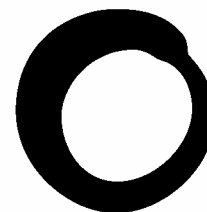


# Briefing Note



**Friends of  
the Earth**

## Local authority recycling and EU laws

Local authorities do not have a free hand to do what they like with the waste they collect. Policies made by the UK Government, National Assembly for Wales and Northern Ireland Assembly have a significant impact on local decision making, including setting out statutory recycling targets. Regional planning guidance published by the Regional Assemblies in England also sets a framework within which local authorities must act.

However, the decisions made at a European level have by far the greatest influence on what local authorities do with waste. For example, scores of incinerators were closed down at the end of 1996 due to the European Incineration Directive (law) introducing controls on pollution from incineration. The targets in the 1999 Landfill Directive for diverting biodegradable municipal waste away from landfill are now biting on local authorities through the Landfill Allowance Trading Scheme.

This briefing note outlines some recent developments and other directives in the pipeline and suggests what the implications will be for local authorities.

### **Waste Electrical and Electronic Equipment (WEEE) Directive**

This Directive was agreed in February 2003. It sets a target for collecting and recycling an average of 4 kg of electronic waste per person every year; the UK is already achieving this. Retailers are required to offer to take back 'old' goods on a one for one basis when a customer buys an equivalent new product. Producers are required to arrange for collection of household WEEE. The Government plans to set up a National Clearing House to organise the collection and recycling of WEEE. Local authorities will be encouraged to adapt their household waste sites (tips or civic amenity sites) to receive WEEE goods. Special bins will be financed by producers and retailers. The Directive must be implemented in the UK by August 2005.

### **Packaging Directive**

This Directive was amended in February 2004 and will need to be transposed into UK law by autumn 2005. It sets a target for recycling at least 55 per cent of packaging by December 2008, with a higher target of at least 60 per cent 'recovery' (recovery can mean recycling but also includes incineration). There are material-specific recycling targets of 60% for glass and cardboard, 50% for metals, 22.5% for plastics and 15% for wood. The Government has said that recycling more packaging from households will help meet the national recycling targets. The directive is due to be revised again in 2005-6 and may

---

**Friends of the Earth inspires solutions to environmental problems, which make life better for people.**

**Friends of the Earth is:**

- the UK's most influential national environmental campaigning organisation**
- the most extensive environmental network in the world, with almost one million supporters across five continents and over 60 national organisations worldwide**
- a unique network of campaigning local groups, working in over 200 communities throughout England, Wales and Northern Ireland**
- dependent on individuals for over 90 per cent of its income.**

**To join or make a donation call us on 0800 581 051**

**Friends of the Earth, 26-28 Underwood Street, London N1 7JQ  
Tel: 020 7490 1555 Fax: 020 7490 0881 Email: [info@foe.co.uk](mailto:info@foe.co.uk) Website: [www.foe.co.uk](http://www.foe.co.uk)**

Friends of the Earth Limited company number 1012357

♻️ Printed on paper made from 100 per cent post-consumer waste

turn its focus on how to prevent packaging waste. The European Commission has begun a study on packaging waste prevention and MEPs are very keen that the directive is strengthened in this area.

### **Biodegradable waste**

This directive was expected to be formally proposed in 2004 but things are moving slowly. Preparatory papers on the issue suggest that a new directive could have a significant impact on local authorities. It might require the separate collection of biodegradable waste (e.g. garden waste, food waste, newspapers) for composting or recycling. The European Commission made it clear during the passage of the Landfill Directive – which requires the diversion of biodegradable waste away from landfill – that it wanted biodegradable waste composted rather than incinerated. The future of this directive is currently unclear, but it is being taken forward under the European Thematic Strategy on Soil and a proposal is expected in early 2005.

### **Batteries Directive**

The European Commission proposed an amendment of this directive in November 2003. It proposes a target for collecting spent portable batteries of 160 grams per person each year. The UK currently collects just 2g per person, so this new law could bring about a major change. In addition, 80 per cent of all the nickel-cadmium (NiCd) batteries produced each year should be collected. At least 90 per cent of collected batteries should be recycled, and there will be a ban on landfilling or incinerating car batteries and industrial batteries. The directive is expected to enter into force at the end of 2005 at the earliest. Member states are not likely to be required to meet any collection targets and bans until 2011.

### **Thematic strategy on the prevention and recycling of waste**

This is one of seven strategies emerging from the EU's sixth Environmental Action Programme (6EAP) along with the soil strategy mentioned above. The 6EAP itself included targets to cut the total quantity of waste going for disposal by 20 per cent by 2010 and by 50 per cent by 2050 from 2000 levels. But proposals to set targets for reducing waste are hampered at the moment by the lack of good data on waste generation. Instead, the European Commission is focussing on the measures that could bring about a reduction in waste. The thematic strategy is expected to be published during 2005.

### **Implications for local authorities**

Recycling and, increasingly, waste prevention will be at the forefront of developments in European law. The main implications for local authorities are:

1. The UK Government, the Welsh and Northern Ireland Assemblies and local authorities must gear up for much higher recycling and composting. Providing households with a quality doorstep recycling service is becoming the norm but a much wider range of materials will need to be collected e.g. garden and kitchen waste for composting and batteries. It will also become more important for local authorities to collect separately for recycling certain materials - paper and plastic for example - that some waste management options (such as gasification and pyrolysis) rely on to produce fuel.
2. Packaging is 25-30 per cent of the household waste stream by weight. Higher recycling targets mean that more packaging will have to be pulled out of the household waste stream. Future measures on preventing packaging waste will add weight to the case for local authorities to produce strategies for reducing the amount of waste produced.
3. Giving the go-ahead to large-scale waste disposal or treatment plants before investing in higher recycling may prevent local authorities from meeting future European recycling and waste prevention targets. Local authorities tied into long-term contracts with the operators of large-scale plants may find themselves facing a financial penalty if successful waste prevention and recycling programmes result in less waste to treat or dispose of.

For further information on EU laws see: [http://europa.eu.int/comm/environment/index\\_en.htm](http://europa.eu.int/comm/environment/index_en.htm)