

Submission from East Dunbartonshire Council

1.0 PURPOSE

- 1.1 To advise Elected Members of the outcome of the Scottish Government's Consultation on the Proposed Zero Waste (Scotland) Regulations 2011.

2.0 SUMMARY

- 2.1 The Zero Waste Plan, published on 9 June 2010, set out the strategic direction for waste policy for Scotland and proposed 22 actions to be taken to deliver it. This was followed by a consultation exercise during early 2011 on 3 of those actions relating to the introduction of regulatory measures to:

- require source segregation and separate collection of specified waste materials;
- restrict input to landfill (effectively banning materials which could be re-used or recycled or which could be used to produce energy); and
- restrict inputs to Energy from Waste facilities (effectively banning materials which could be re-used or recycled).

- 2.2 The Scottish Government has recently published the outcomes of this consultation exercise as a **Policy Statement – Zero Waste Regulations** and which is available on-line at <http://www.scotland.gov.uk/Publications/2011/02/09135833/0>

- 2.3 The Regulations give a clear indication of policy preference for high quality materials collection and a 'renewed emphasis on source segregation of recyclable materials'.

- 2.4 The key points of interest for the Council given the proposed changes to collection regimes as approved as part of the 2010/11 budget process but subsequently put on hold, are likely to be

- The date for the ban on landfilling biodegradable material has been extended to 2020
- An extended 'roll-out period' for local authorities to collect food waste with commencement by 31 December 2013 and to be completed by 31 December 2015
- Provision to allow local authorities to co-mingle food and garden waste **but only where similar environmental benefits to separate food waste collection can be achieved**
- Co-mingling of dry recyclables **will only be permitted where the waste hierarchy is not undermined and where outputs from MRF's (material recycling facilities) are of comparable quality to that collected separately at kerbside.**
- There is an intention to issue quality standards (or codes of practice) for recycling.

- 2.5 There remains therefore a lack of clarity on the acceptability criteria for co-mingled collections of both dry recyclables and food/garden waste. This clearly has an impact when determining future collection arrangements and further clarity will be essential for the Council to take a fully informed decision. With this in mind approaches are

being made to the Scottish Government and Zero Waste Scotland to seek appropriate clarifications.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that Committee
- 3.2 Note the contents of this report.
- 3.3 Note that the lack of sufficient clarity continues to impact on the implementation of any revised collection regime
- 3.4 Instructs officers to seek clarification on the key points identified in para 2.4 from the Scottish Government and Zero Waste Scotland

This report was agreed by the Development and Infrastructure Committee.

DEREK CUNNINGHAM
DIRECTOR OF DEVELOPMENT AND INFRASTRUCTURE

4.0 **BACKGROUND**

4.1 The Zero Waste Plan published in June 2010 contained 22 actions. A subsequent consultation exercise covered the implementation of three of these actions:

- Action 4 (Landfill Bans): The Scottish Government will introduce progressive bans on types of materials that may be disposed of in landfill, and associated support measures, to ensure that no resources with a value for reuse or recycling are sent to landfill by 2020.
- Action 8 (Separate Collections): To support the introduction of landfill bans, the Scottish Government will introduce regulations to drive separate collection and treatment of a range of resources in order to maximise their reuse and recycling value, and generate market supply. The initial focus will be on separate collection of food waste, in order to recover its material and energy value and avoid contamination of other waste materials.
- Action 14 (EfW Regulations): The Scottish Government will introduce regulatory measures to support the delivery of landfill bans, by ensuring energy from waste treatment is only used to recover value from resources that cannot offer greater environmental and economic benefits through reuse or recycling. These measures will supersede the current 25% cap which currently applies only to municipal waste, and are likely to result in similar amounts of resources being available for energy from waste treatment.

4.2 The Council submitted a response to the Consultation as per report number D&I 019-11 as approved by the Development & Infrastructure Committee of 22 March 2011.

4.3 The Scottish Government has recently published the outcomes of this consultation exercise as a **Policy Statement – Zero Waste Regulations**. The Regulations give a clear indication of policy preference for high quality materials collection and a 'renewed emphasis on source segregation of recyclable materials'.

4.4 The main changes from the consultation exercise are identified in the policy statement as:

- a refined timetable that will drive forward the changes needed to meet the Zero Waste Plan and recycling targets, while also providing sufficient lead-in times for local authorities, businesses and other waste producers. This includes moving the requirement for small businesses to recycle their food waste to 2015;
- more time to establish the right mix of waste treatment infrastructure across Scotland by moving the date for introducing the ban on landfilling biodegradable material to 2020. The longer lead-in time between the requirement for separate collection (of food waste) and the ban on landfilling biodegradable material will allow recycling behaviours and practice to become more established. This will provide a more accurate picture of what infrastructure is needed to deal with non recyclable (residual) waste and will help avoid unnecessary reliance on residual waste treatment
- an extended roll-out period for local authorities to introduce food waste collection services. This will ensure that local authorities have time to establish robust

collection services and raise awareness of these services and their importance with householders;

- a set of criteria establishing where local authorities must offer a food waste collection to householders and businesses, thus ensuring that households across Scotland benefit from a similar level of service;
- introduction of a ban on the non-domestic use of food waste disposal units and digesters to macerate or pre-treat food and dispose of it through the sewer network. This will ensure that the resource value of food waste as a source of green energy and as a replacement for traditional fertiliser can be realised;
- introduction of measures to ensure that the quality of materials collected and processed is maintained, thus helping to extract the best environmental and economic value from waste. In the longer term, this will help ensure that there is a greater likelihood that key materials are recycled in Scotland, supporting the local economy and insulating industry from global fluctuations and unpredictable future quality demands;
- provision to allow local authorities to co-mingle food and garden waste, but only where similar environmental benefits to separate food waste collection can be demonstrated and achieved;
- a requirement (or a voluntary agreement) for local authorities to provide the public with a biennial report showing how and where collected materials are being recycled, and the actions that are being taken to ensure the best environmental outcomes are being achieved.

4.5 The Policy Statement further advises:

- The intention to stipulate in the regulations that co-mingling of dry recyclables will only be permitted where the hierarchy is not undermined (e.g. glass separated for remelt) and the outputs from the materials recycling facility (MRF) are of comparable quality to that collected separately at kerbside.
- To further promote high quality recyclables, the intention to include provision in the Regulations to enable Scottish Ministers to issue quality standards (or codes of practice) for recycling. This provision would allow Scottish Ministers to introduce statutory based standards if it is believed intervention is needed to drive improvements. The preference is for industry to work with local authorities, and Zero Waste Scotland, to deliver such standards, thus avoiding the need to introduce statutory measures.
- In collaboration with the recycling sector, Zero Waste Scotland has begun work to develop codes of practice that will help promote quality inputs and outputs from MRFs.

4.6 There remains at present therefore a lack of clarity on the acceptability criteria for co-mingled collections of both dry recyclables and food/garden waste. This clearly has an impact when determining future collection arrangements and further clarity will be essential for the Council to take a fully informed decision. With this in mind approaches are being made to the Scottish Government and Zero Waste Scotland to seek appropriate clarifications.

4.7 Officers are currently engaged with Zero Waste Scotland in developing options appraisals on future collection arrangements and these will be developed further in line with the published Policy Statement and any further clarification which is provided in due course.

5.0 IMPLICATIONS

5.1 This report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a strategic policy document. The implications for the Council are as noted.

5.2 CROD - There may be local media interest in the consultation

5.3 Finance - Not identified at this stage and will be dependent on the future detailed work to determine the most suitable approach for the Council in addressing the requirements of the legislation and national policy position.