



DRAFT Response to DEFRA Stage Two: Consultation on the transposition of the revised Waste Framework Directive (Directive 2008/98/EC)

The Transposing Regulations

Question 1: Do you agree that the draft transposing Regulations Chapter 3 of the paper (page 59) fully and correctly transpose the requirements of the rWFD? If not, please identify the specific requirement of the rWFD and give reasons to support your view that it is not fully and correctly transposed in the draft Regulations.

The Waste Hierarchy Guidance (Chapter 2 paragraphs 2.50-2.60 and Chapter 4 (page 60))

Question 6: Do you agree with the legislative proposals underpinning the guidance in England and Wales on the application of the waste hierarchy?

1. The Community Composting Network (CCN) is the UK-wide organisation that supports and promotes community groups, social enterprises and individuals involved in producing compost and using it in their local communities. The CCN broadly welcomes the fact that the consultation has been released and that the draft guidance specifically acknowledges the role of small-medium scale community composting (page. 30 Guidance on Applying the Waste Hierarchy). However, we feel that sufficient thought has not been given to the use of national end-of-waste criteria/ Quality Protocol standard for compost and digestate PAS100 and PAS111 in determining the position of composting on the waste hierarchy, and the impact this is likely to have on small-scale voluntary and community groups involved in community composting.
2. Moreover, we do not feel that this requirement correctly transposes the requirements of the revised Waste Framework Directive which states that “*Member States shall take into account the general environmental protection principles of precaution and sustainability, technical feasibility and economic viability, protection of resources as well as the overall environmental, human health, economic and social impacts, in accordance with Articles 1 and 13*”
3. In the most recent CCN members survey, over 70% of respondents recorded earning less than £30,000pa from their community composting activities. 65% of respondents have less than 60 tonnes of material on site at any one time and are thus eligible to operate under a T23 Aerobic Composting Exemption. At this scale obtaining PAS100 status is economically unfeasible due to the high costs involved:- £1300 assessment fee for certifying principle compost grade plus £130 for each additional grade and between £1000-1200 for each test (which must be completed once per 5,000 cubic meters of output or at least one time per year).
4. In addition to their composting activity, many community composting groups have explicit social aims including, providing volunteering or social opportunities and creating a sense of ownership/civic pride, providing employment to disadvantaged individuals and tackling social exclusion.



5. Community composting is a small-scale, localised activity which utilises the proximity principle to convert a locally arising waste problem into a locally available resource. This is in keeping with Article 16 of the rWFD which establishes the principles of “self-sufficiency and proximity”.
6. Community composters treating waste under a T23 exemption are already required to produce a “stable sanitised material that can be applied to land for the benefit of agriculture or to improve the soil structure or nutrients in land.” The beneficial use of this material is acknowledged by DEFRA on pg.40 of the consultation document, where it also acknowledges that the full implications of taking this approach have yet to be considered. The CCN is very concerned that the draft Waste Hierarchy Guidance excludes non-PAS100 compost from the recycling category without consideration of the impact this will have on community groups.
7. Many Community Composters receive support or work along side their local authorities, often receiving recycling credits for their composting activity (which in some instances is undertaken directly on behalf of the LA). Demoting non-PAS100 compost to the status of “recovery” would remove this vital income stream and threaten community composters without taking into consideration the overall environmental, economic and social benefits of treating waste in this way.

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