

Agenda Item No. 4 (b)

DERBYSHIRE COUNTY COUNCIL

14 APRIL 2015

MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE

Report of the Strategic Director for Economy, Transport and Environment

SEPARATE COLLECTION OF RECYCLABLES

(1) **Purpose of Report** To seek approval to a Compliance Assessment undertaken to review the County Council's Household Waste Recycling Centres (HWRCs) against the requirements of new legislation regarding the separate collection of waste for recycling. Formal approval of the Assessment is required in line with nationally recommended good practice.

(2) **Information and Analysis** From January 2015, new Waste Regulations require public and private waste collectors to 'separately collect' at least paper, plastic, metals and glass for recycling. These requirements apply where separate collection is:

- a) necessary to provide high quality recyclates ("Necessity Test"); and
- b) technically, environmentally and economically practicable ("TEEP Test").

The purpose of this legislation is to help improve the quality of recyclates by reducing contamination and thereby increase the total quality, quantity and value of recyclates produced across the UK. This, in turn, should help to achieve the national recycling target of 50 per cent of waste by 2020, as well as improving the environment, making better use of natural resources and helping the economy.

The Department for the Environment, Food and Rural Affairs (Defra) has advised that local authorities should seek their own legal guidance on this matter. However, the underlying message is clear that the four types of recyclables specified (paper, plastic, metals and glass) must be collected separately from January 2015, unless it can be demonstrated, if necessary, to the satisfaction of a court of law, that it is either unnecessary or not practicable.

To do this, authorities must prove that collecting the materials mixed together (comingled) is justified because either:

- it is not necessary for the production of quality recyclates because the output from materials recycling facilities, where the materials are sorted and processed, is already of a high quality and acceptable to onward materials markets; and
- it is not technically, environmentally and economically practicable (TEEP) to provide separate collections.

No statutory guidance has been issued by Defra on how to assess the requirements of the Regulations. However, guidance from the Environment Agency (EA) (the regulatory body) has stated that waste collectors must review their collection practices and consider carefully if and how they comply. They must rigorously apply the Necessity and TEEP tests described above to take all reasonable measures that will maximise the quantity and quality of subsequent recyclates produced.

In December 2014, the EA issued additional guidance to all local authorities. The guidance advised that it will formally request information on collection methods in 2015 and, where an authority does not collect these materials separately, it will be necessary for them to demonstrate how the collections have been tested and whether any improvements are necessary.

The assessment undertaken by the County Council, which can be made available on request, demonstrates that the Authority has completed a rigorous review of the materials that are collected at the Council's HWRCs and has tested the collection of the four waste streams (paper, plastic, metals and glass) against the 'Necessity Test' and the 'TEEP Test'. The assessment has followed the framework set out in the 'Waste Regulations Route Map', a decision support tool that has been produced by a national working group. The route map provides a clear, step by step process for local authorities to follow, to help decide whether they are compliant or need to consider making changes to their service.

The County Council has been working with the Waste Collection Authorities (WCAs) in the Derbyshire Waste Partnership to understand the requirements of the legislation and determine the most appropriate way of reviewing the collection issues and assessing compliance. Each WCA is responsible for compliance with the Regulations and it is understood each is currently undertaking their own assessment and will report to their Chief officers or Cabinet Member as considered appropriate.

In relation to the County Council's role as a statutory Waste Disposal Authority, an assessment has been completed and, whilst the outcomes and implications for the County Council are fairly minimal, the potential

implications for the district and borough partners in their roles as WCAs is more significant.

Summary of the Separate Collection of Recyclables Assessment

In assessing compliance with the Regulations and reviewing the collection arrangements for paper, plastics, metals and glass for recycling at the Council's HWRCs, it has been identified that all of these materials in the main are currently separately collected at all HWRCs.

The only exceptions are certain types of glass (mainly plate or flat glass, some of which is laminated or reinforced) referred to as 'other glass' which is not currently separately collected at any HWRC, and hard plastics (toys, crates, garden furniture, etc.) which is not currently separately collected at the Waterswallows HWRC. Hard plastics are separately collected at the eight other HWRCs in the County which are operated by a different contractor to the Waterswallows HWRC.

The materials, where not currently separately collected, are disposed of in the residual waste stream and sent for final disposal. The amount of hard plastic and 'other glass' in the residual waste stream is very small (estimated to be 118 tonnes per annum) which is only 0.7% of the 16,868 tonnes of residual waste disposed of at HWRCs (based on 2013-14 data).

Since these elements of the glass and plastic waste stream are not separately collected, it has been necessary to undertake detailed work to apply the "Necessity" and "TEEP" tests outlined on page 1 of the report.

Table 1 below provides an estimate of the quantity of hard plastics and 'other glass' not currently separately collected for recycling each year at the Derbyshire's HWRCs.

Table 1 Estimated Annual Tonnage of Hard Plastic and 'Other Glass' Not Currently Recycled at the HWRCs

Waste Type	Chesterfield	Ilkeston	Loscoe	Ashbourne	Bretby	Bolsover	Glossop	Waterswallows	Northwood	Total
	Tonnes									
Hard Plastic	0	0	0	0	0	0	0	31	0	31
'Other Glass'	15	8	20	4	8	12	5	10	5	87

The current cost of disposal of these materials has been calculated and is shown in Table 2.

Table 2 Estimated Disposal Costs of Hard Plastics and 'Other Glass' in the Residual Waste Stream

Waste Type	Total Quantity (Tonnes)	Total Estimated Costs (£)
Hard Plastic	31	3,000
Other Glass	87	9,000
Total	118	12,000

The Necessity Test has been applied to both waste streams and has shown that separate collection would increase the quality and/or quantity of these materials for recycling.

In applying the TEEP Test, the results show that by recycling hard plastic and 'other glass', this would reduce the Authority's carbon footprint and therefore is arguably "environmentally practicable". It also states that following discussions with contractors, it appears "technically practicable" to recycle the wastes subject to the results of trials to support this. Health and safety issues associated with managing 'other glass', notably plate and flat glass, are a concern but would be closely monitored during trials. The "economic practicability" test has also confirmed that it is potentially cheaper to recycle these materials than send them for disposal as residual waste, however, this would also be tested in trials.

Trials

Following the assessment, trial collections of hard plastics at the Waterswallows HWRC and of 'other glass' at Chesterfield HWRC have been implemented by the Council's HWRC contractors. The trials commenced in February 2015 and will help assess the technical and economic practicalities of separate collections for these two waste streams. The results from the trials will be analysed and the practicability reviewed.

The contractors obtained costs for running the trials and the cost per tonne for separately collecting the materials is less than the cost per tonne of landfill. The costs are therefore being met within the existing Waste Management Revenue Budget. It should be noted that the costs for collection and disposal of this waste is approximately £13,000 per annum.

Table 3 highlights the potential savings that separate collection of hard plastics at Waterswallows HWRC and "other glass" at all HWRCs could achieve compared to current collection arrangements. Different scenarios are given to show costs for varying levels of performance.

Table 3 Comparison of Current Costs and Separate Collection Costs

Scenarios	Annual Costs	Potential Annual Savings (compared to existing costs)
If 25% is recycled and 75% is landfilled	£11,077	£1,923
If 50% is recycled and 50% is landfilled	£9,155	£3,845
If 75% is recycled and 25% is landfilled	£7,232	£5,768
If 100% is recycled	£5,310	£7,691

The assessment concluded that separate collection of hard plastics at Waterswallows HWRC and 'other glass' at all HWRCs for recycling is necessary to increase the quality and/or quantity of these materials for recycling. Furthermore, separate collection offers potential financial savings, i.e. it is considered economically practicable, subject to the trials in 2015 being able to confirm that the estimated contract rates are sustainable. The assessment has also established that it is potentially technically and environmentally practicable to separately collect these two materials.

The trials will monitor all aspects of processing these materials, including the health and safety risks associated with handling the glass, the logistics and economics of recycling these materials. At the end of the trial period a summary report will be produced, this report will be used to inform and update the Compliance Assessment Report.

Sign off

The Compliance Assessment has been signed off by both the Head of Waste Management and the Assistant Director of Legal Services, as recommended at Stage 5 of the Waste Regulations Route Map. The final stage in signing off the Compliance Assessment is through approval by the Cabinet Member with lead responsibility for waste.

(3) **Financial Considerations** The costs detailed in the Compliance Assessment Report indicate that, subject to the results of the trials, the recycling of hard plastics at Waterswallows HWRC and 'other glass' at all HWRCs could offer potential savings of between £1,923 - £7,691 per annum.

The costs of the trial can be met from within the existing Waste Management Revenue Budget.

(4) **Legal Considerations** The Waste (England and Wales) Regulations (2011) require the County Council to undertake and approve the compliance assessment referred to in the report. Failure to do so could leave the Authority vulnerable to challenge by the EA or a third party in respect to failure to provide separate collection of at least paper, plastic, metals and glass for recycling in accordance with the requirements the Regulations.

(5) **Environmental Considerations** The Compliance Assessment Report highlights that the Council could recycle hard plastics and 'other glass', and potentially reduce its environmental impact by 333 tonnes of carbon dioxide per year as a result. This will contribute to meeting the Council's objective of increasing the sustainable management of waste across the County.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Neil Haslam, extension 39787.

- (9) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:
- 9.1 Approves the County Council's Waste (England and Wales) Regulations (2011) Compliance Assessment Report and approves submission of the report, upon request, to the Environment Agency.
 - 9.2 Notes the undertaking of trials for the separate collection of hard plastics at Waterswallows Household Waste Recycling Centre (HWRC) and 'other glass' at selected HWRCs in the County in 2015, as outlined in the report.
 - 9.3 Authorises the Strategic Director - Economy, Transport and Environment to make any necessary revisions to the Waste (England and Wales) Regulations (2011) (as amended) Compliance Assessment Report following completion of the recycling trials referred to in the report.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

