



S-WA1

# SITE WASTE MANAGEMENT PLANS

## TARGET AUDIENCE & OBJECTIVES:

This paper sets out the SCC's understanding of the current position regarding Site Waste Management Plans (SWMPs) in the Scottish construction industry, and identifies the issues that have arisen.

## INTRODUCTION

A number of Scottish construction organisations have requested information on Site Waste Management Plans (SWMPs) and their use in Scotland. The purpose of this information sheet is to highlight the issues, and to collate existing information so that all members of the construction supply chain, including clients, may be better informed.

## THE ISSUES

- The purpose of SWMPs and how they work needs to be clarified.
- The statutory requirement is unclear for Scotland & the rest of the UK.
- Is there a standard template for SWMPs and should one be developed for Scotland?

## THE PURPOSE OF SWMPs

SWMPs may be an important tool for improving environmental performance and reducing the rising costs of construction waste disposal. Minimising and managing waste more efficiently is becoming increasingly important on site. In Scotland during 2005/2006 construction and demolition waste totalled approximately 10.6 million tonnes (SEPA Waste Digest 7)<sup>(1)</sup>.

With a land fill tax of £40/tonne in 2009 this amount of waste would equate to £424M in tax if all was disposed of to landfill. Ever rising landfill tax, limited landfill space, hazardous waste regulations, duty of care, greener procurement, environmental management systems and higher client expectations are all increasing pressure on the industry<sup>(1)</sup>.

SWMPs are waste minimisation and management frameworks to help construction companies to:

- reduce waste destined for landfill;
- meet legislative requirements;
- meet client expectations;
- reduce raw material costs;
- reduce waste disposal costs.<sup>(1)</sup>



## STATUTORY REQUIREMENTS

In England the Site Waste Management Plans Regulations 2008 were laid before the UK Parliament on 15th February 2008, and came into full force on 6th April 2008. The regulations do not apply to any project that is planned before 6 April, if construction work commenced before 1 July 2008.

They apply to all projects with a value of £300,000 or more, with additional requirements for projects with a value of £500,000 or more.

The regulations aim to increase the amount of construction waste that is recovered, re-used and recycled, improve materials resource efficiency, and prevent illegal waste activity by requiring that waste is disposed of appropriately, in accordance with the waste duty of care provisions.

Currently, SWMPs are not legally required in Northern Ireland, Scotland or Wales. However, following the procedure could help reduce the amount of site waste produced and will help manage site waste more effectively.

SWMPs are being promoted as an example of best practice in the construction industry and under Scottish Planning Policy the Scottish Government and SEPA both recommend SWMPs as good practice.

## THE STRUCTURE OF THE PLAN

The following are guidelines for SWMPs in England, but are also applicable elsewhere.

The plan must identify:

- The client
- The principal contractor
- The person who drafted it
- The location of the site
- The estimated cost of the project

It must record any decision made in order to minimise the quantity of waste produced on site before the plan was drafted.

It must:

- Describe each type of waste expected to be produced
- Estimate the quantity of each type of waste
- Identify the waste management action for each type of waste including re-using, recycling, recovery of disposal.

It must also contain a declaration that both the client and the principal contractor will comply with the requirements of Duty of Care and that materials will be handled efficiently and waste managed appropriately.

Under English regulations, once the project starts there is an obligation on the principal contractor to update the plan. If the project has a value of less than £500,000 then they must record details of the identity of the person removing the waste, the types of waste removed and the site the waste is being taken to.

They must also, within three months of the completion of the project, add confirmation that wastes have been monitored and the plan updated to reflect any changes along with an explanation of any deviation from the plan. If the project is worth more than £500,000, then these requirements are increased to include greater, more clearly defined, Duty of Care information.

The principal contractor must also:

- Review the plan
- Record quantities and types of waste produced
- Record the types and quantities of waste that have been:
  - o Reused (on or off site)
  - o Recycled (on or off site)
  - o Sent to other forms of recovery (on or off site)
  - o Sent to landfill
  - o Otherwise disposed of
- Update the plan to reflect the progress of the project

Within three months of the work being completed the principal contractor must add to the plan:

- Confirmation that the plan has been monitored and updated in accordance with the regulation
- A comparison of estimated quantities of each type of waste generated against the actual quantities of each waste type
- An explanation of any deviation from the plan
- An estimate of the cost savings that have been achieved by completing and implementing the plan

The principal contractor must ensure that the plan is kept on site, and every contractor knows where it is kept. It must be available to any contractor carrying out any work described in the plan. The principal contractor must retain the plan for two years following the completion of the project.

The Environment Agency/SEPA and local government or council enforcement officers will enforce these regulations. Under English law a person found guilty of an offence is liable, on conviction to a fine not exceeding £50k or on indictment to an unlimited fine. Where a corporate body is guilty of an offence, individual liability also applies to directors, managers and other persons acting in a similar capacity. The enforcement body may also issue a £300 fixed penalty notice if any person fails to produce a SWMP or any other record when required to do so by an Enforcement Officer.

## STANDARD TEMPLATES

WRAP has launched a SWMP template to help the construction industry comply with the legislation. The template enables contractors to: develop key performance indicators (KPIs) for waste and materials, monitor performance throughout the project, and can be used to demonstrate good and best practice performance beyond simple standard compliance with the regulations. Guidance on the template and links to a downloadable template can be found in the signposting.

## SUMMARY

Whether the implementation of SWMPs actually improves environmental performance and contributes to a reduction in the cost of construction waste disposal has yet to be seen and until the implementation of Site Waste Management Plans Regulations in Scotland by the Scottish Government their impact will be uncertain.

Opinions from a recent consultation on the Governments zero waste plan highlighted that if/when SWMPs become statutory, the requirements should be consistent e.g. a standard template and also not be any more onerous than they have to be. Site waste management should be addressed at the design stage and built in to minimise waste as far as possible.

The issue of auditing should be carefully addressed with clarification of exactly who is responsible e.g. SEPA of the local authority, and those arrangements should be appropriately resourced to meaningfully carry out the role.

TITLE	DESCRIPTION	LINKS
OPSI	<i>The Site Waste Management Plans Regulations 2008</i>	<a href="http://www.opsi.gov.uk/si/si2008/uksi_20080314_en_1">http://www.opsi.gov.uk/si/si2008/uksi_20080314_en_1</a>
WRAP	<i>WRAP SWMP Template Guidance</i>	<a href="http://www.wrap.org.uk/downloads/WRAP_SWMP_Template_v2.0_Information_Sheet.5e968059.7178.pdf">http://www.wrap.org.uk/downloads/WRAP_SWMP_Template_v2.0_Information_Sheet.5e968059.7178.pdf</a>
SWMPs	<i>This is a short guide to site waste management plans (SWMPs) and SWMP regulations</i>	<a href="http://www.swmps.org.uk/">http://www.swmps.org.uk/</a>
WRAP	<i>SWMP Template</i>	<a href="http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html">http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html</a>
DEFRA	<i>Non-statutory guidance for site waste management plans</i>	<a href="http://www.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf">http://www.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf</a>
Envirowise	<i>Site Waste management Plans: A guide for the construction &amp; Supply chain</i>	<a href="http://www.envirowise.gov.uk/uk/Our-Services/Publications/GG899-Site-Waste-Management-Plan-SWMP-Regulations-Guide-.html">http://www.envirowise.gov.uk/uk/Our-Services/Publications/GG899-Site-Waste-Management-Plan-SWMP-Regulations-Guide-.html</a>
Envirowise	<i>An introduction to Site Waste Management Plans</i>	<a href="http://www.envirowise.gov.uk/uk/Our-Services/Publications/GG642-An-Introduction-to-Site-Waste-Management-Plans.html">http://www.envirowise.gov.uk/uk/Our-Services/Publications/GG642-An-Introduction-to-Site-Waste-Management-Plans.html</a>

## REFERENCES

TITLE	DESCRIPTION	LINKS
1	<i>Envirowise: SWMP in Scotland</i>	<a href="http://www.envirowise.gov.uk/scotland/Sectors/Construction/Key-Issues/SWMP-in-Scotland.html">http://www.envirowise.gov.uk/scotland/Sectors/Construction/Key-Issues/SWMP-in-Scotland.html</a>