



## Belfast City Council

**Report to:** Health and Environmental Services

**Subject:** **Consultation Document - Meeting EU Landfill Diversion Targets**

**Date:** 8th September 2010

**Reporting Officer:** Tim Walker (Head of Waste Management), Ext 3311

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### Relevant Background Information

In June, as one of a number of consultation papers, the Department of Environment (DOE) issued a "*Consultation Paper on Meeting EU Landfill Diversion Targets*" which outlined proposals to change Northern Ireland's approach to meeting the landfill diversion targets, as outlined in the EU Landfill Directive (1999/31/EC) – the LFD.

The Consultation, available on the DOE website at [www.doeni.gov.uk/waste.html](http://www.doeni.gov.uk/waste.html), addresses the changes necessary to enable the UK to report to the EC on a revised approach to the landfill diversion targets. This includes

- Setting out the new interpretation of the definition of the landfill diversion targets
- Revisions to the 1995 baseline and targets
- The reporting and monitoring obligations necessary to enable robust reporting against the LFD targets and
- The future of Northern Ireland Landfill Allowances Scheme (NILAS) in addressing both the council and private sector elements of municipal waste

Members may care to note that, for some time, the definition of municipal waste has differed in the United Kingdom from that provided within the EU Waste Framework Directive. Following discussions between the UK and European officials last year, the Government has agreed to amend the UK definition. This process has occurred within England and Wales and, similarly, this consultation is seeking to bring Northern Ireland in line with the new definition.

The proposed change in the definition of municipal waste would see commercial and industrial waste classified as municipal following the transposition of this legislation. The DOE recognises that such a change may introduce difficulties for councils regarding how waste was reported and monitored and has stated that landfill targets for councils would be amended to ensure harmony with existing targets.

The closing date for responses is 8th October 2010.

## **Key Issues**

As Members are aware, the LFD has set challenging targets for Member States to divert the amount of Biodegradable Municipal Waste (BMW) they sent to landfill – the “*landfill diversion targets*”. The Council, working with arc21 and the other constituent councils, has introduced or is in the process of letting a number of contracts to divert waste from landfill.

To inform a suitable response to this consultation paper, arc21 met with the other Waste Management Groups, the NI Local Government Association (NILGA), the Local Government Technical Advisers Group (TAG) and the Local Authorities Recycling Advisory Council (LARAC) to discuss the content. The key points within the attached arc21 response are that:

1. we agree with the DOE that returns on the amount of BMW disposed of should be made by landfill operators
2. with other amendments from the transposition of legislation arising from the EU Waste Framework Directive (WFD), the DOE should carefully consider the role of NILAS in any future reporting regime
3. in terms of additional policy tools, the DOE should make a case for accessing landfill tax monies to support waste diversion projects
4. extended producer responsibility should be introduced and
5. the term “*Council Waste*” or “*Council Collected Waste*” should be introduced to differentiate the waste lifted by councils from that arising from other sources.

In light of the proposals within the consultation paper, the Waste Management Service will work with Cleansing Services to consider the ramifications arising from this change in legislation in advance of its transposition.

## **Resource Implications**

### **Financial**

N/A

### **Human Resources**

N/A

### **Asset and Other Implications**

N/A

## **Recommendation**

The Committee is asked to endorse the response prepared by arc21.

## **Document Attached**

arc21 Response to Consultation on Meeting EU Landfill Diversion Targets

## **Decision Tracking**

Should Members approve this consultation response, the Head of Waste Management will ensure that it is submitted to the DOE.