substantial changes in the way that waste is treated.

National targets for recycling have been set in order to help Welsh local authorities meet their landfill targets: by 2009/10, at least 40 per cent of municipal waste should be recycled or composted, and the Minister for Environment, Sustainability and Housing has a stated desire to see 70 per cent recycling/composting by 2025. Unfortunately, in some cases, even meeting the 2009/10 target will not be enough for a local authority to meet its Landfill Directive requirements.

- If present trends continue, 15 local authorities in Wales will fail to meet the 2012/13 Landfill Directive targets, resulting in fines of nearly £27 million.
- At current rates of increase of recycling and composting, 10 local authorities will meet the 40 per cent target in 2009/10, whilst the remaining 12 will fail to meet the target.
- In order to meet the 2020 target of 300kg of waste production per person, household waste needs to decrease by 4 per cent annually from 2006/07.

Current and proposed legislative competence of the Assembly

Under the *Government of Wales Act 2006*, the National Assembly for Wales can seek legislative competence through Acts of Parliament or Legislative Competence Orders (LCOs) to make a piece of law in the form of an 'Assembly Measure'. Measures can only be made in a specific policy area (or 'Matter') added to one of the 20 'Fields' (or broad subject areas) which are contained in Schedule 5 to the Act.

As 'Environment' is field 6 of Schedule 5 to the *Government of Wales Act 2006*, the National Assembly for Wales can seek Measure-making powers in this area. The Environmental Protection and Waste Management Legislative Competence Order, currently in progress, would provide wide-ranging opportunities for primary legislation to the National Assembly for Wales. Nerys Evans' proposed Measure on Recycling would require local authorities to report on the amount of recyclate exported.

Forthcoming EU and UK primary legislation

- Various sections of the *Clean Neighbourhoods and Environment Act 2005* are in the process of coming into force in Wales.
- The EU Waste Framework Directive is currently being revised.

EU Policy

The EU has wide jurisdiction over environmental matters, including waste management.

- The IPPC Directive of September 1996 (codified in 2008)ⁱ imposes a requirement for industries with high pollution potential to have a permit.
- In December 2005, the European Commission published a strategyⁱⁱ on the prevention and recycling of waste.
- The Waste Electrical and Electronic Equipment Directiveⁱⁱⁱ of January 2003 requires Member States to set up separate collection facilities for such waste.
- The Waste Incineration Directive^{iv} of December 2000 controls the incineration of waste.
- The End-of-life Vehicles Directive^v of September 2000 means that as from 1 January 2007, free recycling facilities must be available for all vehicles at the end of their lives.

- The Landfill Directive^{vi} of April 1999 is the biggest current driver of waste management operations in Wales.
- Under the Batteries Directive^{vii}, free collection for portable batteries must be in place by September 2008. Minimum collection rates are stipulated.
- The Packaging Directive^{viii} of December 1994 (as amended) is the primary tool for control of packaging.

Key Welsh Government strategy documents and action plans

- The One Wales agreement commits the Welsh Assembly Government to improve targets for recycling with legislation and support for better and more coordinated waste management.
- The *Environment Strategy for Wales*^{ix} and its accompanying Action Plan^x have sections dedicated to waste management.
- The *National Waste Strategy for Wales* is the waste management strategy^{xi}. It is currently undergoing revision.

Useful Links

- The Welsh Assembly Government has a website covering waste and recycling issues: http://new.wales.gov.uk/topics/environmentcountryside/epq/waste_recycling/?lang=en
- The waste management page of the European Commission's Directorate-General of the Environment can be found at <http://ec.europa.eu/environment/waste/index.htm>
- The waste management legislation page of the European Union can be found at <http://www.europa.eu/scadplus/leg/en/s15002.htm>
- DEFRA's waste and recycling website is <http://www.defra.gov.uk/environment/waste/index.htm>
- Wales Environment Link is an umbrella organisation for voluntary environmental and countryside NGOs in Wales, including Cylch and Keep Wales Tidy: <http://www.waleslink.org/>
- Waste Awareness Wales can be found at <http://www.wasteawarenesswales.org.uk/>

Further information

Research papers are available on waste management in Wales, the Environmental Protection and Waste Management Legislative Competence Order, fortnightly collection of residual domestic waste, and the Environment Strategy for Wales at:

<http://www.assemblywales.org/bus-home/bus-assembly-publications-economic.htm>

For further information on any aspect of the environment, please contact Gareth Clubb, Members' Research Service (Gareth.Clubb@wales.gsi.gov.uk), 029 2089 8638

ⁱ European Parliament and Council, [Directive 2008/1/EC of the European Parliament and of the Council of 15 January 2008 concerning integrated pollution prevention and control](#), January 2008

ⁱⁱ European Commission, [Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Taking sustainable use of resources forward: A thematic strategy on the prevention and recycling of waste](#), 21 December 2005,

ⁱⁱⁱ European Parliament and Council, [Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment \(WEEE\) – joint declaration of the European Parliament, the Council and the Commission relating to Article 9](#), January 2003

^{iv} European Parliament and Council, [Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste](#), December 2000

^v European Parliament and Council, [Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles – Commission statements](#), September 2000

^{vi} European Council, [Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste](#), April 1999

^{vii} European Parliament and Council, [Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC](#), September 2006

^{viii} European Parliament and Council, [European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste](#), December 1994

^{ix} Welsh Assembly Government, [Environment Strategy for Wales](#), May 2006

^x Welsh Assembly Government, [Environment Strategy for Wales: First Action Plan](#), May 2006

^{xi} Welsh Assembly Government, [Wise About Waste: The National Waste Strategy for Wales](#), June 2002