

<b>SUBJECT:</b>	<b>Waste Regulations Compliance Report</b>
<b>REPORT OF:</b>	<b>Officer Management Team - Director of Services</b> <b>Prepared by - Head of Environment</b>

## 1. Purpose of Report

- 1.1 To present to Members a study that demonstrates compliance of our waste and recycling collection service with Regulations 12 & 13 of the Waste England and Wales Regulations 2011 (as amended).

## 2. Links to Council Policy Objectives

- 2.1 This matter is related to the following local and national policy objectives:

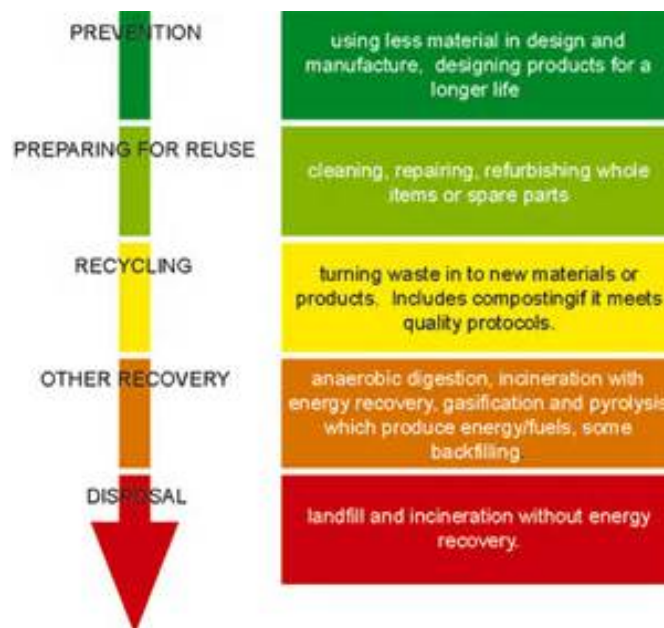
- South Bucks Sustainable Community Strategy and Corporate Plan Key Theme - Sustainable Environment - protecting our heritage, protecting our future.
- Council priority to continue to improve the street scene and cleanliness of the district as a key public services coordinator
- The current Joint Waste Management Strategy for Bucks policies, including “securing a long-term strategy for the management of wastes for which the member authorities are collectively responsible”.
- The Council’s recycling/composting target of 60% by 2025 as part of the Joint Waste Management Strategy for Bucks. The national target of 45% by 2015 and 50% by 2020. There are no longer District specific targets.

## 3. Background

- 3.1 The revised EU Waste Framework Directive came into force on 12<sup>th</sup> December 2008 and was transcribed into the Waste England and Wales Regulations 2011 (as amended) which came into force on 29<sup>th</sup> March 2011. One Regulation, number 13, was later amended and came into force on 1<sup>st</sup> October 2012.
- 3.2 Regulation 13 places a duty on all organisations involved in waste collections (not just Councils) to maintain high quality recycling by collecting paper, metal, plastic and glass separately from 1<sup>st</sup> January 2015.
- 3.3 Interpretation of what the EU Directive meant by “separately collected” was initially unclear, and a judicial review instigated by the Campaign for Real Recycling sought to make co-mingled recycling collections non-compliant. It was eventually established that co-mingled collections did count as being “separately collected” as long as they are later sorted for onward recycling and that the quality standards needed by the recycling sector are met.
- 3.4 Therefore, if separate collections are what is necessary to achieve high quality recycling and it is technically, environmentally and economically practicable (TEEP) to collect the four materials separately, then this is how these materials must be collected. So, whilst the regulations set separate collection as the default position, they don’t prohibit the use of mixed or co-mingled collections

as long as it results in a similar quantity of high-quality recyclates to separate collections, or if separate collection isn't TEEP.

- 3.5 Regulation 12 requires waste collectors such as us demonstrate that we take all reasonable measures to move the management of all wastes we collect (not just the 4 main recyclable materials mentioned above) up the waste hierarchy. The waste hierarchy is shown below:



- 3.6 No Guidance has been issued by the Government regarding how compliance with the Regulations should be assessed. A working Group that includes WRAP (Waste Resources Action Programme) produced a Route Map to guide authorities through the process, and the Staffordshire Waste Partnership produced a template document. Both documents have been used in our assessment.

#### 4. Discussion

- 4.1 Authorities around the UK have, or are currently preparing their own TEEP assessments. As each contract or in-house arrangement and each decision on how waste is collected is based on bespoke financial and other data, each study has had to be prepared individually with little joint working or sharing of information of practical use.
- 4.2 The purpose of having the document prepared as soon as possible, is so that any changes required to comply, should a waste collector find they are not compliant, can be put into place before the Regulations are enforced by the Environment Agency (EA). Whereas the EA appear to be in no rush to check compliance, a legal challenge can be brought about by anyone since 1<sup>st</sup> January, and the timescale to produce a report at that stage would be too short.
- 4.3 The TEEP assessment (to be presented at the meeting) broadly covers:

- Whether our new collection regime has environmental advantages over the previous scheme;

- Whether it would be 'TEEP' to change our recycling service to completely source separated collections;
- A summary of where on the waste hierarchy our waste is managed.

4.4 Financial data is presented in the assessment relative to baseline data rather than as actual costs due to commercial sensitivity. Other authorities have taken vehicle emissions into account in their studies. This has not been done here as it is assumed that the more vehicles you have of a particular size, the higher the emissions, and all vehicles purchased by SBDC are the most environmentally friendly available (Euro VI). However, if challenged further work may be required to make this and other aspects more robust.

4.5 The assessment has been based on costs, data and estimates at a particular point in time, and it is recommended that regular reviews are undertaken to ensure continuing compliance.

#### 5. Resource and Wider Policy Implications

Internal periodic reviews of the TEEP assessment will be required, and costs will be incurred if a legal challenge is mounted against the Authority.

#### 6. Recommendation

Members are asked to note the content of this report and the TEEP assessment.

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<b>Background Papers:</b>	<b>None</b>