

Dear Residual Waste and Infrastructure Team

Call for evidence to support the near elimination of biodegradable waste disposal in landfill from 2028 – response from ADEPT

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents Place Directors from county, unitary and metropolitan authorities, along with Directors of Local Enterprise Partnerships and corporate partners drawn from key service sectors. ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK. We deliver the projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure

ADEPT fully supports the waste hierarchy in moving waste away from landfill and into more sustainable waste treatment solutions and more importantly the prevention of waste being generated in the first place. The effects of landfilling biodegradable waste in contributing to greenhouse gases is well known and all steps need to be taken to reduce these emissions. Eliminating biodegradable waste from landfill will play a key role in doing that. However there are other factors that need to be considered.

There will always be a need for some landfill as a choice of last resort. This is particularly true as a contingency measure when other treatment facilities are down for either planned or unplanned maintenance. Relying on capacity being available at an alternative EfW plant is not feasible as most are operating continuously at capacity. The benefit of landfill is that it can accept large volumes of waste at short notice as it is not limited by daily processing capacity. It is also able to be used for mass waste disposal should there ever be a need. ADEPT would ask that this is recognised in developing future policy around banning biodegradable waste to landfill.

The materials listed in the call for evidence appear to be pretty comprehensive although they do exclude compostable packaging materials. Whilst the provision of separate collections of these materials will help remove them from the residual waste stream, it needs to be recognised that this relies on them being separated correctly at source. This does not always happen. For example a recent residual waste audit in Devon showed that even with a weekly kerbside household food waste collection in place there was still 28% kitchen waste in the residual bin. This is not untypical nationally. Consequently all residual waste is likely to contain an element of biodegradable waste.

Landfill tax has been a successful fiscal driver in diverting waste away from landfill and into recycling and recovery. It may be that further consideration is given to this as a means of diverting biodegradable waste away from landfill with potentially a rate to reflect the biodegradability of the waste. However this

may be difficult to administer and would have practical implications around how it would be managed by the landfill operators.

Delivery of new waste facilities to treat biodegradable waste will require significant lead in times. Finding appropriate sites and obtaining the necessary permissions can take a number of years particularly if there is local opposition. Investment requires certainty and clarity and sources of funding need to be available. It is critical that any proposed ban is given a long lead in time such that it can be delivered from 2028 – however the industry will require certainty that this will indeed be introduced from 2028 before decisions are made on how to prepare for it. Introducing a ban any earlier would not be feasible as it doesn't give sufficient time to develop the new infrastructure that will be required. It could have unintended consequences with more waste sent for export. The proposed timescale also fits well with the intention to include energy from waste facilities in the UK ETS from 2028.

Government can do much more with regards to moving managing biodegradable waste further up the waste hierarchy. Government needs to fund and support more waste minimisation schemes (Love Food Hate Waste, etc) and reuse schemes (bulky waste reuse). There needs to be Government support for introducing separate food waste collections for householders – this is proposed under the Consistency package of reforms but it's still unclear how or when this will be delivered. Producers could be encouraged to move away from biodegradable materials through Extended Producer Responsibility for both packaging and textiles. Government needs to provide capital funding to deliver new organic waste treatment facilities and MRFs, as well as stimulating end markets within the UK.

The aspirations set out in the Resource & Waste Strategy for England 2018 and supported by the Environment Act 2021 show a clear intent to improve how waste is managed with better environmental outcomes and a move towards a circular economy. The Collection & Packaging Reforms have the ability to transform our waste services. However these appear to be struggling to gain momentum and there is genuine concern that waste policy is being considered in an adhoc manner rather than as a comprehensive package of reform. This proposal will only be effective if delivered as part of a comprehensive package to improve our waste services and deliver better environmental outcomes for all.

ADEPT would be happy to be involved in any policy discussions around the future of landfill.

Yours sincerely



Steve Palfrey
Chair – ADEPT Waste Group