

## **Submission from West Lothian Council**

West Lothian Council has some concerns regarding the comment that “draft Regulation 2(4) amends section 45 of the EPA, a WCA may be required to collect dry recyclable waste from any premises, or food waste from non-rural premises, if requested to do so by the occupier of such premises”

The actual provision in paragraph (4) states that an authority, if satisfied that dry recyclable waste will not be mixed with other waste that cannot be recycled, need not comply with sub-section (2) [which includes the obligation to collect dry recyclable waste from any premises] to the extent that it considers that the amount of material recycled from such waste in its area will not be significantly less, and the quality of the material recycled will not be significantly lower than would be the case were the authority to comply.

This provision seems to be at odds with the immediately preceding paragraph (3)(a) which provides that a receptacle for the separate collection of dry recyclable waste need not be arranged if the property is in a rural area, and the authority considers that the separate collection of dry recyclable waste from the property would not be environmentally or economically practicable.

It is suggested that paragraph (4) should be clarified with regard to paragraph 3(a), and in particular the Council seeks confirmation that the provisions of paragraph 3(a) will apply without qualification.