

**REPORT TO THE SOUTH TYNE AND WEAR WASTE MANAGEMENT
PARTNERSHIP JOINT EXECUTIVE COMMITTEE**

14 JUNE 2019

REPORT OF: Colin Huntington, Project Director, South Tyne and Wear Waste Management Partnership

SUBJECT: Resources & Waste Strategy Consultations – STWWMP Responses

1. PURPOSE OF REPORT

- 1.1 To advise the Joint Executive Committee of the submission of responses by South Tyne and Wear Waste Management Partnership (STWWMP) to the recent resources and waste strategy consultation exercises.

2. BACKGROUND

- 2.1 In March 2019, the Joint Executive Committee received a presentation highlighting the publication of the new national resources and waste strategy, 'Our Waste, Our Resources: A Strategy for England'. The strategy contains proposals that set the long-term waste policy framework and aims to encourage England to move away from the traditional linear economy (take, make, use, throw away) and begin to recognise and maximise the value of resource usage by minimising waste and its impact on the environment.

- 2.2 Following its publication, the Department of Environment Food and Rural Affairs (Defra) issued three consultation exercises, which sought views from a wide range of organisations (such as local authorities; waste management companies; retailers; manufacturers; product designers; trade organisations; charities and social enterprises; academic and research organisations; and individual responses from members of the public etc.) on many of the proposals outlined within the strategy. The consultation exercises considered:

- Consistency in household and business recycling collections in England;
- Introducing a Deposit Return Scheme in England, Wales and Northern Ireland; and
- Reforming the UK packaging producer responsibility system.

- 2.3 The consultations were released simultaneously with a strict 12-week period for each response to be submitted.

3. STWWMP RESPONSES

- 3.1 STWWMP coordinated a joint response to each consultation exercise on behalf of the three partner authorities.
- 3.2 To inform the process, feedback was sought from a wide range of key stakeholders including: the Joint Executive Committee; members of the Officer Project Board; key service providers; STWWMP Lead Authority professional support, e.g. financial services and communications representatives; and elected members and executive officers from each partner authority.
- 3.3 In general terms, the aspirations of the strategy are aligned to the strategic principles of STWWMP, i.e. prevent waste from occurring by encouraging residents to consider how to minimise the waste that they produce and improve recycling rates by providing residents with services that are simple-to-use and easy-to-access.
- 3.4 However, the two key issues behind the delivery of many of the proposals within the strategy (and especially those highlighted within the collection consistency consultation) essentially relate to further clarification regarding the source and value of government funding to meet the service costs of the strategy's proposals, and ensuring that local flexibility in service delivery can also be accounted for.
- 3.5 STWWMP has reflected these issues strongly in its responses to the consultations.
- 3.6 The key STWWMP responses to local authority-related issues within each consultation are highlighted in Appendices A-C.

4. NEXT STEPS

- 4.1 All three consultation exercises closed at at 11.59pm on Monday 13 May 2019. STWWMP must now wait for government to publish the outcome of the consultation exercises and clarify their impact on the strategy's original proposals.
- 4.2 However, some of the consultations indicated that further consultation on their outcome will be required (e.g. the development of statutory guidance on waste-related minimum service standards for local authorities) and this is expected to take place in late 2019.

5. RECOMMENDATION

- 5.1 The Joint Executive Committee is requested to note the contents of this report.

Contact:

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Consistency in household and business recycling collections in England

Proposal	STWWMP response	Comments
All local authorities should be required to collect a core set of dry recyclable materials from all households	Agree	<ul style="list-style-type: none"> • 70% of local authorities (including STWWMP) already collect the proposed materials. • Further consideration needs to be given to implementation in flats and houses in multiple occupancy, especially around waste storage. • Contamination will still be a key issue and this cannot always be attributed to 'confusion', i.e. inclusion of hazardous/offensive wastes. • STWWMP request funding from government to undertake a waste compositional analysis exercise to identify and then target recycling disposed with the residual waste stream.
Core material set will be glass bottles and containers, paper and card, plastic bottles, plastic pots tubs and trays, and steel and aluminium tins and cans	Agree	<ul style="list-style-type: none"> • STWWMP already collect such materials at the kerbside. • STWWMP suggest food and drinks cartons (e.g. Tetrapaks) are also included, and, potentially, tin foil. • STWWMP advise that plastic bags, black plastic materials, and textiles are not considered at the current time. • Clear labelling on core materials will be a key issue (links to EPR consultation) along with the availability of sustainable end markets.
All local authorities should be required to collect a weekly separate food waste collection from all households	Disagree	<ul style="list-style-type: none"> • STWWMP acknowledges the rationale behind proposal and the likely impact in increasing recycling rates. • STWWMP achieve food waste landfill diversion (since April 2015) through processing of residual waste at the partnership's energy-from-waste facility.

		<ul style="list-style-type: none"> • Limited anaerobic digestion (AD) facilities (i.e. the alternative processing treatment) are available within the North East, which would impact on STWWMP securing contracts at a market premium. • STWWMP considers the costs to introduce separate food waste collections (including additional internal and external containers, specialist collection vehicles, staff and collection crews, fuel costs, contract procurement exercises etc.) as excessive and are not offset by the environmental benefits of processing food waste by AD, or the carbon footprint of an extended vehicle fleet, or by the financial impact on contractual EfW minimum tonnage requirements. • Source/ detail of potential government funding not identified in consultation – but if government mandate separate food waste collections, STWWMP is clear that all costs would need to be fully funded (both transitional and operational).
Households generating garden waste should be provided with access to a free kerbside collection service	Disagree	<ul style="list-style-type: none"> • STWWMP achieve garden waste landfill diversion (since April 2015) through processing of residual waste at the partnership's energy-from-waste facility or through kerbside garden waste collection services through open windrow composting. • Garden waste services are seasonal and resources are utilised elsewhere, (such as winter maintenance) and the potential impact on other services is not acknowledged in the consultation. • STWWMP consider that free garden waste collections will remove a valuable income stream from the delivery of a discretionary service, which is used to support the delivery of other frontline services. • Source/ detail of potential

		<p>government funding not identified in consultation – but if government mandate free garden waste collections, STWWMP is clear that all costs would need to be fully funded (both transitional and operational).</p> <ul style="list-style-type: none"> • STWWMP highlights that government will need to amend the waste regulations if a free garden waste kerbside collection service is mandated.
<p>Separate collection of materials where this is feasible and to improve quality, including minimum service standards</p>	<p>Disagree</p>	<ul style="list-style-type: none"> • STWWMP acknowledges EU revised Waste Framework Directive separate collection requirements and highlights the partnership's 'TEEP Position Statement' in response. • STWWMP notes that kerbside-sort collections generally require weekly collections due to limited container capacities. • STWWMP highlights the current separate fibre recycling trial taking place in Gateshead and South Tyneside. • STWWMP agrees with the Local Authority Recycling Advisory Committee (LARAC) that one mandated collection system is not appropriate, as various local circumstances must be allowed to be considered.
<p>Standardised waste container colours for the core set of recycling materials, plus with residual, food, and garden wastes</p>	<p>Agree in part</p>	<ul style="list-style-type: none"> • All STWWMP recycling bins are the same colour, which enables joint communications activities to be delivered. The colour of other bins is an individual decision for the partner authorities. • Replacing existing household kerbside bins nationally would be a significant financial and logistical exercise. • Standardising bin colours for each waste stream nationally could have unintended consequences and confuse some residents, e.g. if the national colour is already the colour

		<p>of an existing bin for a different waste stream etc.</p> <ul style="list-style-type: none"> • Source/ detail of potential government funding not identified in consultation – but if government mandate standardised container colours, STWWMP is clear that all costs would need to be fully funded (both transitional and operational).
Statutory guidance on minimum service standards to which local authorities will be required to have regard	Agree	<ul style="list-style-type: none"> • STWWMP notes that the detail of the proposed service standards will be considered in a further consultation exercise. • STWWMP strives to deliver household waste services that are fit-for-purpose with clearly defined standards that residents can expect from the range of waste-related services provided.
Develop a set of non-binding performance indicators for local authorities to use to monitor waste management and recycling and to highlight where services can be improved to delivery higher recycling and minimise waste	Disagree	<ul style="list-style-type: none"> • Whilst STWWMP welcomes the ability to benchmark performance, reassurance is sought that the submission of <u>non-binding</u> data should not be an onerous task and suggest that this can already be met by the existing WasteDataFlow database abilities and functionality.
Support and enable greater collaboration and partnership working between authorities	Agree	<ul style="list-style-type: none"> • The STWWMP model is an example of how collaboration and partnership working between local authorities can improve waste management and recycling levels.
Increase recycling from businesses and other organisations that produce municipal waste	Agree	<ul style="list-style-type: none"> • STWWMP already provides tailored trade waste services to meet the needs of local businesses in disposing their waste. • STWWMP is not in favour of a separate food waste collection service within the partnership area, including businesses. • STWWMP also seeks clarification regarding the consultation's definition of municipal waste.

Introducing a Deposit Return Scheme in England, Wales and Northern Ireland

Proposal	STWWMP response	Comments
Basic principles of a DRS	Disagree	<ul style="list-style-type: none"> • STWWMP acknowledges that introduction of a DRS could reduce street littering of recyclable materials that are consumed on-the-go, but that a DRS <u>should not</u> compete with existing recycling services, which have proven to be highly-successful. • A fundamental principle for STWWMP is to encourage its residents to become responsible recyclers and utilise the current kerbside service, which is easy-to-use, easy-to-understand, well-established, and popular with residents. • STWWMP considers that the introduction of a DRS as an alternative waste disposal/recycling route could create confusion for residents and result in inconsistencies in service delivery across STWWMP. • STWWMP seeks further clarification regarding the overlap between the DRS proposals and the separate consultation on recycling collection consistency, which includes proposals to introduce a core set of kerbside recycling materials, which will also be in-scope of a DRS. • STWWMP considers that the introduction of a DRS would remove valuable materials from kerbside collections and, therefore, make the remaining materials disposed at the kerbside less attractive to the market when procuring future MRF contracts. • STWWMP is keen to see more detail regarding the overlap between the DRS proposals and

		<p>the separate consultation on EPR requirements, i.e. how will producers support local authorities in the disposal of drinks containers that are in-scope of a DRS but are disposed by residents at the kerbside.</p> <ul style="list-style-type: none"> • Instead of the significant costs associated with introducing a DRS, STWWMP would rather see investment from government to fund more communications, for example, to further promote household kerbside recycling, for example.
Materials in-scope	Agree	<ul style="list-style-type: none"> • Whilst STWWMP does not currently support the introduction of a DRS, if such a scheme is implemented PET bottles, aluminium/steel cans, and glass bottles could be included as they are already widely recyclable. • HDPE bottles <u>should not</u> be included, as milk should be considered as an everyday item and not subject to a deposit, and their disposal should be considered under the separate consultation on EPR requirements.
Drinks in-scope	Agree	<ul style="list-style-type: none"> • Whilst STWWMP does not currently support the introduction of a DRS, if such a scheme is implemented, water, soft drinks, juices, alcoholic drinks, and milk-containing drinks could be included. • Milk <u>should not</u> be included (see above), and STWWMP seeks further clarification regarding the everyday use of plant-based drinks. • Disposable (e.g. coffee) cups should not be included in a DRS and their disposal should be considered under the separate consultation on EPR requirements.

Proposed material flows	Disagree	<ul style="list-style-type: none"> • STWWMP notes that the material flow shows all the material being returned to the return point/retailer, which is then forwarded via collection systems to the counting centre etc. However, material placed in the local authority kerbside collection system is not shown. • STWWMP notes that the consultation states that government are considering a funding formula whereby local authorities could be paid the deposit amount on drinks containers by the DMO without having to physically return them via a designated return point and seeks further clarification from government regarding how this formula will be modelled (as no further details are provided).
Overlap with the packaging producer responsibility system	Not enough information	<ul style="list-style-type: none"> • STWWMP notes that the consultation states that one option to avoid a 'double-charge' would be for producers obligated under a DRS to not also be obligated under a reformed packaging producer responsibility system for the same packaging items. • However, STWWMP agrees with LARAC that EPR reforms mean that producers must cover the full costs incurred for the collection of the material that they put on the market - whether this is from the kerbside or DRS – and that producers are not being double charged within a DRS (as they are simply paying the operating costs of two different collection systems).
Unredeemed deposits to be used to part-fund the costs of the DRS system	Disagree	<ul style="list-style-type: none"> • STWWMP considers that the DRS should function on redeemed deposits only and it would be appropriate for the funds from unredeemed deposits to be directed towards local authorities to cover the costs of collecting in-scope materials through, e.g.

		kerbside services.
In line with the principle of full net cost recovery, the government proposes that producers would cover the set-up costs of the DMO	Agree	<ul style="list-style-type: none"> • STWWMP agrees with LARAC that DRS is a form of EPR and so it is appropriate that producers should fund the set-up costs of the DMO.
Should producers of drinks within a DRS be responsible for DRS operational costs	Agree	<ul style="list-style-type: none"> • In accordance with full cost recovery principles, STWWMP considers that producers should be responsible for meeting DRS operational costs, including communications campaigns and litter clearance.
Obligated to host a return point	Agree	<ul style="list-style-type: none"> • STWWMP acknowledges that any DRS system needs to have a comprehensive collection infrastructure in place to operate successfully, utilising locations that are easily accessible and do not encourage residents to use their own transport to deliver materials to collection facilities etc. • STWWMP agrees that retailers who sell drinks should be the primary hosts of return points, which should be supported by other easy-to-access locations of high footfall, however, it would not be appropriate to mandate locations. • STWWMP acknowledges the potential of hosting return points alongside existing recycling services (such as the bring site network) but highlights that such sites are likely to need some modification and these costs need to be fully met by the producers, i.e. at no cost to the local authority, either initially or on an ongoing basis for any operational costs. • The DMO will need to ensure that appropriate provisions are in place to service rural areas/communities.

<p>Optimum deposit level to incentivise return of drinks containers</p>	<p>Not applicable</p>	<ul style="list-style-type: none"> • STWWMP does not feel that it is appropriate to comment on what value an optimum deposit level should be.
<p>DRS models – ‘all-in’ or ‘on-the-go’</p>	<p>Not applicable</p>	<ul style="list-style-type: none"> • Whilst STWWMP does not currently support the introduction of a DRS, STWWMP considers that if such a scheme is implemented, it should focus on recyclable items that are currently regularly disposed within the residual waste stream and therefore offer a genuine potential to increase recycling rates – therefore an ‘on-the-go’ DRS for items could target materials that are not normally returned home to be recycle in household kerbside collection systems. • STWWMP notes that its household recycling kerbside collection services already collect larger drinks containers and, therefore, their inclusion in a DRS is more likely to result in the transferral of material from one recycling stream to another.

Reforming the UK packaging producer responsibility system

Proposal	STWWMP response	Comments
Principles proposed for packaging EPR	Agree	<ul style="list-style-type: none"> • STWWMP agrees with the majority of principles proposed for packaging EPR but notes that the requirement on local authorities to collect a consistent set of materials should only be applied where viable end markets exist. • As a fundamental concept of EPR, STWWMP notes that full net costs should be provided by producers.
EPR packaging outcomes	Agree	<ul style="list-style-type: none"> • STWWMP agrees with the outcomes that an EPR packaging system should be designed to deliver but is concerned that some outcomes may not be delivered due to the lack of detail available.
Should items not currently legally considered as packaging should be in scope of the new packaging EPR system	Agree	<ul style="list-style-type: none"> • If the polluter pays principle and true producer responsibility is to be installed, then the scope of packaging should be as wide as is reasonably possible.
Definition of full net cost recovery	Agree	<ul style="list-style-type: none"> • STWWMP supports the definition adopted and welcomes the fact that it includes disposal and littering of packaging and not just materials presented as recycling. Netting off revenue from the sale of materials is appropriate. • STWWMP supports the proposal that producers should also fund national and local communication campaigns for recycling and littering, as outlined in the consultation. • STWWMP supports the inclusion of costs related to data recording and considers it appropriate that this includes local authority costs in relation to the use of WasteDataFlow.

<p>Payments to local authorities for collecting and managing household packaging waste should be based on the provision of collection services that meet any minimum standard requirements</p>	<p>Disagree</p>	<ul style="list-style-type: none"> • STWWMP agrees with LARAC that local authorities should receive payments for the provision of services related to packaging as this is a fundamental part of producer responsibility and moving to a situation where producers bear the full life costs of their products. • Payments for collecting and managing household waste should not be related to minimum service standards - if payments are only made if a local authority only operates a certain system, then this is against the polluter pays principle and a local authority should not have payments withheld if there are genuine reasons why they cannot meet a specific service standard.
<p>All of the costs to local authorities of managing packaging waste have been considered</p>	<p>Disagree</p>	<ul style="list-style-type: none"> • STWWMP agrees with LARAC that the payment systems do not reflect the packaging that must be collected and treated from littering, and there is also no mention of collection costs of packaging in the residual waste stream, which must also be addressed.
<p>Should producer fees be used to support local service related communications delivered by local authorities</p>	<p>Agree</p>	<ul style="list-style-type: none"> • STWWMP considers that local communication exercises are key to the proper use of recycling services and need to be fully supported if increased recycling is to be realised and high recycling targets are to be met. • National campaigns are also important and help to support local messages and vice versa. For example, where possible, STWWMP utilises the materials and resources provided by WRAP through the Recycle Now programme. • STWWMP agrees with LARAC and is not aware of a legitimate reason where producers should be exempt from contributing to the cost of communications activities.

<p>Do you agree it should be mandatory for producers to label their packaging as Recyclable/Not Recyclable</p>	<p>Agree</p>	<ul style="list-style-type: none"> • STWWMP is clear that labelling needs to be clear/unambiguous and supports the mandated use of labelling indicating if packaging is recyclable or not (alongside the removal of other 'recycling labels' as these are often misleading and meaningless from a consumer recycling advice point of view, e.g. 'check locally').
<p>Governance Model 2 – single not-for-profit management organisation</p>	<p>Agree</p>	<ul style="list-style-type: none"> • STWWMP agrees with LARAC that the creation of a central body allows for strategic oversight that could be beneficial to developing end markets, collection, better packaging design and higher recycling. Local authorities would, therefore, only be dealing with one organisation so there are no procurement or contracting issues. • Model 2 makes clear that payments to local authorities would be made in accordance with an 'agreed funding formulae' which will underpin the required investment from local authorities and provide confidence that services can be implemented for longevity and ensure value-for-money contracts. • STWWMP is aware that LARAC members are strong in their desire to see local government involved in the governance of the single body and it not just be a purely producer managed organisation.