

Environmental Targets briefing from Wildlife and Countryside Link & Greener UK

The Environmental Targets (Residual Waste) (England) Regulations 2022

Summary

- The waste reduction target omits major mineral wastes from construction, demolition and excavation activities, the majority of waste produced in England. This omission needs to be rectified if the target is to deliver on its aim of incentivising a circular economy.
- The waste reduction aimed for, a 50% reduction on 2019 levels, is not aligned with either the scale of problem or the potential to reduce resource use as well as minimising waste and increasing recycling.

This statutory instrument was laid in draft under the affirmative procedure on 15 December 2022 under [Section 1](#) of the Environment Act 2021. It will place a legal duty on the Secretary of State to ensure that by 31 December 2042 the total mass of residual waste for the calendar year 2042 does not exceed 287 kilograms per head of population in England, a 50% reduction from 2019 levels.

We wish to highlight that:

The waste reduction target omits the majority of waste in England

The 50% reduction target excludes major mineral wastes created from construction, demolition and excavation (CD&E) activities. This is a significant oversight as this type of waste, while easier to handle than other waste streams, accounts for the majority of [waste produced in England](#) and carries environmental costs. The construction industry uses more resources than any other sector in the UK, the extraction of which results in high carbon and environmental [impacts](#).

The consultation contained an assurance that waste from CD&E activities was *“a high priority and we are not overlooking this”*. It is unclear how, without inclusion in the waste reduction target, or coverage from a dedicated CD&E waste target, how this prioritisation will be achieved.

The omission of CD&E activities from the waste reduction target undermines the target’s [central purpose](#), to *“incentivise a more circular economy”*. How can a target that omits the majority source of waste deliver the required sea-change to a more circular economy? These concerns were raised by [consultation respondents](#), with 99% disagreeing with the scope of the residual waste reduction target. This clear consultation steer has not been heeded.

We note from the government’s response to the Secondary Legislation Scrutiny Committee report on Environment Act targets that it is considering a separate target for major mineral wastes and urge that this work is prioritised ([answer 16](#)).

A 50% reduction from 2019 levels is relatively unambitious

Government modelling shows a rapid reduction in residual waste (kg per capita) of 25% expected between 2024 and 2028. This means that half of the targeted fall in residual waste is estimated to have been achieved by 2028, with the next 14 years seeing the remaining 25% fall from 2019 levels as set out on page 36 of the [Link consultation response](#). This moderate fall over more than a decade could be achieved with minimal measures, a licence for low-ambition waste reduction policies throughout the 2030s.

This should be set against the Office for Environmental Protection's recent [assessment](#) of the Government's progress in implementing the Environmental Improvement Plan, which reports that waste headline indicators have actually deteriorated since 2018. The need for a high-ambition approach to drive meaningful progress towards waste reduction has never been greater. With Government modelling suggesting that 91.9% of waste is either readily or potentially recyclable or potentially substitutable to a material that can be recycled, the 50% target falls short of both what is necessary, and what is achievable.

The target could also be met by increasing the export of wastes such as plastic for recycling abroad, which can be an environmentally damaging substitute for meaningful progress towards a circular economy.

A target on resource consumption is required

A target for residual waste alone does not account for the extractive effects of economic activity on the natural environment and will not prevent them increasing. The Government had been expected to introduce a resource productivity target as part of the Environment Act target setting process, yet have stated that more time is needed to develop the evidence base and assess policies (see page 35 of the [consultation](#)). The Office for Environmental Protection and environmental NGOs have [recommended](#) that the Government develops a target in this area which addresses resource use and the associated environmental impacts of consumption, including embodied carbon. No such target has been introduced.

To bring material use in line with planetary boundaries, the Government should set a target for halving resource consumption by 2030., as recommended in this Green Alliance [report](#).

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