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Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay
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Gofynnwch am / Please ask for: Mr. G.B. Edwards

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Ein Cyf / Our Ref: AJW/SJ/-

Eich Cyf / Your Ref:

Dyddiad / Date: 12.06.2015

Dear Sir/Madam,

CONSULTATION ON THE ENVIRONMENT (WALES) BILL

I write in response to the above consultation on behalf of Conwy County Borough Council. Responses are only included to those questions on which we wish to comment.

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?***

Flooding may be a key sustainable management issue in a number of areas. It is assumed that flooding will be incorporated into the area statements through inclusion of existing documents (FRMP etc.)

- ***What are your views on the proposal to strengthen the biodiversity duty on public authorities operating in Wales?***

This duty may increase funding requirements for some schemes. Provided funding can be made available, we support this proposal.

Part 3: Carrier Bags

- ***Do you agree with the proposal that Welsh Ministers should have powers to raise a charge on all types of carrier bags not only single use bags?***

Raising a nominal charge on all carrier bags would promote reuse, and ultimately reduce carrier bags being disposed of that can still serve a purpose or be reused.

- ***Do you agree with the proposal that Welsh Ministers should have powers to raise different charges on different types of bags?***

A consistent charging approach should be applied that is easy for the general public to understand.

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

It would make sense for money from the sale of carrier bags to be directed towards environmental causes in order to promote waste avoidance, waste minimisation and reuse initiatives.

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?***

We are supportive of further powers to require that certain types of controlled wastes are collected, treated or transported separately, in accordance with the separation requirements of Welsh Government Municipal Sector Plan *Collections Blueprint* and the revised waste framework (TEEP) of the *Waste (England and Wales) Regulations 2011*.

In particular, we would support a requirement to separate food waste for collection.

We support the requirement for an occupier of a premises who presents controlled waste to do so in accordance with any applicable separation requirements, and that a person commits an offence if the person fails without a reasonable excuse to act in accordance with any applicable separation.

As a local authority and collector of both domestic and commercial waste, we would be interested in a code of practice to be considered to assist us as a collector of waste to structurally encourage producers of waste to comply with any applicable separation requirements.

- ***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?***

Yes. Domestic premises can be structurally encouraged to conform to separation requirements by Local Authorities operating collection service provision in line with the *Collections Blueprint* and under powers available in the Environmental Protection Act 1990. Commercial collection service provision and design can be managed internally by Conwy to encourage separation requirements set out by the Welsh Government, however at present there are differing collection offerings available to businesses on the open market which may not necessarily encourage voluntary separation of waste in line with separation requirements.

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

Yes. Powers to ban some recyclable wastes from incineration would contribute towards positive environmental benefits, resource security and increased employment opportunities in the recycling industry. Cost savings may be realised for business and organisations from avoided landfill tax, residual treatment and revenue from recyclates if restrictions on what can be disposed of via incineration as well as landfill are considered.

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

A requirement for non-domestic premises to separate more waste in line with applicable separation requirements will enable Conwy to encourage current trade waste customers to separate more material for recycling and to divert waste away from landfill and to

market benefits of recycling more (disposal savings) to attract new clients. This in turn may encourage local economic benefits.

We may need to react to unprecedented customer demand in the area for specific separated collections (e.g. food) should there be limited competition from alternative service providers. Investment may be required in services to implement and proactively expand commercial waste collection offerings in lead up to any major variations.

Commercial waste collection services are offered throughout the county by the Council and by private contractors. We would maintain requirement for adequate and safe waste storage/containment throughout the county to avoid potential highway obstructions/hazards by business and/or collectors of waste.

Parts 5 & 6: Marine Licensing and Fisheries for Shellfish

- ***Do you agree with the proposals to introduce charges for further aspects of the marine license process? What will the impacts of these changes be for you?***

The fees in section 72A (2) could be considered unfair in a number of cases. Where a beach recharge scheme has been put in place the license will generally require post scheme monitoring as a condition. If there are additional fees for first the monitoring and then the analysis, this condition could be seen as a way of raising extra fees rather than a necessary process for the scheme. It is considered that more clarity is needed on which activities these additional fees would be applicable to.

- ***Do you agree with the proposals to give Welsh Ministers powers to include provisions in Several and Regulating Orders to secure protection of the marine environment?***

Local Authorities incur costs associated with the classification of shellfish harvesting areas, which should be reimbursed to local authorities in relation to any new Several or Regulating Orders made, which have the effect of increasing the numbers of active fisheries, and hence statutory sampling duties required to be met and undertaken.

- ***For your views on the proposals to give Welsh Ministers powers to issue site protection notices where harm may have been caused by the operation of a fisheries Order to a European marine site?***

We agree with the proposals.

That concludes our response to the consultation.

Yours faithfully,



G.B. Edwards
Head of Environment, Roads & Facilities