

## Environmental and Waste Management Group



### April 2019 Newsletter

#### **LEGISLATION, REGULATORS, GUIDANCE & CONSULTATIONS**

##### **Construction waste increasing**

According to the latest statistics published by the Scottish Environment Protection Agency (SEPA), Scotland's progress on improving recycling has faltered with more waste being generated overall and more going to landfill. The construction and demolition sector accounts for half of all waste with few drivers for change, mirroring the situation south of the border.

The total quantity of waste generated increased by 5.5% in 2017 and the national recycling rate was 58.9%, a decrease of 0.2% from 2016. A third of all Scottish waste is going to landfill, so that the country has a long way to go to achieving its target of only 5% by 2025, the aspiration contained in Making things last, a circular economy for Scotland, published last year. The strategy notes: "The construction and demolition sector accounts for half of all waste. It is our biggest user of materials and responsible for over half of our carbon emissions." (Read more: [sepa.org.uk](http://sepa.org.uk) & [europa.eu](http://europa.eu))

##### **Scottish landfill ban a '£100m tax gift to England'**

The Scottish Environmental Services Association (SESA) has expressed its "deep concern" over the Scottish government's plans to press on with a ban on accepting biodegradable municipal waste for landfill from 1<sup>st</sup> January 2021.

According to SESA research, Scotland lacks sufficient treatment capacity to meet the deadline and approximately one million tonnes of residual waste will have to find disposal outlets outside Scotland. As there is no landfill ban planned for England, industry experts believe this will mean the majority of this waste will simply move across the border to England. SESA pointed out that currently landfill tax in England is £88.95/tonne but is planned to be raised to more than £94/tonne by April 2020, meaning the ban could divert almost £100m in taxes south of the border. (Read more: [politicshome.com](http://politicshome.com))

##### **Waste electrical and electronic equipment (WEEE) in the UK**

Environment Agency updated reports for the amount of EEE placed on the market and WEEE collected in the UK under the WEEE Regulations, including quarter 1 to quarter 4 2018 data. (Read more: [gov.uk](http://gov.uk))

## **UK Climate change projections**

The Met Office has released an updated set of climate projections, UKCP18, providing the most up-to-date assessment of how the climate of the UK may change over the 21st century. Useful information to take account of when assessing the impacts of climate change during planning and design. (Read more: [metoffice.gov.uk](https://www.metoffice.gov.uk))

## **Evidence review of air quality improvement interventions**

Public Health England (PHE) has published the results of a major evidence review on effective air quality improvement interventions, including practical recommendations for action by UK local authorities to fulfil their public health remit and inform national actions in support of local authorities.

The review, commissioned by the Department of Health and Social Care (DHSC), involved commissioning rapid evidence assessments, covering five types of intervention believed to offer good prospects for cost-effectiveness.

The review report notes that ‘studies examining the cost-benefits of interventions are unfortunately very limited’, and that more work is needed to understand the detailed health impact of interventions and their costs and benefits.

However, it goes on to say that ‘There is sufficient evidence to recommend action. We know that air pollution has a substantial impact on health, and even where evidence of effectiveness cannot be exactly quantified; there are a wide range of interventions that can reduce emissions, and reduce people’s exposure and consequent health impacts’. (Read more: [gov.uk](https://www.gov.uk))

## **Fee for intervention (FFI)**

The Health & Safety Executive (HSE) announced that from 6th April 2019 the hourly FFI rate has increased from £129 to £154 per hour – an increase of about 20%.

FFI was introduced in 2012 and justified under the “polluter pays principle” – organisations who have been identified as failing to comply with health and safety legislation (a “material breach”) are issued with a notice of contravention indicating where improvements need to be made and are then charged for the time the HSE spend supervising the work required to achieve legal compliance. The HSE has been driven to increase the rate because the scheme has been running a deficit – in 2017/18 they reported it cost £1.9million more to run the scheme than was collected. (Read more: [hse.gov.uk](https://www.hse.gov.uk))

## **Consultation on environmental principles and governance in Scotland**

The Scottish government has issued a consultation paper to consider how it maintains effective environmental governance following an exit from the European Union. It seeks views on:

- Maintaining the role of environmental principles in developing future Scottish environmental policy and legislation; and,

- Maintaining effective, appropriate and proportionate environmental governance in Scotland.

The consultation closes on 11 May 2019. You can view the consultation here: [Consultation on Environmental Principles and Governance in Scotland](#)

## **INCIDENTS AND PROSECUTIONS**

### **Lancashire waste company fined after worker injured by machinery**

KT Recycling Ltd, a waste recycling company has been fined and ordered to pay costs totalling £33,000 after an employee suffered lasting arm injuries whilst operating unguarded machinery in April 2017.

Speaking after the hearing, Health Safety Executive (HSE) inspector Anthony Banks said: “This incident could easily have been avoided if the company had put procedures in place to ensure that guard plates were maintained correctly, and their use was properly supervised.” (Read more: [hse.gov.uk](http://hse.gov.uk))

### **Waste recycling company fined after employee suffers crush injuries**

An Alness-based company has been fined £30,000 after an operative sustained severe injuries after falling two metres into a compactor chamber where a ram crushed his legs in November 2018. The employee had been attempting to clear a blockage in a infeed hopper.

Speaking after the hearing, HSE inspector Norman Schouten said: “This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices and communicating them to the employees in their own language.” (Read more: [hse.gov.uk](http://hse.gov.uk))

### **'Reckless' skip company boss ordered to pay almost £25,000**

A skip hire company owner who was duped by a rogue waste collector during January 2018 has been ordered to pay nearly £25,000 after his rubbish was found dumped at four Essex sites. After the hearing, Environment Agency officer Tom Pickover said: “We hope this sends out a clear message to waste operators that they cannot take a cavalier approach to its disposal. The duty of care rules are there to protect the environment and legitimate traders who want to do a good job of disposing of waste properly”. (Read more: [gov.uk](http://gov.uk))

### **Environment Agency day-long sting confirms 11 illegal waste sites**

The largest one-day sting operation ever carried out by Environment Agency officers in Lincolnshire and Northamptonshire has confirmed 11 illegal waste sites across the area. Officers found 6 sites where waste had been burnt, a further 3 containing construction and demolition waste, one containing household waste, and one scrapyard – all were operating illegally.

A total of 28 sites were visited by officers; of them 17 were found to be operating within the law. The enforcement team leader commenting that it was “encouraging that so many of the sites we

visited were not breaking the law, and we continue to offer support to operators who abide by the rules". (Read more: [gov.uk](https://www.gov.uk))

### **Man jailed for six years for supplying 300 forged CSCS cards**

A fifth member of a forgery gang responsible for making and supplying 300 forged Construction Skills Certificate Scheme (CSCS) cards has been jailed for six years. (Read more: [pbctoday.co.uk](https://www.pbctoday.co.uk))

### **Businessman jailed for running three illegal waste sites**

A Worcester businessman, Sidney Nicholls, was sentenced to one year in prison suspended for two years and ordered to pay £30,000 costs after pleaded guilty to three charges relating to the illegal operation of waste sites.

Speaking after the case, an Environment Agency spokesperson said: "Waste crime is a serious offence with tough penalties as it can damage the environment, blight local communities and undermine those who operate legally. This case sends out a clear message that we will not hesitate to take action to ensure the protection of the environment and avoid harm to health. Businesses can support us with this by carrying out their Duty of Care and Due Diligence checks to ensure that they are using legitimate companies to deal with their wastes and not criminals like Mr Nicholls." (Read more: [gov.uk](https://www.gov.uk))

### **Four injured in refuse vehicle collision**

Four people were reported injured following a serious collision involving a refuse collection vehicle on the A361 near Nunney in Somerset on 1<sup>st</sup> April.

Four male casualties were reported from the scene. The driver and one passenger from the refuse collection vehicle have injuries not believed life-changing. The other passenger has life-changing injuries, according to an update from Avon and Somerset Police. (Read more: [ciwm-journal.co.uk](https://www.ciwm-journal.co.uk))

### **Lithium-Ion batteries suspected cause of recycling centre blaze**

Lithium-ion batteries were suspected to be the cause of a fire at the Virdior household waste recycling centre (HWRC) at Westhampnett near Chichester. West Sussex Fire and Rescue Service were alerted to a fire at the site on Tuesday 2<sup>nd</sup> April. On arrival, crews found a developing fire in the main building of the centre. At the height of the fire four fire engines and the aerial ladder platform were at the scene.

Following consultation with the Environment Agency it was decided to allow the fire to burn in a controlled way and not use water, in order to prevent pollution to local water courses. (Read more: [ciwm-journal.co.uk](https://www.ciwm-journal.co.uk))

## **OTHER TOPICS OF INTEREST**

### **UK's "creaking recycling infrastructure" nearing overload**

International packaging provider DS Smith has published new research, in conjunction with Central Saint Martins, University of the Arts London, which suggests the UK will fall short of its 2035 recycling targets by more than a decade. "The Tipping Point" report outlines new consumer behaviours which it says are compounding the recycling challenges the UK is facing, including the rapid adoption of e-commerce and therefore the exponential growth in the delivery of packages. (Read more: [ciwm-journal.co.uk](http://ciwm-journal.co.uk))

### **Offshore wind 'will provide a third of UK electricity by 2030'**

That's the bold statement from Energy and Clean Growth Minister Claire Perry, who has announced the launch of the new Offshore Wind Sector Deal, led jointly by government and industry, whereby the UK government is supporting an expansion in the use of offshore wind power. In the deal, industry players have agreed to invest £250m over the next 11 years in exchange for participation in £557m of state subsidies for renewable energy.

The Department for Business, Energy and Industrial Strategy (BEIS) says it means for the first time in UK history, there will be more electricity produced from renewables than fossil fuels, with 70% of British power predicted to be from low carbon sources by 2030. (Read more: [theguardian.com](http://theguardian.com))

### **Dealing with hazardous waste in construction**

Hazardous waste is an issue that continues to present itself on building sites, and once hazardous materials have been detected, it can change an entire development plan. (Read more: [pbctoday.co.uk](http://pbctoday.co.uk))

### **IOSH 2019**

For the practitioners, the leaders and the innovators in safety and health; the global conference for safety and health professionals, 16-17 September 2019. (Read more: [ioshconference.com](http://ioshconference.com))