

Environment Bill 2019-20

Bill Committee Call for Evidence

AMDEA response 25 June 2020

By email to: scrutiny@parliament.uk

AMDEA is the UK trade association for manufacturers of domestic appliances, from large white goods through vacuum cleaners to the vast range of small appliances on the market. Our members represent over 80% of the UK domestic appliance market, rising to 95% for large white goods.

We welcome this Bill as enshrining environmental management at the heart of UK Government policy; setting targets for the whole country; and, in particular, the expectation that it will be in force by the end of 2020, so that there is no environmental governance gap in the UK following the end of the implementation period under the Withdrawal Agreement.

AMDEA has views on the scope and implications of this Bill in terms of its sweeping legislative provisions and accountability to Parliament. We are particularly concerned about the new Office for Environmental Protection; while unable to make comments on a line by line basis we see a fundamental issue where a body that advises Government on policies and standards is also responsible for various aspects of enforcement. How will this work? How will the two roles be separated? How will it be operational by the end of 2020?

With regard to the overall Call for Evidence we have concentrated on proposing certain amendments to enhance the clarity and efficacy of the provisions proposed. We would be happy to expand or explain any of the points should the Committee wish for further information.

Our main comments relate to Parts 3 Waste and Resource Efficiency and 8 Miscellaneous and General Provisions, specifically Regulation of chemicals, and Schedules 5, 6 and 9. We have addressed them in the order in which they appear in the Bill.

AMDEA
Rapier House
40-46 Lambs Conduit Street
London WC1N 3NW
Tel.: +44(0)20 7405 0666
Fax: +44(0)20 7405 6609
info@amdea.org.uk

Chair: Teresa Arbuckle, Chief Executive: Paul Hide
A company limited by guarantee
Registered in England No. 1465823

Part 3 Waste and Resource Efficiency

All our members are fully committed to waste prevention, opposed to landfilling of waste and support the recovery of value from waste. However, we have some member companies with a particular interest in sustainable and effective food waste management, as they manufacture domestic food waste disposers.

The water and resource efficiency provisions provide for separate household waste collections for recyclable waste streams other than glass, plastic, paper and card, food waste and garden waste but do not specifically mention electrical waste, currently subject to requirements under the WEEE Regulations 2013 which are due to be revised later this year.

Section 52 states explicitly that food waste collections have to be offered weekly for the whole of England unless TEEP conditions are allowed. Although it says support will be available for creating such services, there is no indication of what assistance might be available to local authorities. Our experience with WEEE is that without additional funding Local Authorities are limited in their capacity to expand their household waste collections.

In areas with high rise, multiple occupancy and/or properties with no external amenity space it will always be much more difficult for householders to segregate waste. The Government can recommend different options but the precise options selected by a waste authority need to be flexible. It should not be the case that reducing waste to landfill outweighs the dictates of public health or safety concerns and in any case a too prescriptive approach risks alienating householders.

We are therefore suggesting the following amendments:

Paragraph 54 Separation of Waste

54 (4) Take out “or” and add comma after “composting”; extend sentence with “or utilising connected waste infrastructure”.

54 (5) amend to add (4) as amended after “subsection”.

45 AZA England: separate collection of household waste from relevant non-domestic premises

(4) Amend to remove “or” and add comma after “composting” and extend sentence to “or utilising connected waste infrastructure”.

(5) Amend to add (4) as amended after “subsection”.

SCHEDULE 6 (refers to Paragraph 49 Resource Efficiency Information)

In terms of the information required about the expected life of the product etc. it should be noted that this is a variable according to how the product is treated and used and certainly for appliances could not be estimated with any degree of accuracy. For long-lived products it is also impossible to state at time of purchase the future availability or cost of component parts, tools, or anything else required to repair or maintain the product. Any information on whether the

product can be upgraded, and the availability or cost of upgrades could also only ever be provided for a very short time period following the purchase. Likewise the ways in which the product can be disposed of at the end of its life (including whether and to what extent it can be recycled, and whether materials used in it can be extracted and reused or recycled) will also change over time – for instance at present the costs of recovery of critical raw materials at AATFs is prohibitively expensive and is not carried out – though in future there may be improved technologies/reduced costs we have no means of predicting how or when this might happen.

We are therefore suggesting the following amendments:

2 (2)

- (a) Extend sentence with “when installed and used in accordance with the manufacturer’s instructions”
- (c) Amend to read “the expected availability of component parts, tools, or anything else required to repair or maintain the product at the time of placing on the market”
- (d) Delete “or cost” as this cannot be estimated for beyond the time of placing on the market
- (f) amend to add “as available at the time of placing on the market”

Examples of provision that may be made

4 The regulations may include provision—

- (a) amend text in parentheses to “for example, by provision of information on-line” as the number of physical labels required on products already exceeds the space available and further proliferation is likely to confuse not inform.

13 Part 2 regulations may include provision—

- (a) and (b) amend “costs” to “reasonable costs”

SCHEDULE 7 (refers to Paragraph 50 Resource Efficiency Requirements)

We note that the powers to require the provision of resource efficiency information excludes products already covered by Ecodesign legislation but would make the general point that there are already multiple requirements for physical labelling of products and it is not feasible to require more. The provision of information can be electronic and we would recommend that this be the primary route cited as an example.

As to the responsibility for disposal costs we would again draw attention to “the relevant national authority” having power to make regulatory provisions for payment – such powers should be consistent across the UK.

We would also argue that such costs should not include costs in relation to products or materials that have been disposed of unlawfully as these should be covered by the penalties imposed on those breaking law.

We welcome the provision that the regulations may make provision for sums paid to an administrator to be repayable, in whole or in part, to the persons by whom they were payable.

SCHEDULE 19 (refers to *Paragraph 125 Amendment of the REACH Regulation*)

We note the definition that “REACH Regulation” means Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency.

Should there not be reference to a UK equivalent to ECHA?

We also note that Part 8 only deals with REACH, but this is not the only EU legislation concerned with restricting the substances used in products and commodities so as to protect the environment. For instance, our members’ products are also covered by RoHS, the F-Gas Regulations and the Batteries Directive, none of which are referenced in this Bill, although the Waste Batteries and Accumulators Regulations 2009 are mentioned.