

**National Assembly for Wales  
Environment and Sustainability Committee  
EB 33  
Environment (Wales) Bill  
Response from Ceredigion County Council**

***Part 1: Natural Resources Management***

***Do you agree with the proposals for area statements? What should these cover and is the process for their development clear enough in the Bill?***

See previous County Council comments on the Environment Bill White Paper.

***What are your views on the proposal to strengthen the biodiversity duty on public authorities operating in Wales? (Clause 6)***

The County Council is in support of the proposal to amend the wording of the biodiversity duty, although there are concerns that this is not necessarily strengthening the duty, because of the implications of the proposed phrasing. The words 'seek to' imply that public authorities must look to maintain and enhance, but there is no 'real' requirement. The later part of the wording '*...so far as consistent with the proper exercise of those functions*' in any event allows for the flexibility should there be a conflict within the public authorities duty. Therefore CCC would propose that the words 'seek to' are removed to ensure that it is a clear duty, rather than what might otherwise be construed as a token requirement.

In Clause 6 (5) there is a requirement for public authorities to publish a report every three years. CCC has no adverse comments on this but note that suitable resources will be need to be made available to public authorities in order to achieve this additional requirement. There are also resource issues with the strengthening of the bill, and with public authorities being able to implement it without support from Welsh Government.

***Part 3: Carrier Bags***

***Do you agree that the profits from the sale of carrier bags should be directed to all charitable causes rather than just environmental ones?***

The purpose of the charge was to compensate for the environmental impact of carrier bags. If the profits are opened up to other charities, then the whole ethos of the charge is lost: it would then merely be a means of funding charities rather than delivering environmental benefits. If there are businesses that are having difficulties finding charities to provide the profit to, then better support should be given to these

businesses rather than changing who they can provide it to. The Council would therefore oppose this change.

#### ***Part 4: Collection and disposal of waste***

*For your views on whether the Welsh Ministers need further powers to require that certain types of waste are collected, treated and transported separately?*

Clause 66 – Requirement relating to separate collection

(1) CCC is pleased to see that the materials requiring separate collection have not been specified at this time.

***Do you agree that non-domestic premises should be required to put their waste out for collection in line with any separation requirements set out by the Welsh Government?***

(5) CCC is disappointed that, whilst there is an obligation for Local Authorities to collect domestic waste separately, there is no obligation for domestic properties to present it separately. LAs should at some point be given powers to require residents to comply with legislation which affects the performance of the authority.

***What will the impacts of these waste proposals be for you or your organisation?***

Clause 67 – Prohibition on disposal of food waste to sewer

CCC supports the treatment of food waste by Anaerobic Digestion and has some concerns about how the food waste would be identified and how a ban would be enforced. It also considers that regulating this would be an onerous additional task for any organization at a time when cutbacks are being made.

***Whether you agree that the Welsh Government needs wider powers to ban some recyclable waste from incineration?***

Clause 68 - Power to prohibit or regulate disposal of waste by incineration.

CCC considers that the current legislative requirements, in particular the high statutory recycling targets in Wales, are sufficient to drive sustainable waste management practices, particularly through recycling. Energy from waste and landfill bans are therefore considered to be unnecessary.

For example, in relation to uncontaminated paper, card and plastic, CCC can envisage a number of scenarios under which EfW may be preferable to recycling. For paper and card, ecological foot-printing analysis “shows a greater benefit for efficient Energy from Waste treatment over composting. So, if recycling options are not available, this will be the preferred route<sup>1</sup>.” The proposal to ban paper and card from Energy from Waste facilities will therefore result in poorer environmental outcomes in circumstances where recycling options are not available. This is particularly the case for low grade paper and card for which recycling options are limited. A similar situation exists for plastics whereby, in ecological foot-printing terms, both high efficiency EfW treatment and landfill are preferable to open-loop recycling<sup>1</sup>.

*June 2015*

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<sup>1</sup> “Towards Zero Waste, Collections, Infrastructure and Markets Sector Plan for Consultation”, The Welsh Assembly Government, March 2011