Response ID ANON-AH2N-XAAH-B

Submitted to Introduction of mandatory digital waste tracking
Submitted on 2022-04-15 10:16:30

About You

1 Would you like your response to be confidential?

No

If you answered 'Yes', please give your reasons:

2 What is your full name?

Full Name:
John Bernard Griffiths

3 What is your email address?

Email:
bernard.griffiths@fuw.org.uk

4 Which of the following best describes who you are responding on behalf of?

Business representative organisation or trade body

If you answered 'Other', please provide details:

If you are responding on behalf of an organisation or business, please provide the name of the organisation or business and an approximate number of staff (where applicable). :

Farmers' Union of Wales (FUW)

5 Considering who you are responding on behalf of, in what nation of the UK would you say you are based or operate in? Tick all that apply

Wales

6 Would you be interested in joining our user panel? As part of the development of the digital waste tracking service we have formed a user panel of interested parties. Members of the panel are invited to participate in user research (for example surveys, workshops and interviews) or to test digital services as they are designed and built. Would you be interested in joining this panel?

No

What will be tracked and what will it mean for you?

7 Do you agree or disagree with the waste types we are proposing to be tracked?

Agree

If you answered 'Disagree', please tell us why:

8 Do you agree or disagree with our proposals for which waste activities will be recorded in the waste tracking service?

Agree

If you answered 'Disagree', please tell us why:

Despite agreement with the proposals,members were not convinced that the system would prevent illegal operators from operating and believed that illegal dumping of waste would still probably continue.

Some members believed that increased bureaucracy and costs arising from the proposals could well lead to increased fly tipping on remote farmland, common land, forest plantations and low security public land.

When waste tracking will not be required

9 Do you agree or disagree with our proposals for when waste tracking will not be required?

Agree

If you answered 'Disagree', please tell us why:

Some members felt the circumstances when waste tracking will not be required listed here is a recognition of the lawful waste exemptions held by land managers and perhaps this should be a consideration as well..

10 Do you have any views about how we should incorporate waste activities conducted under Non-Waste Framework Directive exemptions, Low Risk Waste Positions and Regulatory Position Statements into the waste tracking service? Should we:

Not Answered

If you answered 'D) Do something else' please provide details:

What reporting regimes will be included in the service?

11 Do you agree or disagree with our proposals to remove the requirement to submit information or waste data returns as listed, once the waste tracking service is live?

Agree

If you answered 'Disagree', please tell us why:

Information recorded on the waste tracking service

12 Do you agree or disagree with the information recording proposals in Table 1?

Information requirements - A system-generated unique identifier:
Agree

Information requirements - Details of the person who classified the waste:
Agree

Information requirements - Details about the destination for all waste movements, including the type of authorisation held:
Agree

Information requirements - Standard Industrial Classification (SIC) code:
No Opinion

Information requirements - Details of rejected or quarantined loads:
No Opinion

Information requirements - Details of waste treatment:
Agree

Information requirements - Persistent Organic Pollutants (POPs) identification:
Agree

Information requirements - Details of end of waste products and materials produced:
Agree

Information requirements - Information about onward destination of end of waste products or materials:
Agree

Information requirements - Nation specific requirements for any existing or future requirements:
No Opinion

If you answered 'Disagree' for any of the proposals please tell us why:

On the whole, FUW members thought that the legislation had to be comprehensive.

13 Persistent Organic Pollutants – how much information about POPs do you think should be recorded in the service?

Other

If you answered 'Other', please provide details:

Members differed in their opinions; some thought that enhanced information could only be beneficial, whilst others were concerned how they would provide the additional information and could this lead to speculation that they had withheld information on purpose.

14 Is there any other information related to waste management that you think should be recorded in a new digital waste tracking service?

No opinion

If you answered 'Yes', please provide details:

Recording treatment and product details

15 Are you familiar with the existing D & R codes?

Not applicable to you

16 Do you find D & R codes easy to apply?

Not applicable

If you answered 'No', please tell us why you find them hard to apply:

17 Do you have any suggestions as to how recovery or disposal activities should be recorded in the waste tracking service?

No

If you answered 'Yes', please provide details:

18 End of waste products or materials – do you use any existing standard codes or descriptions to record end of waste products produced from waste?

Not Answered

If you answered 'Yes', please provide details:

Dangerous Goods Regulations

19 Do you transport hazardous waste?

No

20 How do you currently record dangerous goods information?

Not applicable

21 Where do you think information demonstrating compliance with the Dangerous Good Regulations with regards to the movement of waste should be recorded?

No opinion

If you answered 'Somewhere else', please provide details:

Waste hierarchy

22 If you produce, manage or handle waste in any way, were you aware of your duty to apply the waste hierarchy prior to reading this consultation?

No

23 Do you think waste holders including producers should record their compliance with the application of the waste hierarchy in the Waste Tracking service?

No

If you answered 'Yes' please provide details of how you think this should be done. If you answered 'No' please provide details of how else you think it should be demonstrated.:

Farmers by their very nature try to re-use and recycle what they can within their businesses, including plastic containers, building waste and anything else which might reduce costs and protect the environment.

As a consequence members commented that this was an additional layer of unnecessary bureaucracy which will end up being a lengthy tick box exercise for all concerned, with no real benefits to anyone.

Ways to enter information

24 If you are likely to need to enter data into the waste tracking service, which of the options would you use for the majority of your data entries?

Manual entry

If you answered 'Something else', please provide details:

25 When recording data in your current systems, do you use any form of data standard?

No

If you answered 'Yes', please tell us what these data standards are:

When information must be recorded

26 Do you agree or disagree with our ambition for real time recording of waste movements and transfers?

Agree

If you answered 'Disagree', please tell us why:

Members agreed in principle,but wondered why subsequent questions in the consultation asked about the length of time allowed for confirmation by digitally excluded users and by waste sites, when the ambition was for real time recording?

Members felt the final system required a degree of flexibility . Glitches would be likely to happen if done digitally. If the internet would not be available, users cannot record in real time. This was therefore considered unrealistic in the countryside.

27 For the following types of waste movements or transfers, how long do you think you would need to transition to real time recording?

When info must be recorded - Hazardous waste:
Not applicable

When info must be recorded - Non-hazardous waste:
1 to 3 years

When info must be recorded - Green List Waste imports or exports:
Not applicable

28 What are the main barriers or motivators that will influence the time it takes you to transition to real time reporting?

Please describe in the box below:

The main barriers for the agriculture sector's ability to transition to real time reporting is the profitability of the sector during a period of disrupted trade for the food and farming sector, reduced financial support since exiting the EU,unfair international competition and increasing regulation (Water Quality) .

Processes for the recording of information about waste movements

29 Do you agree or disagree with the overall proposed processes as set out in Annexes A, B and C?

When info must be recorded - Annex A - Hazardous and non-hazardous waste movements:
Agree

When info must be recorded - Annex B - Green List Waste exports:
No opinion

When info must be recorded - Annex C - Green List waste imports:
No opinion

If you answered 'Disagree' for any of the processes, please tell us why:

Members thought the drop down menu system adopted in this consultation only allowed general responses and therefore prevented them from highlighting some aspects of agreement and disagreement.

30 How far in advance of a waste movement should the information listed under Step 1 in each of the processes be entered onto the waste tracking service?

When info must be recorded - Annex A - Hazardous and non hazardous waste movements:
Other

When info must be recorded - Annex B - Green List waste exports:

When info must be recorded - Annex C - Green List waste imports:

If you answered 'Other' for any of the options above, please provide further details:

Members thought that no advanced notice was needed as this could be done at the point of collection and circumstances could be that there was too much waste to be collected in one load.

It was not thought practical to enter the information in advance, as the objective was for real time recording.

31 Who should be responsible for entering the information listed under Step 1 in Annex A in advance of the movement of hazardous or non-hazardous waste?

Waste carrier

If you answered 'Other', please provide details:

32 Within what time frame should waste carriers enter the information as required in Step 2 Annex A and Step 4 for Annex B?

When info must be recorded - Annex A - Hazardous and non hazardous waste movements:
Other

When info must be recorded - Annex B - Green List waste exports:

If you answered 'Other' for either of the rows above, please provide further details:

Waste carriers should enter the information in real time,before it left the yard, that is,done in real time.

A Plan B was considered necessary as plan A was a good system when the digital connection was available.

33 Do you think there should be any difference in the requirements depending on whether hazardous or non-hazardous waste is being handled?

Yes

If you answered 'Yes', please provide details:

Members thought that there was a greater urgency to record details of hazardous wastes as failure to control the situation promptly could lead to more serious implications for people and the environment.

34 Waste receiving sites - Within what time frame should waste receiving sites be required to provide the information about(a) the waste received at their sites,(b) the disposal, recovery, preparation for re-use or treatment of waste, including information about any end of waste products or materials produced from it?

When info must be recorded - (a) Information about waste received at sites:
Other

When info must be recorded - (b) Information about the disposal, recovery, preparation for re-use or treatment of waste, including information about any end of waste products or materials:
Other

If you answered 'Other' for either of the rows above, please provide further details:

Real time.

35 Season tickets - Do you have any comments to make about this proposal or how you would like to see these movements incorporated in the waste tracking service?

Not Answered

If you answered 'Yes', please provide details:

Roles and responsibilities

36 Do you agree or disagree with the proposed requirements for each of the roles in Table 3?

Roles and responsibilities - Requirements common to all:
Agree

Roles and responsibilities - Requirements common to waste producers, carrier, brokers and dealers:
Agree

Roles and responsibilities - Requirements applicable to waste producers only:
Agree

Roles and responsibilities - Requirements applicable to waste carriers only:
Agree

Roles and responsibilities - Requirements applicable to waste carriers or brokers only:
Agree

Roles and responsibilities - Requirements applicable to operators of waste receiving sites only:
Agree

If you answered 'Disagree' to any of the above statements please tell us why:

Members were overall in favour of the requirements for all users,apart for waste producers being compliant with recording waste hierachy, for reasons listed in question 23 above.

Members supported the creation of an unique identifier for the waste as this would make fly tipping more risky.

As before, members commented that the structure of the consultation did not allow more detailed responses. asking for agreement or disagreement on a range of criteria was felt to be a rather crude method of consulting.

37 How should waste producers be required to 'confirm' the information recorded for their waste movements?

Option 1- within the tracking service

If you answered 'Another way', please provide details:

Option 1 was considered the simplest option, but until implemented we would not know how effective it was overall.

Option 2 was considered a good option/alternative. There would be cost implications for the collector and members wondered if these costs would in turn be passed on to the waste producer.

Digitally excluded requirements

38 Do you agree or disagree with the general principles as set out regarding digitally excluded individuals subject to waste tracking requirements?

Agree

If you answered 'Disagree', please tell us why:

Members generally agreed with the principles set out for digitally excluded users. However, they noted that large numbers of farmers suffered digital exclusion for periods lasting several days due to storms and storm damage and in those circumstances, they believed that an alternative analog system was urgently required .

39 Do you agree or disagree with the proposed alternative methods for digitally excluded individuals to provide the required information?

Disagree

If you answered 'Disagree', please tell us why:

Please see response to Q38 above. Members thought that an alternative analog system should be available for all to compensate for periods when the digital system was unavailable.

40 How long should digitally excluded users be given to provide the information required via the postal service element of these provisions? For example, updated waste movement information or details of waste treatment or production of materials from waste.

7 days

If you answered 'Other', please provide details:

Data retention, access and confidentiality

41 Do you agree or disagree with the proposed level of access to information for each of the different types of users as set out in Table 4?

Data access - Relevant Government officers and environmental regulators:

Data access - Tax authorities:

Data access - Waste scheme administrators:

Data access - Local authorities:

Data access - Businesses involved in waste movements:

Data access - Producers and carriers:

Data access - Waste receiving sites:

Data access - Household waste producers:

Data access - Wider public and interested parties:

If you answered 'Disagree' to any of the above statements please tell us why:

42 Do you agree or disagree that waste producers should be able to see information about the end fate of their waste?

Agree

If you answered 'Agree', please provide details of what you think this should include.:

If you answered 'Disagree', please tell us why:

43 Do you agree or disagree with our proposals on UK GDPR?

Not Answered

If you answered 'Disagree', please tell us why:

44 Do you agree or disagree with our proposals on managing sensitive information?

Not Answered

If you answered 'Disagree', please tell us why:

45 Do you have any comments about our proposals (or your needs) for data retention?

Not Answered

If you answered 'Yes', please provide details:

Enforcement

46 Do you agree or disagree with the proposed offences and associated enforcement options as set out in Table 5?

Agree

If you answered 'Disagree', please tell us why:

Members agreed with all penalties in Table 5, apart for a fixed monetary penalty for moving waste without an unique identifier. They felt that a fixed penalty was sufficient.

In addition, members supported a penalty matrix that allowed some flexibility and regard for the seriousness of the breach, but it was imperative that an appeals procedure was available to all users.

Members felt that the last penalty breach of failing to provide information required to other persons was ambiguous and lacked clarity and therefore they withheld opinion on this breach

47 Do you think there should be a maximum limit for variable monetary penalties set out in legislation?

Yes

If you answered 'Yes', please provide details of what you think this limit should be:

Members thought that the maximum limit for variable monetary breaches could vary depending on the breach type.

Regulatory functions

48 Do you agree or disagree with our proposed functions for environmental regulators?

Agree

If you answered 'Disagree', please tell us why:

49 Do you think costs relating to the investigation of and enforcement action taken against those not complying with the requirements of waste tracking should be recoverable through the fees and charges for users of the waste tracking service?

Yes

Please provide more information to support your answer if you wish:

Yes, provided a fair appeals process was available.

Charging

50 What is your preferred option for who should pay the IT service operation and maintenance costs?

Other

If you selected 'Option B -a specific user group', please tell us what user group(s) this should be:

If you answered 'Other', please provide further details:

Members thought that the system should be supported by all users at a pro rata rate of use.

51 What is your preferred option for what type of cost it should be?

Option 1 - a per record fee

If you answered 'Other', please provide further details:

52 What is your preferred option for how the costs should be collected?

No opinion

If you answered 'Other', please provide further details:

Implementation

53 Which approach to getting all users onto the waste tracking service do you think we should adopt?

Option 3 - mandating some waste holders use the service or certain types of waste movement must be recorded on the service first, then on-boarding others over time

If you answered 'Option 3', which users or waste types do you think should come first and why?:

Hazardous waste tracking should be a priority as this has the most damage on the environment and is the most challenging to treat or recycle.

If you answered 'Something else', please provide details:

54 Considering your answer to question 24 in the 'Ways to enter information' section, how much do you think it will cost your organisation to transition to this way of working?

Please provide a figure for each of the costs outlined above and details of any others you foresee incurring as part of the transition to digital waste tracking. Please provide costs in pounds for the first year only and only include new additional costs associated specifically with the waste tracking service, not costs for staff or infrastructure that would be incurred in the absence of the new waste tracking service.:

55 Do you think your organisation would make any savings by transitioning to this way of working? Such as from:

Please provide a figure for each of the potential savings outlined above and details of any others you foresee as part of the transition to digital waste tracking. Provide savings in pounds for the first year only.:

56 Alongside this consultation we have published an impact assessment setting out the costs and benefits we foresee from the introduction of a mandatory digital waste tracking service, based on assumptions made from the evidence currently available. Have we made any assumptions that you disagree with?

No opinion

If you answered 'Yes', please tell us why you disagree and if possible, provide details of better information we could use to inform our assumptions:

Consultee Feedback on the Online Survey

57 Overall, how satisfied are you with our online consultation tool?

Neither satisfied nor dissatisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

It would help if the buttons to navigate around the hub survey was also available at the top of each window. This would save considerable time navigating the survey.

As mentioned earlier in consultation answers, the drop down menu structure selected for the consultation precludes more detailed answers to explain, demonstrate where agreement exists and where not. Some questions asked for agreement of a table containing many criteria, but the structure did not allow the responder to indicate which criteria were acceptable and which not.