

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 01 December 2014

Portfolio:	Streetscene
Subject:	Waste Regulations (England and Wales) 2011 – Separate Recycling Collections
Report of:	Director of Environmental Services
Strategy/Policy:	
Corporate Objective:	Protecting and Enhancing the Environment

Purpose:

To consider a recommendation by the Streetscene Policy Development and Review Panel that separate collections of recyclable materials should not be introduced in the borough in response to new waste regulations that come into force from January 2015.

Executive summary:

In October 2013, local authorities were advised of changes to the Waste Regulations (England and Wales) 2011 which come into effect from January 2015. The changes require any organisation that collects waste paper, metal, plastic or glass to do so by way of separate collections if it is necessary to ensure that high quality recycle is provided, and that it is technically, environmentally and economically practicable (TEEP).

The amendment to Regulation 13 does not prohibit the co-mingled collection of these items, but requires councils to demonstrate that separate collection is not necessary or TEEP in their area.

Currently Fareham Borough Council collects co-mingled recycling from residents as part of the alternate weekly collection schedule. Glass is collected separately from a network of bring banks across the borough.

The Department for Environment, Food and Rural Affairs (DEFRA) has not issued any detailed guidance for local authorities when considering the implications of the regulations. However, a group comprising members from the Waste and Resources Action programme (WRAP) and the London Waste and Recycling Board (LWARB) have produced a Waste Regulations Route Map to help local authorities understand their obligations. Streetscene Officers have worked alongside Project Integra and Hampshire County Council Officers to apply the Route Map and ensure each criterion is being met.

External legal guidance has also been sought by all Project Integra authorities to ensure that the vires and Route Map provide a sound framework for the relevant assessments.

The co-mingled recyclate currently produced is independently assessed by DEFRA and is considered to be of a consistently high quality. The market price obtained by the disposal contractor is at the high end of the national price range indicating a good quality of recyclate material is being produced that reprocessors are willing to accept and pay for.

The feasibility of implementing separate collections has been investigated by officers with each of the TEEP criteria analysed separately. The attached briefing paper outlines the findings of the analysis.

Having taken legal advice and considered the legislation and the likely impact, although it is technically feasible to collect recyclate separately, the infrastructure within Hampshire is currently not set up to cope with separate collection and disposal of these materials. Collecting the recyclate separately would have a negative effect on the environment, increasing the carbon footprint of the Council due to the increased mileage driven and also increasing the number of vehicles on the road.

Implementing separate collections for recyclate would require significant capital investment and higher revenue costs to the council. It is also likely to lead to a reduction in the amount of recyclate collected which would in turn reduce the income received from the sale of the recyclate.

There are also practical operational issues involved in implementing separate collections, including

- Difficulties in reaching all households across the borough due to size of the vehicles required to collect the recyclate.
- Difficulties for households in being able to store 3 separate boxes for recycling.
- The existing 48,000 blue top recycling bins throughout the borough would need to be collected and disposed of and replaced with stackable boxes.

A report was taken to the Streetscene Policy Development and Review Panel on 23 October 2014 for consideration and for members to make a recommendation to the Council's Executive.

Recommendation

That the Executive endorses the recommendation made by the Streetscene Policy and Development Review Panel at its meeting on 23 October 2014, and agrees:

- a) that no changes are required to the collection of recyclable materials currently co-mingled in the blue top recycling bins; and
- b) that officers will assess any proposed collection policy changes against the new regulations prior to any recommendations being put to Members for decision.

Reason:

Separate collections of recyclable material should not be introduced in the borough at this time because it is not necessary to provide high quality recyclates and would not be technically, environmentally and economically practicable (TEEP).

Cost of proposals:

The proposal can be met within existing Streetscene budgets.

Appendices:**A:** Lord de Mauley Letter**B:** Waste Regulations Route Map**C:** Leading Counsel's Advice (Confidential)**D:** Potential Additional Costs**Background papers:** Report to Streetscene PDRP 23 October 2014

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BOROUGH COUNCIL

Executive Briefing Paper

Date: 01 December 2014

Subject: Waste Regulations (England and Wales) 2011

Briefing by: Director of Environmental Services

Portfolio: Streetscene

INTRODUCTION

1. The Waste Regulations (England and Wales) 2011 transposed the EU Waste Framework Directive into English law and imposed duties on waste collection authorities (WCA) and waste disposal authorities (WDA) to follow the waste hierarchy in relation to the collection of waste.
2. In October 2013, Lord de Mauley (Parliamentary Under Secretary for the Department for Environment Food and Rural Affairs) wrote to all local authorities advising of the changes to Regulation 13 of the Waste Regulations (England and Wales) 2011. A copy of this letter can be found at Appendix A. The amended regulation states:
3. From 1st January 2015 an establishment or undertaking which collects waste paper, metal, plastic or glass must do so by way of separate collection. These requirements apply where separate collection;
 - a. is necessary, in effect to provide high quality recyclates; and
 - b. is technically, environmentally and economically practicable (TEEP)
4. The amendment to Regulation 13 does not prohibit the co-mingled collection of these items, but requires councils to demonstrate that separate collection is not necessary or TEEP in their area.

GENERAL GUIDANCE FOR LOCAL AUTHORITIES

5. The Department for Environment, Food and Rural Affairs (DEFRA) do not intend to issue detailed guidance for local authorities when considering the implications of the Regulations. A working group consisting of members from Waste and Resources Action Programme (WRAP), London Waste and Recycling Board (LWARB) and the Waste Network Chairs have produced a document known as the Waste Regulations Route Map. The published Route Map is not legal advice but is designed to help authorities understand their legal obligations. A copy of the Route Map as applied to Fareham Borough Council can be found at Appendix B.

6. Streetscene Officers have worked alongside Project Integra (PI) and Hampshire County Council Officers to apply the Route Map and ensure that each criterion is being met, that evidence is available to ensure that Fareham Borough Council meets the two requirements of providing high quality recyclate and that the current collection methods fit the TEEP criteria.
7. A separate documentation pack has been prepared by PI to support the Council's evidence of compliance with the regulations. The document 'Assessment of compliance with Regulations 12 and 13 of the Waste (England and Wales) Regulations 2011 (as amended 2012) Information for Partners' has been used to provide additional evidence and data to support the Waste Regulations Route Map found at Appendix B.

LEGAL GUIDANCE

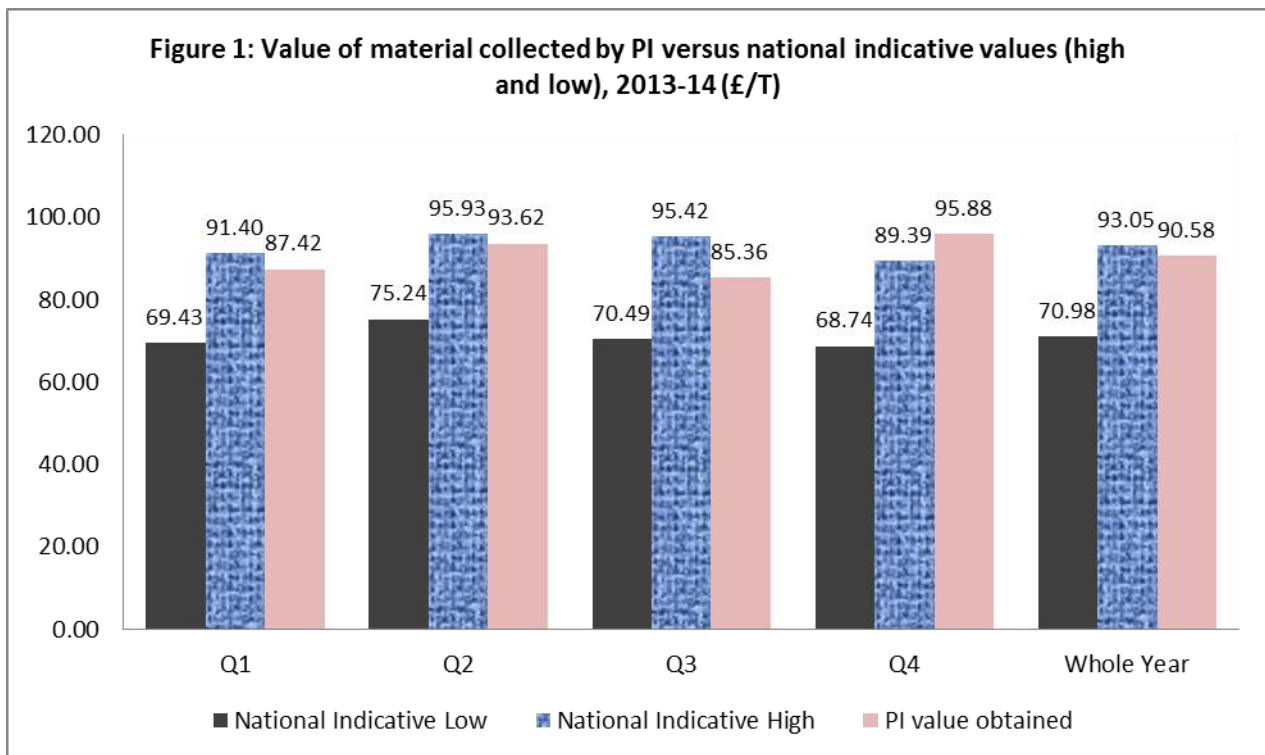
8. On behalf of the PI partnership, Basingstoke and Deane Borough Council appointed Leading Counsel with particular expertise in environmental, public and regulatory law, to review and provide an opinion on the robustness of the Waste Regulations Route Map. The report they produced stated that they were "satisfied that the Route Map provides a sound framework for the relevant assessments". A copy of the full report from Counsel can be found at Confidential Appendix C.
9. The solicitor to Fareham Borough Council concurs with the advice of Leading Counsel and considers the recommendations as detailed in the attached report to be both legal and reasonable in the circumstances.

CURRENT RECYCLING COLLECTIONS

10. Fareham Borough Council currently collects recycling from residents as part of the alternate weekly collection schedule which co-mingles the recyclate. Items that can be recycled via the blue top recycling bin include: paper, card, tins, cans, aerosols and plastic bottles. The recyclate is collected and then sent for sorting and reprocessing at the Materials Recovery Facility (MRF) in Portsmouth.
11. Residents are able to dispose of green waste via the fortnightly garden waste service. Glass can be recycled via glass banks located at 31 locations across the Borough. Textiles are collected at 40 sites across the Borough. Bulky waste and other household waste can be disposed of via Household Waste and Recycling Centre (HWRC) sites or by using the bulky waste collection service provided by the Council.

QUALITY OF RECYCLATE

12. The MRF in Portsmouth is operated by Veolia Environmental Services (VES) and works in Partnership with Hampshire County Council to ensure that the quality of recyclate is maintained at a high standard to ensure good value is obtained for the end product. Each day samples are analysed to ensure that the output of the MRF meets the specifications of the reprocessors. Currently the recyclate is supplied to over 60 reprocessing destinations across the UK, with the price and grade of product continually monitored and updated.
13. Figure 1 below illustrates the value of recyclate material collected by PI authorities compared to national indicative values. It can be seen that the value of the recyclate material is at the high end of the national price range, which indicates a good quality of recyclate material that reprocessors are prepared to accept and pay for.



14. The dry mixed recyclate (DMR) is collected without glass, which improves the grade of paper produced, maximising the value obtained from sorting and reprocessing. Once the recyclate has been sorted it is baled on site at the MRF, which increases the value of the product as it is easier to transport to the buyers.
15. Between July 2012 and July 2014, only 0.07% of PI MRF outputs were rejected by reprocessors because they did not meet the required specification. In instances where material was rejected, it was returned to a PI MRF for further sorting. For Fareham Borough Council this equates to just 4.4 tonnes of rejected material of the 7,363 tonnes collected in 2013-14.

FEASIBILITY OF IMPLEMENTING SEPARATE COLLECTIONS

16. To ensure that the requirements of Regulation 13 are met, the feasibility of implementing separate collections in the Borough has been investigated. This investigation is Step 4 of the Waste Regulations Route Map as referred to in Appendix B and evaluates whether or not such an arrangement would be TEEP.
17. The route map provides a step by step process to analyse waste collection services of a local authority and assess whether the current method is compliant with the regulations.

TECHNICAL REQUIREMENTS

18. The current MRF in Portsmouth where the recyclate is sent for sorting and processing would require technical changes to permit the separate recyclate streams to be processed. Investigations into the feasibility of refitting and adapting the MRF to process the separate recyclate streams are being carried out by VES and currently the timescale and costings of this project are unavailable. Any modifications necessitated by a change to collection arrangements by waste collection authorities would be the responsibility of Hampshire County Council.
19. Hampshire County Council is responsible for the existing infrastructure for waste disposal. To be able to provide for the changes required by the waste regulations, the PI

documentation pack on the Assessment of Compliance with the Regulations states “With regard to recyclate transfer and bulking, it should be assumed that a WCA would need to set this up separate to existing transfer arrangements in Hampshire. This is because existing infrastructure is configured for co-mingled material”. Provision for a transfer and bulking station has been included within the costs of providing separate collections.

ENVIRONMENTAL ISSUES

20. Carbon footprint is defined as the total amount of greenhouse gases (predominantly carbon dioxide CO₂) produced to directly and indirectly support an activity. It is measured in tonnes of carbon per year. The number of vehicles that will collect recycling would remain the same at 4 vehicles, but the number of journeys to the MRF to deposit the material would increase. This is due to the reduced capacity of the side loading vehicles as the recyclate is not compacted. It is estimated that the total mileage driven each year would increase by 17,000 miles which equates to an additional 75 tonnes of carbon produced per year.

ECONOMICAL ISSUES

21. Changing recycling collections from the blue top recycling bin to separate collections of each type of recyclate would require each household to sort the recyclate into three boxes for paper, metals and plastic bottles. To assist in the collection of these items, stackable boxes would be supplied to each household to replace the blue top recycling bin.
22. These recycling boxes would be collected by a side loading recycling collection vehicle instead of the rear loading bin hoist collection vehicle currently in operation. The side loading vehicle is compartmentalised to allow collection of separate materials that can then be deposited separately at the MRF. Presently recycling crews are made up of two loaders and one driver. To facilitate the additional sorting of recyclate into the compartments of the vehicle, an additional loader would be required for each of the 4 crews.
23. Due to the smaller capacity of the split body recycling vehicles, it is anticipated that each vehicle would need to tip up to three times per day; currently recycling vehicles only tip once or twice depending on the load collected. This will increase the length of the working day for the recycling crews and also the Supervisors in the office. It is estimated that 1.5 hours overtime per day would be required for each recycling crew to be able to collect and transport the recyclate to the MRF.
24. Collecting recycling separately across the Borough would require significant operational changes and this message would need to be communicated to residents to assist in the change. It is estimated that 4 Waste and Recycling Officers would need to be employed for 6 months, to help promote the change of collection regime, answer customer enquiries and facilitate the changeover from wheeled bins to stackable boxes. Publicity materials would need to be produced and a co-ordinated communication plan implemented at the same time as changes to the operation occurring.
25. There is evidence from other waste authorities that collecting recyclate separately reduces the amount of recycling collected. This is partly due to the reduced capacity available to residents. The capacity of a blue top recycling wheeled bin is 240 litres, with the total capacity of 3 stackable boxes being 120 litres.

26. In 2007 “Remade Scotland”, a major initiative funded by the Scottish government who are charged with stimulating, developing and strengthening markets for recyclates in Scotland, conducted a review of 29 local authorities’ kerbside recycling schemes. The study revealed that an average of 2.32 kg per household per week of recyclate was collected from co-mingled collections sorted at MRFs, compared to 1.43 kg per household per week for separate collections of recyclate. This equated to a reduction in weight collected of 38%.
27. A reduction of this magnitude in Fareham would result in an additional 2,700 tonnes of recyclable material going to incineration. There would be a consequential loss of revenue income to the council every year based on current prices achieved for the recycled material. In addition, the council’s headline recycling rate would fall by something in the region of 10%.
28. The four existing recycling vehicles used to collect blue top recycling bins which would be replaced by the bespoke recycling vehicles would be disposed of. This would generate a one-off capital receipt.
29. Details of the estimated costs of the implementation described above can be found at Appendix D. Within the documentation pack prepared by PI, comparative costs have been produced for kerbside sorted separate collections and current co-mingled recyclate collections for each local authority. For Fareham Borough Council this equates to £15.37 per household for separate collections compared to £7.60 per household per annum for current co-mingled recyclate collections.

PRACTICAL ISSUES

30. The bespoke split body recycling vehicles on the market are wider than current refuse collection vehicles; this could result in several areas of the Borough being unable to participate in separate collections of recycling. Further investigations would be required to ensure that all parts of the Borough could be accessed using a narrow access vehicle, which would collect only one stream at a time, increasing the mileage and CO₂ emissions relating to recycling collections and possibly requiring three separate collections per week to collect the recyclate.
31. The introduction of separate collections would require each household to store 3 individual boxes for recycling alongside their existing green wheeled bin for refuse, which could be more difficult to store than current recycling methods.
32. An additional complication to the change of collection method is the collection and disposal of the 48,000 redundant blue top recycling bins currently in use. This would have to occur at the same time as the roll out of the stackable boxes for separate collection. Due to logistical difficulties of this task, it would need a phased roll out of the new collection system, requiring both recycling collection systems to work alongside each other for a period of time. The resale value of the redundant blue top recycling bins would be minimal and there is no indication at present that the revenue would cover more than the disposal cost of the bins.

CONCLUSION

33. The current collection system operating across the Borough provides high quality recyclate which is sent for sorting and reprocessing at a local MRF. The income received from the sale of the recyclate is of a significant value, providing evidence of the high quality of the product. The recyclate is independently assessed periodically by

DEFRA and considered to be of a consistently high quality.

34. The introduction of separate collections of the recyclate across the Borough would not be technically, environmentally and economically practicable (TEEP). This is due to:
- (a) The significant capital and revenue costs and potential loss of income that would be incurred.
 - (b) The practical issues of implementing a new collections system in terms of communication with residents and the significant period of service disruption that would result from the collection of redundant bins and allocation of new boxes. It is estimated that this period would need to be at least six months in order to cope with the logistics of the changeover.
 - (c) Additional vehicle movements increasing the carbon emissions of the vehicle fleet.
35. The review of current collection arrangements contained in this report confirms that changing to separate recycling collections is not necessary to achieve high quality recyclates and is not technically, environmentally and economically practicable (TEEP). As a consequence it is recommended that separate collections of recyclate are not implemented in Fareham at this time.

Reference Papers:

“Remade Scotland” Report “Kerbside Collections – Factors for Success”
<http://www.wrap.org.uk/sites/files/wrap/recyclate%20recovery%20report-%20factorsforsuccess%202004%20to%2006.pdf>

Waste Regulations Route Map April 2014
<http://www.valpak.co.uk/docs/default-source/policy/waste-regulations-route-map-april-2014.pdf?sfvrsn=2>

Project Integra Assessment of Compliance with Regulations 12 and 13 of the Waste (England and Wales) Regulations 2011 (as amended 2012) - Information for Partners