



EU Balance of Competences Review - Summary of Shared Views

Introduction

This document summarises the shared views of the five leading waste and resources industry representative bodies as submitted separately to the UK Government in their EU Balance of Competences Review consultation on environment policy.

1. The overall impact of EU waste legislation has benefited the UK

- There was overall agreement about the advantage to this sector and to the other sectors that it serves of the UK being a member of the EU.
- There was mutual agreement that EU driven legislation has speeded up the modernisation of the waste industry in the UK and improved the environmental impacts of waste.
- There was significant consensus on the advantages of the Landfill Directive, decreasing the diverse negative effects on surface, groundwater, soil, air and human health.
- There was joint agreement that the UK will benefit from the EU taking more action to protect the environment and deal with climate change.

2. The UK has gained a stronger voice in Europe and has benefited from its 'Team EU' role

- Mutual agreement that the UK has gained a stronger voice in Europe and has benefited through its 'Team EU' role.
- Overall agreement to the advantage of the EU having a stronger voice internationally and being able to influence the global market in international agreements which could bring benefits to the UK, as well as influencing eco-design and the circular economy.
- Joint agreement that our role in 'Team EU' has been beneficial, and that due to the UK's experience and expertise, it should not give up its voice lightly.
- One example where 'Team EU' has been very important is in the context of international waste shipment.

3. Disparities between member states has led to an uneven playing field

- All parties agree that there needs to be a level playing field, and that legislation cannot favour one Member State and completely disadvantage another – negotiation is key to this.
- Joint agreement that there need to be common standards across the EU for reporting, with mutual interpretations of definitions and targets. Without an even playing field comparisons are worthless.
- Agreement that securing derogation under the Landfill Directive in particular and delaying implementation / compliance under others to the last possible moment has been a disadvantage to the UK in reduced competitiveness compared to early-adopters elsewhere in Europe.
- All agree that there is evidence of a two, even three tier rate of adoption of legislation, with a different understanding and compliance level being adopted by Member States leading to an uneven playing field.

4. Without the impetus of EU waste legislation, successive Governments would have lacked the political will to have taken the necessary steps to achieve the significant improvements in resource efficiency seen today in the UK

- Significant mutual agreement that the impetus of EU legislation has markedly improved UK waste and resource management.
- One example of this was the Landfill Directive which came into force in the late 1990s. - whereas 10-15 years ago almost all the UK's waste was disposed of in landfill sites, today the UK recycles over 40% of its household waste and about 50% of its commercial and industrial waste.
- The main driver behind this achievement has been the Landfill Tax Escalator introduced by the UK Government to ensure that the landfill diversion targets set by the EU Landfill Directive would be met.

5. There are alternative approaches the UK could take to the way it implements EU Directives

- We believe the UK record for implementing Directives has not been consistent.
- Mutual consensus that the UK was not one of the first movers under the Landfill Directive, so the UK does not have the expertise of those such as Germany and some other Member States – there are definitely first mover advantages in skills and technology which the UK missed out on.
- We agree that there are alternative approaches the UK could take to implement EU directives. The UK should not be afraid of tailoring and interpreting directives in a manner which would suit our needs best - as long as it takes into consideration free market trade, environmental protection and other key aspects of EU principles, then it will not be challenged.