

Submission from East Lothian Council

East Lothian Council welcomes the opportunity to comment on the Scottish Government's draft Waste (Scotland) Regulations 2012 laid before parliament on 15th March 2012.

While we are supportive of the Scottish Government Zero Waste ambitions we are mindful that as a Council we are responsible for delivering a wide range of services.

We would reiterate our concerns given the wider budget pressures on Local Government about the value of providing a separate collection of food waste to households, in particular given that this is a waste stream that has been proven to respond positively to waste prevention programmes particularly at household level. Why when the Waste Hierarchy is considered to be a key cornerstone of the Scottish Governments Zero Waste Plan is the emphasis on collecting food waste instead of working to prevent it?

We have as part of our longer term waste strategy secured capacity in a facility that can provide treatment, value recovery as well as final secure disposal of the residual waste in line with the Governments stated Zero Waste ambitions. This means that any food waste still remaining in the mixed unsorted waste stream will have value recovered from it without the need to provide a separate collection.

We do of course welcome the extended timeframe, however would request that the date duties are commenced from is revised to 1st April rather than 1st January which would allow us to tie new services in particular those we may be requested to provide to businesses in with the services we already provide

Should additional time be needed to consider these regulations we would request that before any additional burden is placed on Local Government we are given a minimum of one full financial year to plan service changes, set budgets and communicate to stakeholders.

We would ask why the duty to take reasonable steps to ensure the separate collection of dry recycling does not extend to householders as well as businesses. The Zero Waste Plan talks about addressing all waste not just targeting one sector. Surely it would be in line with stated ambitions if all waste producers were given a personal responsibility to ensure their waste was separated for collection.

We are pleased to see that the Scottish Government have allowed for the comingling of dry recycle, this has proven to be a cost effective way of collecting high quality recycling from the kerbside. We believe it is important for local authorities to continue to have a choice of collection systems so they can tailor services to meet local needs.

We thank the Scottish Government for the clarification over 'rural areas' and while much of the county falls within this derogation we would still have to provide a food waste collection to part of the county, given that this will limit the material available for capture it is likely that cost per tonne of providing a separate collection to these properties will exceed the cost of just providing the general waste collection and would therefore be considered to be economically impractical.

While we appreciate not having to provide a separate collection of food waste to businesses in 'rural areas' we would still expect provision (2K) to not deposit food waste in a public drain or sewer should apply to all parties.

We are disappointed that there has been no review of enforcement powers. We feel that this is a missed opportunity and that this will certainly make the regulations less effective and less fair as those who comply pay more and those who do not continue to proceed unchecked.

For the waste streams listed as requiring separate collection we would suggest that the Scottish Government leave the individual authorities with the discretion to limit the collection of items within the material categories to only those they can secure markets for. For example plastics can cover a whole range of items for which many authorities do not have a secure market for their reprocessing.