

North Yorkshire County Council
Business and Environmental Services

Executive Members

25 March 2022

DEFRA Consultations on the Introduction of Mandatory Digital Waste Tracking and the Reform of Waste Carrier, Broker, Dealer Registration in England

Report of Assistant Director – Travel, Environmental and Countryside Services

1.0 Purpose of Report

- 1.1 To inform the Corporate Director Business and Environmental Services and Executive Members of the following DEFRA consultations:
- The reform of waste carrier, broker, dealer registration in England
 - The introduction of mandatory digital waste tracking
- 1.2 To seek approval for the attached responses to the above consultations on behalf of the County Council to be submitted to DEFRA.

2.0 Executive Summary

- 2.1 The Resources and Waste Strategy set out the Government's commitment to improve the transport, management, and description of waste.
- 2.2 The proposed mandatory digital waste tracking process will track 200 million tonnes of waste that is produced in the UK each year. Currently there is no single or comprehensive way of tracking it, with legislation relating to the transport, management and description of waste being introduced separately over the last 30 or so years.
- 2.3 Large amounts of waste data are not collected or collated centrally. As a result, it is very difficult to determine what happens to waste and to have a comprehensive understanding of whether it has been recycled, recovered, or disposed of.
- 2.4 The government expects the new regime will make it much easier and less time consuming for legitimate waste companies to comply with reporting requirements, and much harder for rogue operators to compete in the industry and commit waste crime including fly tipping, deliberate misclassification of waste, illegal waste exports and the operation of illegal waste sites.
- 2.5 The proposed key responses to the '*The reform of waste carrier, broker, dealer registration in England*' consultation are as follows:
- Assigning the legal responsibilities to controllers and transporters is welcome, and enables the regulation and enforcement of waste movements more effectively than at present.
 - Different tiers of permits are proposed dependant on the perceived risk of the activity. The proposal is for charities to operate under a non-registered exemption. The Council's preference is for charities to operate under a registered exemption to provide an audit trail.

- The proposal for local authorities carrying out commercial waste collections to register for a permit is questionable (local authorities that do not provide commercial waste collections require a non-registered exemption). The Environmental Protection Act provides that councils have a statutory responsibility to arrange for the collection of commercial waste.
- The advertising of permit numbers by waste operators is to be welcomed to help combat illegal waste operations, and make it easier for householders to track their waste materials
- The proposed go live date of 2023/24 is challenging. Staff training relating to technical competence and new systems compatible for digital tracking will take time to implement.

2.6 The proposed key responses to the ‘The introduction of mandatory digital tracking’ consultation are as follows:

- Digital tracking of all non-hazardous and hazardous waste is welcome and will improve the regulation and enforcement of waste movements
- Compatibility of current data software with the new digital tracking system will require development and testing. Transitional arrangements will allow ‘breathing space’ as opposed to a fixed mandatory compliance date.
- Real time recording of waste movements and transfers is ambitious and challenging in areas with poor Wi-Fi connectivity.
- The proposed go live date of 2023/24 is challenging, requiring the new unitary authority to deliver compliant commercial waste collections, rolling out staff training and new digital recording systems.

3.0 Key Background Information

3.1 Key sources of information and consultation response deadlines are shown in the following table:

Publication	Response Deadline
Consultation on the reform of the waste carrier, broker, dealer registration system in England - Defra - Citizen Space	15 April 2022
Introduction of mandatory digital waste tracking - Defra - Citizen Space	15 April 2022
Environment Act 2021 (legislation.gov.uk)	N/A
Our waste, our resources: a strategy for England (publishing.service.gov.uk)	N/A

3.2 Draft responses to the reform of the waste carrier, broker registration system and digital waste tracking questions are included as Annex 1 and 2 respectively and this report highlights some of the key issues and proposed approach to responses.

4.0 Consultation on the reform of the waste carrier, broker, dealer registration system in England

4.1 The government are proposing to update key regulations for people and businesses involved in transporting and managing waste. It will move to a predominantly online system, and provide stronger powers to fight waste crime.

4.2 In 2018, the Resources and Waste Strategy set out the Government’s commitment to improve the transport, management, and description of waste by reforming regulations for duty of care, carrier/broker/dealers, hazardous waste and international waste shipments.

- 4.3 The consultation seeks views on:
- The move from a registration to a permit-based system and the types of permits available.
 - The activities covered by permits, registered exemptions or neither.
 - The introduction of a technical competence element for permits; the level required and demonstrated through the workforce.

- 4.4 The proposed new definitions are transporter and controller:
- Transporter – an operator, which moves waste but does not make decisions on the classification or fate of the waste.
 - Controller – an operator which makes decisions on the fate of waste produced by others (this will include brokers and dealers).

4.5 The existing waste carrier arrangements are as follows:

	Description	Fees	Required registration details
Lower Tier	Lower tier carriers only carry waste they produced in their business and not construction or demolition waste.	Free and does not need to be renewed	Minimal requirements: name, address, contact details
Upper Tier	Upper tier carriers carry waste on behalf of others, construction and demolition waste, or arranges for waste from other businesses to be transported, recovered or disposed	Registration: Lasts for 3 years £154 Renewal: Lasts for 3 years £105	Details of the organisations: <ul style="list-style-type: none"> • Executives • Owners • Directors or partners • A list of any environmental offences they have committed.

Local authorities and charity and voluntary organisations hold a lower tier licence.

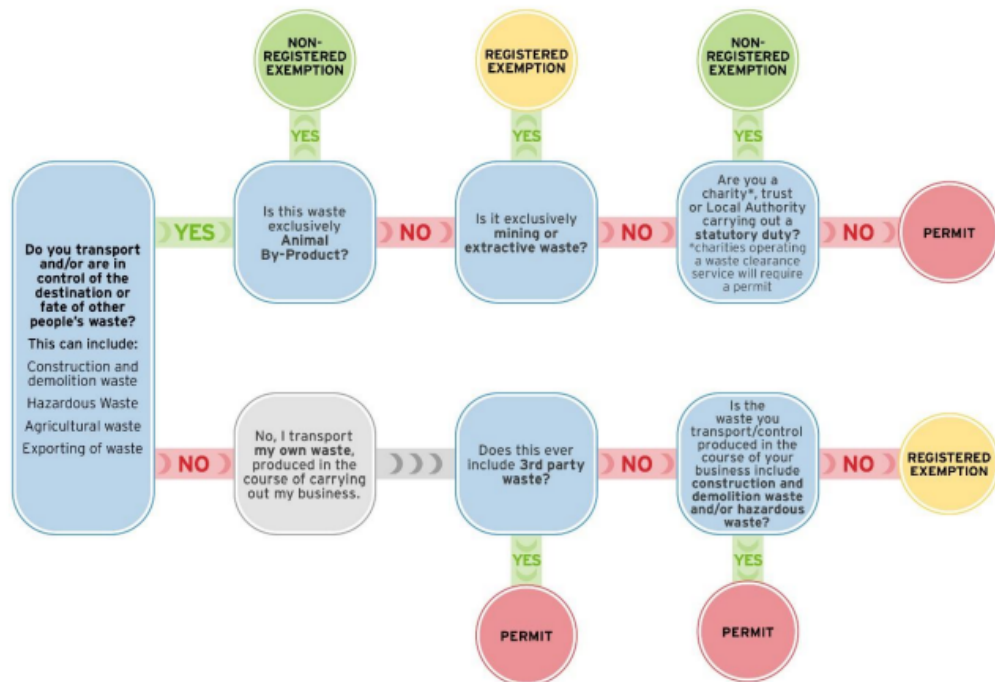
4.6 The existing upper tier registrations will become “standard rules” permits (referred to as a ‘waste transporter permit’ and a ‘waste controller permit’) or exemptions. The new transporter and controller permits are held by the legal operators. The legal operator is a legal entity that is responsible for the permit and accepts liability, as is the case for permitted sites. The legal operator has:

- Day-to-day control of the operation/waste movements/transactions.
- Responsibility for complying with permit conditions.
- Responsibility for meeting technical competence requirements.

4.7 The exemption is replacing the lower tier licence and there will be two types of exemption;

- Registered exemption – operators carrying waste produced from their business.
- Non-registered exemption – charity and voluntary organisations, and local authorities operating within their statutory remit.

Diagram 1 below shows where an operator might fall under the proposals, based on their business activities:



- 4.8 There are no costs associated with registered exemptions, but a requirement to re-register every three years. An application fee of £130 will be required for a permit, and an undisclosed annual subsistence fee. A framework of charges will be developed to enable proportionate and risk-based inspection of permit holders.
- 4.9 Applicants for permits will need to provide evidence of appropriate technical competence and will need to confirm they have an appropriate procedure for ensuring all individuals who will operate under the permit are competent and will abide by the permit conditions. There will be a cost to organisations to obtain the qualification to determine technical competence.
- 5.0 Key Implications on the reform of the waste carrier, broker, dealer registration system in England**
- 5.1 The new system will be live 2023/24. The expectation is that upper tier operators will register when their existing permit expires (staggered over a 3-year period). Lower tier operators will have 12 months to register for an exemption or apply for a permit within 12 months of the system being live.
- 5.2 Charities are not required to register with the new system and councils will be responsible for ensuring any waste brought into a Household Waste Recycling Centre (HWRC) is from a charity. The Council currently allows charities to dispose of their non-hazardous waste at the HWRCs free of charge providing they have registered with the Council and hold a lower tier waste carriers license. The liability of the origin of the waste will now lie solely with the Council.
- 5.3 North Yorkshire County Council currently hold a lower tier waste carriers licence for the transportation of waste from various teams across the Council to the HWRCs for disposal. Under the new classification, the Council would hold a non-registered exemption. However, the districts and borough councils providing commercial waste collections will be required to register and maintain a permit as commercial collections are not determined to be a

statutory duty. This is inconsistent with Section 45 of the Environmental Protection Act 1990 which states says '*It shall be the duty of each waste collection authority...if requested by the occupier of premises in its area to collect any commercial waste from the premises, to arrange for the collection of the waste.*' Yorwaste hold an upper tier licence and will be required to apply for a permit under the new regime.

- 5.4 There will be an increase in costs associated with the new permit scheme through the requirement for staff training, and an annual subsistence fee (compared to the fee of £105 payable every three years). It is likely that inflated costs will be passed onto the waste producer.

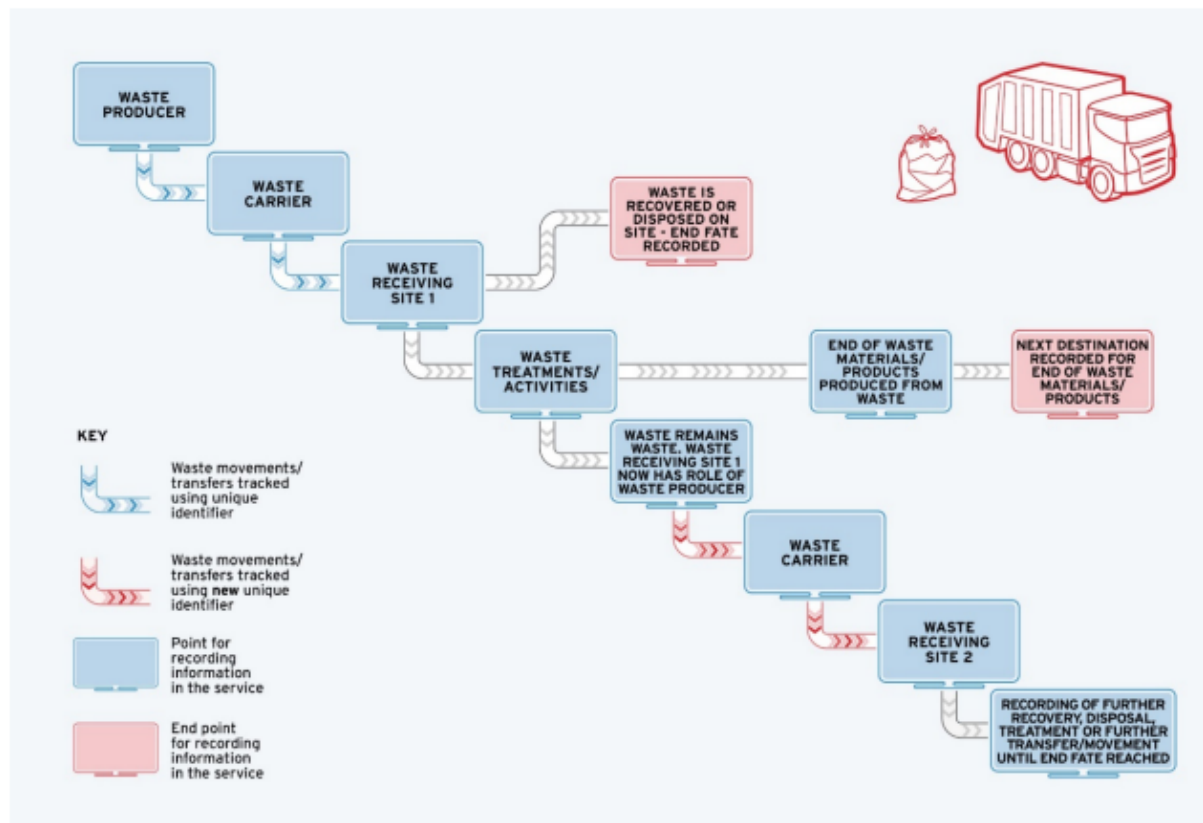
6.0 Introduction of mandatory digital waste tracking

- 6.1 The government are proposing that digital waste tracking covers controlled waste (encompassing both hazardous and non-hazardous household, commercial and industrial waste) and extractive waste (from mines and quarries). Persistent Organic Pollutants (POPs) will be included in the new service and tracked, to enable users of the service to have an understanding of the fate of waste.

- 6.2 The new waste tracking system will record:
- waste transferred to another person, company or to another site operated by the same person or company
 - waste which is treated, disposed of, or recovered
 - end of waste products or materials produced from waste and taken to the next destination

- 6.3 The new digital system will make it easier for businesses to see exactly what happens to their waste, making their duty of care responsibilities much more straightforward.

The following is a summary of the points at which information about waste movements, transfers or activities will be required to be entered onto the waste tracking system. Note that this is a generalised example and does not cover all possible scenarios.



7.0 Key Implications of mandatory digital waste tracking proposals for North Yorkshire

- 7.1 Waste station operators (like Yorwaste), will need to digitally record details of the waste received on site and then subsequently what is done with it rather than using the previous paper-based system.
- 7.2 Waste is entered into the system when it arrives at a site (such as a HWRC or transfer station) and then tracked. If a council provides collections for commercial business or industrial premises, then they will need to record those waste movements from the producers' premises. All commercial waste and charity waste accepted at the HWRCs will be recorded on the system prior to delivery to the HWRC.
- 7.3 Local authorities will not track waste from individual household collections. However, should a resident request a skip, the skip operator will create a digital record and issue the resident a unique identifier. The resident can view what happens to their waste, giving reassurance that the waste has been disposed of properly and helping to reduce the risk of fly tipping.
- 7.4 Waste hauliers and site operators will no longer retain paper-based records; instead, a digital record is created on the waste tracking service. Businesses will be able to see what happens to their waste, which should make their duty of care responsibilities much more straightforward.

- 7.5 The HWRCs currently only accept non-hazardous waste from businesses and charities due to the requirements for a hazardous waste consignment note with any movement of hazardous waste, and quarterly returns to be submitted to the Environment Agency. The digital system allows waste to be tracked and removes the requirement for consignment notes. This allows the service at the HWRCs to include hazardous waste delivered by commercial customers and charities.
- 7.6 The system will require all waste to be tracked from the producer to the end destination. Currently councils gather information and report through WasteDataFlow. The proposed digital tracking system retains the information alleviating the data collection burden on councils. The onus will be on the waste producer, transporter or controller to log this information.
- 7.7 The system will be 'live' with information on waste movements logged in real time. A new system for recording waste acceptance at the HWRCs will be required, as the existing paper-based system is manually inputted into a spreadsheet each month. There will be a financial cost to develop a new digital waste acceptance system at HWRCs.

8.0 Financial Implications

- 8.1 This report highlights the permit application/ subsistence fees, the cost of rolling out technical competence to staff to satisfy permit requirements, and the financial impact of developing software to digitally track waste movements. In addition, increased regulation focussing on waste exportation may increase costs passed onto the Council. However, such costs are small when considered in the light of the true cost resulting from the existing arrangements.
- 8.2 The cost of waste crime to the English economy in the 2018/19 financial year has been estimated at £924 million; scaled up to UK-level, the cost is estimated to be a little over £1 billion. The main costs are lost business revenues to the legitimate waste companies, loss of Landfill Tax through misclassification of waste and costs to government of clearing abandoned waste sites and fly-tipping.

9.0 Legal Implications

- 9.1 Legal obligations are likely to be significant for all waste producers, carriers, brokers and dealers including local authorities.
- 9.2 There is a requirement enter personal data about the waste producers, transporters and controllers into the system. Advice is sought from the council's data governance team prior to submitting a response to the consultation.

10.0 Equalities Implications

- 10.1 None, as these proposals are consultation exercises, there is insufficient information on which to base an Equalities Impact Assessment.

11.0 Climate Change Implications

- 11.1 A move to digital from paper will have a positive impact on climate change. A reduction in waste crime will avoid the negative social and environmental costs that occur through the incorrect transportation of waste and waste crimes such as fly tipping.
- 11.2 A Climate Change Impact Assessment has been completed, and concluded a minor positive impact will arise. Included in Annex 3.

12.0 Conclusion

- 12.1 The improper and illegal transportation and handling of waste causes a blight to our communities, whether it be black bags left on a roadside, a commercial fly tip, or a badly operated waste site causing odours or creating a fire risk.
- 12.2 Digital waste tracking means that waste movements are recorded in real time, providing more accurate and up to date information to support regulatory oversight and enforcement action.
- 12.3 A stronger system to legalise the transportation and handling of waste is welcomed. This needs to be efficient and effective to prevent avoidance and low-level criminal activity. The penalties for non-compliance need to make it unaffordable to do anything but the right thing.

13.0 Recommendations

- 13.1 It is recommended that the Corporate Director Business and Environmental Services (BES) and BES Executive Members consider the issues raised by the consultations:
- i. DEFRA consultation on the reform of waste carrier, broker, dealer registration in England
 - ii. DEFRA consultation on the introduction of mandatory digital waste tracking
- 13.2 It is recommended that the Corporate Director BES in consultation with BES Executive Members approve the attached responses to the above consultations on behalf of the County Council to be submitted to DEFRA.

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Consultation on the reform of waste carrier, broker, dealer registration in England

21 January 2022

Our proposals

Q1 We think that assigning legal responsibilities for managing and transporting waste to ‘controllers’ and ‘transporters’ rather than ‘carriers, brokers and dealers’ better reflects the way the waste and resources industry works. Do you agree or disagree?

a) Agree

b) Disagree

c) Don't know/No opinion

We believe that the majority of companies will be both the controller and transporter and hold one permit reflecting their dual role.

**Q2
We
think
that**

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

a) Agree

b) Disagree

c) Don't know/No opinion

We believe that further checks at the registration stage will be beneficial.

**Q3
We**

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

a) Agree

b) Disagree

c) Don't know/No opinion

Clear guidance stipulating the roles and responsibilities for controllers and transporters are needed, to ensure parties are aware of their obligations when applying for a permit.

Permit types: Transporter and Controller permits

Q4 Do you agree or disagree with our proposal to bring the current CBD regime under the environmental permitting regulations?

a) Agree

b) Disagree

c) Don't know/No opinion

Disagree – we agree with the introduction of a non-registered exemption, as the revision is passing the management of charities to the local authority to determine if they are allowed to dispose of their waste. From reviewing the consultation on mandatory digital waste tracking the charities will be required to produce the initial ticket on the system – what happens if they then arrive at a site with the waste and they are unable to providing supporting evidence that they are a charity? If they were registered as an exemption, this would reduce this possibility. We believe that charities need to be registered to show that they are exempt from charges for waste disposal. Is there a possibility for the digital waste tracking system to link to the charities registration database to determine that they are a registered charity?

Q5 Do you agree or disagree with our proposal to introduce three types of permit – controller only, transporter only and combined controller/transporter?

a) Agree

b) Disagree

c) Don't know/No opinion

We agree with the proposal but how would you determine between the occasions where a holder of a controller/transporter permit was acting as a controller or a transporter or both, as the degree of control exercised by the permit holder affects their responsibilities?

Q6 Do you agree or disagree that standard rules permit types should be differentiated according to the activities to be carried out under the permit i.e. controller/transporter/both?

a) Agree

b) Disagree

c) Don't know/No opinion

Agree – but how would this work with a company which works 90% as a transporter and 10% as a controller, when a joint permit would be more expensive. We believe that most companies will be a controller.

Q7 If you disagree with our proposal, how do you think the standard rules permits should be differentiated?

a) by size/number of vehicles

b) by number of staff

c) by type of waste

d) they should not be differentiated – there should be a single type of permit

e) don't know/no opinion

f) other – please explain

We believe that the permits should relate to the quantity and type of waste handled by the company and the type of waste accepted.

Advertising

Q8 Do you agree or disagree that it should be a permit condition to show a permit number on advertising?

a) Agree

b) Disagree

c) Don't know/No opinion

Agree – this will make it easier for residents to choose a legitimate waste management company.

Q9 Do you agree or disagree that it should be a permit condition to clearly display permit numbers on any vehicle used for the collection and transport of waste?

a) Agree

b) Disagree

c) Don't know/No opinion

Q10 Do you agree or disagree that these measures would help improve Duty of Care compliance?

a) Agree

b) Disagree

c) Don't know/No opinion

Please briefly explain why you agree or disagree.

Renewal/reviews

Q11 Do you agree or disagree that a renewal element should be built into the transporter/controller permitting system?

a) Agree

b) Disagree

c) Don't know/No opinion

Q12 Do you agree or disagree that with our proposal to implement permit renewal through self-declaration process?

a) Agree

b) Disagree

c) Don't know/No opinion

Q13 If we introduce permit renewal, how frequently do you think permits should be renewed?

a) annually

b) every 2 years

c) every 3 years

d) every 5 years

e) Some other frequency (please specify)

f) Don't know/no opinion

We believe that the information should be regularly reviewed to ensure that it is still correct, but there should not be a charge for this, unless the information changes the scope of the business. This is because this charge should be covered as part of the annual subsistence fee.

Charging

Q14 Do you agree or disagree that subsistence charges should align with charges under the Environmental Permitting Regulations to fund the same range of regulatory activity?

a) Agree

b) Disagree

c) Don't know/No opinion

Agree – however the increase in cost for training staff to maintain a certificate of technical competence, and the introduction of an annual subsistence fee, as compared to the 3 year renewal mean this will be a heavier burden for businesses, so the tangible evidence to show the benefits (justifying the additional costs) should be presented and promoted when available.

Exemptions from a requirement to operate under a permit

Q15 Do you agree or disagree that charities/voluntary groups operating a non-profit service should be able to operate under a non-registered exemption?

a) Agree

b) Disagree – they should be required to operate under a permit

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

d) Disagree – they should be required to operate under some other control

e) Don't know/no opinion

If you disagree, please explain why and, if possible, provide alternative options.

There needs to be the ability to ensure that the waste is from a charity and not someone pretending to be a charity. How will the digital waste tracking system ensure that it is a charity registering to use the system. What happens if a receiving site rejects the waste because they don't believe that the person is from a charity? There needs to be a system to ensure that the waste is from a charitable organisation – as before could the digital waste tracking system link to the registrations of charities database?

Q16 Do you agree or disagree that local authority waste collection and disposal authorities and regulatory authorities should be able to operate under a nonregistered exemption?

a) Agree

- b) Disagree – they should be required to operate under a permit
- c) Disagree – they should be required to operate under a registered exemption
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

We agree, but the wording of the consultation (page 24) is determining that local authorities carrying out a commercial service should have a permit. We believe that there is a statutory duty for local authorities to arrange for a commercial service if requested, as determined in Section 45 of the Environmental Protection Act 1990.

Q17 Do you agree or disagree that charities operating a chargeable, commercial service should be required to apply for the relevant standard rules permit?

a) Agree

- b) Disagree – they should be required to operate under a registered exemption
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

We are aware that some charities are providing this service to residents cheaper than businesses.

Q18 Do you agree or disagree that waste disposal and collection authorities operating on a commercial basis should be required to apply for the relevant standard rules permit?

- a) Agree
- b) Disagree – they should be required to operate under a registered exemption
- c) Disagree – they should be required to operate under a non-registered exemption**
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

Disagree as we believe that there is a statutory duty for local authorities to arrange for a commercial service if requested, as determined in Section 45 of the Environmental Protection Act 1990.

Q19 Do you agree or disagree that those who transport and/or control waste produced by themselves in the course of their business, and where that waste is

construction/demolition waste and/or the waste is subject to a higher level of control should be required to apply for the relevant standard rules permit?

a) Agree

- b) Disagree – they should be required to operate under a registered exemption
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

Q20: Do you agree or disagree that those who only transport and/or control nonconstruction or demolition waste, produced by themselves in the course of their business, should be allowed to operate under a registered exemption?

a) Agree

- b) Disagree – they should be required to operate under a permit
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

Q21 Do you agree or disagree that businesses removing third party waste produced in the course of their business should be required to apply for a permit?

a) Agree

- b) Disagree – they should be required to operate under a registered exemption
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control
- e) Don't know/no opinion

Agree, but our expectation that businesses carrying out works in people's homes will continue to leave the waste for the householder to dispose of.

Q22 Do you agree or disagree that the distinction and risks between scenarios (e) and (f) are sufficiently clear to require two different regulatory approaches?

a) Agree- they should be treated different

b) Disagree- they should be treated the same

If you disagree and believe they should be treated the same, do you believe they should be required to:

- a) Operate under a permit
- b) Operate under a registered exemption
- c) Operate under some other control
- d) Don't know/no opinion

Q23 Do you agree or disagree that those transporting/controlling waste from mines and quarries should be required to operate under a registered exemption?

- a) Agree
- b) Disagree – they should be required to operate under a permit
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control

e) Don't know/no opinion

Q24 Do you agree or disagree that companies transporting/controlling agricultural waste should be required to apply for a permit?

a) Agree

- b) Disagree – they should be required to operate under a registered exemption
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control

~~e) Don't know/no opinion~~

Q25 Do you agree or disagree that farmers should be required to operate under a registered exemption if they are only transporting their own agricultural waste?

- a) Agree
- b) Disagree – they should be required to operate under a permit
- c) Disagree – they should be required to operate under a non-registered exemption
- d) Disagree – they should be required to operate under some other control

e) Don't know/no opinion

Q26 Do you agree or disagree that those who transport/control only animal byproducts should operate under a non-registered exemption?

- a) Agree
- b) Disagree – they should be required to operate under a permit
- c) Disagree – they should be required to operate under a registered exemption
- d) Disagree – they should be required to operate under some other control

e) Don't know/no opinion

Implementation

Q27 Do you agree or disagree that those who currently hold an upper tier registration should be required to apply for a permit at the time when this registration is due to be renewed?

- a) Agree
- b) Disagree**
- c) Don't know/no opinion

If you disagree, please explain why and, if possible, provide alternative options.

Agree that a transitional approach linked to the expiry of the upper tier exemption is appropriate. However, the expected go live date of 2023/24 may not provide sufficient time for our local authority to comply with these requirements. Staff training relating to technical competence and new systems compatible for digital tracking will take time to implement. Layered on top of changes to CBDs and digital tracking are the new Resources and Waste Strategy obligations and in North Yorkshire, local government reorganisation in 2023/24 and potential Devolution in 2024/25. Condensing so much change in a short period may not allow adequate time and resource to be allocated to properly train staff and implement new systems.

Q28: Do you agree or disagree that 12 months is an appropriate length of time for those who currently have a lower tier registration to either register an exemption or apply for a permit when the system goes live?

- a) Agree
- b) Disagree**
- c) Don't know/no opinion

If you disagree, please explain why and, if possible, suggest a time frame in which they must apply for a permit or register an exemption.

The expected go live date of 2023/24 may not provide sufficient time for our local authority to comply with these requirements. Staff training relating to technical competence and new systems compatible for digital tracking will take time to implement. Layered on top of changes to CBDs and digital tracking are the new Resources and Waste Strategy obligations and in North Yorkshire, local government reorganisation in 2023/24 and potential Devolution in 2024/25. Condensing so much change in a short period may not allow adequate time and resource to be allocated to properly train staff and implement new systems.

How would businesses demonstrate competency through the workforce

Q29 Do you agree or disagree with introducing technical competence as a controller/transporter permit requirement?

- a) Agree – but only for controller permits
- b) Agree – but only for transporter permits
- c) Agree – for both controller and transporter permits
- d) Disagree
- e) Don't know/no opinion

Q30 Do you agree or disagree that a regulatory approach to assuring technical competence is likely to be the most effective in achieving a good standard of competence in waste controllers and transporters?

- a) Agree
- b) Disagree
- c) Don't know/no opinion

If you disagree, please explain why and, if possible, provide alternative options that would meet our objectives.

Q31 If you are a business that handles waste, which of the following waste technical competence qualifications do you and/or your employees hold? (tick all that apply)

- a) CIWM and WAMITAB Level 1 Award/Certificate
- b) CIWM and WAMITAB Level 2 Award/Certificate
- c) CIWM and WAMITAB Level 3 Award/Certificate
- d) CIWM and WAMITAB Level 4 Award/Certificate
- e) Energy and Utility Skills Competence Management System
- f) Other – please specify
- g) We currently don't hold any technical competence qualifications
- h) Don't know/not applicable

Q32 Who do you think should be required to hold a full level of competence? (tick all that apply)

- a) The permit holder (this can be an individual or a legal entity)
- b) Nominated person(s)
- c) All individuals in the business who handle/direct/transport waste
- d) Nobody
- e) Something else – please specify

f) Not sure/no opinion

a and b depending on the size of the company

Q33 Do you agree or disagree that having a nominated person responsible for cascading competence through the workforce is a proportionate approach for companies to demonstrate that their staff are at a suitable level of competence?

a) Agree

b) Disagree

c) Don't know/no opinion

We would agree with this – with the operator license requirements more than one person can be named, and we would agree with this approach

Q34 To what extent are you in favour of a workforce-based competence scheme, such as the existing Energy and Utilities Skills scheme, being considered as an approach for waste controllers and transporters?

a) Strongly in favour

a) Somewhat in favour

b) Neither in favour not against/no opinion

c) Somewhat against

d) Strongly against

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

Please explain your views.

Q35 Do you agree or disagree that an online 'assessment', which needs to be completed as part of the initial application process, should be introduced as a way of demonstrating competence when applying for a permit?

a) Agree

b) Disagree

c) Don't know/no opinion

This sounds sensible, although it will depend on the requirements of the assessment.

Q36 Do you agree or disagree that those operating under a registered exemption should still be required to hold an appropriate level of transporter/controller technical competence?

a) Agree

b) Disagree

c) Don't know/no opinion

If you disagree, please explain why and, if possible, provide alternative options that would meet our objectives.

We would agree providing that the ability to acquire the qualification was not onerous.

Q37 If you agree, do you agree or disagree that some form of basic online assessment, possibly forming part of the registration process itself, would be a proportionate approach?

a) Agree

b) Disagree

c) Don't know/no opinion

If you disagree, please explain why and, if possible, provide alternative options that would meet our objectives.

Transition period for the introduction of competence requirements

Q38 Do you agree or disagree that there should be a phased introduction of the competence requirements?

a) Agree – there should be a phased approach

b) Disagree – there should not be any competence requirements

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

d) Don't know/no opinion

If you agree, how long do you think operators should have to provide evidence of full competence?

a) Three months

b) Six months

c) ~~12 months~~

d) Another time period – please specify 24 months

The expected go live date of 2023/24 may not provide sufficient time for our local authority to comply with these requirements. Staff training relating to technical competence and new systems compatible for digital tracking will take time to implement. Layered on top of changes to CBDs and digital tracking are the new Resources and Waste Strategy obligations and an in North Yorkshire, local government reorganisation in 2023/24 and potential Devolution in 2024/25. Condensing so much change in a short period may not allow adequate time and resource to be allocated to properly train staff and implement new systems. A transitional period of 24 months to demonstrate full competence, building on basic competence through the online module, will allow local authorities to roll out training in a planned and methodical way.

Q39 Do you agree or disagree that those operators applying for a transporter/controller permit with no existing CBD registration should be required to provide evidence of full competence at application stage?

a) Agree

b) Disagree

c) Don't know/no opinion

We are assuming that all evidence will be required on application, to review to obtain the permit. If you do not have the evidence, how will you determine if a permit can be issued?

Ongoing competence

Q40 Do you agree or disagree that there should be a requirement to demonstrate continuing competence?

a) Agree

b) Disagree

c) Don't know/no opinion

Q41 If we were to introduce a requirement for demonstrating continuing competence, how often do you think this should be undertaken?

a) every year

b) every 2 years

c) every 3 years

d) every 4 years

e) every 5 years

f) some other time period – please specify

g) don't know/no opinion

Q42: Do you agree or disagree that an online module and assessment would be sufficient for demonstrating continued competence?

a) Agree

b) Disagree

c) Don't know/no opinion

The level of competence should be scaled depending on the amount and type of tonnage of waste being dealt with as large scale companies could be classed as potentially higher risk.

The principles of a permitting framework for waste exporters

Q43 Are you an exporter of waste, and are you currently registered as a broker or dealer in England or elsewhere?

- a) I am an exporter of waste and I am currently registered as a broker or dealer with the Environment Agency in England
- b) I am an exporter of waste. I am not currently registered as a broker or dealer with any of the UK regulatory agencies.
- c) I am an exporter of waste and I am currently registered with SEPA, NRW or NIEA but not with the Environment Agency in England
- d) No, I am not an exporter of waste

Q44 Do you agree or disagree with the proposal that operators exporting waste from England must hold a permit?

- a) Agree with the proposal – all operators exporting waste must hold a permit
- b) Partly agree with the proposal – most operators exporting waste must hold a permit, but some exemptions should also be allowed
- c) Disagree with the proposal – no operator exporting waste should have to hold a permit
- d) Don't know/no opinion

If you partly agree but think there should also be exemptions, what kinds of operations do you think should be exempt, either as a registered exemption or non-registered exemption?

Q45 If we were to require operators exporting waste from England to have a permit, do you agree or disagree that the permit should be time limited?

- a) Agree
- b) Disagree
- c) Don't know/no opinion

Q46 Do you agree or disagree with the principle of including a requirement for applicants to demonstrate technical competence as a requirement to hold an exporter of waste permit?

- a) Agree
- b) Disagree
- c) Don't know/no opinion

Please explain your views.

Our view is that anyone transferring waste out of the UK have sufficient technical knowledge to ensure that waste is being transported to a suitable facility which holds the relevant permits. We are aware that the cost of this permit could be an additional cost for waste controllers which would be passed to the waste producer.

Q47 Do you have any other comments to make about our proposals to reform the law on waste carriers, brokers and dealers?

a) Yes – please elaborate

b) No – thank you for your input

From reviewing the example permit, we feel that medium and large businesses will have the tools and resource to develop a written management system, as required in 1.1, but this is unrealistic for a small company. How would the Environment Agency determine that this has been produced, would you expect a copy to be available within 5 working days of request? A standardised form, as with the controlled waste transfer note for companies to complete would be a suggestion.

Questions and Answers for the Consultation on the introduction of mandatory digital waste tracking

January 2022

Email to: wastetracking@defra.gov.uk

About you

Q1) Would you like your response to be confidential?

• yes

• no

If you answered 'Yes', please give your reason

Q2) What is your full name?

Peter Jeffreys

Q3) What is your email address?

Peter.Jeffreys@northyorks.gov.uk

This is optional, but if you enter your email address you will be able to return to edit your consultation response in Citizen Space at any time until you submit it. You will also receive an acknowledgement email when you submit a completed response.

Q4) Which of the following best describes who you are responding on behalf of?

Select one option only, if multiple categories apply, please choose the one which best describes the organisation you are representing in your response.

- business representative organisation or trade body
- waste site operator
- waste broker or dealer
- waste transportation company or waste carrier
- waste producer
- product manufacturer
- local authority
- community group
- non-governmental organisation
- charity or social enterprise
- consultancy
- academic or research organisation
- member of the public

- other

If you answered 'other', please provide details

If you are responding on behalf of an organisation or business, please provide the name of the organisation or business and an approximate number of staff (where applicable).

Q5) Considering who you are responding on behalf of, in what part of the UK would you say you are based or operate in? (tick all that apply)

• England

- Wales
- Scotland
- Northern Ireland

Q6) Would you be interested in joining our user panel? As part of the development of the digital waste tracking service we have formed a user panel of interested parties.

Members of the panel are invited to participate in user research (for example, surveys, workshops, and interviews) or to test digital services as they are designed and built.

• yes

- no
- already signed up

What will be tracked and what will it mean for you?

Q7) Do you agree or disagree with the waste types we are proposing to be tracked?

• agree

- disagree
- no opinion

**Q8)
Do
you**

We agree that the system should track hazardous and non-hazardous waste for it to provide a full picture of waste movements.

agree or disagree with our proposals for which waste activities will be recorded in the waste tracking service?

• agree

- disagree
- no opinion

We agree that for the system to be most beneficial it should record from the producer of the waste.

Requirements for waste managed in other scenarios

Q9) Do you agree or disagree with our proposals for when waste tracking will not be required?

- agree
- disagree
- no opinion

We agree that household waste should not be tracked until it reaches the first receiving site.

Q10) Do you have any views about how we should incorporate waste activities conducted under Non-Waste Framework Directive exemptions, Low Risk Waste Positions and Regulatory Position Statements into the waste tracking service? Should we:

- a) require full details (as above in the 'Waste activities to be recorded in the waste tracking service' section),
- b) exempt them from the need to provide this further information, noting that this would present a gap in our overall waste picture,
- c) have a mixture of a) and b), with some specified activities coming with a requirement to record these details and others that do not
- d) do something else to incorporate them.

This decision should be taken based on the level of risk, based on the material and tonnage.

What reporting regimes will be included in the service?

Q11) Do you agree or disagree with our proposals to remove the requirement to submit information or waste data returns as listed, once the waste tracking service is live?

- agree
- disagree
- no opinion

We agree providing the information is available for users to access as required. A greater understanding of how we would be able to access our waste information as we are using contractors to accept, transport and dispose of waste on our behalf. How will the waste they are managing on our behalf be 'linked' to our council so we can view tonnages and destinations?

Information recorded on the waste tracking service**Q12) Do you agree or disagree with the information recording proposals in Table 1?****a) A system-generated unique identifier**

- agree
- disagree
- no opinion

Agree – but there needs to be some clarity on how the information is being logged within the system. If a vehicle is accepting recycling within a split body vehicle – cans, plastic bottles and glass in three separate parts of the vehicle, would this be logged on the system three times?

If the vehicle is carrying two different types of waste, such as commercial waste with household waste on the same vehicle, would this require two entries within the system. This vehicle could have waste from ten commercial premises within the vehicle, how will the information of the receiving site be added to the ten entries within the system for the commercial waste.

b)**Details of the person who classified the waste**

- agree
- disagree
- no opinion

c) Details about the destination for all waste movements, including the type of authorisation held

- agree
- disagree
- no opinion

Agree

d)**Standard Industrial Classification (SIC) code**

- agree
- disagree
- no opinion

Agree – more clarification needed of who would be inputting the SIC code, and what happens if a disagreement in the SIC code stated between carrier and waste site? Small to medium businesses and self employed would benefit from further understanding about the purpose and application of the codes, as otherwise we anticipate some issues.

e)

Details of rejected or quarantined loads

- agree
- disagree
- no opinion

f) Details of waste treatment

- agree
- disagree
- no opinion

g) Persistent Organic Pollutants (POPs) identification

- agree
- disagree
- no opinion

h)

Details of end of waste products and materials produced

- agree
- disagree
- no opinion

i) Information about onward destination of end of waste products or materials

- agree
- disagree
- no opinion

j) Nation specific requirements for any existing or future requirements

- agree
- disagree
- no opinion

Q13) Persistent Organic Pollutants – how much information about POPs do you think should be recorded in the service?**a) basic level - indication that waste contains POPs only**

- b) enhanced level - additional details on the specific POPS contained in the waste and the content level of the POPs
- c) other
- d) no opinion

This should be the basic level because it is not known how the enhanced level information will be obtained. This may require the scanning of material on receipt at sites which would be a financial and resource requirement. However, without further information from DEFRA (which is expected in a future consultation) as to how they wish this waste to be accepted, transported and disposed of, it is difficult to provide a response to this question.

Q14) Is there any other information related to waste management that you think should be recorded in a new digital waste tracking service?

- yes
- no
- no opinion

What level of information about the receiving site will be stored within the system? Will it be able to confirm if the waste to be delivered is accepted at the receiving site (a list of EWC codes accepted at site) or just if the site has a valid permit?

Recording treatment and product details

Q15) Are you familiar with the existing D and R codes?

- yes
- no
- not applicable to you

Q16) Do you find D and R codes easy to apply?

- yes
- no
- not applicable to you

Q17) Do you have any suggestions as to how recovery or disposal activities should be recorded in the waste tracking service?

- yes
- no

Q18) End of waste products or materials - do you use any existing standard codes or descriptions to record end of waste products produced from waste?

- yes
- no

Dangerous goods regulations

Q19) Do you transport hazardous waste?

- yes
- no

Waste Contractors transport hazardous waste on our behalf.

Q20) How do you currently record dangerous goods information?

- paper record
- digital record
- both
- not applicable

Q21) Where do you think information demonstrating compliance with the Dangerous Goods Regulations with regards to the movement of waste should be recorded?

- in the new waste tracking service

- somewhere else
- no opinion

It seems logical to log this information in one location.

Waste hierarchy

Q22) If you produce, manage or handle waste in any way, were you aware of your duty to apply the waste hierarchy prior to reading this consultation?

- yes

- no
- not applicable

This is currently a question for waste producers and carriers in the Controlled Waste Transfer Notes completed at our Household Waste Recycling Centres.

Q23) Do you think waste holders including producers should record their compliance with the application of the waste hierarchy in the Waste Tracking service?

- yes

- no
- no opinion

Yes – we should be encouraging the waste hierarchy to be considered as part of all waste movements. This is currently a question for waste producers and carriers in the Controlled Waste Transfer Notes completed at our Household Waste Recycling Centres.

Ways to enter information

Q24) If you are likely to need to enter data into the waste tracking service, which of the options would you use for the majority of your data entries?

- a) manual entry

- b) data upload from existing spreadsheet records onto a waste tracking service standard spreadsheet

- c) data upload from existing waste tracking software onto a waste tracking service standard spreadsheet

- d) direct data upload via an application programming interface (API)

- e) something else

- f) no opinion

If you answered, 'something else', please provide details

Options a to d as we would need to review the existing commercial waste monitoring as the service requires the data to be uploaded in real time, which with our current system we could not deliver.

Q25) When recording data in your current systems, do you use any form of data standard?

- **yes**
- no

We currently have standard terms that we use for waste streams – however these are not the same as used by other local authorities as they have been developed to assist with our management and monitoring of waste streams. It would also be beneficial if the system linked to a national database of addresses to ensure that waste collected from householders and businesses was from a legitimate address.

When information must be recorded

Q26) Do you agree or disagree with our ambition for real time recording of waste movements and transfers?

- **agree**
- disagree

Agree – but would this realistically be achievable? This would be a benefit to councils in terms of management and monitoring of tonnages to have the information in real time. However, we would have an initial cost outlay to develop a system to capture this information/provide hardware to the sites to record information electronically.

The majority of the businesses which we are accepting waste from through the household waste recycling centres will complete the record on the digital waste tracking system within half a day of visiting the site as they don't have the ability to store waste. How realistic is it that the information would be logged onto the system, and accessible prior to them visiting site?

If the information was not logged within the system, we would be unable to accept the waste.

• no

opinion

Q27) For the following types of waste movements or transfers, how long do you think you would need to transition to real time recording?

Table 2 – time needed to transition to real time recording

Movements or transfers of...	Less than 1 year	1 to 3 years	More than 3 years	Not applicable
Hazardous Waste		✓		
Non-hazardous waste		✓		
Green List Waste imports or exports				

The council would need to determine what wastes would continue to be accepted at household waste recycling centres – there would be the possibility to either cease all commercial and charity wastes to the household waste recycling centres or alternatively expand the service to cover hazardous wastes (which will include POPs in residual waste which are currently reported as non-hazardous). The development and testing of a new system could take a minimum of 12 months, especially to produce a system to link with our management system and our contractor's system.

Q28) What are the main barriers or motivators that will influence the time it takes you to transition to real time reporting?

- Resource availability from other teams within the council
- Resource availability from our contractor
- Budget to cover the cost of a new system – development of system and purchase of IT hardware

Q29) Do you agree or disagree with the overall proposed process set out in: Annex A for hazardous and non-hazardous waste movements?

- agree
- disagree
- no opinion

Annex B for Green List Waste exports?

- agree
- disagree
- no opinion

Annex C for Green List Waste imports?

- agree
- disagree
- no opinion

Q30) How far in advance of a waste movement should the information listed under Step 1 in each of the processes be entered onto the waste tracking service?

Annex A hazardous and non-hazardous waste movements

- any time before the waste movement

- at least 1 day before
- at least 3 days before
- other (please provide details)

We are not sure a business could enter at least one day before or earlier, some businesses deliver waste to the household waste recycling centres on a daily basis and would not know 24 hours beforehand the sufficient waste details. They are unlikely to have sufficient storage available to store the waste while waiting for a record to be created on the system. We suggest that it just needs to be inputted and live on the system before being delivered to the receiving site. We don't believe that this system should delay a movement of waste.

Annex B Green List Waste exports

- any time before the waste movement
- at least 1 day before
- at least 3 days before
- other (please provide details)

Annex C Green List Waste imports

- any time before the waste movement
- at least 1 day before
- at least 3 days before
- other (please provide details)

No opinion

Q31) Who should be responsible for entering the information listed under Step 1 in Annex A in advance of the movement of hazardous or non-hazardous waste?

- waste producer
- waste carrier
- waste broker or dealers
- any of the above

- other

We think that the producer is best placed, with the exception of waste being collected from a householder by a business, and in this scenario it would be the carrier.

Q32) Within what time frame should waste carriers enter the information as required in Step 2 Annex A and Step 4 for Annex B?

Annex A hazardous and non-hazardous waste movements

- 24 hours

- 48 hours
- 3 working days
- 1 week
- other

If you answered 'other', please provide details

We believe that it should be live in the system before being received as part of step 3. As commented above this could likely be less than 24 hours.

Annex B Green List Waste exports

- 24 hours
- 48 hours
- 3 working days
- 1 week
- other

If you answered 'other', please provide details

Q33) Do you think there should be any difference in the requirements depending on whether hazardous or non-hazardous waste is being handled?

- yes
- no
- no opinion

Q34) Within what time frame should waste receiving sites be required to provide this information?

48 hours would be acceptable for the waste details to be uploaded – if waste was being transferred between sites of the same contractor, a longer period of time would be acceptable.

a)

information about the waste received at their sites:

- 24 hours
- 48 hours
- 3 working days
- 1 week
- other
- no opinion

b) information about the disposal, recovery, preparation for re-use or treatment of waste, including information about any end of waste products or materials:

- 24 hours
- 48 hours
- 3 working days
- 1 week
- other
- no opinion

48 hours should be suitable as most waste is already destined to outlets/processes through contracts.

Q35) Do you have any comments to make about this proposal or how you would like to see these movements incorporated in the waste tracking service?

- yes
- no

If you answered 'Yes', please provide details

Q36) Do you agree or disagree with the proposed requirements for each of the roles in Table 3?

a) Requirements common to all

- agree
- disagree

- no opinion

b) Requirements common to waste producers, carriers, brokers, or dealers

- agree

- disagree
- no opinion

If you answered 'disagree', please tell us why

c) Requirements applicable to waste producers only

- agree

- disagree
- no opinion

d) Requirements applicable to waste carriers only

- agree

- disagree
- no opinion

If you answered 'disagree', please tell us why

e) Requirements applicable to brokers or dealers only

- agree

- disagree
- no opinion

If you answered 'disagree', please tell us why

f) Requirements applicable to operators of waste receiving sites only

- agree

- disagree
- no opinion

If you answered 'disagree', please tell us why

Q37) How should waste producers be required to confirm the information recorded for their waste movements?

- option 1 within the waste tracking service

- option 2 through an emailed summary
- option 3 by exception
- another way
- no opinion

Digitally excluded requirements

Q38) Do you agree or disagree with the general principles as set out above regarding digitally excluded individuals subject to waste tracking requirements?

- agree
- disagree
- **no opinion**

Q39) Do you agree or disagree with the proposed alternative methods for digitally excluded individuals to provide the required information?

- agree
- disagree
- **no opinion**

Q40) How long should digitally excluded users be given to provide the information required via the postal service element of these provisions? For example, updated waste movement information or details of waste treatment or production of materials from waste.

- **7 Days**
- 14 days
- 1 month
- other
- no opinion

We believe that this should be a short timescale so that the system remains a live system.

Q41) Do you agree or disagree with the proposed level of access to information for each of the different types of users as set out in Table 4?

a) Relevant Government officers & environmental regulators

- **agree**
- disagree
- no opinion

b) Tax authorities

- **agree**
- disagree

- no opinion

c) Waste scheme administrators

- agree

- disagree
- no opinion

d) Local Authorities

- agree

- disagree
- no opinion

e) Businesses involved in waste movements

- agree

- disagree
- no opinion

f) Producers and carriers

- agree

- disagree
- no opinion

g) Waste receiving sites

- agree

- disagree
- no opinion

h) Household waste producers

- agree

- disagree
- no opinion

i) Wider public and interested parties

- agree

- disagree
- no opinion

Q42) Do you agree or disagree that waste producers should be able to see information about the end fate of their waste?

- agree
- disagree
- no opinion

Q43) Do you agree or disagree with our proposals on UK GDPR?

- Agree
- disagree
- no opinion

Based on the level of information provided, we agree with this.

Q44) Do you agree or disagree with our proposals on managing sensitive information?

- agree
- disagree
- no opinion

We agree with the proposal to deal with sensitive information, based on the information provided.

Q45) Do you have any comments about our proposals (or your needs) for data retention?

- yes
- no

Enforcement

Q46) Do you agree or disagree with the proposed offences and associated enforcement options as set out in Table 5?

- agree
- disagree

- no opinion

Q47) Do you think there should be a maximum limit for variable monetary penalties set out in legislation?

Those found guilty should be levied all investigation and enforcement costs (to be deducted from fees and charges the following year).

•
yes

• no

- no opinion

If you answered 'yes', please provide details of what you think this limit should be

Q48) Do you agree or disagree with our proposed functions for environmental regulators?

• agree

• disagree

• no opinion

Q49) Do you think costs relating to the investigation of, and enforcement action taken against, those not complying with the requirements of waste tracking should be recoverable through the fees and charges for users of the waste tracking service? (please provide more information to support your answer if you wish)

• yes

• no

• no opinion

Charging

Q50) What is your preferred option for who should pay the IT service operation and maintenance costs?

• option A – the person or business who enters the preliminary waste tracking information

• option B – a specific user group

• option C – existing waste related fee payers

• other

- no opinion

All costs will be passed to option A either directly, or indirectly as part of the charge for collection or disposal of the waste. If option A or B were chosen, how would costs be recouped from charities? This could potentially discourage local authorities from accepting charity wastes.

Q51) What is your preferred option for what type of cost it should be?

- option 1 – a per record fee
- option 2 – a flat annual fee

- option 3 – an increase to existing fees
- other
- no opinion

Q52) What is your preferred option for how the costs should be collected?

- option X – on-submission payment facility
- option Y – credit system
- option Z – environmental regulators recover service costs through existing fees and charges
- other
- no opinion

Implementation

Q53) Which approach to getting all users onto the waste tracking service do you think we should adopt?

- option 1 – everyone must use the service from the day it goes live
- option 2 – voluntary use for a specified length of time, then mandatory for all
- option 3 – mandating some waste holders use the service or certain types of waste movement must be recorded on the service first then on-boarding others over time
- something else

- no opinion

Our preference would be for option 2 so that we could develop our system to 'fit' the end waste tracking system without it being mandatory – we would anticipate that there may be initial reporting errors whilst the system was being tested.

Q54) Considering your answer to question 24 in the 'Ways to enter information' section, how much do you think it will cost your organisation to transition to this way of working?

We are unsure at this moment but we expect costs for the development of a new system and the purchase of hardware.

Q55) Do you think your organisation would make any savings by transitioning to this way of working? Such as from:

- a reduction in data storage costs
- a reduction in time spent checking data quality
- savings in not having to complete and submit waste returns to regulators
- a reduction in time spent obtaining and providing waste information from or to customers
- **other (please describe)**

We are expecting savings from the provision of paper controlled waste transfer notes. We are not anticipating any savings from our contractors as they will have to submit the information into the system. Currently we complete waste data flow quarterly which takes approximately 2 days of work for an officer.

Q56) Alongside this consultation we have published an impact assessment setting out the costs and benefits we foresee from the introduction of a mandatory digital waste tracking service, based on assumptions made from the evidence currently available.

Have we made any assumptions that you disagree with?

- yes
- no
- **no opinion**

Consultee Feedback on the Online Survey

Q57) Overall, how satisfied are you with our online consultation tool?

- Very satisfied

- Satisfied
- Neither satisfied nor dissatisfied
- Dis-satisfied
- Very dissatisfied
- Don't know

Please give us any comments you have on the tool, including suggestions on how we could improve it.

It would have been preferable for the questions to be in a separate word document.



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	DEFRA Consultations on the introduction of mandatory digital waste tracking and the reform of waste carrier, broker, dealer registration in England
Brief description of proposal	To inform and seek approval from the Corporate Director Business and Environmental Services (BES) and the BES Executive Members of the following DEFRA consultations: <ul style="list-style-type: none"> • The reform of waste carrier, broker, dealer registration in England • The introduction of mandatory digital waste tracking
Directorate	Business and Environmental Services

Service area	Transport, Environment and Countryside Services
Lead officer	Peter Jeffreys
Names and roles of other people involved in carrying out the impact assessment	Jennifer Lowes and Joanne Kearney, Waste Management
Date impact assessment started	March 2022

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

No

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The proposed changes to the existing waste carrier license process will increase budget costs through

- The introduction of an annual subsistence fee for a permit
- The cost of implementing and maintaining technical competence certification to satisfy permit requirements

The digital waste tracking system will require the existing paper based system to be digitalised. There will also be a charge for a waste movement within the system – at this time it is unknown what they charge will be and whether this will be a cost per ticket or annual charge. In addition, increased regulation focussing on waste exportation may increase costs passed onto the Council. However, such costs are small when considered in the light of the true cost resulting from the existing arrangements.

The cost of waste crime to the English economy in the 2018/19 financial year has been estimated at £924 million; scaled up to UK-level, the cost is estimated to be a little over £1 billion. The main costs are lost business revenues to the legitimate waste companies, loss of Landfill Tax through misclassification of waste and costs to government of clearing abandoned waste sites and fly-tipping. The council are responsible for disposal cost of fly tipping, so this will be a potential reduction in spend.

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<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>	<p>x</p>			<p>The switch to digital waste tracking will reduce the need for paper transactions and the emissions from the transportation of these documents.</p> <p>Defra estimating that increased waste tracking will result in reduction in fly tipping, reducing local authority requirement to clean ups, thus less vehicle movements will be needed to clear up.</p>	<p>The new digital waste tracking system and waste carrier license reform are due to be introduced in 2023-24, allowing the Council time to develop new systems.</p>	<p>N/A</p>
	<p>Emissions from construction</p>		<p>x</p>				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
	Emissions from running of buildings	x					
	Emissions from data storage	x					
	Other						
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>	x			<p>The switch to digital waste tracking will reduce the need for paper transactions.</p> <p>The waste hierarchy will be considered by all producers of waste.</p>	<p>Recycling/ reuse options are available for most types of Commercial wastes and there are no charges for some of these wastes.</p>	<p>Continue to encourage separation of wastes and recycling /reuse</p>	
<p>Reduce water consumption</p>	x			<p>The switch to digital waste tracking will reduce the need for paper transactions.</p>	<p>N/A</p>	<p>Encourage commercial customers to provide an email address for</p>	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
						<p>receipts to be provided electronically.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>	<p>x</p>			<p>This stronger system to control the transportation and handling of waste should help prevent pollution to land, water and air from the illegal disposal of waste.</p>	<p>A reduction in the number of fly-tipping instances will allow WCA colleagues more time to investigate and potentially prosecute individuals.</p>	<p>Positive communications to residents of the improved fly-tipping statistics</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	<p>x</p>					
<p>Enhance conservation and wildlife</p>	<p>x</p>					

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>	<p>x</p>					
<p>Other (please state below)</p>						

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The improper and illegal transportation and handling of waste causes a blight to our communities, whether it be black bags left on a roadside, a commercial fly tip, or a badly operated waste site causing odours or creating a fire risk. This stronger system to control the transportation and handling of waste should help prevent low-level criminal activity.

Switching to a digital waste tracking system where waste movements are recorded in real time, will provide more accurate and up to date information to support regulatory oversight and enforcement action. The switch to digital will reduce the need for paper transactions and the emissions from the transportation of these documents.

Sign off section

This climate change impact assessment was completed by:

Name	Jennifer Lowes
Job title	Service Improvement Officer
Service area	Transport, Environment and Countryside Services
Directorate	BES
Signature	Jennifer Lowes
Completion date	March 2022

Authorised by relevant Assistant Director (signature):

Date: