



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Amgylchedd a Chynaliadwyedd **The Environment and Sustainability Committee**

Dydd Mercher, 8 Gorffennaf 2015
Wednesday, 8 July 2015

Cynnwys **Contents**

[Cyflwyniad, Ymddiheuriadau a Dirprwyon](#)
[Introductions, Apologies and Substitutions](#)

[Bil yr Amgylchedd \(Cymru\)—Cyfnod 1: Sesiwn Dystiolaeth 11](#)
[Environment \(Wales\) Bill—Stage 1: Evidence Session 11](#)

[Bil yr Amgylchedd \(Cymru\)—Cyfnod 1: Sesiwn Dystiolaeth 12](#)
[Environment \(Wales\) Bill—Stage 1: Evidence Session 12](#)

[Bil yr Amgylchedd \(Cymru\)—Cyfnod 1: Sesiwn Dystiolaeth 13](#)
[Environment \(Wales\) Bill—Stage 1: Evidence Session 13](#)

[Bil yr Amgylchedd \(Cymru\)—Cyfnod 1: Sesiwn Dystiolaeth 14](#)
[Environment \(Wales\) Bill—Stage 1: Evidence Session 14](#)

[Bil yr Amgylchedd \(Cymru\)—Cyfnod 1: Sesiwn Dystiolaeth 15](#)
[Environment \(Wales\) Bill—Stage 1: Evidence Session 15](#)

[Papurau i'w Nodi](#)
[Papers to Note](#)

[Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod](#)
[Motion under Standing Order 17.42 to Resolve to Exclude the Public from the Meeting](#)

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

These proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Jeff Cuthbert	Llafur Labour
Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Llyr Gruffydd	Plaid Cymru The Party of Wales
Janet Haworth	Ceidwadwyr Cymreig Welsh Conservatives
Alun Ffred Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Julie Morgan	Llafur Labour
William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Jenny Rathbone	Llafur Labour
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Gill Bell	Rheolwr Rhaglen Cymru, Y Gymdeithas Cadwraeth Forol Wales Programme Manager, Marine Conservation Society
Linda Crichton	Pennaeth, Tîm Rheoli Adnoddau, WRAP Cymru Head, Resource Management Team, WRAP Cymru
Rebecca Colley-Jones	Cydlynnydd Rhwydwaith Sefydliad Amgylcheddau Cynaliadwy Cymru (WISE) / Cyfarwyddwr Ynys Resources Ltd, Prifysgol Bangor (yn cynrychioli'r Sefydliad Siartredig Rheoli Gwastraff) Welsh Institute for Sustainable Environments (WISE) Network Coordinator / Director at Ynys Resources Ltd, Bangor University (representing the Chartered Institution of Wastes Management)
Becky Favager	Rheolwr—Gwastraff ac Adnoddau, Cyfoeth Naturiol Cymru Manager—Waste and Resources, Natural Resources Wales
Chris Howell	Pennaeth Rheoli Gwastraff, Dinas a Sir Abertawe Head of Waste Management, City and County of Swansea
Isobel Moore	Pennaeth Busnes, Rheoliadau ac Economeg, Cyfoeth Naturiol Cymru Head of Business, Regulation and Economics, Natural Resources Wales
Carl Nichols	Pennaeth WRAP Cymru Head of WRAP Cymru

Andrew Wilkinson	Pennaeth Gwasanaethau'r Gymdogaeth, Cyngor Sir Conwy Head of Neighbourhood Services, Conwy County Council
Malcolm Williams	Ymddiriedolwr, Cylch Trustee, Cylch
Sarah Williams	Prif Gyngorydd—Rhaglen Adnoddau Naturiol ac Ecosystemau, Cyfoeth Naturiol Cymru Principal Adviser—Natural Resources and Ecosystems Programme, Natural Resources Wales
Dr Ruth Wood	Cymrawd Ymchwil, Canolfan Tyndall er Ymchwil i Newid yn yr Hinsawdd, Prifysgol Manceinion Research Fellow, the Tyndall Centre for Climate Change Research, University of Manchester

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Alun Davidson	Clerc Clerk
Lisa Salkeld	Cynghorydd Cyfreithiol Legal Adviser
Nia Seaton	Y Gwasanaeth Ymchwil Research Service
Adam Vaughan	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 09:04.
The meeting began at 09:04.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions

- [1] **Alun Ffred Jones:** A gaf i agor y pwyllgor, os gwelwch yn dda, a'ch croesawu chi i gyd yma? Yr ydych yn gwybod y rheolau ynglŷn â'r larwm tân. Diffoddwch eich ffonau symudol. Wrth gwrs, mae hawl i bawb gyfrannu yn Gymraeg neu yn Saesneg. A oes unrhyw un eisiau datgan buddiant? Na. Nid oes ymddiheuriadau hyd yn hyn.
- Alun Ffred Jones:** May I now open the committee, please, and welcome you all here? You know the rules in terms of the fire alarm. Please switch off your mobile phones. Of course, everyone has a right to contribute in Welsh or English. Does anyone wish to declare an interest? No. There are no apologies so far.

09:05

Bil yr Amgylchedd (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 11
Environment (Wales) Bill—Stage 1: Evidence Session 11

- [2] **Alun Ffred Jones:** A very warm welcome to Professor Ruth Wood from the Tyndall centre. Thank you for coming. I gather that you've had a brief to speak to certain subjects, or topics, I should say.

- [3] **Dr Wood:** I have. Yes. Thank you.

- [4] **Alun Ffred Jones:** You will be giving us a short address at the top of the session. Then we'll pick up on any points that we think we need clarification or your views on afterwards, if that's okay with you.

[5] **Dr Wood:** That's fine.

[6] **Alun Ffred Jones:** We're very grateful to you for coming in. So, without further ado we'll kick off and ask if you can just introduce yourself, saying who you are and what you do.

[7] **Dr Wood:** Okay. Thank you very much for having me. I'm Ruth Wood. I'm a research fellow at the Tyndall Centre for Climate Change Research, based in the University of Manchester. I'm also a lecturer there in environment and climate change. I've been doing research on climate change mitigation and resilience to climate impacts.

[8] I've been asked to comment first on the level of the 2050 target. My response to that would be that there are considerable grounds for increasing that target and to look at it again. The target comes originally from the Climate Change Act 2008. Since 2008 there have been a number of changes, which you may wish to incorporate when revising that target. Firstly, it was set based on our understanding of the science back in 2007 or 2006. Since then there have been significant updates in the science since then. Most recently, the last Intergovernmental Panel on Climate Change report has published, for the first time, sets of global carbon budgets associated with different probabilities of avoiding going over a 2 degree increase in warming or increase in temperature, and has set out different pathways for which those could be met. Also, since 2008— And at that time they were quite optimistic that global emissions would start to peak and come down—ideally, the peak would be in 2010, or in 2015 you'd see a peak in global emissions—but since then global emissions have continued to increase at a rate of about 2.2 per cent per annum over that time and, as yet, we haven't reached this global peak, which is crucial to delivering emission reductions within those carbon budgets.

[9] The Climate Change Act set out criteria for revising the target, including if there were significant changes in the science, and also if there were changes in the international policy arena. I'd argue that there certainly have been changes in the science since then, particularly with the publication of the IPCC's report. And hopefully in Paris later this year there will be significant changes in the international policy arena on how, globally, we tackle climate change. So, I think there are definite grounds for increasing that target and for looking at it again.

[10] The Tyndall centre was asked by the Climate Change Commission for Wales to look at the IPCC's carbon budgets associated with 2 degrees and to look at what those might imply for Welsh carbon budgets. We did a very short piece of work that looked at that, and I will state upfront that although the global carbon budgets are scientifically informed, how you then go from apportioning from a global carbon budget, which runs from 2011 to 2100, down to individual countries is a political decision. It comes down to the negotiations between countries. That said, internationally there have been agreements that that apportionment method should be based on the principles of equity, in current generations and future generations, and it should recognise that there are common but differing responsibilities between developing countries and developed countries. So, it's often been interpreted that developed countries should take the lead and make more rapid, deeper cuts earlier on to allow developing countries to develop further. That said, it's not possible to meet our global carbon budgets without developing countries being on board at an international agreement. We need their emissions to come down as well.

[11] So, the piece of work that we did for the climate change commission used various different ways of dividing up a global budget down to Wales, using principles of equity and looking at what, feasibly, developing countries might be able to do. The results showed that, on current trajectories of developing countries' emissions, the high probabilities of avoiding 2 degrees were lost. The developing countries would probably take up the entire budget for a

strong probability of avoiding 2 degrees. For a lower probability of 2 degrees, there was some budget left for developed countries and, depending on how you divided that up, that was kind of the equivalent of between 11 and 18 years' worth of Wales's emissions at the current level. I'd also say that that's just for energy-related carbon dioxide emissions, so carbon dioxide as a result of combustion of fossil fuels in our electricity generation sector, the transport sector, heating and cooling homes and the like. So, that would imply a target for decarbonising the energy sector by around 2035 to 2040 and onwards.

[12] So, one of the things to consider that comes out of the IPCC is that a number of their scenarios by which globally we meet those budgets rely on so-called negative emissions technologies. These negative emissions technologies are effectively capturing carbon dioxide from the atmosphere, either through direct air capture using certain chemicals to do that or, more promisingly, effectively burning trees, burning biomass, capturing the carbon dioxide from that process and storing it, so using carbon capture and storage coupled with biomass combustion to introduce, effectively, negative emissions. A lot of the IPCC scenarios rely considerably on that technology being deployed at a very large-scale post-2050/60 to compensate for the slightly easier budget in the first half of the century. So, I'm happy to answer questions on any of that. I've just spoken for an awful lot of time on that topic. Are there any questions about that area that I can clarify now?

[13] **Alun Ffred Jones:** Yes. Llyr and then Janet.

[14] **Llyr Gruffydd:** On carbon capture and storage, clearly, the technology isn't as advanced as we would like it to be. So, there's a level of hoping that, by the time we get to 2050/60, the technology will be able to deliver that, yes?

[15] **Dr Wood:** Yes. There is that indication in their models. It's crucial. It underpins an awful lot of the analysis that's been done, not just for the biomass but also for more difficult-to-treat sectors, such as iron and steel, for example.

[16] **Alun Ffred Jones:** Janet.

[17] **Janet Haworth:** Do you think there is a role and a way for developed countries to hand on their technological knowledge in terms of controlling this pollution? We've had the advantage of the industrial revolution, and it's churlish of us to deny, obviously, developing countries the advantages of that. We do have these technologies, but, from what you've said this morning—and I've certainly not heard it in here yet—I don't know whether there's any requirement for the developed countries to assist the developing countries. It is quite clear from your analysis that, frankly, it doesn't matter what we do in the western world—the developing world will blow that 2 degree margin.

[18] **Dr Wood:** I think there are a number of roles that developed countries need to play in this. For example, developing countries, I think, are unlikely to commit to reducing emissions unless the developed world takes the lead, and, without our actions here, that's not going to happen. So, we need to set a clear agreement that the developed countries will reduce their emissions. There were mechanisms under the Kyoto protocol, such as the clean development mechanism, whereby we had schemes for technology transfer from the developed to the developing world to help them avoid the pitfalls of locking themselves into highly carbon-intensive pathways. Whether or not that scheme, or probably similar mechanisms, will be incorporated into the next set of negotiations, I think is something under discussion at the moment. But there have been precedents of schemes for—*[Inaudible.]*

[19] **Alun Ffred Jones:** Jeff Cuthbert.

09:15

[20] **Jeff Cuthbert:** It's very interesting what you say. At first glance, anyone would say an 80 per cent reduction by 2050 is an enormous reduction. Why is it important to increase it further? What is the evidence that there will be—? This may sound a little daft: obviously, technology advances and that's been the history of the last 20 or 30 years, but what evidence is there that technology is going to advance so much further forward that we could achieve even a higher level than 80 per cent?

[21] In terms of the developing countries, we also have the BRIC countries—Brazil, Russia, India and China—which, quite understandably, as Janet has mentioned, will want to gain the benefits that we have had over a couple of centuries, basically. So, how is that burden, do you think, practically speaking, going to be shared? What role might the UN, for example, or even the European Union play in that? And finally, we did have a presentation from Tata Steel last week. Obviously, we want steel making to remain in Wales, because steel is an important product and it creates a lot of jobs. They said that because of the current nature of the production process, they're very unlikely, just themselves, to reach an 80 per cent reduction; it would be far less than that, on the basis of current technologies, and they are investing with higher education, for example, to develop further. But at the moment there's nothing tangible. So, just how confident are you that these technologies will emerge?

[22] **Dr Wood:** So, on the first question of the technologies, I work in an engineering department, and you ask an engineer, 'Can you do this?' and the answer is, 'Of course we can do this. We can get a man to the moon, we can do anything if you give us the resources and the steer to do it.' So, I think the technology could come along. It's a question of having incentives and mechanisms to encourage that innovation and then to support the roll-out and deployment of that technology on a large scale.

[23] In terms of the steel industry, I would recommend—. There has been a lot of research conducted by the University of Cambridge, by Julian Allwood, on that particular area and he's looked at how the steel sector could reduce its emissions. That includes new technologies, as well as existing technologies, resource efficiency, and using alternative new materials in place of steel in certain circumstances. So, the steel industry is not my particular background, but I am aware that a lot of research has been done on that area.

[24] **Jeff Cuthbert:** Perhaps we could get hold of that research, maybe. And what about the role of international bodies like the UN and the EU?

[25] **Dr Wood:** I think they're incredibly important in bringing the parties together to make an agreement in Paris this year. Without that international agreement, we will struggle to avoid dangerous climate change.

[26] **Alun Ffred Jones:** Llyr.

[27] **Llyr Gruffydd:** I just wanted to go back to the Bill itself, really. Clearly, there's a specification in the Bill to achieve at least 80 per cent, which, I suppose, could actually meet what you're asking, although that's not explicit on the face of the Bill. But what do you think, in terms of the legislation, we could include in this Bill that would actually help us drive forward towards—? Clearly, we can be explicit about higher targets, but would you be looking for specific milestones on that journey on the face of the Bill, or do you think having those in regulation is sufficient?

[28] **Dr Wood:** I think having some interim targets is very helpful for sending a clear signpost to investors, decision makers and people who are able to implement the mitigation measures as early as possible. As I said, reducing emissions by 80 per cent is challenging enough. To go further than that is very, very difficult and it requires clear, early-on signals

and mitigation to start sooner rather than later. The later it's left waiting—for the regulations to come into place a year or so down the line—gives you a year where there's kind of a pause waiting for it to happen until there's that certainty. So, I think from a planning, a mitigation perspective, giving clear signals of the direction of travel very early on is very helpful.

[29] **Llyr Gruffydd:** There's no provision to formally review, or no requirement to formally review, that target. Would you expect, or would you prefer that there is a formal review process that needs to be undertaken every so often, and if so, how often do you think that would be?

[30] **Dr Wood:** Yes, I did notice, although we can revise interim targets, the budget's not the 2050 target, and I would recommend including a clause for the circumstances under which that should be reviewed again. It might be a watching brief every five years, for example. There's a check when the budgets are being set up that also looks at the latest evidence, and that globally we are on track for 2 degrees.

[31] **Alun Ffred Jones:** Julie Morgan.

[32] **Julie Morgan:** It was some of the more general stuff really. You said that, in 2008, there was less understanding, maybe, and there's been lots of development since, but you said that you'd expect, then, that there would be a global peak. What's your thinking now?

[33] **Dr Wood:** With the trajectory at the moment, we're on about 2.2 per cent per annum. Recently, the international energy agency has suggested that there appears to be a pause in emissions, but that's not confirmed yet. There are some counter-arguments that this is a difference in accounting methods rather than a real observation. One of the drivers behind that growth at the moment has been China. China has agreed a bilateral agreement with the USA to peak its emissions in 2030. So, if you imagine 2030 as a plausible peaking date, some analyses suggest that actually, they could probably do earlier, 2025, but earlier than 2025 would be quite optimistic, currently.

[34] **Alun Ffred Jones:** I think we asked you to comment also on Welsh emissions, and how we measure Welsh emissions. In the eight minutes or the seven and a half minutes that we've got left, could you comment on that?

[35] **Dr Wood:** Yes. I notice that the Bill already states the use of international reporting standards and accounting standards, which are completely appropriate. Things I would suggest would be to look at how you apportion international aviation and shipping emissions to Wales, and I would certainly recommend strengthening section 35 to have that definite intention to include those, because I think if you don't include international aviation and shipping, you do lose a handle on the direction they're going in, because any growth in those sectors needs to be compensated for by greater emission cuts elsewhere. There are a number of methods that could be used to apportion the UK allocation of international aviation and shipping emissions to Wales, and there are different options that could be used to do that. My colleagues and I have looked at how those might work in practice, and I could provide further papers and methodologies that could support that, if that was useful.

[36] **Alun Ffred Jones:** Yes, anything that could assist us, yes, thank you. Jenny Rathbone.

[37] **Jenny Rathbone:** Just pursuing this point a bit further, I think the complication for me is that we're a small country, and how would we practically capture the international shipping and aircraft emissions? Tata Steel are very, very anxious about the addition of this because they have to bring in a lot of their materials by ship. If we were to tighten up those regulations and it drove Tata to go somewhere else, we'd still have to import steel, because at

the moment nobody's invented any other substance for building high structures. How would we practically capture that? Given the amount of international trade and the amount of stuff we import, how practically would we be able to do that without putting far too much of our budget into this activity?

[38] **Dr Wood:** So, to capture the emissions—

[39] **Jenny Rathbone:** To capture accurately, yes, the amount of emissions that we were using in Wales.

[40] **Dr Wood:** So, there are different ways you can do it. You can look at the emissions associated with goods imported into Wales. It could be ship movements in and out of ports in Wales, or it could be a share, a simple apportionment, of global GDP, and you do it that way. So, there are different options available. I know that the Committee on Climate Change has also looked at how to do this for the UK, because the current methods are using bunker fuels. Currently, we just look at fuels sold at ports in the UK to international ships, and that's the basis of allocation. However, a lot of ships will stop in Rotterdam and fuel up in Rotterdam on their way to the UK, so Rotterdam and the Netherlands' emissions for shipping are enormous compared to the UK's, and, arguably, that's not a particularly fair way of doing that. So, it is a subject of—

[41] **Jenny Rathbone:** That analogy applies to having a large steel producer here in Port Talbot, which we want to keep, but obviously it would make our emissions look much worse than perhaps they're represented. A lot of their product would be sold elsewhere, in the UK or—

[42] **Alun Ffred Jones:** Is the argument that, to exclude them merely gives you a false impression of the emissions that are actually caused? Whether it's fair or not is another matter.

[43] **Dr Wood:** Yes. The carbon budget doesn't care. The climate doesn't care where the carbon dioxide comes from, it cares that there's carbon dioxide. The important thing is the amount of carbon dioxide in the atmosphere. How you divide up emissions is an argument in itself, but the important thing is to reduce all of them in line with that budget. If you're leaving out a whole sector, then it gives you a false representation of actual responsibility and the actual emissions going on.

[44] **Alun Ffred Jones:** Right, there are two other questions, and I think we'll have to ask you to send us any papers or any notes that you have and we'll incorporate them in the evidence that we have, in order to get a better understanding of this obviously complex situation. So, William and then Joyce.

[45] **William Powell:** Thank you, Chair. Good morning. I just wanted to ask for a little clarity. I think it's accepted that, in the years after 2008, there's been some significant progress in terms of emissions, but that's largely down to the very, very difficult economic climate in 2008 and in subsequent years. Is it possible, now that things are beginning to normalise, to differentiate the effect of the economic downturn from any other underlying trends and to see what the true picture is, or is it still a little early to tell?

[46] **Dr Wood:** From a global perspective, the 2008 downturn doesn't seem to have had any long-term effect on the rate of growth of emissions. From a UK perspective, previously there have been decomposition analyses, which have looked at the contribution of economic growth, efficiency improvements, and population growth, for example, and how those different elements have influenced emission changes over time. So, there are methods of doing that. I'm not aware of any recent analyses of that, but I'd imagine the Department of

Energy and Climate Change will have similar statistics that would be useful to answer that for you.

[47] **William Powell:** Thank you.

[48] **Alun Ffred Jones:** Joyce.

[49] **Joyce Watson:** Good morning. My question is in your calculating and offsetting carbon dioxide emissions, is there an allowance for using steel? I'll come back to steel, because we had evidence last week that the production of steel and the use of steel in carbon reduction should be considered in offsetting their emissions, because their products will be used, let's say in wind turbines, in barrages and other green technologies. So, you have to produce one to gain, in its use, from another form of energy production.

[50] **Dr Wood:** I must say, it's not an argument I've heard previously, so I'm not sure of the logistics of how that could be done, but I would suggest looking at the research from the University of Cambridge on the steel industry, and perhaps that is contained within their analyses, and that might enlighten the area a bit further.

[51] **Joyce Watson:** Okay.

09:30

[52] **Alun Ffred Jones:** In terms of the way we calculate emissions in Wales, presumably, you would argue in favour of us having a common methodology across the UK, and probably across Europe as well. Would that be your view?

[53] **Dr Wood:** Yes. There are international standards for accounting for the carbon dioxide emissions from a nation. It's on a basic kind of production basis: you'd look at the emissions that are physically emitted within your territorial boundary, so everything that goes on in Wales, with international aviation and shipping being the additions to that, which may not be physically emitted here but are, arguably, the responsibility of the people who fly or the users of the goods and services that those sectors support. So, yes, using the same emissions accounting practices that are internationally recognised is a useful way to go.

[54] **Alun Ffred Jones:** But, for example, in terms of energy and electricity production, Wales exports a lot of its electricity, i.e. we produce more than we need, and that goes over the border to England, but it'll count against our emissions, won't it? It does seem—. Or are there methods of balancing that sort of situation?

[55] **Dr Wood:** You can. There are what are known as 'end-user emissions accounts', which allocate the emissions from the energy sector—by which I mean coke manufacture, refinery emissions and the like for producing petrol, and for electricity—to the end user. So, that could be a different way of capturing Wales's emissions, using end-user accounts as a basis. Internationally, there are ways of transferring responsibilities. For Europe, it's common as well. For the European electricity network, electricity generated in one country may be consumed in the next-door neighbour country, so there are international protocols for how you deal with that sector already. It's just a question of—.

[56] **Alun Ffred Jones:** Thank you for coming in this morning. I'm sorry that the session was a bit brief, but we're trying to squeeze a quart into a pint pot here, to put it mildly. So, if you could send along any notes that you may have, which you have been unable to express this morning, okay?

[57] Diolch yn fawr iawn.

Thank you very much.

[58] **Dr Wood:** Thank you very much.

9:33

Bil yr Amgylchedd (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 12
Environment (Wales) Bill—Stage 1: Evidence Session 12

[59] **Alun Ffred Jones:** So, we move on to our next session, which is with local authorities. I've had a note saying that Mr Alan Roberts from Denbighshire will not be present. He's unable to attend, so we have two representatives. While we are all able to contribute, some Members have indicated various areas of interest, but, obviously, you can jump in.

[60] Diolch yn fawr. Croeso i'r ddau Thank you very much. Welcome to you both. ohonoch chi.

[61] Welcome. Perhaps you could introduce yourselves to us and say who you represent, and then we'll get on with the questions. Is that okay?

[62] **Mr Wilkinson:** Yes. Good morning, I'm Andy Wilkinson. I'm head of neighbourhood services with Conwy County Borough Council.

[63] **Mr Howell:** Good morning. My name's Chris Howell, and I'm head of waste and parks for the City and County of Swansea.

[64] **Alun Ffred Jones:** Diolch yn fawr. **Alun Ffred Jones:** Thank you very much.

[65] And your colleague, Mr Alan Roberts, has been unable to make it here this morning. Julie Morgan, you can start off.

[66] **Julie Morgan:** Good morning. I wanted to start off on the carrier bag proposals in the Bill, and to ask you whether you've had any information from the Welsh Government that the local authorities will be the administrators for any new charges, and whether you've been consulted on the regulatory impact assessment.

[67] **Mr Wilkinson:** We've been consulted on the Bill, obviously. How it would work with administering the new charges, we're not sure, and we haven't looked at that in detail.

[68] **Julie Morgan:** So, you have been consulted, but you haven't been asked to consider to be the administrator.

[69] **Mr Wilkinson:** Not that I'm aware of, no.

[70] **Mr Howell:** It's the same, really—not that I'm aware of in terms of administering that charge.

[71] **Julie Morgan:** Do you have any views on whether you should be?

[72] **Mr Wilkinson:** I think, yes, local authorities are as well placed as anyone, but it's another administrative burden on us when we are facing budget cuts. Looking at the principle of whether the charge should be introduced on all bags, was that a different question?

[73] **Julie Morgan:** No. You can answer that. What are your views on that?

[74] **Mr Wilkinson:** I think that the existing single use charge has been a massive success, and it's mainly in the area of behavioural change—that it has changed what people do to produce less waste. So, I think it's been very successful there. I think the question on extending the charge is: is it going to have that same degree of behavioural change associated with it? Are people not going to get a paper carrier bag with their fast food because there's a charge on it? Probably not. So, I think that's the main thing to think about—is it going to influence behavioural change?

[75] **Julie Morgan:** So, you feel concern about this proposal to extend.

[76] **Mr Wilkinson:** I think, broadly, we support it, with some concerns about how it's going to be administered and how enforceable it's going to be.

[77] **Julie Morgan:** Right. And what's your view, Chris?

[78] **Mr Howell:** Again, I think the success of the current system has been very pronounced and I broadly would support an extension of that, but with care that there aren't any unintended adverse consequences. And I think the administration for local authorities would be a concern, in terms of we'd need to look at the detail of that really, to try and assess, I suppose, the practicalities and who's best placed to administer it.

[79] **Julie Morgan:** So, having the charge extended might produce more complications for local authorities.

[80] **Mr Howell:** I suppose it could do, and it is assessing whether or not the vast majority of the benefit has already been achieved through the current process and how much more benefit will be achieved and comparing that with the administrative burden of it.

[81] **Julie Morgan:** Right. One of the other proposals by the Government in the Bill is to say whether the profits raised should go to all charity causes, or whether it should be environmental charities. Do you have any views on that?

[82] **Mr Howell:** I think that the principle is based around environmental issues. My views are that the proceeds should remain within that field, but it might be that some help is needed to ensure that the money is well spent in that area. Often, we're finding that it's sometimes difficult to ensure that it's, I suppose, spent with good benefits. But, if there's a problem spending it at the moment, I don't believe that's a reason to extend the scope of spending that funding. I think it should be kept within environmental issues.

[83] **Julie Morgan:** And do you have evidence of what it's being spent on now, from your local authority?

[84] **Mr Howell:** I don't know.

[85] **Julie Morgan:** You don't know.

[86] **Mr Howell:** No.

[87] **Alun Ffred Jones:** Russell, did you want to come in on this?

[88] **Russell George:** Yes. I'd be grateful if either of you could comment on to what extent each of your local authorities have monitored the regulation with regard to businesses complying with the regulations.

[89] **Mr Wilkinson:** I'm not aware of that. The regulatory function of our authority lies in a different department to myself, so I'm not aware to what extent we've been monitoring this charge.

[90] **Russell George:** I appreciate the different service areas, because you're waste management, and, effectively, there's environmental health or a different service, but are you aware at all of any burden on them, or have you got any information at all to impart from that department on whether they—. Surely, you must work together with regard to enforcement and monitoring business to some extent.

[91] **Mr Wilkinson:** I don't have any information from our other council departments. The only information I'd have would be my broad and personal view that it's not certainly in our area, but businesses have conformed to it and I haven't seen anyone flagrantly ignoring it, and it seems to be working.

[92] **Alun Ffred Jones:** Are there any other questions on this issue, bearing in mind some of the answers that we've had? Llyr.

[93] **Llyr Gruffydd:** On this, particularly, clearly you've stated that, if you do fulfil the role of administrating the new charge, then clearly that'll constitute an additional burden. Now there'd be the costs associated with that, one would imagine. In the WLGA's evidence, it talks about the need to amend, consult upon and publish new enforcement guidance, train officers and run new information campaigns, et cetera. I won't ask you to tell us how much, because there's an exercise that needs to be carried out to work that out, but, clearly, that should have been considered in the regulatory impact assessment that came with the Bill. There doesn't seem to be any detailed breakdown in the regulatory impact assessment. Would you believe that that's an omission and would you like to have an opportunity to assess what the cost would be so that we, as a committee scrutinising the Bill, could actually understand what the cost of introducing these new burdens would be?

[94] **Mr Howell:** I think it is difficult to comment, because it is a different area, outside of waste, but the authority generally certainly would not wish to take on the additional responsibility without the details being looked at and fully assessed and analysed.

[95] **Llyr Gruffydd:** And would you expect the Government to provide you with additional resources other than having to absorb it within your own existing budgets?

[96] **Mr Howell:** As an authority, with an additional burden of responsibility, it would depend on the level of that, but there's only so much that you can absorb, so there would be an expectation that there would be support to take on additional duties.

[97] **Alun Ffred Jones:** I'm very conscious of the time and we need to move on, but Joyce, very quickly on this.

[98] **Joyce Watson:** Very quickly, could there not be a cost benefit here in as much as you're clearing up this waste now, so you wouldn't have to clear it up in the future—because that's the aim of it—and could you not then absorb that cost by the reduced cost of picking up the extra litter that you're currently doing?

[99] **Mr Wilkinson:** I think that I agree with my colleague here that any additional regulatory or administrative burden on authorities through legislation should be supported by the funding in order to carry out those duties. But, as far as cost-benefit, certainly with the single-use carrier bags, it has made a difference to what our streets look like and what our parks look like and how much work we have to do in picking that up. I think we've got to look at what exactly the sort of bags are that are going to be included in the extension of the

charge and whether they have the same environmental impact as the single-use carrier bags, which were the worst problem, which we now seem to have solved. How big is the problem that we're left with? That's the question.

[100] **Alun Ffred Jones:** I think that we'll have to end that section there. Jenny Rathbone, moving on to waste collection.

[101] **Jenny Rathbone:** On section 66, I just wondered if you could give us your views on whether section 66, as drafted, requiring businesses to separate their waste, is in line with what you think is appropriate. The WLGA seems to think that there's no need to change the current situation, which is based on the technically, environmentally and economically practicable test. So, I wonder if you could just talk us through that.

[102] **Mr Howell:** I think at the moment, as waste collectors, we have responsibility to collect waste and recyclables separately, although the TEEP and necessity tests apply to that. There is a bit of a disconnect, I suppose, between collectors and producers of waste in their responsibilities. But my concern would be that we need to make sure that, if we introduce legislation on waste producers, it does match that for collectors. So, I believe that the TEEP and necessity issues would need to apply to producers as well, with the key fact, which is quite neatly stated in the legislation, that it is about having high-quality and high-quantity recyclables. But, the collectors and the producers, they need to mesh together well, otherwise waste is going to be presented in a way it can't be collected.

09:45

[103] **Jenny Rathbone:** Okay. So, I know in Conwy you do doorstep separation of your waste—is that right?

[104] **Mr Wilkinson:** Yes.

[105] **Jenny Rathbone:** I'm afraid I don't know about Swansea. What drives you economically to do it? Do you do that as well? Do you do doorstep separation?

[106] **Mr Howell:** In Swansea, we have what we call a multistream system, so it's somewhere between co-mingled, where all recyclables are in one sack, and kerbside sort, where they're all separated. So, in Swansea, we collect plastic separately, cans and glass together and then we separate them, and then paper and card together. What drives us is that we believe it's the most economic way to collect the waste to produce high-quality and high-quantity materials.

[107] **Jenny Rathbone:** Okay. So, do you think that section 66 is going to be—in what way do you object to section 66? It seems to me a bit of a no-brainer to get businesses to separate their waste.

[108] **Mr Howell:** I think they should separate waste, but there should be a TEEP or necessity test along with it, because they should only need to separate them if there's a necessity to do it to achieve high-quality, high-quantity recyclables. And I think that the mechanism needs to match that of the collectors, otherwise there'll be, as I say, a disconnect between waste produced and waste collected.

[109] **Jenny Rathbone:** Okay. So, you're basically arguing that there's no point in separating recyclables unless there's an end use for that product. You know, that there's somewhere you can sell it.

[110] **Mr Howell:** And the collection method matches the way it's put out onto the

kerbside.

[111] **Alun Ffred Jones:** Okay. Llyr.

[112] **Llyr Gruffydd:** Both the WLGA and Natural Resources Wales suggest that, in terms of non-domestic end-user operations, maybe a voluntary approach would be preferable initially, rather than requiring them to do it. What are your views on that? And also, if we are talking about a voluntary approach, what kind of—. How could that work? Do you have any suggestions of models that could be used?

[113] **Mr Wilkinson:** I don't agree with the WLGA position; Conwy doesn't. Conwy supports the legislation. We think it's necessary, and that comes from our experience of running separate collections for trade waste and for businesses. We've been trying a voluntary approach for a number of years, it's been very successful with householders: Conwy's recycling rate is now up to 59 per cent; for commercial waste, it's 25 per cent. It's very difficult to do behavioural change campaigns and to persuade businesses to change the way they operate based on a voluntary approach. What we've seen since the introduction of the waste framework directive interpretation is we went out to all our customers and said, 'Now, it's against the law for us to collect your waste all mixed together', but we had to then say, 'But it's not against the law for you to put it out mixed together—it's against the law for us to pick it up mixed together.' And the reaction we got from businesses was, 'Well, I don't care—that's your problem.' But we backed that up with some education—and going from 57 per cent of our business customers recycling before the waste framework directive came in, it's up to 95 per cent now. We went up 10 per cent in our commercial recycling rate to 35 per cent—still not great, but it's getting there. So, we think, 'Well, why do we need this extra piece of legislation?' Well, we had 200 customers leave us and go to operations and organisations that were less concerned with obeying the letter of the waste framework directive and that were happy to provide a service until someone told them to stop doing so. So, Conwy's position is that, like in Scotland where you've got it matched up between the responsibility on the producer and the responsibility on the collector, section 66 in the Bill will do that.

[114] **Llyr Gruffydd:** Is that the case in Swansea?

[115] **Mr Howell:** I believe that legislation should be in place, but it needs to match the legislation that applies to the collections, and care is needed to make sure that it's—. If there's a difference, that's where you'll get the disconnect.

[116] **Llyr Gruffydd:** You mentioned the approaches that you have ongoing; do you charge for those? Clearly, there's reference in the Bill to full cost recovery. There may be an issue, then, that, if it's required of all non-domestic premises, depending on where they are, different circumstances and the services that you can provide them with, the cost might be quite extortionate, if you were to pass it on to them, and that might lead to some sort of perverse incentive, either to drive those business to close or to move elsewhere.

[117] **Mr Wilkinson:** We do charge for recycling, but the charge for recycling is set significantly less—about 50 per cent of the charge for mixed waste. We also charge for mixed-waste pick-up based on volume, so the message to businesses is: pay £20 a bin to put it in a mixed-waste bin, or pay half of that to recycle it. We thought that was a pretty strong economic driver, but, still, nearly half of our customers were not willing to do that. I don't think that the burden on businesses is in the cost of collection, because, if they recycle, they can reduce their mixed-waste bill and reduce the transferred cost to landfill. The burden is in changing the business processes within the business to separate the waste. A lot of businesses have done that very successfully; it's not necessarily a cost to them, I don't think, but it's a change in the way that their staff are educated. We deal a lot, in Conwy, with tourism-related

businesses—hotels and restaurants—and just the way that they set up their kitchen and the way they set up their prep areas. There is some change required, and that's what has been difficult for us to try and get across to businesses. That's why, up to now, the take-up by businesses of recycling, even though the economic driver was there for them—and we've set that out in our material: 'If you recycle, you will save money on your waste bill'—as I say, has only been very partially successful.

[118] **Llyr Gruffydd:** But there is a cost burden for yourselves, as well, in having to collect from all businesses. I'm coming back to this point about maybe some businesses being remote or far away and maybe having very little waste to provide. There is a suggestion from the WLGA that maybe there should be some sort of de minimis threshold for very small businesses that have very little waste to recycle—that they should be exempt in some way. Do you have a view on that?

[119] **Mr Howell:** I think that, to a certain extent, that's where keeping the necessity should be included, because it's not only necessarily the size of the business—it's their circumstances and the space they have. Often, businesses in the city centre will have much more limited space to be able to separate waste out very extensively. As an authority, you know, we have to recover our costs, but, at Swansea, we believe that food is one of the key elements to separate. People produce a lot of it and, also, it contaminates all other materials that it comes into contact with. We introduced a free food collection recently, and had a great take-up of that, but we ensured that the overall waste service to the trade customers, then, was paying for itself.

[120] **Alun Ffred Jones:** Janet Haworth, do you want to come in on this point?

[121] **Janet Haworth:** Yes, just quickly, I think. To compliment Conwy, I think we've achieved a lot there.

[122] **Alun Ffred Jones:** Never mind the compliments, stick to the question. [*Laughter.*]

[123] **Janet Haworth:** Really, I suppose the reason we're even discussing this is we want to avoid landfill and we want to avoid exporting our rubbish to England or elsewhere, because that rather undermines what we're trying to achieve. So, I'm very interested in anything that has worked to achieve these aims. I'm interested in what you said about small businesses, because, for many years, I've run a small business myself, and I think there is an issue with space with some very constrained businesses—

[124] **Alun Ffred Jones:** I must press you for a question to do with the Bill, please.

[125] **Janet Haworth:** I do think that it is about how we get these practices over to small businesses, and I'm interested in your experiences there as to what has succeeded in educating businesses as to how they can achieve this with minimal disruption, I have to say, to their practices.

[126] **Mr Wilkinson:** We take a common-sense approach, which kind of links in, I guess, with the de minimis approach. We want to see that a business is making an effort. We insist that they take at least one recycling service from us. Recognising that businesses have different functions, it's different from dealing with the domestic waste stream, which is fairly consistent. The commercial sector lends itself more to separate collections. If you've got a bin full of glass you've collected from a pub, why would you put it in the back of a mixed recycling truck and then have to go and sort it out? If you've got a bin full of paper from a solicitor's office, why would you tell them to put their plastic and cans in there as well? As far as small businesses go, what we offer is similar to our domestic service, with our trolley box stacking container system. We've set a fairly low charge for that for businesses for it to

be picked up on a weekly basis, recognising that some small businesses do have a waste stream similar to the domestic stream. They have staff who work there who have their lunch, who read the newspaper, who do all the things in the day that they do at home in the evening. So, for some small businesses, that sort of domestic-type service is appropriate—

[127] **Alun Ffred Jones:** I have to stop you, because I want to get back to the Bill, I'm afraid. Is it on the Bill, Jenny?

[128] **Jenny Rathbone:** Yes—on the Bill. Picking up on Mr Howell's point about small businesses in city centres with little storage space, is it not the case that the Bill, as drafted, will force them to go and look at their suppliers' behaviour in terms of asking their suppliers not to provide the product in so much packaging? That is the aim at the end of the day—to reduce, then reuse, then recycle. So, why would the Bill, as drafted, not have that behaviour change on a small business with a little amount of storage space?

[129] **Mr Howell:** I think it could.

[130] **Jenny Rathbone:** Good.

[131] **Mr Howell:** I suppose part of the difficulty is that, if you reduce your waste, if you've still got a certain number of streams, you still need to store them separately, and, if there are a high number of them—

[132] **Jenny Rathbone:** Well, food waste you'd be doing on a daily basis, wouldn't you, for a premises, for a business?

[133] **Mr Howell:** Not necessarily daily. It would depend on the size of the business. It is that, I suppose, one size doesn't fit all, and it's just that space for businesses is a factor. There needs to be an element of flexibility involved. But I do believe that legislation of this type is needed. It's just that it needs to be flexible so it can take account of the nature of the business and their circumstances and the methodology of the collectors in the area as well.

[134] **Jenny Rathbone:** It would be difficult to imagine a business that was smaller than a house or flat or whatever—a domestic premises. And if domestic premises can do it, as they do in Conwy, then it's perfectly possible, surely, for a business, however small, to do it in Swansea.

[135] **Mr Howell:** I suppose the circumstances are that, sometimes, the only frontage they will have, for example, is a pedestrianised area, and they might close at 9 p.m., when they put their waste out, and then, if you have containers outside, then they will be out all night, after they've been collected. So, again, individual circumstances need to be catered for.

[136] **Jenny Rathbone:** Okay.

[137] **Alun Ffred Jones:** I want to move on. There are two other areas. Russell, do you want to ask a quick one?

[138] **Russell George:** Yes. Mr Wilkinson said that you insist on businesses using at least one of your recycling services. Is it not the case—or am I wrong—that a business has a choice of where they dispose of their waste, whether it's with your service or another service?

[139] **Mr Wilkinson:** Yes. That refers to our customers, the ones who we say must—. If you were going to be a customer of Conwy, then you must take one of our recycling services. If they're not our customers, then we've got no—

[140] **Russell George:** Ah, right. I understand. I wasn't sure whether I'd understood or not, because I thought that was the case, and that would have been a different issue then. But, no, I understand. So, you're saying that, if a customer is your customer, then they must use one of your services.

10:00

[141] **Mr Wilkinson:** Yes, take at least one recycling service, not just put everything in one bin.

[142] **Russell George:** Oh, right. I understand.

[143] **Alun Ffred Jones:** Thank you for clearing that up. Jeff Cuthbert, and then William.

[144] **Jeff Cuthbert:** Yes, it's about—if I may—the discharging of food waste to sewers. Now, Natural Resources Wales suggest that it would be local authority food hygiene officers who would be better placed than themselves to enforce a ban. Maybe you could comment on that, and your views, therefore, on the capacity of existing waste collection and treatment facilities to deal with increased levels of food waste. I understand that one of the technologies that can be used for this is the application of microbes. I don't know if you have any direct experience of that, but do you feel that that, perhaps, holds a solution, rather than trying to police a system?

[145] **Mr Wilkinson:** I think, as far as whether we have the capacity to treat more food waste, definitely, yes. There's been a programme of construction of anaerobic digestion plants across the country. We've got two in north Wales—one in Gwynedd and one in Denbighshire, which Conwy are partners in. There is capacity built in for the amount of food that we know is out there that is still either going to sewer, or going to landfill or to incineration. So, there is the capacity there. I think collecting more food waste is absolutely a key driver for us. As far as disposal to sewer, again, how much exactly is there going on? In our experience, it's mainly public-sector organisations who are doing it—hospitals, schools and that sort of thing. How much of it there is in the private sector, in our area, I'm not sure. We've got to remember that the successful driver of higher recycling has been the landfill tax. So, that has been an economic driver that has worked. It costs a lot of money to bury food waste and other recycling. Of course, the disposal to sewer, on the face of it, has no cost; so, there's no economic driver. Also, I think, we've got to be careful with—and I'm not sure if we're going on to it—the incineration ban. If food waste starts going into incinerators, what we're going to see, I think, is gate fees at incinerators dropping significantly. So, we're going to see a rough parity, I think, in the cost of treating food waste through anaerobic digestion and through incinerators. So, then, we've got to ask: what is the economic driver; why are people going to do what we want them to do? So, Conwy does support the ban on food waste to sewer. How are we going to enforce it? Again, we haven't really been given the detail of how we'll be expected to do that, or who would do it, similar to the carrier bags.

[146] **Alun Ffred Jones:** Okay?

[147] **Jeff Cuthbert:** Yes. I mean, it is worrying to hear that it's the public sector that is the most responsible. You would assume that they might have a more enlightened attitude, because we saw—there was a BBC programme, which showed the actual costs. I know you said that on the face of it there's no charge to putting it all down the sewers but, in reality, of course, there is, because of the huge fatbergs that can develop and actually block up the sewer. Is that an issue of education, do you think, especially in terms of schools and hospitals, about the folly of discharging food waste to sewers?

[148] **Mr Howell:** I think, certainly, the consequences of that, education-wise, would help,

but the legislation, I think, would be a very useful method to ensure that we capture as much of this valuable resource as we can. Obviously, firstly, it would, hopefully, encourage minimising that waste, but then we want to collect it and put it through an AD process where we can gain the best out of that resource. I think the legislation is something that is, for both separating food out and stopping people putting it down the sewer, a very good step forward.

[149] **Alun Ffred Jones:** Thank you.

[150] **Jeff Cuthbert:** Finally, on the issue of other technologies, like microbes, are you familiar with that approach for actually eating up and breaking down the food waste?

[151] **Mr Howell:** I've seen an approach where you have very small systems, locally, where the food is put in with microbes and then put down the sewer, but it's broken down first. I think the concern that Welsh Government has with that is that you're still losing the resource that that waste food has in terms of energy and nutrients. So, it does deal with the problem of the fatbergs and what have you, but you do lose that resource.

[152] **Alun Ffred Jones:** Very briefly, now, we come to William Powell's last question.

[153] **William Powell:** Thank you very much, Chair. I have one brief question arising out of the earlier discussion around recycling collections and so on, and then I'd like to move on to the incineration topic that has already been referenced. Some environmental groups have been critical of the Bill, as it's currently drafted, because it doesn't make any provision for the possibility of a deposit return scheme, which operates very successfully in many advanced economies—Germany, Austria, Scandinavia. Do you feel that such an approach would have any merit, given the challenges that you face in your day jobs?

[154] **Mr Wilkinson:** I do, yes. I think it's something that's worth looking at.

[155] **Mr Howell:** Yes. There have been examples in the past—lots of examples, and—

[156] **William Powell:** It's not just the nostalgia of the Corona kids then, which is sometimes—*[Laughter.]* That's useful, to have your view from operating on the ground. In terms of the proposed ban on the incineration of some materials, particularly given the divergence of view that we see in the written evidence before us, could you please set out your thoughts on the need for such powers to ban recyclable materials of certain kinds from incineration?

[157] **Mr Howell:** I think, from my point of view, I suppose the key to me—. What we're governed by are our statutory targets and recycling targets, which, in itself, means that we look to recover any materials we can before it gets to any disposal element. I understand the principle of it comes at it from a different direction and it supports it. I think enforcement and checking would be extremely difficult, but a concern I would have is whether or not it's going to put us into a cul-de-sac that we can't get out of, in some circumstances. So, for example, if wood was banned from incinerators, as one example material, or cardboard, what would you do with contaminated wood, or wood that has lots of glues in it, for example, or contaminated cardboard, which can't be recycled? You can't incinerate it and, if you can't landfill it, what do you do with it?

[158] Also, on some products—food, for example—we talked about capacity and it's a very robust recycling capacity within the UK. If you take wood recycling, it's not that robust. So, if there was an issue in the market—a plant closes down or there's a problem—you then can't incinerate the wood and stockpiling it would become an issue very quickly in terms of permits and safety. So, again, it's just that we'd need to be careful in terms of bans—very careful that we don't tie ourselves in knots and create problems further down the line.

[159] I believe that the best way forward is in the current recycling targets and, ideally, banning recyclable materials from the residual containers. So, that can be checked at source, or spot-checked at source, before it goes to an incinerator where that waste has been mixed up with other waste and they don't really know where it has come from, specifically, to be able to deal with it in terms of enforcement or education of the actual waste producers themselves. So, I think I would prefer to see the issue dealt with at the local level, when producers put the waste out, as opposed to at the incinerator plants.

[160] **William Powell:** Before things get mixed up, I suppose, in terms of the enforceability difficulties. Okay. And the Conwy view?

[161] **Mr Wilkinson:** Conwy, like several other authorities in Wales, either has, or is about to enter into, a long-term waste treatment contract with an energy-from-waste plant. So, we recognise that there is a place for incineration for part of the waste stream. The question is: what is it we are going to be burning? That's the question. And what do we want to burn?

[162] I think we've got to look at the incineration bans in terms of the non-household sector, rather than the household sector. Again, there's what I brought up earlier: the gate fees for commercial operators in energy from waste are not going to be high enough to provide that economic driver to stop burning stuff and start recycling stuff. So, when we're talking about how we're going to prevent these valuable materials from being incinerated, is it going to be enforcement on every skip company and two-man waste operation, or everyone who's collecting waste and everyone who's putting out waste? Or are we going to, in addition, have something at the plant that actually says to Bob's skip company, 'You can't just dump here 20 tonnes of waste that is 50 per cent plastic and 50 per cent wood and you can get it for £60 a tonne, which is half the cost of landfill'? That's not going to benefit anyone, I don't think. So, we would be supportive of an incineration ban on certain materials. I agree we've got to be very careful about what those are. I've got some concerns about wood and what we do with contaminated wood. Plastic film is another thing that is very expensive to collect, and there is no market for it at the moment. So, if we start putting a ban on all plastic, that's a huge burden on a lot of people. So, support in principle, but we've got to be very careful about what those materials are that are subject to a ban.

[163] **William Powell:** Okay, that's helpful. And what are your views on the current level of capacity that exists to deal with low-grade recyclable waste? Do you think that additional investment is needed? And one further question that arises out of that last remark regarding the long-term contracts: are there complications that arise if you've got divergent practice between adjacent local authorities that maybe, in the middle distance, will find themselves merging up? Is that going to create difficulties around practice if you're committed to long-term contracts and you find yourselves as part of a greater entity in the not-too-distant future?

[164] **Alun Ffred Jones:** Very briefly now, if I may.

[165] **Mr Wilkinson:** Yes, more investment in recycling of low-grade products. It's our biggest problem at the moment, what to do with certain niche materials: household recycling centre wood, hard plastic, mattresses, carpets—very difficult. On the divergent practices across north Wales and mid Wales, we've only got one county that's doing a different practice, and that's Denbighshire. Everyone else is doing kerbside sort, and, depending on what the outcome of reorganisation is, myself and Alan, who couldn't be here today, will be having an argument over which system is implemented. Of course, our view is that it would be the one that conforms with the Welsh Government blueprint, but that's an argument for another time.

[166] **William Powell:** Okay. A final question with regard to the potential consequences of

such a partial incineration ban: some stakeholders have suggested that there could be a significant problem of material being transported across the border to England, or indeed taken further afield. Do you think there is a realistic danger of that? And what could be done to arrest that?

[167] **Mr Howell:** I think there is a concern, and that also moves on to landfill tax levels as well. It's just something that needs to be taken into account, because it's very difficult—. If we impose too restrictive a regime, and producers then export their waste, it would be very difficult to stop that happening, and what we're doing is exporting a resource, at the end of the day. So, I think we need to have an eye on that to make sure that we keep the resource that we want within Wales, and the jobs within Wales.

[168] **Alun Ffred Jones:** And, lastly, Joyce, do you want to come in on this?

[169] **Joyce Watson:** A final question: we're talking about waste, so we need to be talking about prevention of waste. You have large contracts, as local authorities, as a collective body. Do you ever think, when you're commissioning services, to put anything in there that says, 'These are the criteria that might be considered' when giving out a contract, particularly for food, and particularly what the food is wrapped up in, and particularly in the catering industry, so that they don't put cling film around the sandwiches that you then can't recycle?

10:15

[170] **Mr Wilkinson:** In Conwy, we've got a good relationship with our education department and, when they were putting out a new contract for their milk supply, they actually came to us and said, 'What would you like us to put it in? What's the easiest for you to recycle? Do you want foil pouches, do you want plastic bottles, do you want Tetrapaks? These are the different costs to us, but we're going to take into account how easy it is to recycle.' But that was within the organisation. It's then about getting out to other public sector organisations and having that same kind of influence, but it's worked very well for us within Conwy, although I still go to some parts of the council, to a meeting, and there's a big stack of Styrofoam cups there for the coffee, and you just think—

[171] **Joyce Watson:** That was going to be my next question. Some have banned those; have you considered doing that?

[172] **Alun Ffred Jones:** Well, I don't think that's directly relevant to the Bill. It may be good practice, or bad practice, but we have to keep to the Bill—if I can remind Members.

[173] Diolch yn fawr iawn. Thank you very much for coming in this morning and for giving us your responses to the questions. It's been very helpful. Thank you.

10:17

Bil yr Amgylchedd (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 13
Environment (Wales) Bill—Stage 1: Evidence Session 13

[174] **Alun Ffred Jones:** We move on to the next set of witnesses.

[175] Bore da. Croeso atom ni. Good morning. A warm welcome to you.

[176] Thank you for coming in. There are a number of questions, which will be fired at you.

[177] **Mr Williams:** Fired? [*Laughter.*]

[178] **Alun Ffred Jones:** Yes. All right—lobbed towards you, then. [*Laughter.*] If you could just introduce yourselves and explain who you're representing here this morning, just for the record. Diolch yn fawr iawn.

[179] **Ms Bell:** I'm Gill Bell, from the Marine Conservation Society.

[180] **Mr Williams:** And I'm Mal Williams from Cylch, the Wales community resource network, talking about recycling, hopefully.

[181] **Alun Ffred Jones:** Right. Julie Morgan is going to start us off.

[182] **Julie Morgan:** Thank you very much. I'm going to start off asking about the proposals for carrier bags. I understand you support the proposals to allow Welsh Ministers to charge variable amounts for different types of carrier bags. Is that correct?

[183] **Mr Williams:** Definitely, yes.

[184] **Ms Bell:** Yes.

[185] **Julie Morgan:** Do you want to say why?

[186] **Mr Williams:** Well, carrier bags, as probably everybody's well aware, were one of the very obvious forms of litter that were decorating our countryside for a long, long time. That proposal, that measure, was aimed at actually reducing that litter and that problem, and it has.

[187] **Julie Morgan:** Yes, but you support extending it to other types of carrier bags.

[188] **Mr Williams:** Yes. I would think that the lesson has been learned, and that those measures are effective, and they are effective wherever they've been introduced in other parts of the world.

[189] **Ms Bell:** We agree, as well. Obviously, if you've seen the WRAP report, that demonstrated that there was over an 80 per cent decrease in the single-use carrier bags, but the bags for life have gone up by 120 per cent to 130 per cent. So, from what I understand from the supermarkets—returning those bags—we very much support it being extended to other types of carrier bags.

[190] **Julie Morgan:** And do you think there's any danger that there may be an increase in the use of single-use carrier bags because more would be charged for bags for life?

[191] **Ms Bell:** I don't believe so.

[192] **Mr Williams:** There's no evidence of that in other parts where that's happened. All this that we're talking about with recycling—moving away from wasting—is actually a major community re-education programme. It takes time.

[193] **Ms Bell:** It does. It's all about behaviour change, and people in Wales have accepted that behaviour change and the majority of them do take their own bags now. So, I don't see that if you were charging for the heavier duty, less environmental bags, people would certainly start buying more of the single use bags.

[194] **Alun Ffred Jones:** Joyce, do you want to carry on with this line of questioning?

[195] **Joyce Watson:** Julie's doing it.

[196] **Julie Morgan:** I was just going to ask about the proceeds—whether you feel that they should go to all charitable purposes, or whether they should be particularly for environmental charities.

[197] **Ms Bell:** We don't support the proposal to widen it to other beneficiaries. This is because we think that there should be a direct link between the charge and behaviour, so we need that direct link between cause and effect. So, we think that the money should go—. Actually, it's been proven that if you have that direct link, then people are more supportive of it. So, we do believe it should go to environmental charities that are promoting behavioural change, educating and perhaps picking up the litter and the remains of that, and also collecting evidence through data of whether the carrier bag levy, or whatever, is having an effect.

[198] **Mr Williams:** I agree—as broad as possible, because as I said, it's a community education programme and everybody should try and get engaged in it, not just simply the people who are talking about the environmental effects. There are also economic and social benefits.

[199] **Alun Ffred Jones:** But the Minister has said that at present, some of the money is going to local charities and they may be very good charities and very effective, and he doesn't want to impose a ban on the money that is flowing perhaps to, I don't know, a local hospice or something. So, do you have any sympathy for his views?

[200] **Mr Williams:** I'm motivated by the fact that people actually get benefit from what they do, and if that happens to be, in my case, a local hospice, which it might be—in my case, particularly—then that's going to motivate me to actually change my behaviour more than, say, something that I'm not so much interested in. So, across the board, make sure that, as Gill was saying, motivation is linked to the action.

[201] **Ms Bell:** And I would just point out that environmental charities don't tend to get the large percentage of donations, and so in the charities' market it's quite difficult for environmental charities to compete with, for instance, the cancer charities and things. So, this is, I think, an opportunity to look at the cause and effect, and as I've said, people do tend to support it if they can see that it's going directly to people perhaps collecting that litter that is around. They are more likely to support it.

[202] Can I just make a point that we wouldn't want—? One of the things concerning us with regard to it perhaps being widened is that we don't want the negative behaviour of bag purchase associated with the positive of providing revenue for charities. So, we don't want people to think 'Oh, it's a good thing to buy a bag because I'm actually supporting this charity.' So, if you can link it to the environmental effects and say that you're supporting a charity that is going out and collecting it to go to litter, then obviously that would be what we would support. This is about enforcing the behavioural change.

[203] **Alun Ffred Jones:** Okay. Joyce.

[204] **Joyce Watson:** I want to ask, moving on from that, whether you've got any views that you should limit the money collected in Wales to be spent in Wales.

[205] **Ms Bell:** We do feel that it should be beneficial—even the holidaymakers and the tourists and everybody, because obviously they've come to Wales. We do believe that that revenue should be going to charities working in Wales. I don't know whether there is such a restriction in Northern Ireland or in Scotland, but I think because it's a Welsh carrier bag charge, then it should go to Welsh charities.

[206] **Mr Williams:** I've nothing to add.

[207] **Joyce Watson:** You've nothing to add, but do you support that? That's what I want to know. It might not add anything, but what's your view? [*Laughter.*]

[208] **Mr Williams:** We must get them to ask permission to come across the bridge, definitely, yes.

[209] **Joyce Watson:** Okay. Do you support any proposals that would allow Welsh Ministers to require those who are in receipt of the levy to have to account for that by publishing any records?

[210] **Ms Bell:** I would be in favour of that, yes, because that would then go back to the cause and effect. You could say that the amount of levy that's been raised has been given to this charity and they've done X, Y and Z to benefit the environment.

[211] **Joyce Watson:** Could I ask—and I will ask for your response as well, Malcolm—if you link those two things, the things you've just said now? If you have a collection for a charity, whether it's buying a bag, and at the same time, you report the money that's collected in your area by buying a bag, does that make it, in your opinion, all the more important to link the collection of that money to the environmental bodies, because I can see these two things affecting each other?

[212] **Mr Williams:** I'd hope that any money given out from having been, if you like, collected by the Government through whatever measure, is actually accounted for, in the sense that if you apply to do something, then you say, 'Yes, we've done it', in a normal sense of grant giving. I would imagine that is the case. I would hope.

[213] **Joyce Watson:** Yes. It's just coming back—. I'm trying to get underneath the idea that if you don't limit it to do good in the environment, which is what it's about, and it's going to, say, a local well-supported charity, and you print and publish the amount that's been collected, could it not have an adverse effect in those circumstances, like the one that has been suggested, which is that people buy bags to support the charity, thinking they're doing good?

[214] **Ms Bell:** I would say 'no' because of the education that goes around that. Certainly, we have an education programme to make sure that this is a behavioural change and we would like nothing better than to not receive a levy, although, as a charity, we're always looking for revenue funds, but this would be a revenue fund that we would hope would cease, so I don't see that there would be an issue with that.

[215] **Joyce Watson:** And do you think there's sufficient enforcement in place at the moment, and do you think that there would be a greater need for enforcement if this new levy came into being?

[216] **Ms Bell:** Sorry, is that enforcement?

[217] **Joyce Watson:** Enforcement of making sure that people are actually being charged for their—

[218] **Ms Bell:** I think that, again, is an education thing. If people could see the benefit of why they're being charged for the carrier bag, then they're more receptive. Obviously, we do need enforcement of that. You have to look at the cost benefits of whether the enforcement is counterproductive really in that. But I would hope that it would be an education programme

and that people would willingly do that. If people are not being charged for a carrier bag, we want the Welsh people to say, 'Why haven't you charged me for that carrier bag? The money is going towards charities; I've had to take it this time.' But, obviously, we would like all businesses to comply with the carrier bag levy, otherwise it places an undue hardship on the ones that are doing.

[219] **Mr Williams:** I've only got a practical thing to add. My experience of talking to people, like my corner shop and all the rest of it in this regard, is: 'Well, we daren't risk not because we don't know who's going to tell.' So, every member of the public is viewed as a whistleblower, if you like, so I think that's quite a good measure.

[220] **Alun Ffred Jones:** William.

[221] **William Powell:** Diolch, Gadeirydd. Good morning, both. The Minister, when he spoke on this topic during scrutiny, did concede that there is some variable practice out there, and also that there's every likelihood that a certain proportion of these monies that are separated at the counter maybe find their way back into the till or other general funds. Also, I think, some of us are aware of certain business premises, hot food takeaways and similar, where we may have a homemade box with the word 'Charity' written on it, which isn't always entirely confidence inspiring. Do you think that people's concerns would be reassured if causes had to be registered with the Charity Commission to be eligible for the terms of the Bill, rather than leaving it to people's discretion and the element of trust?

10:30

[222] **Mr Williams:** I must admit, I'm unaware of that; I've not seen that practice myself. But it's part of the ordinary audit, I would've thought, that if you're saying that you're going to give to charity, it's a registered charity. There's bound to be, I think, at the fringes—. But I don't want to throw the baby out with the bathwater, really. You can actually over-egg the thing and actually put people off because people get bored of talking about it, frankly. I think that, from my experience of watching, the majority of people are involved and involved in the right way. And, certainly, the results in Wales, as far as recycling is concerned, are very good. We're well up there. It's all part of that community education programme. Recycling can't happen unless everybody gets engaged, and this is part of it.

[223] **Alun Ffred Jones:** Okay. Russell.

[224] **Russell George:** Gill, moving on to a new topic, the Marine Conservation Society runs campaigns and information programmes on water quality and I'd be grateful for your views on whether you support proposals for non-domestic premises not to place food waste in the sewer?

[225] **Ms Bell:** We would, yes. I'm lucky enough to live in Monmouthshire, which has very good recycling rates. We would certainly support that. I don't see why it wouldn't be supported. Obviously, I've been listening to some of the evidence and there are issues with collection and storage, particularly when we've got such warm weather for the collection and storage of food waste, but, yes, we would most certainly support that.

[226] **Russell George:** If I could widen the question and ask Mr Williams to comment on this as well about how—

[227] **Mr Williams:** It's one of my favourite topics, if you've got an hour or two.

[228] **Russell George:** Is it? So, it's your favourite topic. If I could widen out the question as well and ask you how easy that might be to enforce.

[229] **Mr Williams:** Enforcement—well, are we're going to have somebody watching all the insinkerators, making sure they don't put food waste in them? No. But, again, it's about education. I work with guys in Australia on this, on a programme called 'City to Soil', which is basically the problems of the city, i.e. waste, including food waste, that's going into the insinkerators and also, incidentally in Australia, bio-solids, which is a polite way of saying 'faeces'. All that belongs in the soil because in Australia, particularly, they've got very, very badly eroded soils and they're suffering yield losses and all the rest of it. This is the same in this country and in Europe as well, but it's not so severe. All that organic material should be, as quickly as possible, processed and put back into the land for growing food or animal feed or whatever.

[230] **Russell George:** How does this relate to the ban because, presumably, if it went into the sewer, it would also end up on the land as well?

[231] **Mr Williams:** There is that, but it depends on the process. If it goes into a sewer, it goes into an anaerobic digestion process, which is mainly liquid and you end up with a liquid fertiliser, which doesn't actually provide structure for the soil. If you actually put it in the compost or put it through an in-vessel composting process, it ends up with your yard waste, as they call it—garden waste and all the rest of it; it ends up being a nutrient-based compost, which actually gives structure to the soil as well as nutrients. What I'm really, really keen about is that that structure is the important thing that we're missing, if we just say—like we are saying because we have to—that food waste goes through an anaerobic digestion process because the liquid, whilst good, is not as good as if you apply it to compost and give structure as well.

[232] **Russell George:** You have got good knowledge of this and it is a topic of interest—you said the sewer—

[233] **Mr Williams:** Absolutely.

[234] **Russell George:** Are there any other countries that have a ban of this kind that you can give us an example of?

[235] **Mr Williams:** A ban on insinkerators?

[236] **Russell George:** On non-domestic waste being placed in a sewer.

[237] **Mr Williams:** No. I don't know of a country that has banned it, but, again, I think you'd be up against it, if you banned it because you would then have to police the fact that people weren't doing it and that's very tricky.

[238] **Russell George:** That's what the proposals are.

[239] **Mr Williams:** Again, I think it's about the education programme. I think if people are given a choice of, 'You either put this food waste into your insinkerator, into the sewage, and let Welsh Water deal with it in their anaerobic digestion process, and that's not a bad thing, but it would be better if you put it in your kitchen caddy and it ended up in a process where you can add it to something that can actually provide better structure for the soil'—. It's a better option. We'll get there.

[240] **Alun Ffred Jones:** Okay. Janet.

[241] **Janet Howarth:** I'd like to ask you about low-grade waste: carpets, old settees and old kitchens that get chucked out in people's front gardens sometimes. How do we deal with

that? Do we have the necessary network and facilities to deal with that particular offensive form of waste?

[242] **Mr Williams:** I think the short answer is we're working on it. I've been in this game since back in the 1980s. In the 1980s, they were telling us 20 per cent recycling was the maximum you could achieve. Well, as you're aware, Wales is now fourth in Europe on 60 per cent average this quarter. We were 3 per cent in 2000, so we're doing well. The story has always been—and I'm sorry, I probably can go and get the tapes—'You're saying now 40 per cent is as much as you can achieve—now 50 per cent, now 60 per cent'. We are now in a situation where, in Europe, there are lots and lots of municipalities actually recycling close to 90 per cent, which is what the theoretical maximum has always been. That last 10 per cent contains the low-grade waste you're referring to. As part of the education programme, again, it needs to be designed better perhaps, so that it can be dismantled and the ingredients of the kitchen, or whatever, can be—you know, the wood goes there, the plastic goes there, in the right direction. Or there is a case to be made—the worst-case scenario—if it's absolutely unrecyclable, undismantlable, all the rest of it, for the time being, and if it's not toxic to the soil, there's no reason why it shouldn't actually still be landfilled. So, that is the preferred option, as against burned, incinerated, because incineration causes other problems.

[243] **Janet Haworth:** Thank you.

[244] **Alun Ffred Jones:** Llyr.

[245] **Llyr Gruffydd:** I'd just like to ask a few questions around the requirement on non-domestic premises to promise to recycle. The WLGA in their evidence suggested there should be a voluntary initiative, first of all, before having to move to regulations. Do you agree with that, or do you think, actually, that a level of compulsion is necessary?

[246] **Mr Williams:** Absolutely. It's a matter of courage really, in a sense. If you know that 90 per cent is possible—as against 20 per cent, 30 per cent, 40 per cent—then you can actually legislate to say 90 per cent is what your target is. We're lucky: we've got a zero waste strategy by 2050. That's allowing time. That doesn't mean to say that you shouldn't say—and I think you should say—that, in 2020, five years from now, we're going to actually introduce some legislation that is going to harden things up. So, those people who are thinking maybe they won't bother need to start bothering. Just give those signals. Like, for example, pay-as-you-throw—if you do actually put anything in your black bag, you're going to have to pay by the kilo for that. It'll be weighed onto the truck, and you'll get a receipt through the door on the day that you've got to pay £3 or whatever it is because you put stuff in the black bag. There's no reason why that shouldn't happen. Where pay-as-you-throw has been introduced around the world, that has worked really well. That's why people are getting up to 90 per cent, and all the rest of it, because they're actually giving those signals. Again, though, it comes back to that public education programme. I think, no, I'm not very keen on saying, 'You'll get punished if you don't do the right thing'. Come on, we're in the business of changing from wasting to recycling, and that's a huge, huge education programme. How long did it take for us to get used to seat belts and not smoking and things—similar things?

[247] **Llyr Gruffydd:** Okay. There is, of course, a practical difficulty if we require all small businesses to recycle. Some businesses might have very, very low levels of recyclable materials to put out. There has been a suggestion that maybe there should be some sort of de minimis threshold, so that if you're below that, then obviously it's not a requirement. Do you feel that makes sense? Because, actually, environmentally, it might be more expensive to send a lorry and pick something up from quite a remote business with very, very small levels of recyclable materials to collect than it would be to actually say, 'Well, okay, let's give you an exemption'.

[248] **Mr Williams:** I'm not in favour of exemptions, no. I think if you've got your strategy on the table and you're aiming for zero waste by 2050, you've got to mean it, and that means everybody. Okay, businesses can be a certain level—small—but there's thousands of them, so it still amounts to quite a big waste of resources if you allow it to happen. All these resources are really valuable, and that's the important thing to get across.

[249] **Llyr Gruffydd:** There is a possibility for local authorities to recover the full cost—you know, full cost recovery—of collection. Now, if they pass that on to the small business, which might be in a remote place with very little recyclable material to give, doesn't that create a perverse incentive to maybe fly-tip or actually to relocate the business elsewhere?

[250] **Mr Williams:** Possibly. I don't actually agree with that argument, though—not to be blackmailed by it, in a sense—because I think people choose to be where they are because they choose to be where they are. I don't think they're going to move just because they've got a little bit of non-recyclable material that the council won't pick up.

[251] **Llyr Gruffydd:** Well, if the council charge them for picking it up and that's quite extortionate, potentially—

[252] **Mr Williams:** It depends how much they charge, really, doesn't it?

[253] **Llyr Gruffydd:** Yes. Okay, thank you.

[254] **Ms Bell:** Could I just add something to that? One of the things that we would advocate is trying to ban non-compostable fast-food waste, and also to introduce a deposit scheme for drinks containers, which would work very well in such cases as those small convenience stores. That has been demonstrated to work very well elsewhere. Things like polystyrene, although they are recyclable, in practice, it's very difficult to do that. So, if you had compostable fast-food waste, such as McDonald's or KFC, which have all gone to paper card containers, then, obviously, we could—. It's generally the smaller businesses that are still using the polystyrene, which, again, is a resource that we shouldn't really be just throwing away. Then, you would have the incentive. If you put a deposit on the plastic bottles, again, and you had the machine for them to be able to take them back locally, then, obviously, that would reduce the amount that is needing to be collected by the local council. Hopefully, if there are storage and collection issues, then that will have an effect on those.

[255] **Alun Ffred Jones:** Russell George last.

[256] **Russell George:** You're right on that. It's McDonald's and the big companies that are using the cardboard. The plastics are used by the small independent shops, but why is that? Presumably, is it cheaper for them? Is it because their suppliers aren't offering an alternative? That's a key part of what we're talking about.

[257] **Ms Bell:** It is, and the way it has been implemented elsewhere, they have seen that, because of demand, the prices have come down so that they have been comparable. So, it may be that, because the bigger companies have a corporate social responsibility and have looked into it, they will have looked at the cost effects. So, we just need, I think, again, an education programme with regard to the smaller businesses that have always used the polystyrene and don't really know that there are alternatives at comparable prices.

[258] **Russell George:** How can that education programme run to small businesses?

[259] **Ms Bell:** Well, you know, as with the carrier bag levy, we introduced that. Potentially, initially, we could think about having a levy of some kind, if anybody were to use non-compostable fast-food wrappers, to get the incentive there. As we've seen, the Welsh

public have readily accepted that because the alternatives are there. The last thing we want is to inflict any economic hardship on any of the small businesses, so perhaps initially we would need to look into some sort of charge for non-compostables.

[260] **Russell George:** That's why I suggested, perhaps, rather than a levy, as you've suggested—. You were suggesting an education programme, which might be better than a levy, perhaps.

[261] **Ms Bell:** Yes, sorry, we would need an educational programme first to explain why. Obviously, you'll have consultations with the small businesses, and they may say it is more expensive, so, therefore, we would need to have—

[262] **Alun Ffred Jones:** I have to remind you that we're discussing the Bill. We have to concentrate on what's in the Bill, or what's not in the Bill, if you want to suggest something. Bill? Sorry, William? [*Laughter.*]

[263] **Mr Williams:** Can I just add to that, slightly? Glastonbury is a really good example of what happens if you actually decide that you're going to do what you intend to do. Glastonbury, about eight years ago, decided, because they were getting complaints about all of the polystyrene beads in the soil, because everybody was trampling them in—you know, what you were talking about—just to say, 'Anybody who comes into Glastonbury has got to use compostable everything'. Now, they don't get that trouble. In fact, they get a nice big compost pile at the end of it all, and a lot of clothing.

[264] **Ms Bell:** Can I suggest that it's one of the things that we would recommend? Within the provisions, there's suggestions that you can make amendments, and I would think that this should be something that we should have in the Bill. If Wales wants to be shown as a world leader, then this is something that other European countries are already doing. So, we would suggest it should be in the Bill.

[265] **Alun Ffred Jones:** William?

[266] **William Powell:** Thank you, Chair. I'd also add that the Green Man Festival, in the last couple of years, has been very much moving in that same direction. If I could pick up Gill's point, I very much value the comments regarding a deposit return scheme. Would you welcome an amendment to be brought forward to the Bill to make provision for the kind of schemes that you outline?

[267] **Ms Bell:** Yes, most definitely, we would like that. We would like an amendment to the Bill to include that.

[268] **William Powell:** I've been rather perplexed by the apparent resistance of Keep Wales Tidy to greet such a thing more positively, but there may be specific issues there that need to be aired.

10:45

[269] **Ms Bell:** So, there was a study just recently done by Zero Waste Scotland, and I would advocate you have a look at that if you haven't done so. Seventy-eight per cent of the public were supportive of it. The report concluded that the deposit return scheme for bottles and cans would quickly be cost-effective, saving local councils £3 million in collection and disposal, and would likely lead to immeasurable reductions in litter.

[270] **William Powell:** That's excellent. Maybe our clerks could seek that out. Would you support the Welsh Government introducing legislation to actually place greater obligations on

those who produce waste, so that we have a mixture of carrot and stick in this area?

[271] **Ms Bell:** Certainly. Coca-Cola have just recently announced that they're going to increase the amount of recyclable material within their bottles. If you can have a nice, clean—as we've talked about; we're talking about separation—recyclable stream then, obviously, that will increase the efficiency and decrease the costs, as well.

[272] **Alun Ffred Jones:** Thank you very much, indeed.

[273] **Mr Williams:** Could I just add to that? Sorry, you knew I was going to. [*Laughter.*]

[274] **Alun Ffred Jones:** Yes, you are unstoppable, Mr Williams, I know that. [*Laughter.*]

[275] **Mr Williams:** Extend it to all containers, not just drinks containers. South Australia, for example, introduced that legislation way back and they are now over 80 per cent, as a state, in recycling, and they were the first to do that. Now, if you pick up a bottle in Queensland, it says on it, 'If you are in South Australia, you can get 10 cents on this', so we could do the same in Wales. 'If you were in Wales, you'd get 10p back on this', if somebody's in Scotland.

[276] **Jeff Cuthbert:** As we used to do.

[277] **Mr Williams:** Which we used to do.

[278] **Alun Ffred Jones:** We're not going down memory lane at the moment.

[279] **Mr Williams:** You'll get the youth vote and all the parent votes, won't you?

[280] **Alun Ffred Jones:** Right. I'm sorry that we've rushed you, but we've got a lot to go through this morning, so diolch yn fawr iawn. Thank you very much for coming in, and for presenting your views and your testimony.

[281] Before the break, we'll have a very short session with our next group. [*Interruption.*] Oh, there's a break now? I'm sorry. I misread the information. Now, we're having a break.

*Gohiriwyd y cyfarfod rhwng 10:47 ac 11:02.
The meeting adjourned between 10:47 and 11:02.*

Bil yr Amgylchedd (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 14 Environment (Wales) Bill—Stage 1: Evidence Session 14

[282] **Alun Ffred Jones:** Bore da, a chroeso atom ni. Diolch yn fawr iawn am ymuno â ni. Mi wnawn ni ailddechrau'r pwyllgor a chroesawu ein tystion o WRAP ac o WISE atom ni. A gaf i ofyn ichi yn gyntaf i gyflwyno eich hunain a dweud pwy rŷch chi'n ei gynrychioli?

[283] **Alun Ffred Jones:** Good morning, and welcome. Thank you very much for joining us. We'll reconvene the meeting and welcome our witnesses from WRAP and WISE. Could I ask you first to introduce yourselves and say who you represent?

[284] **Mr Nichols:** Good morning. My name's Carl Nichols and I head up WRAP Cymru.

[285] **Ms Crichton:** My name's Linda Crichton and I head up the resource management

programme at WRAP Cymru.

[286] **Ms Colley-Jones:** My name's Rebecca Colley-Jones and I'm here to represent the Chartered Institution of Wastes Management and Bangor University.

[287] **Alun Ffred Jones:** Diolch yn fawr iawn. Jeff Cuthbert will kick off with the questions.

[288] **Jeff Cuthbert:** Good morning. Can I ask you about carrier bags? In terms of what is proposed in this Bill, what's your view on the need for Welsh Ministers to have powers to charge variable amounts for a wider range of carrier bags? For example, do you think that, if a greater charge was introduced for the bags for life, this could lead people to make more use of single-use bags? I'll start at that point.

[289] **Ms Colley-Jones:** I think that currently the single-use carrier bags quite often are designed such that they barely get to the house before they're broken, and people do make that choice already, to pay slightly more for a bag for life to be able to get their items home. So, I think that there is merit in looking at charging more for bags for life.

[290] **Mr Nichols:** WRAP's role with carrier bags is to compile the data on usage. We've been doing that, and we've seen a significant decrease since the charge was introduced. This year, we'll be compiling data on single-use bags and bags for life. That'll be available in a couple of weeks and we can share that. But we haven't seen evidence on the question that you actually asked. We haven't seen any evidence to suggest that.

[291] **Jeff Cuthbert:** On the issue of perhaps stipulating what the income from the sale of carrier bags can be used for, whether it should go to environmental-based organisations or could go, perhaps, to charities more generally in the locality, do you think there's any merit in either of those options?

[292] **Mr Nichols:** We are an environmental charity, so it's probably not appropriate for me to answer that one.

[293] **William Powell:** It hasn't stopped anyone else. [*Laughter.*]

[294] **Alun Ffred Jones:** You can venture a view.

[295] **Jeff Cuthbert:** The example was used previously of a hospice, which is not an environmental charity, but could be something that is very highly thought of in the locality.

[296] **Ms Colley-Jones:** I think it depends on why you bring in a levy for the carrier bag. If it's about improving people's quality of life and the environment that they live in, it doesn't really matter where the money goes to. The whole idea is it's there as a deterrent for reducing the amount of carrier bags. If the charge goes to other local charities, then I don't think it's going to necessarily cause people to start buying them so that they can donate to the local hospice. I'm not sure whether you make that decision at the supermarket or not. I don't really think it makes any difference whether it goes to the environment or whether it goes to local—

[297] **Jeff Cuthbert:** I can understand that in terms of the impact on the purchaser, the shopper, but in terms of the owners of the shop, they could send it, if they wished, to a local charity. It's not prescribed, as such, at the moment, but do you think that maybe it ought to be?

[298] **Ms Colley-Jones:** No.

- [299] **Jeff Cuthbert:** Okay, thank you.
- [300] **Alun Ffred Jones:** I have a question. Do you have data on the distribution of money at present? Do you collect any of that?
- [301] **Mr Nichols:** That's not our role. No, we don't.
- [302] **Alun Ffred Jones:** Not your role, okay. Whose role is that, do you know?
- [303] **Mr Nichols:** I'm not sure, actually.
- [304] **Ms Crichton:** We could find out and let you know.
- [305] **Alun Ffred Jones:** We'll find out from somewhere. Llyr.
- [306] **Llyr Gruffydd:** I'm just interested to hear your views on a suggestion from Keep Wales Tidy that, actually, generating proceeds to charities from plastic bags might actually, perversely, encourage people under some circumstances to buy plastic bags, because it's seen as supporting a charity. Now, I know there's probably no evidence to suggest that's happening currently, but if it was more explicit and the public were much more aware that, actually, this money goes to a charitable cause, is there a danger that might actually happen?
- [307] **Ms Colley-Jones:** I think, sending that back a little bit, it's about whether it's made explicit or not. So, if you don't make it explicit, then it shouldn't have any impact on behaviour. Marks and Spencer charged for bags for years and years, and it didn't make any difference to whether people bought their bags or not. It was more about whether they had a need to have one, or not.
- [308] **Llyr Gruffydd:** Okay.
- [309] **Alun Ffred Jones:** Right, we'll move on, then. Jenny.
- [310] **Jenny Rathbone:** What's your view on the proposed obligation on businesses to separate their waste? Some people are arguing it should be voluntary. You seem a bit hesitant in your written submission as to what your view is, and I just wondered if I could press you as to whether you think that it should be an obligation on businesses.
- [311] **Ms Colley-Jones:** I think that, if you look at whether voluntary works—. Currently, we have legislation in place that requires waste collectors to collect four different materials, which came in in January. So, all businesses actually should have the option at the moment to be able to segregate those four materials. So, I think, with current legislation, the reason there was a little bit of reluctance to commit is that that legislation hasn't been in long enough to be able to fully analyse what the effect of that legislation is. However, saying that, if the voluntary system doesn't seem to work, then statutory systems are probably more applicable, because, at the moment, it's seen a little bit as a get-out clause: there's no onus on the producer to have to separate; the onus is on the collector to provide that separated collection opportunity.
- [312] **Jenny Rathbone:** Okay. I'm still struggling to understand. Obviously, the collector is obliged to comply with the TEEP regulations, but what is the disadvantage of getting non-domestic premises to sort their waste at the—
- [313] **Ms Colley-Jones:** There isn't a disadvantage.
- [314] **Jenny Rathbone:** There isn't.

[315] **Ms Colley-Jones:** There isn't a disadvantage, no.

[316] **Jenny Rathbone:** Okay. So, there's nothing. There isn't a problem, then, about including it in the legislation.

[317] **Ms Colley-Jones:** No, but it's important to see—. The answer that we gave was based on the fact that currently it is almost a voluntary system, as is, now, and so we don't have the evidence to show that that voluntary system isn't yet working. So, it was just a cautionary note to say, 'We don't know whether it doesn't work, but actually we do support that businesses should be segregating out their waste, and that there should be an onus on businesses to do so'.

[318] **Jenny Rathbone:** In the context of carbon emissions continuing to rise, is it not an obligation on Wales to take measures to assist—

[319] **Ms Colley-Jones:** Yes.

[320] **Jenny Rathbone:** —in improving our rates of recycling as part of that climate change mitigation?

[321] **Ms Crichton:** At WRAP, we would support the proposals to extend the regulations' requirements to businesses, and that's really for a number of reasons. One is we have experience of supporting the voluntary approach through some of our programmes that we run through WRAP Cymru. We know that the voluntary approach is attractive to certain businesses, but it's not necessarily a sufficient incentive for all businesses to separate out their waste. I think, given the level of ambition that there is in Wales in terms of the targets and the strategy, 'Towards Zero Waste', to achieve that level of ambition does require some additional regulatory requirements.

[322] I think the other reason is the point that Rebecca's just raised as well, which is that, at the moment, the waste regulations place a requirement on the collectors to separately collect. I think extending the requirements to the actual businesses—the waste producers themselves—does close a loop in terms of the regulatory requirements. I guess the other reason is that recycling and requirements to recycle—. You know, most people are doing recycling at home now; it's sort of an established practice at home. So, I think, in terms of taking some of that behaviour into the workplace and in terms of businesses, getting people to recycle whilst at work just reinforces that behaviour change and reinforces the fact that recycling is important, that it's valuable and it's part of our everyday lives, whether we're at home or at work.

[323] **Jenny Rathbone:** Some people are arguing that small businesses, perhaps in city centre locations with a small amount of storage space, would find it onerous. What impact do you think it might have on them putting pressure on their suppliers to deliver their products in less packaging?

[324] **Mr Nichols:** We're a small organisation in the city centre, and we do it—we separate waste. We've worked with a number of organisations and businesses that do. You don't create more volume; you separate the volume. So, you store it slightly differently. I think packaging goes across borders—you can't do anything just in Wales. In WRAP, we work with all the retailers around Courtauld commitments and various other voluntary agreements, and there has been a significant decrease in the amount of packaging. So, I don't think we can tackle it through this Bill. But, if we go back to the space, it will be challenging for some businesses, but we've seen already from the individual businesses we've worked with that it can be done.

[325] **Jenny Rathbone:** Fine. Keep Wales Tidy is arguing that it could lead to more fly-tipping. Is there any evidence of that?

[326] **Ms Crichton:** We certainly haven't seen any evidence to support that argument.

[327] **Ms Colley-Jones:** Neither have we.

[328] **Jenny Rathbone:** Okay. Thank you. I think somebody else wants to come in.

[329] **Alun Ffred Jones:** Llyr.

[330] **Llyr Gruffydd:** Natural Resources Wales have suggested it would be useful to develop some sort of street-level collective recycling services. I presume that that's something that you would see as a positive way of addressing some issues that individual businesses might have.

[331] **Ms Crichton:** Yes, we have certainly looked into street level or bring-based systems—it may not just be on a street level; it could be the equivalent of waste recycling centres where businesses take their recyclable materials. It does seem to have a role in certain circumstances, and particularly it's probably better suited to dry recyclable materials rather than food waste, because there are obviously more manual handling issues associated with potentially transferring food waste to street-based or bring-based type facilities. But, certainly, yes, there are examples of street-based or communal types of facilities. I think there's obviously considerations in relation to potential planning requirements and also the permitting of these facilities, and also making sure that they are restricted only to the businesses, and don't just attract waste from other sources. So, they would have to be quite carefully controlled and monitored, but, in principle, they could be a solution in certain circumstances, I think.

11:15

[332] **Ms Colley-Jones:** I would just reiterate that. The issue is the duty of care issue, and, as long as that was sorted out, then there should be no reason. We deliver a lot of Waste Smart courses to producers of waste and a lot of them have expressed an interest in being able to have these collective facilities, especially when you're in small, very tightknit areas, where you've got a number of cafes or businesses, and they may have to—. I'm thinking particularly of places like Caernarfon, where they have to go out the back and their waste facilities are a way away from the premises anyway. So, if it was made easy and legal for them to be able to collect in that way, then I think that would address the ability of lots more smaller businesses to be able to do it and also help with the collectors of it as well, because it's quite hard to put in a number of different collection systems on a round because you tend to put in collection systems based on the types of containers that you're collecting. So, it would make it easier to collect for the collectors as well.

[333] **Llyr Gruffydd:** There's a proposal that Natural Resources Wales would inspect 1 per cent of businesses per annum to ensure compliance with the new separation requirements. Is that enough? Could that be effective? What's your view on the effectiveness of that proposal?

[334] **Ms Colley-Jones:** I think that, at the moment, that would have an economic cost as well, because even just looking at 1 per cent of businesses would incur substantial costs to NRW to have people on the ground to be able to go and collect from those businesses. So, as long as that was addressed—. The biggest thing that we see out there is that, in reality, if it's not being regulated, and it's not being monitored, then people just go, 'Oh, there's no point; nobody's going to come and check up on me.' So, if you are going to put things in, then there

has to be some way of financing it and there has to be a methodology in there, so that people are quite clear that it is something that will be inspected.

[335] **Alun Ffred Jones:** Janet, did you want to come in on this issue?

[336] **Janet Haworth:** Yes. Just on food waste as well, I'm just wondering—. We already have in place food hygiene inspectors in local authorities and, when they're hard-pressed, they contract in additional food hygiene inspectors to carry out routine inspections. They're going into kitchens. Why can't they check what's happening with the food waste? Put an additional responsibility onto them. Do you think that could work?

[337] **Ms Colley-Jones:** I guess, but, again, it would be an additional—. There is probably going to be an additional cost, and also it's whether they have the regulatory background to check that it's been done and things like duty of care are being adhered to as well. I think that would be—

[338] **Janet Haworth:** Well, they do have significant documentation when they enter a premises and they're trained and continually professionally developed to quite a high standard. I would have thought it's possible to look at using them—

[339] **Alun Ffred Jones:** I think perhaps we'll pursue that with the Minister then. Joyce Watson.

[340] **Joyce Watson:** I want to talk about the ban on food waste from sewers and of some materials from incineration, but I particularly want to focus on the food waste from sewers and invite your comments on that proposal.

[341] **Mr Nichols:** On food waste from sewers, it's estimated—. I believe that there is 21,000 tonnes of food waste disposed of via sewers in Wales. I think, if it was banned, it would give two benefits. It would give visibility of food waste, of what is actually being wasted, because, at the moment, it's perhaps continually pushed down the sink, and, actually, if you stop doing that and see what you've got, what you're wasting, it could then could lead to different behaviours around, 'We need to do something about this; we need to actually start looking at food waste prevention.' We've seen that working with various organisations who've taken a voluntary decision to stop using the macerators, the food waste sewer, and they've made a significant difference, such as the Dragon Hotel in Swansea, which made a decision to stop doing that, looked at it, thought, 'Crikey, we need to do something about this', and actually have reduced their food waste on the back of that decision. It also means that food waste then ends up—instead of going down the sewer, it goes to an anaerobic digestion plant, where there's the double benefit of both heat and power production and a digestate that can then be used on the land in Wales. So, we'd be supportive of the banning of putting food waste down sewers.

[342] **Ms Colley-Jones:** We would concur with that. The only caveat would be how enforceable it would be. I'm thinking of one example: the NHS currently have large dishwashers that have macerators attached to them. There is an issue with the cost then of having to separate it out, but I think Carl touched on the issue that, actually, if they're producing that much, they need to look at why they're producing that much food in the first place. Is it that the portion controls aren't good? It might force a look at how much they're producing and why they're producing. That upfront cost is probably far more substantial to lots of these institutions than the end-of-pipe costs. The only issue might be that enforcement. Because food will be mixed with other things as it goes down the sewer, it would be quite hard to track it. So, that would be the only issue: how you would enforce it and monitor it.

[343] **Alun Ffred Jones:** Julie Morgan, just on this issue.

[344] **Julie Morgan:** On this issue, we were told by a previous witness that it was mainly hospitals and schools that were responsible for the food going—. And you mentioned hospitals, but do you have any evidence about schools, about what they're doing?

[345] **Mr Nichols:** I'm sorry, but I haven't got any evidence. I've seen the evidence in hospitals, but I haven't been into enough schools or seen enough schools.

[346] **Ms Crichton:** We have looked at some of the collection costs and treatment costs associated with separately collecting food waste from hospitals. So, we have got evidence on that side of things, but I don't think we have any specific evidence around schools, no.

[347] **Joyce Watson:** The next logical question, if we ban it and we're going to process it in different ways, is: have we got the facilities to deal with that? So, in your opinion, do you think that that is the case?

[348] **Mr Nichols:** In our opinion, there are the infrastructure and facilities within Wales to treat food waste. There's been a programme to create anaerobic digestion hubs around Wales. We've seen a couple open already, there are others planned, and we think that that is not an issue.

[349] **Ms Crichton:** I think just generally across the UK, as well as in Wales, we've seen quite considerable investment in AD treatment capacity and the incentives have certainly been there to develop the capacity for treating the waste. I think that now there need to be more incentives in place to drive an increase in supply of material into these facilities, away from other disposal routes. So, I think the measures in the Bill would support that.

[350] **Ms Colley-Jones:** Yes, I agree with that. I think there are facilities and, those facilities that are there, if they needed extra capacity, I don't think that that would necessarily be an issue. I think the only issue with all of this is that upfront cost about that switch from one system to the other and that would have to be carefully supported so as not to, especially in places like hospitals, take money away from one valuable service to put it into another.

[351] **Joyce Watson:** And finally from me: NRW has said that sewerage undertakers or local authority food hygiene officers would be the people best placed to enforce that ban on food waste to sewers. Do you agree with that statement?

[352] **Ms Colley-Jones:** Yes, probably, because, again, if it was NRW that were going to do it, they would need additional financing in order to provide the people on the ground with the resources to be able to do that. I think, as the lady over there mentioned, they're already going into the kitchens, so it makes sense to, in the same way as was said earlier, maximise the time that they're there.

[353] **Alun Ffred Jones:** Russell, did you want to—

[354] **Russell George:** With regard to food waste and using the sewer, the issue there, of course, is how you enforce that as well. You haven't addressed that point. Do you think it's impossible to—. Well, how do you enforce that issue?

[355] **Ms Colley-Jones:** It's a bit like tv licences, isn't it, really? *[Laughter.]*

[356] **Russell George:** It is, really, yes.

[357] **Ms Colley-Jones:** If they have a macerator on their dishwasher, are you saying they have to buy a new one without one so that there's no chance that they could use it? So, I think

it's a little tricky, that enforcement of it. I think that, if people got the gist that that's where things were going, they would generally comply with what the statutory requirement would be, especially seeing as how it is mainly schools and the NHS. You would hope that the public sector would comply with statutory requirements.

[358] **Ms Crichton:** And I guess it's not a stand-alone measure, so it is actually backed up by the proposal to have separate collections for food waste. So, it's backed up by a mandatory requirement to collect.

[359] **Russell George:** I wonder is it, potentially, going to become a greater problem as local authorities increase their charges on food waste collections? Is there going to be more of a potential opportunity—sorry, 'opportunity' is not the word—for a business to flout the law and do that?

[360] **Ms Colley-Jones:** I'm just wondering why, necessarily, they would increase their charges on food waste collections—

[361] **Russell George:** Well, that's another question.

[362] **Ms Colley-Jones:** —because evidence from elsewhere sometimes suggests that, as more food waste is collected and as facilities start to pay back the capital investment, there is a competition for the food waste. And, in that case, the food waste collection charges come down rather than go up.

[363] **Russell George:** Well, they should come down. That's a question we'll have to put to local authorities when they come back to us.

[364] **Ms Colley-Jones:** It's not just local authorities. I think it's important to note that they are not the only people who go around collecting food waste or separate collections. They are collected by number of private companies—

[365] **Russell George:** Well, the market should drive the price down in that case.

[366] **Ms Colley-Jones:** Exactly. Exactly.

[367] **Alun Ffred Jones:** Bill. William Powell.

[368] **William Powell:** Diolch, Gadeirydd. Earlier on, we heard from some representatives of local government in Wales, commenting on the proposed ban on the incineration of certain materials. It was not a unanimous view. Representatives of Conwy spoke strongly in favour of the ban in principle, but the Welsh Local Government Association as a whole is currently opposing it. I wonder what your views are on that particular matter.

[369] **Ms Colley-Jones:** I'll go first, then. So, I think it depends on the materials. The materials aren't specified in the Bill, which is good. I think that, for some materials, if you're going to ban them out of landfill and they have no real calorific value, then they may as well be banned out of incineration. But I think you have to be careful not to throw babies out with the bath water. In terms of low-grade wood, for example, there have to be viable markets for those materials if they are going to be banned to both. I think the argument about it getting exported—. Really, that happens anyway, so we have a lot of material that currently gets exported to Europe to incinerators over there—

[370] **Alun Ffred Jones:** What type of stuff are you talking about?

[371] **Ms Colley-Jones:** All kinds of things. It's actually cheaper to export refuse-derived

fuel than it is to send it to landfill in this country already. So, in reality, they have large energy-from-waste plants in the Netherlands, Sweden and Germany that currently can't get enough from their own countries to keep them running at capacity, and, because some of them have obligations in terms of district heating—because they're run differently, the energy is controlled by the local authority as well as by the municipalities, and they have to fulfil the obligations, so they're required to keep them going at full pelt. Currently, low-grade wood goes for biomass. It provides a legitimate source of renewable energy, and there is no other real viable option. The same goes for low-grade plastics. I think you have to be very careful if you're looking at bans to incineration that you're not reducing it to something where it becomes economically unviable and there are no markets for it.

11:30

[372] **William Powell:** I was going to continue to ask whether you had the view that there was sufficient capacity to deal with some of these low-grade recyclable items, but it sounds, from what you said, as though there are already market solutions out there, even though they involve quite extensive export.

[373] **Ms Colley-Jones:** Yes, certainly there are exports to Europe in terms of energy from waste, through refuse-derived fuel or solid recovered fuel, and, at the moment, it's obviously a viable economic option. SRF is just basically more treated. It's been treated so it has a higher calorific value and, therefore, has a lower cost associated with it. So, whilst the processing costs are increased by the person who's developing it, they get a better price and it's accepted in more facilities because it's cleaner.

[374] **William Powell:** Okay. So, in the case of a ban, going forward, who do you feel should be responsible for ensuring compliance—the local authority, or NRW?

[375] **Ms Crichton:** We don't really get directly involved in regulatory matters, but, at the moment, it is Natural Resources Wales that is responsible for regulating much of the waste regulation.

[376] **Alun Ffred Jones:** We're running out of time. Have you finished?

[377] **William Powell:** That concludes it.

[378] **Alun Ffred Jones:** Jenny, do you have a final question, then?

[379] **Jenny Rathbone:** I just want to pick up on the fact that we're exporting waste to incinerators in Europe, which can't get enough. Given that our aim is to reduce, reuse and then recycle, are we in danger of, you know, feeding the beast that we've already created with the new incinerators we have in Wales, when actually, we want to reduce waste?

[380] **Ms Colley-Jones:** I think that with the planning for the incinerators in Wales, there is a requirement not to incinerate recyclable materials, which is not necessarily a requirement elsewhere. But I think that goes back a little bit—I know we're looking at Part 3, but it goes back a little bit—to Part 1, to is classed as natural resources. I think there is a need for secondary resources, which are mentioned in paragraph 45, to be in there as a natural resource. That will then act as a driver to capture those secondary resources so, indeed, they are dealt with higher up the hierarchy, that they're seen in terms of reusability, that they're seen as an economic driver and as having economic potential. I think that message needs to be coming through when we're looking at natural resources. At the moment, we are an exporter of secondary materials and an importer of raw materials, and, in reality, we need to be looking at how you redress that balance.

[381] **Jenny Rathbone:** But you think that the clauses within the incineration plant contracts are sufficient to prevent things that shouldn't be—

[382] **Ms Colley-Jones:** Those were the things with the targets. Those were alongside the statutory targets, I think.

[383] **Ms Crichton:** I think that's our view, as well. There is a role for incineration and energy recovery, but for—

[384] **Jenny Rathbone:** Clearly, with medical and clinical materials et cetera.

[385] **Ms Crichton:** [*Inaudible.*—that are not suitable for recycling, but our view would be that you actually maximise the opportunities to recover materials through reuse or recycling in the first instance, and energy from waste is an option for dealing with stuff that you can't recycle.

[386] **Jenny Rathbone:** So, do you think the contract is sufficiently well framed?

[387] **Ms Crichton:** I think a lot of that will then depend. When the facilities come forward, it's considering the sizing of these facilities—you know, are they appropriate for the waste streams that they're expected to handle—and appropriate, yes, contract clauses to ensure that, you know, recyclable materials are removed in the first instance.

[388] **Jenny Rathbone:** Thank you.

[389] **Alun Ffred Jones:** Diolch yn fawr **Alun Ffred Jones:** Thank you very much to iawn i'r tri ohonoch chi— the three of you—

[390] —for coming in and giving your evidence. It will be very useful as we consider the merits of the Bill. Diolch yn fawr iawn.

[391] **Ms Crichton:** Thank you.

11:34

Bil yr Amgylchedd (Cymru)—Cyfnod 1: Sesiwn Dystiolaeth 15 Environment (Wales) Bill—Stage 1: Evidence Session 15

[392] **Alun Ffred Jones:** And on to our final group, NRW. Can I have an indication from somebody who'd like to kick off. William, are you—?

[393] **William Powell:** I was going to ask about energy from waste, and issues around incineration are perhaps not the best starting point. I was quite keen to pursue that.

[394] **Alun Ffred Jones:** Okay, we'll come to that, then. Julie, are you up for starting?

[395] **Julie Morgan:** Yes. On carrier bags again? Yes? Fine.

[396] **Alun Ffred Jones:** Bore da. A gaf i eich croesawu chi yma atom ni y bore yma am y sesiwn olaf? Rydym ni'n ddiolchgar iawn ichi am ddod atom ni. A gaf i ofyn ichi gyflwyno'ch hunain i ddechrau er mwyn y record, a dweud beth ydy'ch safle chi o fewn Cyfoeth Naturiol Cymru? **Alun Ffred Jones:** Good morning. May I welcome you here to join us this morning for this final session? We're very grateful to you for coming here today. May I ask you to introduce yourselves for the record and tell us what your role is within Natural Resources Wales?

[397] **Ms Moore:** Bore da. Isobel Moore, head of business, regulation and economics.

[398] **Ms Favager:** Becky Favager. I'm the waste and resources manager.

[399] **Ms Williams:** I'm Sarah Williams; I lead on natural resource management.

[400] **Alun Ffred Jones:** Dyna ni. Diolch **Alun Ffred Jones:** There we are. Thank you yn fawr iawn. very much.

[401] Julie Morgan will kick off.

[402] **Julie Morgan:** Thank you very much. I was going to start off about carrier bags. I know that NRW supports the proposals to charge for a wider range of carrier bags. Do you have any concerns that charging more for bags for life than single-use carrier bags could mean that people will tend to buy more single-use carrier bags?

[403] **Ms Moore:** Thank you very much. I think you're aware, and the committee's aware, that Natural Resources Wales doesn't have a direct role in the carrier bag levy. However, as you say, we do support the proposal that's been put forward by Welsh Government in terms of the sale of single-use carrier bags, and the potential within the legislation to charge additionally for the stronger bags and different types of carrier bags. I think what we recognise is that anything where there's an incentive to perhaps maximise resources for the future, where there is a possibility that we can signal that the aspirations within the zero-waste Wales strategy need to be met, is a good thing. We don't have any particular evidence that we could offer in terms of demonstrating that there's a potential that individuals would use more single-use carrier bags as a consequence of additional charges that would be added to the stronger carrier bags, but, certainly, as part of the requirements of the legislation, they would be doing additional consultation and also looking for additional evidence before Welsh Government move to actually putting in place any additional charges. I guess it's as part of that evidence gathering that that sort of information could be utilised in terms of their further thinking.

[404] **Julie Morgan:** Thank you. What about the issue about where the proceeds should go? I think you've said there's a preference for environmental charities to remain. What do you feel about the case that some retail outlets already support local charities? The example of hospices has been used. Do you think there's any danger in limiting it to environmental charities when there's been a pattern set?

[405] **Ms Moore:** I think it's an area that probably needs to be considered. Obviously, as you said, we indicated that our preference would be for there to be some steer towards environmental charities, but we recognise that there are already things that have been put in place. So, through the voluntary scheme, there are already charities that are wider in nature than the environment that benefit from that levy. Therefore, as part of the assessment as to what needs to be undertaken for the future, I believe there's an online portal, for example, that lists over 200 organisations that are already benefiting from the funding from the levy, and further assessment could be undertaken as to where that's currently deployed and whether that's more environmental or whether it's more general.

[406] **Julie Morgan:** Finally, just to say, do you think the net proceeds should go to organisations operating in Wales?

[407] **Ms Moore:** That's a very interesting question, as well, and I think there may be difficulties and barriers, although I'm not aware of exactly what they might be. Given that some of those that have been identified as part of that list might well be on a UK basis, or

they might be on a local basis but have an England-and-Wales border element, I guess using that information in that portal will give that assessment as to whether or not, in reality, the majority of the money is already captured by those organisations and deployed in Wales. I would imagine that will be considered as part of that further thinking.

[408] **Julie Morgan:** So, you think it should be? They should be in Wales?

[409] **Ms Moore:** I guess so, yes. [*Laughter.*]

[410] **Alun Ffred Jones:** Reit. Diolch yn **Alun Ffred Jones:** Right. Thank you. fawr.

[411] Does anybody want to take up—or who is going to take up—separating? Jenny Rathbone?

[412] **Jenny Rathbone:** You seem slightly ambivalent about the proposals for non-domestic premises to separate their waste as they put it out, on the kerbside or wherever it might be. I wonder if you can just explain why you think it needs to be voluntary rather than an obligation.

[413] **Ms Moore:** Right. No. Could I just clarify that point? It's something that we've been made aware of going through the scrutiny process, that perhaps there was a misunderstanding in terms of our intentions within that call for evidence. What we meant by 'voluntary' was those in addition to that which would be provided by the provisions of the Bill. So, we would be looking for additional voluntary schemes that could be done on top of what is already within the Bill. We certainly want to dispel any myth that we are ambivalent. We fully do support the requirements of the Bill and believe that they're necessary.

[414] **Llyr Gruffydd:** Such as? Additional voluntary—

[415] **Ms Moore:** Well, so, for example, within the explanatory memorandum, it indicates that we would move to a position by 1 January of having the provisions in this Bill. There's nothing to stop organisations getting involved in advance of those requirements and voluntarily understanding what their waste streams are and putting further measures in place. So, it is those sorts of things that we were looking for, for early adoption, and that might help others who would be needing to acquire and comply with the requirements of the law later on.

[416] **Alun Ffred Jones:** Jenny?

[417] **Jenny Rathbone:** Can you just describe what you mean by

[418] 'perverse environmental or economic outcomes'

[419] in terms of the legislation? You seemed to indicate that it might be difficult for small businesses to separate waste because of lack of storage, but they're having to store it anyway—they've just got to separate it. Why is it a complicated idea?

[420] **Ms Moore:** I think the perverse outcomes, again, link to that suggestion that there needs to be early lead-in time for businesses and operators to be aware of the requirements on them. At the same time, that will afford Welsh Government the opportunity to consider, through the secondary legislation, what further might need to be put in place, and also to respond to those concerns. At the same time, there's the possibility of stimulating markets, for example, whereby it may be that this desire, which we fully endorse, for high-quality recycle to be produced and to be moved up through the waste hierarchy means that effective markets and capacity needs to be in place so that we avoid potential storage of recyclates on

sites or any instances where pollution instances may occur as a consequence of that. So, it's really making sure that we do have that effective engagement and awareness raising in advance of the provisions of the Bill.

[421] **Jenny Rathbone:** In some circumstances, you seem to be arguing for street-level schemes rather than individual business premises schemes. Could you just outline why that is?

[422] **Ms Moore:** I think the street-level schemes were part of our suggestions in terms of perhaps alternative approaches that could be considered. So, we recognised that there might be concerns, and certainly we've noticed through the committee that small businesses have indicated they might have concerns around storage and cost. This is really very much about thinking of potential innovative solutions, ways of easy compliance for businesses, and street collections perhaps are a mechanism for doing that. Becky, I know that you're aware of a couple of examples that have been utilised in this way.

[423] **Ms Favager:** Yes. So, local authorities are obviously dealing with some of these problems already, with high occupation housing and flats. Some of those lessons can be learned from the domestic market. There are examples of smart banks, which are being used in London, where the householders are given a reusable bag, and then they take that down to a communal recycling centre at the bottom. So, we were just thinking along the lines of recognising that small businesses might have a lack of space. There are ways around it to provide them with an easy way to comply with this legislation.

11:45

[424] **Jenny Rathbone:** I can see there's a specific problem around people who are selling food and drinks. You know, the purchaser buys it and then walks away. So, I can see that it's not possible for the seller to pursue them down the road. So, I can see that there is some room for street-level solutions there, but I wondered if you could just talk about the bigger beasts, which are the construction industry, for example, and the risk—how we deter fly-tipping, you know. Because, as you point out, domestic waste is but a small part of the total amount of waste we generate, and the construction industry is often associated with fly-tipping, whether that's accurate or not. I wonder if you can just talk about how we're going to ensure that the big disposers of waste are going to comply.

[425] **Ms Moore:** I guess one of the points to consider—and I do recognise the point you make around the fact that construction and demolition is—. I think it was 3.4 million tonnes a year that they produce annually. At the same time we do recognise, since the introduction of a number of pieces of legislation since 2007, we have evidence that the amount of fly-tipping has decreased during that period. So, whilst there is anecdotal evidence that there might be fly-tipping incidents, the evidence doesn't bear that out. So, that will support the introduction of these additional measures not perhaps having an impact on fly-tipping as would be anticipated. Becky, I don't know if you had any views in terms of how we would sort of tackle construction and demolition.

[426] **Ms Favager:** I think there are some. There's Constructing Excellence in Wales, which is set up to kind of establish and share good practice across the construction and demolition industry. I know that they've been involved in leading the way with the Green Compass scheme; so, again, trying to encourage responsibility within their industry. I think the difficulty is going to come from the one or two-man band builders. Again, for me, it's about ensuring that those builders have an easily accessible way of complying with this legislation. If we can make it easy for people, then hopefully they will comply.

[427] **Jenny Rathbone:** So, some people who aren't generating the waste in their premises,

but rather on somebody else's premises, where they're constructing a house or whatever it might be.

[428] **Ms Favager:** Yes.

[429] **Jenny Rathbone:** So, do you think that this legislation will encourage them to think about the potential reuse and therefore the money—the income stream—that might be available?

[430] **Ms Favager:** Yes, I would hope that would be one of the benefits from bringing this legislation in.

[431] **Jenny Rathbone:** Okay. Thank you.

[432] **Alun Ffred Jones:** In fact, the construction industry is one of the better ones, isn't it, in terms of recycling because it costs so much for them to get rid of their stuff? Janet, do you want to come in on this issue?

[433] **Janet Haworth:** Yes. I just wanted to ask Becky again about these case studies in London, with houses in multiple occupation because they tend to be the ones that are producing the low-grade waste, which becomes a problem for disposal. There seems to be a carrot and stick way of operating this. The smart bags that you described were working with the tenants to engage them in the process, but these tenants also have landlords. I'm wondering if there's a way we can also make the landlords responsible for the waste that is generated in their properties. As tenants change, what I've seen happening is settees and bits of kitchen, and all sorts of things, ending up in the front garden.

[434] **Alun Ffred Jones:** We've got the problem. Are you in a position to answer this rather difficult question?

[435] **Ms Favager:** No, but I think, in relation to the Bill and in the proposal to put it onto non-domestic premises, the point around tenants, I can see why you're asking that. I think, for me, the responsibility for waste and ensuring that waste is dealt with appropriately is the responsibility of everyone. So, I would fully support tenants taking that additional level of good practice and asking their tenants, you know, 'What are you doing to comply with this and other environmental legislation?'

[436] **Janet Haworth:** My experience is often that it's the landlord who has chucked the stuff in the front garden. The tenant has long gone.

[437] **Alun Ffred Jones:** I think university towns have a particular issue around this one.

[438] **Ms Favager:** Yes.

[439] **Alun Ffred Jones:** Anyway, can I move on to Russell George?

[440] **Russell George:** Yes; thank you, Chair. I'm moving onto the topic of a ban on certain materials from incineration. I wonder if you could outline why you believe the provisions to ban certain materials from incineration are necessary.

[441] **Ms Favager:** For us, we felt this was a really important part of the provisions in terms of applying effective interventions at different points in the waste stream. So, the separate collection element will be focusing on producers and requiring them to segregate the material out at source, but having the ban at the final residual waste reinforces that message. So, we felt that having those two points of intervention would actually encourage and provide

that kind of positive feedback for both measures.

[442] **Russell George:** I'm aware that the WLGA don't share that view. They think it's unenforceable. Have you got views on that?

[443] **Ms Favager:** I guess, from my experience, all facilities that deal with waste have, within their permit, permitted waste types. They would have waste acceptance procedures to ensure that the materials going into their site are allowed and that they have the processes to deal with those wastes. So, I would completely disagree with what the WLGA said, because I feel that that is the way that facilities operate at the moment. We already have landfill bans in place for tyres and liquid waste, which, again, we find to be an effective regulation. I guess we are not there inspecting every load that goes into the facility, so the responsibility would be on the permitted facilities and the people that are taking the waste there to ensure that the waste is compliant.

[444] **Russell George:** Yes. So, where are you saying responsibility for compliance should lie? Who should that lie with?

[445] **Ms Favager:** I think it goes back to the point I made earlier, which is that it is the responsibility of everybody who is producing waste and dealing with waste. I know one of the previous witnesses talked about the duty of care responsibilities. At the point of transfer, every time you move waste from one person to another, you need to be describing that waste in terms of waste types and quantities to enable the persons taking it away to manage it appropriately. So, I feel that that is very much in line with existing regulations.

[446] **Russell George:** I can see from your evidence as well that you support a ban on non-domestic waste being placed in sewers as well. You support that, but you don't think that you should enforce it. Why is that?

[447] **Ms Moore:** Currently, we don't visit those types of premises to undertake those types of activity. So, our role and responsibility is not in relation to those particular activities. That resides with the sewerage undertakers for trade effluent. In our evidence, we also suggest that the food standards and hygiene inspectors of local authorities are probably best placed because they would attend those types of premises more often than we possibly would. We obviously have limited dealings with those types of activities, but, more generally, we do recognise that the waste that would be disposed of through those routes is a valuable resource and can be collected and could be used in, for example, anaerobic digestion to transfer into energy. Therefore, the proposals within the Bill are sound in terms of ensuring that that is looked after for the future.

[448] **Alun Ffred Jones:** But the regulatory impact assessment does suggest that there is an expectation for you to undertake some role in inspecting premises—some 1 per cent of premises per year, or something. So, are you looking forward to that? Are you resourced for it? *[Laughter.]*

[449] **Ms Favager:** I think we recognise that it's an important transformational step in the way that we undertake regulation. So, at the moment, we are very much focused around permitted sites, and that's almost too late because you're checking compliance at a site and the waste is already there. So, we welcome the opportunity to get out and influence behaviour at producer level.

[450] **Alun Ffred Jones:** And will you have the resources to do this, do you think?

[451] **Ms Moore:** Well, we've certainly input it into the regulatory impact assessment and have been, you know, discussing with Welsh Government. So, the indicative resource

requirements that are contained within that document, then we are comfortable that that's a reasonable estimation and modelling of the costs that would be associated with that. But as we move forward in terms of the more specifics that are contained within the provisions of the secondary legislation, there's obviously further consultation that will need to occur at that point, and more detailed regulatory impact assessments. So, we would then be able to influence and to discuss and engage to understand what that might look like in terms of additional requirements on Natural Resources Wales.

[452] **Russell George:** You've suggested as well who should enforce a ban on non-food waste—non-domestic waste—in the sewer, but how do you believe it can be enforced? I mean, there's an issue about how you enforce such a ban. Do you have views on that? You're suggesting who should enforce it, but how do they enforce it is what I want, in your view.

[453] **Ms Favager:** I guess, in my view, the reason we've suggested food hygiene is that they're already visiting those premises. I would imagine they would already have an understanding of the processes that go on within those kitchens—I guess, you know, whether there is a macerator or not, or asking a question around, 'What provisions do you have for your food waste to be collected?'

[454] **Russell George:** Yes. I understand. Finally, is this an issue that you have specifically discussed with the Welsh Government, or have they discussed it with you?

[455] **Ms Favager:** Yes. In terms of our role or our view on our role on this, yes, we've discussed that.

[456] **Russell George:** Has that discussion progressed in who they believe should enforce it? Do they believe you should enforce it? Is that part of the discussion?

[457] **Ms Moore:** We haven't got a preliminary indication as to what their view is on that.

[458] **Alun Ffred Jones:** William Powell, I think you've got a question.

[459] **William Powell:** My questions have been dealt with, thank you, Chair.

[460] **Alun Ffred Jones:** Dealt with. Okay. Jenny?

[461] **Jenny Rathbone:** I just wanted to pick up on the issue of landlords' responsibilities in HMOs, specifically people who let to students. I just wondered if the Bill needs amending in some way to capture these—they are businesses—to include landlords, particularly in university areas, to be obliged to respect the non-domestic premises regulations. We're talking about large quantities of waste at the end of the tenancy, which the landlord somehow thinks somebody else is going to get rid of.

[462] **Ms Moore:** I guess it would be a further consideration as part of that secondary legislation that would be developed. Certainly, if there are views that would indicate that that's something that could be considered, I'm sure it can be taken forward.

[463] **Jenny Rathbone:** Okay. So, you think it could be a sort of secondary legislation clause to permit local authorities to do something in specific circumstances.

[464] **Ms Favager:** Well, not different. I guess I'm not sure around the—. Because of the way the Bill is written—it's talking about premises—I'm not sure how the student or the landlord would be captured in a definition.

[465] **Alun Ffred Jones:** I think this is beyond your pay grade—beyond your field of

expertise, I feel—but it is an interesting and an important point, obviously.

[466] **Alun Ffred Jones:** A gaf i ddiolch **Alun Ffred Jones:** May I thank you very yn fawr iawn ichi am ddod i mewn y bore much for coming in this morning? yma?

[467] May I thank you for coming in? Obviously, your evidence will be used in our deliberations. Thank you very much. Diolch yn fawr iawn.

11:59

Papurau i'w Nodi
Papers to Note

[468] **Alun Ffred Jones:** Eitem 7. **Alun Ffred Jones:** Item 7.

[469] Papers to note. You have a list there. Are you happy with them?

[470] Hapus? Reit. Happy? Right.

11:59

Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public from the
Meeting

Cynnig:

Motion:

bod y pwyllgor yn penderfynu gwahardd y cyhoedd o weddill y cyfarfod yn unol â Rheol Sefydlog 17.42(vi).

that the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order 17.42(vi).

Cynigiwyd y cynnig.
Motion moved.

[471] **Alun Ffred Jones:** Eitem 8. Yr wyf **Alun Ffred Jones:** Item 8. I wish to propose, eisiau cynnig, dan Reol Sefydlog 17.42, i under Standing Order 17.42, to go private. fynd yn breifat.

[472] I'll go to a private session if agreed. Yes? Thank you.

Derbyniwyd y cynnig.
Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 11:59.
The public part of the meeting ended at 11:59.