



AGENDA ITEM: 5(a)

**CABINET:
11 November 2014**

Report of: Assistant Director Street Scene

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor P Greenall

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SUBJECT: SEPARATE COLLECTION OF RECYCLABLE WASTE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To outline the forthcoming regulatory changes and detail how they will be managed.

2.0 RECOMMENDATIONS

2.1 That the contents of the report be noted

2.2. The Assistant Director Street Scene in consultation with the Portfolio Holder be authorised to take all appropriate action to ensure the Council's waste collection arrangements meet the updated requirements for the collection of recyclable waste.

3.0 BACKGROUND

3.1 Since 2010 waste collection authorities (WCA) in England and Wales have had a duty, under section 45 of the Environmental Protection Act 1990, to arrange for the separate collection of at least two types of recyclable material from residential households. In addition, from 1 January 2015 regulations (the Regulations) issued as a result of a European Directive will require the "separate collection" of (four recyclable materials) paper, plastic, metals and glass for recycling. The aim of this is to increase the quality of recycled material by reducing contamination. This in turn is aimed at improving the environment and helping the economy.

- 3.2 The headline is that paper, metal, plastic and glass should be collected separately. However, the Regulations do not prohibit the co-mingled collection of these materials; rather they establish separate collections as the requirement but allow collection authorities to demonstrate that separate collection is not necessary or practical in their area, further detail of the requirements are given in the next paragraph.
- 3.3 The updated duties relating to the separate collection of waste can be summarised as follows:
1. Subject to paragraph (3) an establishment or undertaking which collects waste paper, metal, plastic or glass must do so by way of separate collection.
 2. Subject to paragraph (3) waste collection authorities must when making arrangements for the collection of waste paper, metal, plastic or glass, ensure those arrangements are by way of separate collections.
 3. The duties at 1 and 2 apply where separate collection is:
 - a) necessary to ensure the waste undergoes recovery operations in accordance with articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery and ;
 - b) Technically, Environmentally and Economically Practicable (TEEP).
- 3.4 Guidance was expected from DEFRA who have been looking to clarify the conditions relating to when it was technically, environmentally and economically practicable (TEEP) to require separate collections. DEFRA advised they had decided not to complete this work and not offer any guidance. However, this does not remove the statutory obligation.
- 3.5 The amendment to regulation 13 details that waste collection authorities need to collect four materials separately and that there are two tests; a necessity test and a technical, environmental economic and practicable (TEEP) test. This means that collection agreements will need to be considered against these requirements.

4.0 CURRENT POSITION

- 4.1 The Council, consistent with other collection authorities across Lancashire and the North West provides a co-mingled collection service of dry recyclates, paper and card in the blue bag and plastic, cans and glass in the blue bin. This collection regime, in partnership with our disposal authority (Lancashire County Council), delivers quality recyclate with low levels of contamination. The service is delivered as part of the refuse and recycling collection services and waste minimisation programme, provided to all residential properties across the Borough; 48,250 properties at 1 April 2014.
- 4.2 The service provides and maintains an alternate week, three-stream waste collection service including the kerbside collection of six dry recyclate materials and green waste collections for all those properties with gardens. The service is

continually monitored by both the Council (the collection authority) and Lancashire County Council (the disposal authority) to ensure value for money, efficiencies and maximisation of recycle.

- 4.3 All collected material is deposited at the transfer station at the Robert Hodge Centre, in specific dedicated bays to ensure no mixing of collected material takes place. The material is then transported to the specific material reprocessing facility as directed by Lancashire County Council (the disposal authority) for further separation.
- 4.4 The material recovery facilities across Lancashire were previously managed by Global Renewables Lancashire Ltd via a contract with Lancashire County Council (the Disposal Authority). This contractual arrangement has been terminated from August 2014 by mutual agreement. Ownership and management responsibilities have now transferred to Lancashire County Council and Blackpool Metropolitan Borough Council. The change hopefully will present greater opportunities for waste management across Lancashire, via improved flexibility of current arrangements.

5.0 PROPOSALS

- 5.1 The Waste and Resources Action Programme (WRAP) work with a wide range of parties from businesses, trade bodies and local Authorities looking at practical advice. They are funded by all four Governments across the UK and EU and run programmes across the UK, Scotland, Wales and Northern Ireland. WRAP have produced a guidance document 'Waste Regulations Route Map' to assist Local Authorities in understanding the requirements of the new legislation. The Route Map has been developed by a working group comprising of members of the local authority waste networks and WRAP aims to reduce the extent to which Local Authorities need to invest in advice and help bring consistency and clarity to the way that the regulations are interpreted.
- 5.2 The Route Map comprises three main sections:
1. A step by step process for Councils to follow as they assess whether their waste collection services are compliant with the requirements to separately collect certain materials;
 2. Frequently asked questions about what the law requires and;
 3. A signpost to useful resources to help Councils in their assessments. While it is primarily concerned with household collections, it is also relevant to Waste Disposal Authorities (WDAs).
- 5.3 Officers are currently undertaking an assessment of all our waste management arrangements as suggested in the Waste Regulations Route Map. Following this exercise I shall consider whether any modifications to operations are required. In order to allow for this, having regard to the relevant implementation date a delegation for action, in consultation with the Portfolio Holder is requested in order that necessary steps may be taken. If any significant changes are made (which is not anticipated) then these would be reported to the next meeting of Cabinet.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant sustainability impacts associated with this report and in particular no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are some financial/ resource implications arising from this report in respect of officer time and potential consultant costs, however these will be met using existing resources.

8.0 RISK ASSESSMENT

- 8.1 Failure to implement requirements may result in challenges before the Courts or enforcement action by the Environment Agency. (The relevant Regulation whose powers include the serving of statutory notices, some carrying criminal sanction for breach (a contravention notice). The consequences for such action include adverse publicity, service disruption, considerable costs in meeting any challenge, costs of corrective action found to be necessary, potential for damages by any person/body directly affected.
- 8.2 With this in mind, it is important that the Council is able to demonstrate that the current collection regime of mixed dry recyclate is compliant in what the Council considers technically, environmentally, economically practicable (TEEP).
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Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None