



EPWM Committee Consultation

Consultation Response by Cylch (Wales Community Recycling Network) on The Proposed Environmental | Protection and Waste Management LCO Committee

Please accept this document as Cylch – Wales Community Recycling Networks response to the National Assembly for Wales Consultation on The Proposed Environmental Protection and Waste Management Legislative Competence Order (LCO).

Cylch is an umbrella organisation that promotes sustainable resource (waste) management through education and practical action. Cylch promotes community ownership of the waste issue. Waste materials are a valuable resource and, if managed effectively, can create environmental, social and economic benefits for local people. Cylch Membership includes over 60 community waste minimisation, reuse, recycling and composting enterprises throughout Wales. These organisations provide employment and training for a broad cross-section of the local community, including the long-term unemployed, and people with special needs. In this model, sustainable resource management goes hand in hand with community regeneration.

Introduction

Cylch welcomes the proposed Environmental Protection and Waste Management Legislative Competency Order.

Question1 - Would the terms of the proposed Order allow for the implementation of the policy agenda on waste management and environmental protection by means of Measures? If not, how would the proposed Order need to be re-drafted and why?

Cylch believes that Matter 6.1 should be redrafted to read:

'Reduction, collection, management, treatment and disposal of waste'

Our understanding of the LCO as it is currently phrased, is that it would not allow the Assembly to introduce legislation that would produce the production of waste at source, i.e. eliminating waste before it is created. This is to omit the first of the three R's: **Reduce**, Reuse, Recycle; and the peak of the waste hierarchy. We believe that without the inclusion of the term 'reduction' the

LCO will not allow for the implementation of an effective policy agenda on waste management, i.e. one that has the principle of sustainability at its heart.

As identified in the Environment Strategy under Action 20, Measures under the proposed Order will provide the Assembly with powers to introduce variable charging for residual waste collection.

However, the definition of:

- Collection, management, treatment & disposal of waste
- Environmental protection, including pollution, nuisances and hazardous substances

need to be considered. For example, 'treatment of waste' may include energy from waste and 'pollution' might include carbon or methane emissions.

Would the proposed Order allow for the implementation of greenhouse gas emissions targets for Wales, for example, as stipulated in the Environment Strategy?

Question 2 - The proposed Order includes a Table setting out certain exceptions from the scope of Matters 6.1 and 6.2 – see the entries at numbers 1, 2, 12, 13, 14, 15, 16 and 18. Are these exceptions appropriate? If not, how should they be re-drafted and why?

Cylch questions the inclusion of exception 16 and whether this may have limitations in terms of the ability to have powers over the transport of hazardous waste within Wales.

Cylch suggests that exception 18 in the Table 'Energy conservation' is removed. This topic is specified within the Environment Strategy Action Plan: *'set out an energy route map where renewable and low carbon sources will have growing importance and which will deliver secure energy supplies that minimise carbon emissions and negative impacts on the environment.'* and so should be included in the proposed Order.

Question 3 - Are the terms of the proposed Order drafted appropriately, too narrowly or too broadly. If necessary how should the proposed Order be re-drafted and why?

Cylch believes that the terms of the proposed Order have been drafted appropriately; however, we would request that the Order be redrafted in relation to our responses to questions 1 and 2 above. We would also welcome definitional clarification as referred to under question 1 above.

Cylch Values the opportunity to take part in this important consultation process and trusts that the above response will be taken into consideration.

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