

North Tyneside Council

Report to Cllr Sandra Graham, Cabinet Member for Environment

Date 2 July 2021

Title: North Tyneside Council Response to the Government Consultation on Consistency in Household and Business Recycling in England

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| Portfolio: Environment | Cabinet Member: Cllr. Sandra Graham |
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Report from Service

Area: Environment Housing and Leisure

Responsible Officer: Phil Scott, Director of Environment,
Housing and Leisure **Tel: (0191) 643 7295**

Wards affected: All

PART 1

1.1 Executive Summary:

The Government published a new national strategy for waste in December 2018. It stated its intention to introduce legislation aimed at creating a 'circular economy': minimising waste and using it as a resource. This will have a direct impact on local authorities.

In November 2019 Cabinet approved a 10-year plan for waste which identified the actions that the Authority will need to take in order to address the future challenges anticipated. Legislation to enable the strategic aims of government is currently being considered by parliament.

In anticipation of the introduction of enabling legislation, government is currently consulting on promoting consistency in household and business recycling in England. The proposals will require all local authorities to collect a standard set of recyclable materials from households and, where applicable, undertake commercial waste collections. These changes are aimed at contributing to the Government's commitment of achieving a recycling rate of 65% for municipal waste by 2035. The new set of recyclable materials will include dry recyclable materials, food waste and garden waste.

This report seeks approval of the Cabinet Member for Environment, on the Authority's response to the Government consultation.

1.2 Recommendation:

It is recommended that the Cabinet Member for Environment:

- a) Note the contents of the report;
- b) Agree that the Authority should respond to the consultation; and
- c) Approve the draft response attached as **Appendix 1** and, in consultation with the Director of Environment, Housing and Leisure, make any final amendments to the draft response before the submission of the final response to the consultation.

1.3 Forward Plan:

It has not been practicable to give twenty-eight days' notice of this report. However, it is required to be considered without the twenty-eight days' notice being given because of the need to submit the Authority's response by 4 July 2021 when the consultation closes.

1.4 Council Plan and Policy Framework

This report relates to the following priorities in the 2020 - 2024 Our North Tyneside Plan:

Our Places will:

- Recognise the climate emergency by further reducing the Borough's overall carbon footprint - this will include reducing the Council's carbon footprint, along with encouraging and enabling everyone to reduce their carbon footprint.
- Provide a clean, green, healthy, attractive and safe environment.

1.5 Information:

1.5.1 Background

In January 2018, government published its plan for the environment: 'A Green Future: Our 25 Year Plan to Improve the Environment'. In relation to waste it pledged to work towards eliminating all avoidable food waste by 2050 and all avoidable plastic waste by 2042, as well as working towards no food entering landfill by 2030.

This was followed in December 2018 by government's publication of its new waste strategy 'Our Waste, Our Resources: A Strategy for England'. The strategy sets out how the Government plans to minimise waste, promote resource efficiency and move towards a 'circular economy' in England. It reinforces the 'polluter pays' principle such as extending responsibility for producers to cover the full lifetime costs of packaging they produce.

The impact of the Government's strategy is currently being shaped by public consultation and the intention to legislate was set out in the Environment Bill introduced on 15 October 2019, following the Queen's Speech.

On 7 May 2021, government published a consultation entitled 'Consistency in Household and Business Recycling in England'. The proposals are to collect a standard set of

recyclable materials from households and, where applicable, commercial waste collections. The consultation is open until 4 July 2021.

The consultation is seeking views on a range of distinct proposals. They can be summarised in five key areas:

- Collection of dry recyclable materials from households
- Collection of food waste from households
- Collection of garden waste from households
- Statutory and non-statutory guidance
- Collection of non-household municipal waste

1.5.2 Consultation Areas:

Details of the key areas are:

Collection of dry recyclable materials from households

All local authorities will be required to collect a minimum 'core set' of recyclable materials, including glass bottles and containers, paper and card, metal packaging, plastic bottles and plastic pots, tubs and trays. The Government is also seeking views on:

- The requirement for local authorities to collect foil, food and drink cartons, aluminium tubes and plastic film and flexible packaging: - Concerns have been raised around whether viable end markets for these materials exist, the possible cost burden and the impact on existing contracts
- The timeline for collecting these items: - It is proposed that foil, food and drink cartons and aluminium tubes should be collected by 2023/24, and that plastic films should be collected by 2026/27. The consultation seeks views on the circumstances in which these timelines would not be possible, for example due to contracts, infrastructure capacity, cost burden, reprocessing and end market viability.

Collection of food waste from households

The consultation considers timelines and approaches to the collection of food waste, including caddy liners and treatment. The government is seeking views on:

- Caddy liners: - Many local authorities that already have food waste collection services have provided free compostable caddy liners to residents, as this can improve participation in the service. However, providing free liners requires considerable resource. It is proposed that the provision of caddy liners should be promoted as good practice
- Treatment of food waste: - Food waste can be recycled through either in-vehicle composting (IVC), which produces compost, or anaerobic digestion (AD), which produces biogas which can generate electricity. The Government's preference is AD
- Separate collection or co-mingling with garden waste: - It is proposed that separate collection without garden waste is the preferred option, due to evidence that this can lead to higher yields of food waste. The Government proposes that exceptions may be made if the local authority can prove that separate collection is not technically, economically, or environmentally practical
- Timeline of implementation: - The Government's preference is that local authorities will collect food waste from all households in the 2024/25 financial year.

The consultation recognises that some local authorities may require longer to implement a separate food waste collection service if they have existing contracts in place. The consultation suggests that in these cases, a date between 2024/25 and 2030/31 should be set, as quickly as contracts allow.

Collection of garden waste from households

Government proposes a free minimum service for collection of household garden waste. However, it recognises barriers such as:

- Local authority opposition. Currently, 65% of local authorities charge for the collection of garden waste. 38% of stakeholders overall agreed with this proposal during the first consultation, with particular opposition from local authorities due to the loss of income and additional cost
- The potential for unfairness. Those without a garden would be subsidising those who do.

The consultation offers the opportunity to agree or disagree with the proposed free minimum standard garden waste collection, and to contribute a view on alternatives such as increasing home composting.

Statutory and non-statutory guidance

It is proposed that statutory guidance is introduced. The consultation seeks views on the areas that could be included within that, such as:

- Service standards for collection arrangement and frequency.
- Circumstances where separate collection of recyclable waste streams may not be technically or economically practicable or may not provide a significant environmental benefit.

Collection of non-household municipal waste

The consultation proposes that businesses and non-household premises should also arrange for the collection of a consistent set of recyclable materials including glass and metal, plastic, paper, card and food waste.

The consultation recognises that businesses, like local authorities, may face barriers to implementing consistent collections. It recognises that small businesses with fewer than 10 Full Time Equivalent employees, referred to as 'micro-firms', may struggle to meet the requirements and seeks views on two options to reduce the burden on them:

- Option 1: Micro-firm producers should be exempt from the requirement to arrange for collection of five recyclable streams
- Option 2: Micro-firm producers are phased into the new recycling consistency requirements, two years after the recycling consistency go live date.

Other cost reduction options are considered, such as encouraging neighbouring businesses to share the same containers under contract, encouraging the use of shared facilities, business improvement districts and co-collection with household services.

1.6 Decision options:

The following decision options are available for consideration by Cabinet Member for Environment:

Option 1

Decide that a response to the consultation be submitted and approve the proposed course of action set out at 1.2 to allow the response to be submitted.

Option 2

Decide not to submit a response to the consultation.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The response to the consultation will enable the Authority to communicate its view to the consultation and support delivery of the objectives of the North Tyneside Waste Management Strategy 2013-2030 and the 10 Year Plan for Waste.

1.8 Appendices:

Appendix 1: North Tyneside Council response to the Government Consultation on Consistency in Household and Business Recycling in England.

1.9 Contact officers:

Paul Nelson, Environmental Sustainability and Street Lighting Manager (0191) 643 6467
Michael Keenlyside, Environmental Sustainability Officer (0191) 643 6505
Colin MacDonald, Senior Manager, Technical and Regulatory Services, (0191) 642 6620
David Dunford, Senior Business Partner, Strategic Finance, (0191) 643 7027

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- 1) [North Tyneside Waste Strategy 2013-2030](#)
- 2) [North Tyneside Waste Strategy 2013-2030, Cabinet Report 14 October 2013](#)
- 3) [North Tyneside Local Plan, 2017-2032](#)
- 4) [Climate Change Emergency Declaration, Full Council July 2019](#)

- 5) [A Green Future: Our 25 Year Plan to Improve the Environment, HM Government 2018](#)
- 6) [Our Waste, Our Resources: A Strategy for England, HM Government 2018](#)
- 7) [Environment Bill, HM Government 2019](#)
- 8) [Waste Framework Directive, 2008/98/EC](#)
- 9) [Circular Economy Package, EU 2018](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no finance or resource implications directly arising from this report.

There may be financial implications arising in the future from measures relating to the implementation of future government's proposals. These will be reported to Council / Cabinet, as appropriate, at the time, for a decision before any expenditure is incurred.

2.2 Legal

There are no legal implications directly arising from this report.

The Local Government Act 2000 permits the Elected Mayor to determine how functions which are the responsibility of Cabinet should be discharged. The options include such functions to be discharged by Cabinet as a whole, single members of Cabinet acting alone, committees of the Cabinet, or officers.

The Authority's Constitution (Part 3.4) contains the Elected Mayor's Delegation Scheme. That Scheme lists the decisions that the Elected Mayor has delegated to individual Cabinet members and includes "approving the Authority's response to government consultation papers".

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Authority's response has been developed by officers from the Environmental Sustainability, Waste Strategy and Street Environment teams. Consultation has also taken place involving the Cabinet Member for Environment and the Head of Environment, Housing and Leisure.

2.3.2 External Consultation/Engagement

This is an open government consultation and primarily targeted at the waste management sector including local authorities. The Authority has shaped its thinking by engaging with its waste disposal contractors, other local authorities, and representative organisations in developing its proposed response.

2.4 Human rights

There are no human rights implications directly arising from the content of this report.

2.5 Equalities and diversity

There are no equality and diversity implications directly arising from the content of this report.

2.6 Risk management

There are no risk management implications directly arising from the content of this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from the content of this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from the content of this report.

Introduction of the proposals contained within this consultation will support the Authority's declaration of a Climate Emergency and the commitments included within the 10-year plan for waste approved by Cabinet in November 2019.

PART 3 - SIGN OFF

- Chief Executive
- Heads of Service
- Mayor/Cabinet Member
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy and Customer Service

North Tyneside Council Response to the Government Consultation on Consistency in Household and Business Recycling in England

Introduction

Q1 Your Name

Colin MacDonald

Q2 Your email address

colin.macdonald@northtyneside.gov.uk

Q3 Which best describes you?

Local Government

Q4 If you are responding on behalf of an organisation what is its name?

North Tyneside Council

Q5 Would you like your response to be confidential?
(Yes/No)

No

Proposals on separate collection of dry recyclable waste from households

Proposal 1 - Collection of dry recyclable materials

Q6 Do you agree or disagree that local authorities should be required to collect the following dry materials from all households, including flats, by the end of the financial year in which payments to local authorities under Extended Producer Responsibility for packaging commences (currently proposed to be 2023/4 subject to consultation)? (P26)

| | Agree –this material can be collected in this timeframe | Disagree –this material can't be collected in this timeframe | Not sure /don't have an opinion /not applicable |
|--|--|---|---|
| Aluminium foil | Y | | |
| Aluminium food trays | Y | | |
| Steel and aluminium aerosols | Y | | |
| Aluminium tubes, e.g. tomato puree tubes | | | Y |
| Metal jar lids | Y | | |
| Food and drink cartons, e.g. TetraPak | Y | | |

Q7 If you have disagreed with the inclusion of any of the additional materials above in the timeframe set out, please state why this would not be feasible, indicating which dry recyclable material you are referring to in your response. (P27)

The Authority already collects all recyclate referred to in Question 6 other than aluminium tubes. It continues to endeavour to expand the range of recyclable material it collects. However in relation to tubes, it is unclear how this would affect contamination and therefore quality and whether the end market exist to make it an economically viable proposition.

Q8 Some local authorities may not be able to collect all these items from all households at kerbside by 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date? (P28)

X Collection contracts

X Sorting contracts

X Materials Recovery Facility (MRF) infrastructure capacity

X Cost burden

X Reprocessing

X End markets

Other (please specify)

Please provide the reason for your response and indicate how long local authorities require before they can collect all of these materials, following the date that funding is available from Extended Producer Responsibility.

The Authority is in a position in principle to collect the majority of the material proposed. However, it is heavily reliant on its contractual relationships with its materials recycling processors. Therefore, the proposed date and our readiness for it is interdependent with the contractual changes that will need to be made and supply chain being ready for that. Furthermore, the additional cost requirements are unknown and linked to EPR. The ability to bear this cost burden requires further clarity.

Q9 Do you agree or disagree that food and drink cartons should be included in the plastic recyclable waste stream in regulations, to reduce contamination of fibres (paper and card)? (P28)

Agree – cartons should be included in the plastic recyclable waste stream.
 Disagree – cartons should be included the paper and card recyclable waste stream.
 Not sure / don't have an opinion / not applicable.

Please provide the reason for your response and state if there are any unintended consequences that we should consider.

The Authority agrees that cartons should be included. However, it currently co-mingles its recyclate and therefore future decisions would need to be taken to preserve quality to maintain price.

Q10 Assuming food and drink cartons are included by the date that Extended Producer Responsibility commences, what would be the financial impact on gate fees and processing costs from sending mixed material streams containing cartons into a Materials Recovery Facility? (P28)

No increase
 0–9% increase
 10–20% increase
 21–100% increase
 Not sure / don't have an opinion / not applicable

Please provide the reason for your response.

The Authority does not yet know what the financial impacts on gate fees will be. This is a key concern in terms of implementation of EPR versus financial affordability.

Proposal 2 - Collection of plastic films from households

Q11 Do you agree or disagree that local authorities should adopt the collection of this material from all households, including flats, no later than 2026/27? (P29)

Agree
 Disagree
 Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority is not clear on the viability of this proposal. For example, whether it can be processed and whether the end market exists to make it an economically viable proposition.

Q12 Which of the following reasons might prevent plastic film collections being offered to all households by the end of the financial year 2026/27? (P29)

- Collection contracts*
- Sorting contracts*
- Materials Recovery Facility (MRF) infrastructure capacity*
- Cost burden*
- Reprocessing*
- End markets*
- Other (please specify)*

Please provide the reason for your response and provide evidence to support your answer. The points made in response to question 11 are also applicable here.

Please see our response to Q.11.

Proposal 3 & 4 – Food waste

Q13 Do you agree or disagree that the above should be collected for recycling within the food waste stream? (P35)

- Agree*
- Disagree*
- Not sure / don't have an opinion / not applicable*

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition.

The Authority agrees in principle with the criteria for food waste outlined in the consultation document. However, it will need further work to understand the treatment implications within the waste disposal supply chain and how this will affect future contracts.

Q14 Which parts of Proposal 4 do you agree or disagree with? (P36)

| | Agree | Disagree | Not Sure or Don't have an opinion |
|--|-------|----------|-----------------------------------|
| Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year | | | Y |
| Local authorities should have a separate food waste collection service (at least weekly) in place for all household properties including flats as quickly as contracts allow | Y | | |
| Local authorities without existing contracts in place that would be | | Y | |

| | | | |
|--|---|--|---|
| affected by introducing a separate food waste collection service should have a separate food waste collection service in place (at least weekly), for all households including flats, by the 2024/25 financial year at the latest | | | |
| Local authorities with long term existing mixed food/garden waste collection or disposal contracts in place should have a separate food waste collection service in place (at least weekly) for all household properties including flats as soon as soon as contracts allow, with an end date to meet this requirement between 2024/25 and 2030/31 | | | Y |
| Local authorities with long term residual waste disposal contracts affected by introducing a separate food waste collection service (e.g. some Energy from Waste or Mechanical Biological Treatment contracts) should introduce a separate food waste collection service (at least weekly) to all households including flats as soon as contracts allow, with an end date to meet this requirement to be set between 2024/25 and 2030/31 | Y | | |

Please provide any views on the end date for these obligations and any evidence on associated costs and benefits.

Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year.

The Authority does not collect food waste currently therefore it is not in a position to comment.

Local authorities should have a separate food waste collection service (at least weekly) in place for all household properties including flats as quickly as contracts allow.

Whilst the Authority agrees with this principle, there are contractual arrangements that need to be amended along with significant changes to kerbside waste collection. There will be the inevitable additional costs associated with this and the time frames are currently unclear. The Authority also knows that waste collection at multi occupancy housing is always problematic and the associated barriers will need to be overcome.

Local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service should have a separate food waste collection service in place (at least weekly), for all households including flats, by the 2024/25 financial year at the latest.

The Authority falls into this category. See the response provided above in relation to its views.

Local authorities with long term existing mixed food/garden waste collection or disposal contracts in place should have a separate food waste collection service in place (at least weekly) for all household properties including flats as soon as soon as contracts allow, with an end date to meet this requirement between 2024/25 and 2030/31.

The Authority does not have an existing mixed food/ garden waste collection service therefore it is not in a position to comment.

Local authorities with long term residual waste disposal contracts affected by introducing a separate food waste collection service (e.g. some Energy from Waste or Mechanical Biological Treatment contracts) should introduce a separate food waste collection service (at least weekly) to all households including flats as soon as contracts allow, with an end date to meet this requirement to be set between 2024/25 and 2030/31

The Authority falls into his category and broadly agrees to this proposal. Subject to affordability and TEEP.

Q15 Some local authorities may experience greater barriers to introducing a separate food waste collection service to all household properties, including flats, by the dates proposed above. For what reasons might it be appropriate for these collection services to begin after this date? (P37)

X Collection contracts

X Treatment contracts

X Cost burden

X Reprocessing

X End markets

Other (please specify)

If you have disagreed with any of the proposed implementation dates above, please provide examples of circumstances where it would be appropriate for this collection service to begin after these proposed dates and any supporting evidence where possible.

In terms of cost burdens, this needs to be broken down further as there are many cost implications of the introduction of separate food waste collection. This includes vehicles, people staff, communication, treatment, containers, liners, bulking and haulage, depot space and more. With regards to bulking and haulage, consideration must be given to regional differences, for example the North East has limited AD and IVC capacity in comparison to other regions.

Proposal 5 - Caddy Liners

Q16 Do you agree or disagree with this proposal? Please provide any other comments on the use of caddy liners in separate food waste collections, including on any preferences for caddy liner material types. (P39)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

The Authority would like to see caddy liners cited as good practice but not mandated. Research indicates that given that not all AD plants can fully treat liners at this moment in time, mandating caddy liners could cause problems at the treatment stage. If liners are to be used, then funding should be made available through the new burdens system to cover this.

Proposal 6 – Biodegradable and compostable packaging

Q17 Do you have any comments on how the collection and disposal of compostable and biodegradable materials should be treated under recycling consistency reforms? For example, this could include examples of what should be provided in guidance on the collection and disposal of these materials. (P42)

The Authority believes that at the present time biodegradable and compostable packaging should not be considered for collection through the kerbside collection infrastructure. Whilst good and clear labelling (along the lines that OPRL produce) would assist with resident communications and helping to ensure they put the right thing in the right container, there is still the issue of collectors and sorters being able to easily identify these materials.

Q18 Do you agree or disagree that anaerobic digestion plants treating food waste should be required to include a composting phase in the treatment process? (P42)

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any evidence where possible and explain any advantages and disadvantages.

The Authority believes that if anaerobic digestion plants were required to include a composting phase this will impact on the operating costs of such plants, and therefore gate fees. These additional costs will need to be covered by new burdens funding if the government strongly believe the environmental gains to be worthwhile.

Proposal 7 – Definition of Garden Waste

Q19 Do you agree or disagree with the materials included in and excluded from this description of garden waste? (P46)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition.

The Authority broadly agrees with the proposed definition, however more detail is required. For example, the Authority currently excludes tree trunks and large branches which are not mentioned in the definition.

Proposal 8 –Free Garden waste collection

Q20 Given the above costs, recycling benefits and carbon emissions reductions, do you agree or disagree that local authorities should be required to introduce a free minimum

standard garden waste collection (240 litre containers, fortnightly collection frequency and throughout the growing season), if this is fully funded by Government, and if authorities remain free to charge for more frequent collections and/or additional capacity? (P47)

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any comments or evidence on the costs and benefits presented above.

The Authority currently provides a fortnightly free collection service between March and October. The Authority has looked at the implications of making this a fee-earning service however local policy is not to levy a charge.

Proposal 9 – Other Garden waste collection options

Q21 How likely are the following options to support the above policy aims? (P48)

| | Very Likely | Likely | Unlikely |
|--|-------------|--------|----------|
| Provide updated guidance on reasonable charges for garden waste. | | | Y |
| Issue clear communications to non-participating households. | | | Y |
| Support on increasing home composting (e.g. subsidised bin provision). | | Y | |

The Above response is based on the response for question 20.

Q22 Do you have any further comments on the above options, or any other alternatives that could help to increase the recycling of garden waste and/or reduce the quantity of garden waste in the residual waste stream? Please provide supporting evidence where possible. (P48)

The Authority does not have any further comments.

Proposal 10 – Exemptions on separate collection of two recyclable streams

Q23 Could the following recyclable waste streams be collected together from households, without significantly reducing the potential for those streams to be recycled? (P50)

| | Agree | Disagree | Not Sure / Don't have an opinion |
|-------------------|-------|----------|----------------------------------|
| Plastic and metal | Y | | |
| Glass and metal | | | Y |

If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.

Plastic and metal - The Authority currently collects plastics and metal together and believes this does not cause any issue regarding material quality.

The Authority has no comment on comingling glass and metal.

Q24 What, if any, other exemptions would you propose to the requirement to collect the recyclable waste in each waste stream separately, where it would not significantly reduce the potential for recycling or composting? (P50)

The Authority successfully operates a co-mingled collection system now.

Any potential changes related to a requirement of multi stream collections with specific containers is a considerable undertaking with the public, our existing contracts and our operations.

Proposal 11 – Exceptions on two or more streams collected together

Q25 Do you have any views on the proposed definition for ‘technically practicable’? (P54)

The Authority is of the opinion that within the context of technical practicability, the impacts of citizen behaviour need to be taken in to account as this ultimately impacts all recycling collection services.

If the Authority is required to remodel its operations, significant additional infrastructure would be needed to support separate collection under the technical aspect of exemptions. If separate collection requires increased collection fleet that cannot be accommodated in existing depots this could be considered a technical exemption. It may also fall into an economic one as well depending on the costs of upgraded depot facilities.

Q26 Do you agree or disagree that the proposed examples cover areas where it may not be ‘technically practicable’ to deliver separate collection? (P54)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

The Authority agrees that the proposed examples do cover areas where it may not be technically practicable to deliver separate collections.

Q27 What other examples of areas that are not ‘technically practicable’ should be considered in this proposal? Please be as specific as possible. (P54)

The Authority suggests the following:

- **Social and economic demographics of an area. The Authority has experience with low recycling rates in areas with high levels of deprivation**

- **Access issues.** The Authority has experienced issues in areas with high intensity housing in terms of vehicle access
- **Vehicle availability.** The Authority has concerns around long-lead in times for purchasing
- **Depot space.** The Authority is currently at maximum capacity in terms of depot space for fleet
- **Additional staff requirements and associated cost**
- **Consumers unwilling to participate**
- **Health and safety guidelines and risk assessments for kerbside sort, including manual handling**
- **Electric vehicles charging points required for electric vehicles.**

Q28 Do you agree or disagree that the proposed examples cover areas that may not be 'economically practicable' to deliver separate collection? (P55)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

The Authority agrees with the examples given.

Q29 What other examples of 'economically practicable' should be considered in this proposal? Please be as specific as possible. (P55)

The Authority suggests the following examples:

- **Markets should be considered for materials**
- **Communications costs to the public.** The Authority already experiences issues with some parts of the Borough not recycling correctly
- **Sourcing of vehicles at the same time will cause problems as the market is not geared up to deliver this change**
- **Contract changes.**
- **Higher contamination**
- **Market prices for higher quality materials**
- **Increase in quantity of material could lead to saturation of the market and therefore lower prices**
- **Vehicles and drivers**
- **Cost of containers and availability.**

Q30 Do you have any views on what might constitute 'excessive costs' in terms of economic practicability? (P55)

The Authority is concerned by the use of the phrase 'excessive costs', as what is deemed 'excessive' will vary depending on local context. The Authority deems anything above what we currently provide to be an excessive cost. It is difficult for the Authority to comment thoroughly on this proposal as the consultation does not clarify how a local authority would be able to demonstrate 'excessive costs'.

Q31 Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together? (P56)

The Authority is concerned by the use of the phrase 'significant', as this suggests a high threshold of proof. Additionally, the definition of 'significant' will vary depending on local factors. The consultation does not clarify how a local authority would demonstrate that there was no significant environmental benefit to separate collection. However, the Authority currently successfully operates a co-mingled collection service and is concerned that the move to separate collection could increase contamination and decrease tonnages.

Q32 Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate? (P56)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

The Authority agrees with the examples given but does not believe that they are limited just to the examples provided.

Q33 What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible. (P56)

The Authority suggests the following:

- **Carbon impact**
- **Additional vehicles**
- **Balance between the quality in comingled and vehicle miles in collecting separately for possibly no or little increase in quality.**

Proposal 12 – Compliance and enforcement

Q34 Do you agree or disagree that local authorities should only be required to submit a single written assessment for their service area? (P58)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority agrees that a single written assessment should be required.

Q35 What other ways to reduce the burden on local authorities should we consider for the written assessment? (P58)

When the Technically, Environmentally, Economically Practicable (TEEP) requirements were introduced, there was a lack of clear guidance and advice available to local authorities. As a result, a “Route Map” was designed to assist local authorities in their decision making on separate collections of recyclables.

The Authority believes that the original Route Map could act as a template for any future guidance and templates. The Authority would welcome work being undertaken to update the Route Map to make it fit for purpose for the new Technically, Environmentally Practicable (TEP) requirements that are proposed in this consultation.

The Authority welcomes the fact that the WRAP assessment tool is being updated. Support from WRAP in using this would prove very useful to authorities in making their assessments.

- Q36 What factors should be taken into consideration including in the written assessment? For example, different housing stock in a service area, costs of breaking existing contractual arrangements and/or access to treatment facilities. (P58)

Refer to the response to questions 27 and 29.

- Q37 Do you agree or disagree that reference to standard default values and data, which could be used to support a written assessment, would be useful? (P59)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority is concerned that the use of standard or default values may make the assessment less representative of individual local circumstances.

- Q38 Do you agree or disagree that a template for a written assessment would be useful to include in guidance? (P59)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority agrees in principle that a template for a written assessment would reduce the burden on local authorities, however any template should be flexible and allow authorities to edit and add information.

Proposal 13 – Minimum service standards of dry recyclable materials

- Q39 Do you agree or disagree with Proposal 13, particularly on the separation of fibres from other recyclable waste streams and the collection of plastic films? (P61)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

Fibres

The Authority currently operates a co-mingled collection service and has not found that this impacts on quality. However, the Authority believes that it will be difficult to achieve separation of fibres in the timescale proposed.

Plastic Film

The Authority is not clear on the viability of this proposal. For example, whether it can be processed and whether the end market exists to make it an economically viable proposition.

Residual waste frequency

The Authority does not support statutory guidance that states local authorities cannot collect residual waste less frequently than fortnightly.

Proposal 14 – Non-statutory guidance

Q40 Which service areas or materials would be helpful to include in non- statutory guidance? (P63)

The Authority notes that there is a lack of detail in the consultation document that then makes commenting difficult. It is unclear what the purpose of the non-statutory guidance and non-binding indicators are. Clarity on this would enable a more informed view to be taken.

Proposal 15 – Review of Environmental Permitting Regulations

Q41 Do you have any comments on the recommendations from the review of the Part 2 of Schedule 9 of the Environmental Permitting Regulations? (P64)

The Authority notes that the key driver behind the implementation of the MRF regulations was not linked to aspects of producer responsibility policy reform. There needs to be care therefore, that changes in the regulations are a suitable vehicle to deliver aspects of EPR reform.

Q42 If amendments are made to Part 2 of Schedule 9, do you agree or disagree that it is necessary to continue to retain requirements to sample non-packaging dry recyclable materials? (P64)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide the reason for your response where possible.

The Authority is of the opinion that the sampling of non-packaging would be advantageous as this gives a more complete picture of changes in waste composition.

Proposal 16 – Recycling Credits

Q43 Do you agree or disagree that provision for exchange of recycling credits should not relate to packaging material subject to Extended Producer Responsibility payments? (P68)
X Agree
Disagree
Not sure / don't have an opinion / not applicable

Please provide the reason for your response.

The Authority agrees that there would not be a need for recycling credits for packaging material subject to EPR payments once payments to local authorities start.

Q44 In relation to recycled waste streams not affected by Extended Producer Responsibility or which are not new burdens we are seeking views on two options: (P68)

- Option 1 Should we retain requirements for Waste Disposal Authorities to make payment of recycling credits or another levy arrangement with Waste Collection Authorities in respect of non-packaging waste?
- Option 2 Should we discontinue recycling credits and require all two-tier authorities to agree local arrangements?

| | Agree | Disagree | Not Sure / Don't have an opinion / not applicable |
|----------|-------|----------|---|
| Option 1 | | | x |
| Option 2 | | | x |

Q45 Where local agreement cannot be arrived at what are your suggestions for resolving these? For example, should a binding formula be applied as currently and if so, please provide examples of what this could look like. (P68)

The Authority has no clear view on this issue.

Proposal 17 – dry recycling collections from non-household premises

Q46 Do you agree or disagree that waste collectors should be required to collect the following dry materials from all non-household premises for recycling, in 2023/24? (P76)

| | Agree –this material can be collected in this timeframe | Disagree –this material can't be collected in this timeframe | Not sure / Don't have an opinion /not applicable |
|------------------------------------|--|---|--|
| Aluminium foil | Y | | |
| Aluminium food trays | Y | | |
| Steel and aluminium aerosols | Y | | |
| Aluminium tubes, e.g. tomato puree | | | Y |

| | | | |
|---------------------------------------|---|--|--|
| tubes | | | |
| Metal jar lids | Y | | |
| Food and drink cartons, e.g. TetraPak | Y | | |

If you disagree with the inclusion of any of the materials above in the timeframe set out, please provide the reason for your response and indicate which dry recyclable material you are referring to.

The Authority broadly agrees with the inclusion of the recyclates mentioned in Question 46. In relation to aluminium tubes, it is unclear how this would affect contamination and therefore quality and whether the end market exists to make it an economically viable proposition.

Q47 Some waste collectors may not be able to collect all the items in the dry recyclable waste streams from all non-household municipal premises in 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date? (P76)

X Collection contracts

X Sorting contracts

X Materials Recovery Facility (MRF) infrastructure capacity

X Cost burden

X Reprocessing

X End markets

Other (please specify)

Please provide the reason for your response and indicate how long waste collectors require before they can collect all these materials.

The Authority believes that the proposed date and readiness of waste collectors to collect these materials is interdependent with factors such as contractual changes that will need to be made and supply chain being ready for that. The additional cost requirements are unknown and the ability to bear this cost burden requires further clarity.

Proposal 18 – Collection of film from non-household premises

Q48 Do you agree or disagree that collections of plastic films could be introduced by the end of 2024/25 from non-household municipal premises? (P77)

Agree

X Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and any evidence as to why this would not be feasible.

The Authority has concerns about the viability of the sorting infrastructure by this date.

The Authority also has concerns about the contract changes that would be needed at MRFs if they did develop the ability to accept, sort and send films and flexibles to recycling end markets.

Q49 Do you have any other comments on this proposal? For example, please specify any barriers that may prevent collectors delivering these services. (P77)

The Authority believes it will be very difficult to undertake extensive separate collections of films from small and micro businesses. They often have little room for storage of separate streams of waste of the containers needed.

Proposal 19 – on-site food waste treatment technologies

Q50 Do you agree or disagree with Proposal 19? (P79)

Agree

Disagree

X *Not sure / don't have an opinion / not applicable*

The Authority has no response to this question.

Q51 Do you have any other comments on the use of these technologies and the impact on costs to businesses and recycling performance? (P80)

The Authority believes this is a choice best left to individual businesses who are able to decide if they wish to bear the cost of operation themselves or use a waste management company.

Proposal 20 – reducing barriers to non-household waste recycling

Q52 What are the main barriers that businesses (and micro-firms in particular) face to recycle more? (P81)

| | Large barrier | Some barrier | Low/no barrier |
|--------------------------------------|---------------|--------------|----------------|
| Communication | | Y | |
| Financial | Y | | |
| Space | Y | | |
| Engagement | | Y | |
| Drivers to segregate waste | Y | | |
| Location | | Y | |
| Enforcement | | Y | |
| Variation in bin colours and signage | | Y | |
| Contractual | | Y | |
| Staff/training | | Y | |
| Other | | | |

If you have selected other above, please specify.

Please provide any comments on how these barriers can be overcome.

The Authority is concerned that businesses are less likely to know or understand their legal obligations regarding waste, especially when these new requirements

are introduced. Local authorities will need to undertake education activities which may be an additional cost burden.

Proposal 21 – exemptions and phasing on micro-firms

Q53 Should micro-firms (including businesses, other organisations and non-domestic premises that employ fewer than 10 FTEs) be exempt from the requirement to present the five recyclable waste streams (paper & card, glass, metal, plastic, food waste) for recycling? Please select the option below that most closely represents your view and provide any evidence to support your comments. (P83)

- Yes – all micro-firms should be exempt from the requirement – Option 1*
- No – but all micro-firms should be given two additional years to comply with the new requirements in the Environment Bill (i.e. compliant in 2025/26) – Option 2*
- X No – all micro-firms should be required to present these waste streams for recycling, from the 'go live' date in 2023/24*

The Authority is of the opinion that there are too many unknowns in the consultation in terms of technical and economic benefits to provide a response to this question.

Q54 Should any non-household municipal premises other than micro-sized firms be exempt from the requirement? Please provide evidence to support your comments. (P84)

Please see our response to Question 53.

Proposal 22 – Waste franchising/zoning

Q55 Which recyclable waste streams should be included under a potential zoning scheme? (P88)

| | Agree | Disagree | Not Sure / Don't have an opinion / not applicable |
|-------------------------------------|-------|----------|---|
| Dry recyclable waste streams | | | Y |
| Food waste | | | Y |
| Other items e.g. bulky office waste | | | Y |

The Authority is unable to respond to this question as it does not currently operate a zoned approach to business waste collection.

Q56 Which of the below options, if any, is your preferred option for zoning/collaborative procurement? Please select the option that most closely aligns with your preference. (P89)

- *Encouraging two neighbouring businesses to share the same containers under contract*
- *Encouraging businesses to use shared facilities on a site/estate*
- *Business Improvement Districts/partnerships tendering to offer a preferential rate (opt-in)*
- *Co-collection – the contractor for household services also deliver the non-household municipal services*
- *Framework zoning – shortlist of suppliers licensed to offer services in the zone*

- *Material specific zoning – one contractor delivers food, one for packaging, one for refuse collection services*
- *Exclusive service zoning – one contractor delivers the core recycling and waste services for the zone*
- *None of the above*

The Authority is unable to state a preferred option as there are perceived varying pros and cons with each option.

Q57 Do you have any views on the roles of stakeholders (for example Defra, the Environment Agency, WRAP, local authorities, business improvement districts, businesses and other organisations and chambers of commerce) in implementing a potential zoning or franchising scheme? For example, do you think there could be roles for one or more of these organisations in each of the following activities: (P89)

- *Procurement*
- *Scheme design*
- *Administration and day to day management*
- *Enforcement*
- *Business support*
- *Development of tools and guidance*
- *Delivery of communications campaigns*
- *Any other activities (please specify)*

*If you think that there is a role for any other stakeholders, please specify.
Please provide explanations where possible to support your above response.*

The Authority is of the opinion that any stakeholder responsible for implementing a zoning/franchising scheme must be representative and publicly accountable.

Q58 Do you have any further views on how a potential waste collection franchising / zoning scheme could be implemented? (P89)

The Authority does not have any specific views on this.

Q59 Do you have any views on how Government can support non-household municipal waste producers to procure waste management services collaboratively? This could include working with other stakeholders. (P90)

The Authority is of the opinion that unless there is a legal requirement to commit to collaborative services businesses will unlikely be proactive in this proposal.

Q60 Which type(s) of business support would be helpful? (Select any number of responses) (P90)

X 1:1 support

X National /regional campaigns

X National guidance and good practice case studies

X Online business support tools (e.g. online calculators and good practice guidance)

Other (please specify)

The Authority agrees that all the above business support would be valuable if a transition in this sector is required.

Q61 Are there any barriers to setting up commercial waste bring sites, and do you find these sites useful? (P90)

The Authority already operates a HWRC which has a finite footprint and is heavily used by the public. Setting up additional capacity for a commercial waste bring site would be unrealistic and development of an additional facility in the borough may prove problematic in the short to medium term.

Proposal 23 – exemptions to separate collection from non-household premises

Q62 Could the following recyclable waste streams be collected together from non-household municipal premises, without significantly reducing the potential for those streams to be recycled? (P91)

| | Agree | Disagree | Not Sure / Don't have an opinion |
|-------------------|-------|----------|----------------------------------|
| Plastic and metal | | | Y |
| Glass and metal | | | Y |

If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.

The Authority cannot comment on this from the perspective of local commercial businesses however a mixed dry recycling collection is successfully undertaken from schools, sheltered accommodation schemes without significant contamination.

Q63 What, if any, other exemptions would you propose to the requirement to collect the recyclable waste stream in each waste stream separately where it would not significantly reduce the potential for recycling or composting? (P91)

The Authority does not have any further comments on this.

Proposal 24 – exemption on two or more recyclables from non-household premises

Q64 Do you have any views on the proposed definition for 'technically practicable'? (P93)

The Authority has no specific views on this.

Q65 Do you agree or disagree that the proposed examples cover areas where it may not be 'technically practicable' to deliver separate collection? (P94)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

The Authority agrees that the proposed examples do cover areas where it may not be technically practicable to deliver separate collections.

Q66 What other examples of areas that are not 'technically practicable' should be considered in this proposal? Please be as specific as possible. (P94)

The Authority does not have any specific views on this.

Q67 Do you agree or disagree that the proposed examples cover areas that may not be 'economically practicable' to deliver separate collection are appropriate? (P94)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Q68 What other examples of 'economically practicable' should be considered in this proposal? Please be as specific as possible. (P95)

The Authority does not have any specific views on this.

Q69 Do you have any views on what might constitute 'excessive costs' in terms of economic practicability? (P95)

The Authority cannot comment from a commercial business perspective on this.

Q70 Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together? (P95)

The Authority has no specific views on this.

Q71 Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate? (P95)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Q72 What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible. (P96)

The Authority has no specific view on this.

Proposal 25 – compliance and enforcement

Q73 What ways to reduce the burden on waste collectors and producers should we consider for the written assessment? (P97)

The Authority it is not in a position to comment.

Q74 We are proposing to include factors in the written assessment which take account of the different collection requirements, for example, different premises within a service area. What other factors should we consider including in the written assessment? (P98)

The Authority it is not in a position to comment.

Q75 Would reference to standard default values and data, that could be used to support a written assessment, be useful? (P98)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority disagrees with the use of default values and they should therefore not be mandatory, and the Authority would seek to use its own values as much as possible.

Q76 Do you agree or disagree that a template for a written assessment would be useful to include in guidance? (P98)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The Authority suggests that a template should not be too restrictive and directive then the Authority could support the template being included in guidance.

Q77 Do you agree or disagree that the proposed approach to written assessments and non-household municipal collections will deliver the overall objectives of encouraging greater separation and assessing where the three exceptions (technical and economical practicability and environmental benefit) apply? (P98)

Agree

Disagree

Not sure / don't have an opinion / not applicable

The Authority broadly agrees that the proposed approach could deliver greater separation in certain circumstances. However, that challenges faced by small and micro businesses in the borough managing and having their waste collected separately could be significant.

Proposal 26 – costs and benefits

Q78 Do you have any comments and/or evidence on familiarisation costs (e.g. time of FTE(s) spent on understanding and implementing new requirements) and ongoing costs (e.g. sorting costs) to households and businesses? (P103)

The Authority is of the opinion that this consultation contains a number of unknowns, and therefore it is unable to respond to this.

Q79 Do you have any comments on our impact assessment assumptions and identified impacts (including both monetised and unmonetised)? (P103)

The Authority does not have any comments on these assumptions.