

By email: ResourceEfficiencyAndCircularEconomy@gov.wales

Increasing Business Recycling in Wales, December 2019

Tenovus Cancer Care is Wales' leading cancer charity. Our aims are simple. We want to help prevent, treat and find a cure for cancer.

We do this by offering support, advice and treatment to cancer patients and their loved ones. We also promote healthy lifestyles and fund cancer research to find new ways to prevent it, diagnose it, and treat it.

We welcome the opportunity to respond to this important consultation.

General comments

Tenovus Cancer Care operates a number of charity shops throughout the country, raising sorely-needed funds to support our work across Wales. We receive donations originating from domestic properties, generating profit to support our charitable aims.

Aside from supporting charitable causes, an invaluable society-wide benefit that this generates is the reuse of goods that might otherwise be destined for curb-side collections - ultimately saving Local Authorities from costly collection and disposal fees. However a small portion of donated waste is ultimately unsuitable for resale. The cost of subsequently disposing of this household waste currently falls upon charities – a perverse consequence of their attempt to encourage reuse and divert waste from recycling, or potential landfill/incineration.

However section 2, Classification 8, of The Controlled Waste (England and Wales) Regulations 2012, states that waste produced by a charity shop selling donated goods which have originated from domestic property [e.g. from private donors] should be treated as household, not commercial, waste.¹ While the same Regulations contain provisions to allow charging for the *collection* of such waste, they make clear that *disposal* itself cannot be charged for.²

As a result we understand that the Regulations mean that any stock donations we receive from households that we are subsequently unable to sell should be not subject to charge for *disposal* at Local Authority-run sites, provided there is no collection cost for the Authority.

However it would appear that this is not the position of Local Authorities. For example, in correspondence with Cardiff Council the Authority has stated that '[with] regard to Household Waste Recycling Centres, commercial and charity waste is not permitted'. The same correspondence has gone on to add that '[the] Controlled Waste Regulations apply to waste that is collected from premises rather than access to recycling centres'.

¹ p5. *Classification by place of production*. The Controlled Waste (England and Wales) Regulations 2012.

Available at: https://www.legislation.gov.uk/uksi/2012/811/pdfs/uksi_20120811_en.pdf

² p11 *Collection and charges*. The Controlled Waste (England and Wales) Regulations 2012.

Available at: https://www.legislation.gov.uk/uksi/2012/811/pdfs/uksi_20120811_en.pdf

We appreciate that this is now a devolved competency however under substantively the same Regulations Authorities in England allow us to dispose of household-derived waste at their centres, provided the 'collection' is done by our own vehicles. We are issued a covering letter to authorise this.

We believe that issuing clear guidance stating unequivocally that Local Authorities are to treat recycle derived from household donations to charity premises as household waste would have a positive impact in terms of increasing the proportion of recyclable material derived from charity premises, while also lowering costs for the sector.

Q1. Do you agree that the level of segregation asked of businesses is acceptable? If no, please state why and an alternative.

Tenovus Cancer Care takes its role in responding to the climate emergency very seriously and understands the rationale for the proposed segregation regime.

However the space required to enable separate presentation poses a significant logistical challenge for us, particularly in our network of shops. For example, while we would expect the total volume of waste produced to remain the same, the total volume of the bins required for the segregation may be larger than that required for a single co-mingled recycle stream.

The impact of this could be mitigated significantly if Welsh Government were to issue clear guidance, stating unequivocally that Local Authorities are to treat recycle derived from household donations to charity premises as household waste. This would have a positive impact in terms of increasing the proportion of recyclable material derived from charity premises, while also lowering costs for the sector.

Q2. Do you agree with the materials that are proposed? If not, please state why.

Agree - please see above in 'General Comments'.

Q3. Are there particular sub fractions of the specified materials should be either included or excluded from the requirement to keep separate and separately collect (for example, contaminated paper). If there are, please state why.

N/A.

Q4. Do you agree that lead in times for the proposals are reasonable? If no, what alternative lead in time would you suggest?

Agree. They are adequate for the necessary logistical changes we would face internally.

Q5. Do you have any other comments on the impact of these proposals (for example, impacts on your organisation)?

Please see above in 'General Comments' and also in Q1.

We believe that issuing clear guidance stating unequivocally that Local Authorities are to treat recycle derived from household donations to charity premises as household waste, would have a positive impact in terms of increasing the proportion of recyclable material derived from charity premises, while also lowering costs for the sector.

Q6. We would like to know your views on the effects that our proposals to increase business waste recycling would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

NA

Q7. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

NA

Q8. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please see above in 'General Comments'.