

North Yorkshire County Council
Business and Environmental Services

Executive Members

14 June 2021

DEFRA Consultation on Consistency in Household and Business Recycling in England

Report of Assistant Director – Transport, Environment and Countryside Services

1.0 Purpose of Report

- 1.1 To inform the Corporate Director - Business and Environmental Services (BES) and BES Executive Members of the Department for Environment, Food and Rural Affairs (DEFRA) consultation on Consistency in Household and Business Recycling in England covering elements of the Resources and Waste Strategy.
- 1.2 To seek approval for the attached responses contained in Appendix 1 to the above consultation on behalf of the County Council to be sent to DEFRA.

2.0 Executive Summary

- 2.1 In December 2018, the government published the Resources and Waste Strategy pledging to leave the environment in a better condition for the next generation. The Strategy is supported by a series of consultations to engage with stakeholders and gather evidence.
- 2.2 The reforms proposed by Government are wide ranging and ambitious, both in nature and timescale. The proposed key responses to this consultation released are as follows:
- The proposed core set of dry recyclable materials required to be collected for recycling are broadly welcomed, providing that the Resources and Waste Strategy provides sufficient stimulus for the development of end markets and funding is available to amend or construct new material recycling facilities.
 - Council's need support to demonstrate when it may not be technically or economically practicable to collect recyclable household waste in recyclable waste streams separately, or circumstances in which separate collection may not have significant environmental benefit,
 - Transitional arrangements for local authorities with long term disposal contracts affected by mandated separate collections of food waste is welcomed, however at this stage it is not clear whether councils will receive appropriate support and funding that includes consequential costs.
 - The proposal to provide free garden waste collections removes the incentive to compost at home, is of no benefit to residents without a garden and is not supported.
 - The principle of 'new burden' funding is positive, however until it is explicitly laid out what costs are covered local authorities will be hesitant in taking these proposals forward which puts pressure on achieving very ambitious timescales.

3.0 Key Background Information

- 3.1 The Resources and Waste Strategy published in December 2018 was supported by an initial set of consultations covering Extended Producer Responsibility for Packaging (EPR), Introducing a Deposit Return Scheme (DRS), and Consistency in Household and Business Recycling Collections (CHBRCs). The Corporate Director of Business and Environmental Services and Executive members agreed to respond to DEFRA as set out in a report dated 10 May 2019. A second report considered by the Corporate Director of Business and Environmental Services and Executive members 21 May 2021 agreed to respond to DEFRA consultations on EPR, DRS and the Waste Prevention Programme for England. This third report considers the consultation on CHBRCs which has a submission deadline of 04 July 2021.
- 3.2 Significant overlap exist with the DRS, EPR and CHBRCs consultations. Draft responses to this consultation's questions are included as Appendix 1 and this report highlights some of the key issues and proposed approach to responses.

4.0 Summary of the consultation

- 4.1 This is the second consultation concerned with having consistent recycling collections to improve the quantity and quality of municipal waste recycled in England and achieve a national recycling rate of 65% by 2035. It directly impacts on local authority waste services and is looking at proposals for all waste collection authorities to:
- collect the same core set of dry recyclable materials from households
 - have separate weekly food waste collections from households
 - have separate minimum fortnightly collection of garden waste (possibly free)
- 4.2 Views are sought on the materials to be included in each of the dry recyclable waste streams; timelines for when the requirements must be implemented by and possible exemptions to collect a particular recyclable waste stream separately from other recyclable waste streams.
- 4.3 The proposed core set of materials required to be collected for recycling are:
- glass bottles and containers – including drinks bottles, condiment bottles, jars.
 - paper and card – including newspaper, cardboard packaging, writing paper
 - metal packaging - steel and aluminium tins and cans
 - plastic bottles – including clear drinks containers, HDPE milk containers, detergent, shampoo and cleaning product containers
 - plastic pots, tubs and trays
- 4.4 In addition to the above items, DEFRA propose that the recyclable waste streams will also include the following items:
- foil, foil trays and metal aerosols cans, including packaging items
 - food and drink cartons
 - plastic film and flexible packaging
- 4.5 DEFRA expect all local authorities to be able to collect the core materials from October 2023 to align with the date that they anticipate EPR for packaging will commence. The exception is for plastic films, where they have proposed this should be phased in with a defined 'end date' of the financial year 2026/27.

- 4.6 DEFRA intend to introduce the requirement for separate food collections in 2023/24 and want all local authorities to have collections in place by 2024/25 at the latest.
- 4.7 For local authorities with long term residual waste disposal contracts that may be affected by introducing a separate food waste collection (e.g. some Energy from Waste or Mechanical Biological Treatment contracts), DEFRA propose that these local authorities should have a separate food waste collection service in place as quickly as contracts allow. They anticipate setting a date between 2024/25 and 2030/31, subject to further evidence on the associated costs and benefits.
- 4.8 An updated proposal on garden waste includes for a limited free collection service, with local authorities retaining the provision to charge beyond this (e.g. increased collection frequency or increased capacity). DEFRA are also seeking views on alternatives to a having to provide a free minimum collection service. These are:
- Produce updated guidance on reasonable charges
 - Clear communications to non-participating households
 - Increasing home composting.
- 4.9 Statutory guidance and secondary legislation that will enact consistent collections will be published. The guidance proposed includes:
- Conditions where an exception to the condition that recyclable waste in each recyclable waste stream must be collected separately may apply and where, as a consequence, two or more recyclable waste streams may be collected together.
 - Compliance and enforcement.
 - Minimum service standards for the separate collection of dry recyclable materials from households and non-domestic premises and premises producing commercial or industrial waste.
 - Minimum service standards for the collection of residual waste from households.
 - Minimum service standards for the separate collection of food and garden waste from households.
- 4.10 All businesses and non-domestic premises need to arrange for the collection of glass, metal, plastic, paper and card and food waste for recycling or composting. The consultation discusses the materials to be included in each of the recyclable waste streams, possible timelines for when the requirements must be introduced by and possible exemptions from the requirement to collect recyclable waste streams separately.
- 4.11 There are proposals on options to reduce the costs that businesses, particularly small and micro-firms, face to recycle. This includes exemptions for micro-firms, phasing micro-firms into the requirement later than larger businesses and other cost reduction options, such as waste franchising and collaborative procurement.
- 4.12 In addition to the above areas DEFRA are also seeking views on the future of recycling credits which will not be paid for packaging and drinks containers funded through EPR and DRS payments to local authorities.
- 4.13 In the previous 2019 consultation and in DEFRA's Resources and Waste Strategy, Government committed to fund the net additional cost to local authorities of the new statutory duties placed on them. This would be done in line with Government guidance on new burdens. New burdens are defined as any change in a central Government policy or initiative that imposes a net cost on local government and could lead to an increase in council tax.

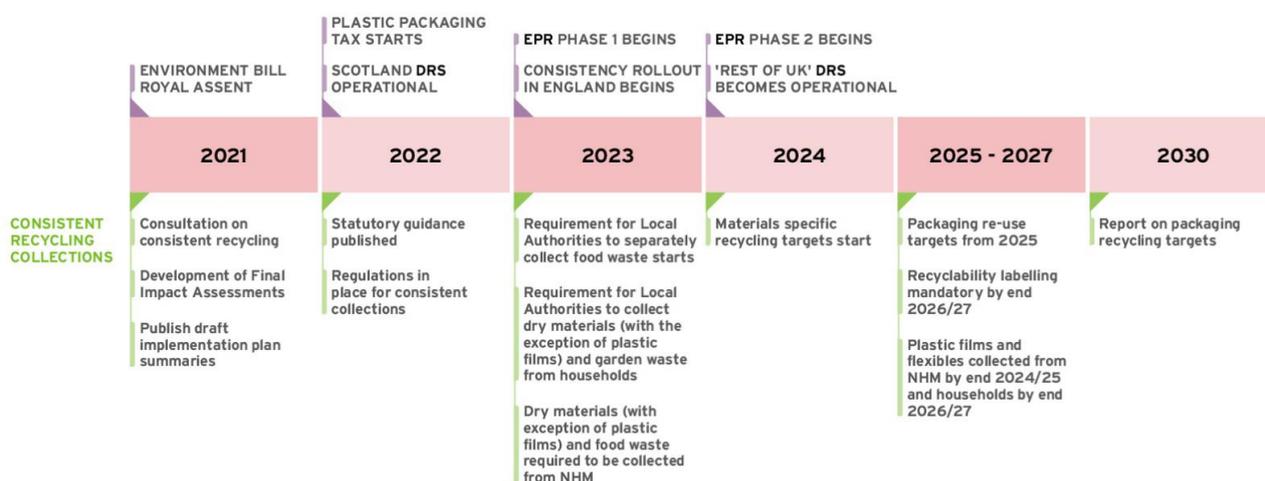
5.0 Key Implications for North Yorkshire

- 5.1 In general the proposal to collect a core set of materials makes sense and is little changed from the 2019 consultation. Most authorities in North Yorkshire already collect the majority of the proposed core set of materials. New arrangements will be required in areas of North Yorkshire to collect aluminium foil, aluminium food trays, aluminium tubes, or food and drink cartons by 2023, and there are currently no collections of plastic films required by 2026/27.
- 5.2 Whilst the EPR and DRS should fund these materials there are concerns over the lack of markets for the increased tonnage nationally. If markets fail to appear or if supply exceeds demand due to efficient and effective collection systems, it is unclear whether EPR Full Net Cost funding or New Burdens funding cover the full cost of these materials collected for recycling being sent for disposal due to lack of markets. The CHBRCs consultation does not specify whether the core set of materials will be collected at household waste recycling centres (HWRC).
- 5.3 The Environment Bill subject to gaining Royal Assent mandates the separate weekly collection of food waste. Separate collection and treatment of food waste will have a significant impact upon the compositional make up of our residual waste stream, and will impact the operating practices and revenue generation of our long term waste contractor for Allerton Waste Recovery Park (AWRP).
- 5.4 If mandated we advocate against a 'one size fits all' approach to food waste until DEFRA has completed "exploring the transitional barriers including costs (arising from, for example, amending or breaking existing contracts where necessary) with those local authorities" and it is clear councils will receive appropriate support and funding, that includes consequential costs.
- 5.5 The introduction of free garden waste collections will significantly increase collection costs and discourage home composting, which is the preferred method of dealing with waste within the waste hierarchy. The lost income stream for six out of seven waste collection authorities in North Yorkshire who charge, would potentially be replaced through new burden funding. However the environmental impact of a garden waste collection service to every household is not justified when the most environmentally sustainable solution is to compost at home.
- 5.6 A garden waste collection service to every household would have a significant impact on the County Council financially as it would increase the amount of recycling credits/incentive payable and processing costs through our contractors. It is proposed that NYCC does not support proposals to remove the ability of councils to charge for the collection of garden waste. Evidence from within North Yorkshire suggests that free collections are not required in order to achieve high recycling performance, and that charging does not reduce tonnages collected to the same levels as Government have indicated is likely within the previous consultation document. Free garden waste collections will increase the total amount of waste arising within North Yorkshire as more waste is captured, and will only be a benefit to those residents who have a garden. The "New Burdens" funding should allow Local Authorities to promote and manage home composting as a priority before consideration of free garden waste collections.
- 5.7 We welcome the consideration of exemptions for the following waste streams to be collected together from households and non-household municipal premises:

- plastic and metal
- glass and metal.

- 5.8 We further suggest that an exemption for a combination of plastic, metal and glass is considered. Efficient and effective systems in predominantly rural areas is more readily achieved when waste streams are co-collected, and the separate collection of fibres ensures high quality recyclate is recovered.
- 5.9 Like most respondents to the first consultation we support the need for Government to provide flexible guidance for local authorities to take account of varying local circumstances. Council's need support to adopt a consistent approach to demonstrating when it may not be technically or economically practicable to collect recyclable household waste in recyclable waste streams separately, or circumstances in which separate collection may not have significant environmental benefit. We believe this approach should be applied across all of the requirements for collection including garden, food and residual waste to allow local decision making within an agreed national framework.
- 5.10 Within the 2019 consultation North Yorkshire County Council did not support the introduction of a minimum fortnightly refuse collection frequency, we believe this is something that councils should be able to determine themselves. Restricting refuse capacity is a strong driver for increased recycling and once the recycling, garden and food waste is removed, there is very little left to be disposed of in the refuse bin which allows for lower frequency collections. The focus should be on outcomes, leaving local councils free to decide when to collect materials on the basis of what works for them based on technical, economic and environmental considerations. These decisions should be made locally taking into account the local area, housing types and demographics. We are concerned that whilst briefly discussed within "Statutory guidance proposed content 4: Minimum service standards for the collection of residual waste from households" there is no opportunity for comment on this within this consultation.
- 5.11 There are potential opportunities to be gained from the proposals to include businesses that produce household-like waste. There are many businesses in North Yorkshire who may be able to benefit from these proposals, increasing their recycling rates and reducing refuse disposal costs. Waste collectors should be required to collect the core set of dry materials from all non-household premises at the same point in time as local authorities are commencing collection of these materials from household sources, and funding from producers under the EPR scheme is available where appropriate.
- 5.12 On page 12 of the consultation under the New Burdens heading Government says "As part of the new duties imposed on local authorities in the Environment Bill, central Government will fund net additional capital costs (for example containers, vehicles), and transitional costs such as communications and re-routing vehicles, to implement the new consistent collection measures." There is no mention of ongoing operational costs here, yet on page 31 in discussing Food Waste "Government will ensure that local authorities are resourced to meet any new burdens arising from this policy, including up front transition costs and ongoing operational costs". Until explicitly laid out uncertainty will remain with what costs are covered and therefore local authorities will be hesitant in taking these proposals forward.

5.13 As discussed in the report to the Corporate Director - Business and Environmental Services and Executive Members 21 May 2021 on DEFRA consultations on EPR, DRS and the Waste Prevention Programme for England, the timescales for implementation are very ambitious. If the EPR is not fully functioning it will have a knock on effect and will influence funding for some of the dry material required to be collected by local authorities within this consultation. The proposals within this Consistency in Household and Business Recycling in England consultation require significant resources from local authorities concerning planning future services, re-negotiation of contracts, preparing and tendering new contracts, suppliers of services acquiring new /additional infrastructure, vehicles, containers, acquirement of planning permission for required facilities, all against a fairly limited current infrastructure availability. Further limitation on the two years and four months currently available for local authorities and suppliers etc. due to proposals not being fully formed by DEFRA will exacerbate the pressures already on those involved further.



6.0 Financial Implications

6.1 There may be significant positive and negative financial implications from any legislation resulting from these consultation proposals. As yet there is insufficient clarity to determine the actual effects of the proposals being consulted on. Most policies are not proposed to be implemented until late 2023, so whilst there is no immediate impact on budgets, financial planning must start to take into account the likely impacts and once known these will be built into the Medium Term Financial Plan of the Authority at the appropriate time. There is also the potential for the proposals to have a financial impact on the current long term waste contract.

7.0 Legal Implications

7.1 There is the potential for significant changes to existing legislation and guidance and the proposals have potential for impacts on our current long term waste contract.

8.0 Equalities Implications

8.1 None, as these proposals are consultation exercises on key principles, there is insufficient information on which to base an Equalities Impact Assessment.

9.0 Climate change Implications

- 9.1 The proposals are included within a national consultation regarding key principles which if implemented will have significant carbon impacts gained through increases in the levels of recycling nationally. DEFRA estimate the increases will generate between £3,627M to £4,661M GHGs emissions savings (traded and non-traded) for the period 2023-2035, dependent upon the options taken forward. Once legislative and operational requirements are clearer, the climate change implications for North Yorkshire can be assessed.

10.0 Conclusion

- 10.1 The consultation proposals are broadly welcomed but will require some refinement and clarity regarding the scope and funding. The proposals will impact on the amount and type of waste collected and disposed, and how waste will actually be collected and disposed.

11.0 Recommendations

- 11.1 It is recommended that the Corporate Director - Business and Environmental Services (BES) and BES Executive Members consider the issues raised by the consultation on Consistency in Household and Business Recycling in England
- 11.2 It is recommended that the Corporate Director - BES in consultation with BES Executive Members approve the attached responses to the above consultations on behalf of the County Council to be sent to DEFRA.

MICHAEL LEAH

Assistant Director – Transport, Environment and Countryside Services

Authors of Report:

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Andy Holmes & Jenny Lowes, Service Improvement Officers

Background papers relied upon in the preparation of this report:-

Business and Environmental Services, Executive Members, 10 May 2019, DEFRA/HM Treasury Consultations on Elements of the Resources and Waste Strategy, Report of Assistant Director - Transport Waste and Countryside Services

<https://edemocracy.northyorks.gov.uk/Data/Business%20and%20Environmental%20Services%20Corporate%20Director%20and%20Executive%20Members%20Meeting/20190510/Agenda/DEFRA-HM%20Treasury%20Consultations%20on%20elements%20of%20the%20Resources%20and%20Wa.pdf>

Business and Environmental Services, Executive Members, 21 May 2021, DEFRA Consultations on Elements of the Resources and Waste Strategy, Report of Assistant Director – Travel Environmental and Countryside Services

<https://edemocracy.northyorks.gov.uk/documents/s5795/DEFRA%20Consultation%20on%20the%20Resources%20and%20Waste%20Strategy.pdf>

Consistent Collections Consultation

Introduction (page 16)

- Q1 Your Name
Peter Jeffreys
- Q2 Your email address
peter.jeffreys@northyorks.gov.uk
- Q3 Which best describes you?
 Local government
- Q4 If you are responding on behalf of an organisation what is its name?
North Yorkshire County Council
- Q5 Would you like your response to be confidential?
No

Proposals on separate collection of dry recyclable waste from households

Proposal 1 - Collection of dry recyclable materials

Q6 Do you agree or disagree that local authorities should be required to collect the following dry materials from all households, including flats, by the end of the financial year in which payments to local authorities under Extended Producer Responsibility for packaging commences (currently proposed to be 2023/4 subject to consultation)? (P26)

	Agree –this material can be collected in this timeframe	Disagree –this material can't be collected in this timeframe	Not sure /don't have an opinion /not applicable
Aluminium foil	X		
Aluminium food trays	X		
Steel and aluminium aerosols	X		
Aluminium tubes, e.g. tomato puree tubes		X	
Metal jar lids	X		
Food and drink cartons, e.g. TetraPak	X		

Q7 If you have disagreed with the inclusion of any of the additional materials above in the timeframe set out, please state why this would not be feasible, indicating which dry recyclable material you are referring to in your response. (P27)

As a Waste Disposal Authority we previously requested, in response to the 2019 consultation, that requirements for Household Waste Recycling Centres (HWRCs) be considered as part of this second round of consultation, however it is not clear if HWRCs will need to collect the core set of materials too.

Aluminium tubes are not commonly collected by Councils. It would be a difficult message regarding food waste contamination with this waste, as it will be difficult to wash out. We suggest that tubes are not included.

Q8 Some local authorities may not be able to collect all these items from all households at kerbside by 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date? (P28)

- X *Collection contracts*
- X *Sorting contracts*
- X *Materials Recovery Facility (MRF) infrastructure capacity*
- X *Cost burden*
- X *Reprocessing*
- X *End markets*
- Other (please specify)*

Please provide the reason for your response and indicate how long local authorities require before they can collect all of these materials, following the date that funding is available from Extended Producer Responsibility.

All of the above are criteria why a local authority may not be able to collect all these items by this date. However, as appears likely these items will be covered by the EPR and local authorities will receive their net costs for provision of services. If the EPR funding is not in place by 2023/24 and local authority resources have been spent on arranging and commencing collection of these materials we need to be sure that any costs will be funded as a “New Burden” and exactly how this will work. This needs to be explicit within any legislation and/or statutory guidance.

All councils are at different starting points depending on what they currently collect and the reasons why they have chosen their items will be due to individual/local circumstances including some/all of the above.

Many local authorities, including North Yorkshire and York Councils, have made long-term financial investments in technology to treat and dispose of municipal waste. Changes in waste composition and waste volume arising from this consultation and the EPR, DRS consultations are likely to lead to challenge, contractual change and additional costs from service providers. These ‘consequential’ costs do not appear to be considered within this consultation.

As per our response to the EPR consultation any costs paid to local authorities, whether through EPR funding or “New Burdens” funds should be net of an average price per tonne for each material collected, providing that local authorities attaining a higher than average price (reflective of good quality recyclate) retain the financial benefit. Quality recyclate is a key aim of these consultations; this incentivises local authorities to recover high quality recyclate whilst an average price per tonne could offer some protection from volatile markets subject to the methodology applied. It is important that the risk of fluctuating material values rests with the packaging producers or within “New Burdens” funding.

We previously expressed concerns, in response to the 2019 consultation, regarding end markets. Whilst proposals within this consultation and EPR consultation will increase demand, we are unsure that this will meet the potential supply if collection standards for these materials are reached. If this is the case who will take on the risk, will EPR funding or “New Burdens” funding cover the full cost of these materials collected for recycling being sent for disposal due to lack of markets.

The timescales for implementation of all parts of this consultation are very ambitious. With regard to the EPR two critical steps must be in place; the Extended Producer Responsibility regulations, and to appoint the Scheme Administrator. The timeline is to appoint the Scheme Administrator in early 2023, but these timings are subject to parliamentary approval of the Environment Bill. If the EPR is not fully functioning it will have a knock on effect and will affect funding for some of the dry material required to be collected by local authorities within this consultation. The proposals within this Consistency in Household and Business Recycling in England consultation require significant resources from local authorities concerning planning future services, re-negotiation of contracts, preparing and tendering new contracts, suppliers of services acquiring new /additional infrastructure, vehicles, containers, acquirement of planning permission for required facilities, all

against a fairly limited current infrastructure availability. Further limitation on the 2 years and 4 months currently available for local authorities and suppliers etc., due to proposals not being fully formed by DEFRA will exacerbate the pressures already on those involved further.

Q9 Do you agree or disagree that food and drink cartons should be included in the plastic recyclable waste stream in regulations, to reduce contamination of fibres (paper and card)? (P28)

Agree – cartons should be included in the plastic recyclable waste stream.

Disagree – cartons should be included the paper and card recyclable waste stream.

X Not sure / don't have an opinion / not applicable.

Please provide the reason for your response and state if there are any unintended consequences that we should consider.

Our understanding is that paper mills have technology to separate out different fibres, could this technology be applied at MRFs to separate out cartons, whichever mix of materials they are collected within?

Putting cartons in the plastic stream may be confusing for residents as it would not easily be identifiable as a plastic product.

We oppose any option that collects cartons separately.

Q10 Assuming food and drink cartons are included by the date that Extended Producer Responsibility commences, what would be the financial impact on gate fees and processing costs from sending mixed material streams containing cartons into a Materials Recovery Facility? (P28)

No increase

0–9% increase

10–20% increase

21–100% increase

X Not sure / don't have an opinion / not applicable

Please provide the reason for your response.

Proposal 2 - Collection of plastic films from households

Q11 Do you agree or disagree that local authorities should adopt the collection of this material from all households, including flats, no later than 2026/27? (P29)

Agree

Disagree

X Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

The main issues are the availability of MRFs capable of processing these materials, end markets and opportunities for customers especially householders to store additional materials. The EPR should encourage producers to move away from this material to a more recyclable one, rather than potentially putting in methods for recycling it. If put in place there will be significant costs particularly for change of collection systems and MRFs this will need to be covered by the EPR funding.

Q12 Which of the following reasons might prevent plastic film collections being offered to all households by the end of the financial year 2026/27? (P29)

X Collection contracts

X Sorting contracts

X Materials Recovery Facility (MRF) infrastructure capacity

X Cost burden

X Reprocessing

X End markets

Other (please specify)

Please provide the reason for your response and provide evidence to support your answer.

All of the above are criteria why a local authority may not be able to collect all these items by this date. However, as appears likely these items will be covered by the EPR and local authorities will receive their net costs for provision of services. If the EPR funding is not in place by 2026/27 we need to be sure that any of these additional costs will be funded as “New Burdens” and exactly how this will work. There is no detail of how exactly “New Burden” funding will be accessed by Local Authorities and this is a major concern.

The main issues are the availability of MRFs capable of processing these materials, end markets and opportunities for customers especially householders to store additional materials. The EPR should encourage producers to move away from this material to a more recyclable one, rather than potentially putting in methods for recycling it. If put in place there will be significant costs particularly for change of collection systems and MRFs that will need to be covered by the EPR funding.

Many local authorities, including North Yorkshire and York Councils, have made long-term financial investments in technology to treat and dispose of municipal waste. Changes in waste composition and waste volume arising from this consultation and the EPR, DRS consultations are likely to lead to challenge, contractual change and additional costs from service providers. The ‘consequential’ costs in regard to these materials do not appear to be considered within this consultation.

As per our response to the EPR consultation any costs paid to local authorities, whether through EPR funding or “New Burden “ funds should be net of an average price per tonne for each material collected, providing that local authorities attaining a higher than average price (reflective of good quality recyclate) retain the financial benefit. Quality recyclate is a key aim of these consultations; this incentivises local authorities to recover high quality recyclate whilst an average price per tonne could offer some protection from volatile markets subject to the methodology applied. It is important that the risk of fluctuating material values rests with the packaging producers or within New Burdens funding.

We previously expressed concerns, in response to the 2019 consultation, regarding end markets. Whilst proposals within this consultation and EPR consultation will increase demand, we are unsure that this will meet the potential supply if collection standards for these materials are reached. If this is the case who will take on the risk, will EPR Full Net Cost funding or “New Burdens” funding cover the full cost of these materials collected for recycling being sent for disposal due to lack of markets.

There needs to be best practice guidance on how to collect these items at the kerbside and residents require information on how to present the items for recycling covering such things as to why loose film can cause problems for processing. There may be issues with bagged up and tied film.

Proposal 3 & 4 – Food waste

Q13 Do you agree or disagree that the above should be collected for recycling within the food waste stream? (P35)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition.

There is no consideration of the waste hierarchy or the Waste Prevention Plan consultation running in parallel to this consultation. Whilst prevention will hopefully mean that only “Food scraps” need processing, we need to be realistic that some, hopefully a reducing amount of food waste past it's use by date, food leftovers, cooked and uncooked food and other mouldy, inedible food will require processing, but this could be done at home.

Food waste including cooked food waste can be managed at home using various proven tools such as a Green Johanna, Bokashi bin or Green Cone. Tea bags, coffee grounds, vegetable and fruit peelings can be successfully home composted negating the need for collection, processing and significant costs of food waste.

Food waste collection would also damage the impact of the County Council's waste prevention campaigns based on successfully reducing food waste and increasing home composting across North Yorkshire.

Q14 Which parts of Proposal 4 do you agree or disagree with? (P36)

	Agree	Disagree	Not Sure or Don't have an opinion
Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year	X		
Local authorities should have a separate food waste collection service (at least weekly) in place for all household properties including flats as quickly as contracts allow	X		
Local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service should have a separate food waste collection service in place (at least weekly), for all households including flats, by the 2024/25 financial year at the latest	X		
Local authorities with long term existing mixed food/garden waste collection or disposal contracts in place should have a separate food waste collection service in place (at least weekly) for all household properties including flats as soon as soon as contracts allow, with an end date to meet this requirement between 2024/25 and 2030/31	X		
Local authorities with long term residual waste disposal contracts affected by introducing a separate food waste collection service (e.g. some Energy from Waste or Mechanical Biological Treatment contracts) should introduce a separate food waste collection service (at least weekly) to all households including flats as soon as contracts allow, with an end date to meet this requirement to be set between 2024/25 and 2030/31	X		

Please provide any views on the end date for these obligations and any evidence on associated costs and benefits.

We are pleased to see that DEFRA are considering "barriers to implementing a separate food waste collection service and we will be exploring the transitional barriers including costs (arising from, for example, amending or breaking existing contracts where necessary) with those local authorities". However until it is clear local authorities will receive appropriate support and funding,

that includes for consequential costs there will be financial uncertainty for those authorities who have committed to long term residual waste treatment contracts.

We have concerns over the availability of Anaerobic Digestion and In-vessel composting facilities nationally and locally and how this will affect the market prices for processing this material, has this been considered?.

If mandated to collect food waste separately as a local authority “with a long term residual waste disposal contracts affected by the introduction of a separate food waste collection service” we would potentially need until 2030/31. This would enable us to take the most advantage of our existing residual waste treatment contract and allow sufficient time for renegotiation with our existing suppliers and/or potential suppliers of the necessary infrastructure for treating and collecting food waste.

Q15 Some local authorities may experience greater barriers to introducing a separate food waste collection service to all household properties, including flats, by the dates proposed above. For what reasons might it be appropriate for these collection services to begin after this date?

(P37)

X *Collection contracts*

X *Treatment contracts*

X *Cost burden*

X *Reprocessing*

X *End markets*

Other (please specify)

If you have disagreed with any of the proposed implementation dates above, please provide examples of circumstances where it would be appropriate for this collection service to begin after these proposed dates and any supporting evidence where possible.

We are pleased to see that DEFRA are considering” barriers to implementing a separate food waste collection service and we will be exploring the transitional barriers including costs (arising from, for example, amending or breaking existing contracts where necessary) with those local authorities”. However until it is clear local authorities will receive appropriate support and funding, that includes for consequential costs there will be financial uncertainty for those authorities who have committed to long term residual waste treatment contracts.

On page 12 under the “New Burdens” heading Government says “ As part of the new duties imposed on local authorities in the Environment Bill, central Government will fund net additional capital costs (for example containers, vehicles), and transitional costs such as communications and re-routing vehicles, to implement the new consistent collection measures.” We are concerned that this does not mention ongoing operational costs, yet on page 31 in discussing Food Waste “Government will ensure that local authorities are resourced to meet any new burdens arising from this policy, including up front transition costs and ongoing operational costs”. Until explicitly laid out uncertainty will remain with what costs are covered and therefore local authorities will be hesitant in taking these proposals forward.

We have concerns over the availability of Anaerobic Digestion and In-vessel composting facilities nationally and locally and how this will affect the market prices for processing this material, has this been considered?.

Potential requirements to provide residual waste collection on an alternate weekly frequency will reduce the effectiveness of any food waste collection system so as to reduce recycling performance. Food waste collection performance is significantly improved when combined with a three weekly residual waste collection frequency. Reducing collection frequency also improves the cost effectiveness of collection systems and with weekly food waste collection targeting much of the ‘smelly’ or offensive components of domestic waste the arguments for frequent residual waste collections are significantly reduced.

Within the 2019 consultation North Yorkshire County Council did not support the introduction of a minimum fortnightly refuse collection frequency, we believe this is something that councils should be able to determine themselves. The focus should be on outcomes, leaving local councils free to decide when to collect materials on the basis of what works for them, based on TEEP. These decisions should be made locally taking into account the local area, housing types and demographics

If mandated to collect food waste separately as a local authority “with a long term residual waste disposal contracts affected by the introduction of a separate food waste collection service” we would potentially need until 2030/31. This would enable us to take the most advantage of our existing residual waste treatment contract and allow sufficient time for renegotiation with our existing suppliers and/or potential suppliers of the necessary infrastructure for treating and collecting food waste.

Proposal 5 - Caddy Liners

Q16 Do you agree or disagree with this proposal? Please provide any other comments on the use of caddy liners in separate food waste collections, including on any preferences for caddy liner material types. (P39)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

Caddy liners must break down through Anaerobic Digestion, IVC etc. Caddy liners need to be a standard material supplied by the local authority and supported by “New Burdens” funding.

If left to the householder then they may purchase biodegradable / degradable or use other inappropriate plastic bags to line their caddy, which will lead to problems/contamination at the composting / AD facility.

Proposal 6 – Biodegradable and compostable packaging

Q17 Do you have any comments on how the collection and disposal of compostable and biodegradable materials should be treated under recycling consistency reforms? For example, this could include examples of what should be provided in guidance on the collection and disposal of these materials. (P42)

Compostable packaging would have to be relevant to an actual event where ‘closed loop’ recycling/composting was in place and there would need to be evidence that the packaging has been composted, to a PAS standard after the event.

Residents will not be able to differentiate between compostable/ biodegradable plastic bags. These compostable/ biodegradable bags will end up in the proposed plastic films.

Q18 Do you agree or disagree that anaerobic digestion plants treating food waste should be required to include a composting phase in the treatment process? (P42)

Agree

X *Disagree*

Not sure / don't have an opinion / not applicable

Please provide any evidence where possible and explain any advantages and disadvantages.

The consultation acknowledges that ‘At present, there cannot be reasonable certainty over whether there are benefits to the final digestate and compost products resulting from the inclusion of biodegradable and compostable plastic materials as feedstock’. On this basis there appears to be little merit to include a composting process at an AD plant, adding cost and resources, to address a material that has unproven benefit. EPR is extending the producer pays principle to hard to recycle packaging to incentivise producers to reevaluate the composition of their waste. This principle should be extended to biodegradable and compostable plastic materials as opposed to building infrastructure around a hard to recycle waste stream.

Proposal 7 – Definition of Garden Waste

Q19 Do you agree or disagree with the materials included in and excluded from this description of garden waste? (P46)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition.

A number of local authorities also collect small Christmas trees if cut appropriately to fit within the bin, tree bark and vegetarian animal bedding - guinea pigs/rabbits these could also be composted and included with garden waste.

Proposal 8 –Free garden waste collection

Q20 Given the above costs, recycling benefits and carbon emissions reductions, do you agree or disagree that local authorities should be required to introduce a free minimum standard garden waste collection (240 litre containers, fortnightly collection frequency and throughout the growing season⁴⁵), if this is fully funded by Government, and if authorities remain free to charge for more frequent collections and/or additional capacity? (P47)

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any comments or evidence on the costs and benefits presented above.

NYCC does not support the proposal for a free fortnightly garden waste collection service. We see the proposal as a retrograde step in terms of producer responsibility, as it will require residents with no gardens to subsidise the collection costs related to the provision of this services to those who do have gardens via taxation either from their Council Tax or national taxation.. The “New Burdens” funding should allow Local Authorities to promote and manage home composting as a priority prior to any consideration of free garden waste collections.

We believe that if they decide to local authorities should be able to make a charge for garden waste collections to cover their costs.

If free collections were introduced then councils would need to set up additional garden waste capacity, which could lead to a potential increased cost per tonne of garden waste. This would lead to a loss in income for WCAs and there would be increased costs of operating the free service to more households (more vehicles, staff and bins).

We have built up a significant number of households that compost at home, and these have no ongoing cost, we are concerned that some residents would not continue to home compost if councils started to collect food waste and/or garden waste free of charge. This would bring more material into the waste stream, increasing collection and disposal costs.

The “growing season” term is probably not relevant in the current climate, with milder weather and a longer gardening season - there is often garden waste available throughout the year or at least 10 months of the year

The proposed capacity of 240l per fortnight may not be suitable for the needs of all residents e.g. a smaller capacity 140 litre may be better suited to many residents who may be elderly or have small gardens. Whilst, the use of sacks (or multiple sacks) equivalent to this capacity for garden waste presents a potential health and safety issue for residents and waste collection operatives alike.

We do not recognise the figures within the consultation on pages 43/44, you state that;

- *” Introducing a minimum free garden waste service would increase England’s household recycling rate by approximately 5%”*
- *“This also results in a 25% increase of garden waste tonnage collected for recycling, shifted from residual waste.”*
- *“The collection of garden waste for recycling or composting has several benefits, including job creation and diverting the material from residual waste streams, where it can end up in landfill and release harmful greenhouse gases.”*

Of the 7 waste collection authorities in North Yorkshire 6 make charges for the collection of garden waste. Our compositional analysis shows that 2.52% of residual waste is garden waste. If we composted all garden waste within the residual waste stream we would have an additional 3362 tonnes, this equates to an additional 8% increase on the garden waste already collected for composting and not a 25% increase shown within your figures. The additional 3362 tonnes of garden waste would be a 1.2% increase in our recycling rate compared to the “increase England’s household recycling rate by approximately 5% (WRAP estimate).” suggested within the consultation.

This consultation document indicates an element of target chasing by requiring a service to collect waste which could, possibly, should be treated through home composting processes. One of the overarching objective of the Resources and Waste Strategy is to eliminate avoidable wastes of all kinds by 2050 and yet this proposal seems intent on increasing capture of a material stream rather than promoting the prevention of it in the first place via home composting. The proposal seems at odds with the waste hierarchy. Free garden waste collections will increase the total amount of waste arisings within North Yorkshire and across England as more waste is captured. It is worrying that government is still using landfill as the benchmark for residual waste treatment.

This proposal is a waste of Government money. Do residents really use their residual bin to put in garden waste or are they taking it to the garden waste skips at the HWRCs or home composting or just leaving it in the garden. Some residents won’t currently have a garden waste bin but if they were given one for free then they’d probably use it but this will only be creating kerbside tonnages that didn’t exist before as the waste would have gone into the home compost bin or taken to the HWRC. Home composting needs to be the first option - a free home compost bin to every household that wants one then a paid garden waste collection for those seems reasonable.

Proposal 9 – Other garden waste collection options

Q21 How likely are the following options to support the above policy aims? (P48)

	Very Likely	Likely	Unlikely
Provide updated guidance on reasonable charges for garden waste.	X		
Issue clear communications to non-participating households.	X		
Support on increasing home composting (e.g. subsidised bin provision).	X		

Q22 Do you have any further comments on the above options, or any other alternatives that could help to increase the recycling of garden waste and/or reduce the quantity of garden waste in the residual waste stream? Please provide supporting evidence where possible. (P48)

We are pleased to see that within this second consultation DEFRA is seeking views on options, either alongside or instead of a free, minimum collection service for garden waste, and the extent to which they would achieve the aim of increasing the recycling of garden waste and decrease the quantity of garden waste in residual waste streams. We fully support these options but in line with the waste hierarchy “Support on increasing home composting (e.g. subsidised bin provision)” should be the priority. We are disappointed that the benefits of home composting of food wastes

does not appear to have been considered within this consultation. Food waste can be managed at home using various proven tools such as a Green Johanna, Bokashi bin or Green Cone.

One of the overarching objective of the Resources and Waste Strategy is to eliminate avoidable wastes of all kinds by 2050 and yet the “free garden waste collection” proposal seems intent on increasing capture of a material stream rather than promoting the prevention of it in the first place via home composting. The proposal seems at odds with the waste hierarchy. Free garden waste collections will increase the total amount of waste arisings within North Yorkshire and across England as more waste is captured.

Subsidised home composting and a promotional campaign is the best option for garden and some food waste. Home composting should be the first option and then garden and food waste can be tackled at home without the need for vehicles/reprocessing facilities/end markets/caddy liners etc. If you have a garden then you should be expected to have a compost bin. A garden waste collection should only be for those that can't manage a home compost bin or those that want to pay for it.

Proposal 10 – Exemptions on separate collection of two recyclable streams

Q23 Could the following recyclable waste streams be collected together from households, without significantly reducing the potential for those streams to be recycled? (P50)

	Agree	Disagree	Not Sure / Don't have an opinion
Plastic and metal	X		
Glass and metal	X		

If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.

Dependent upon the success of the EPR and DRS the tonnages of these materials are likely to decrease within local authority recycling collections. This consultation requires a wider range of material types to be collected, therefore it is essential that certain wastes are collected together to reduce the cost of collection, resident confusion and apathy from having a multitude of recycling containers/boxes/bins for collections. As long as the MRF can separate materials to good quality recycle then it makes sense environmentally, economically and practicably to collect items together. We are not aware of significant issues from processors used by collection authorities locally with co-mingled collected recycling and nationally these schemes produce significantly higher tonnages at less cost and are therefore efficient and effective.

Q24 What, if any, other exemptions would you propose to the requirement to collect the recyclable waste in each waste stream separately, where it would not significantly reduce the potential for recycling or composting? (P50)

Separate collections of each dry material type are not always necessary if councils can demonstrate a suitable quality of the resulting material through mixed collections. From the research that we have done with consultants it has shown that it is not always TEEP to do this in some areas.

We further suggest that an exemption for a combination of plastic, metal and glass is considered. Efficient and effective systems in predominantly rural areas is more readily achieved when waste streams are co-collected, and the separate collection of fibres ensures high quality recycle is recovered. Glass, plastic and cans are collected mixed currently in North Yorkshire and are giving a good standard of recycle.

If a MRF can produce high quality recycle from mixed collections, using technological advances, then using such a facility should lead to an exemption and this could be for all materials processed

through the MRF. Our understanding is that where co-mingled collections take place the rejection levels are low but collection tonnages are significantly higher than source separated collections.

With the potential implementation of the DRS there would be significantly less glass, cans and plastic bottles to collect, whilst the proposed number of materials in the consistency set will increase. This means it will be inevitable that items will be collected mixed as it will be impossible to collect all items separately at the kerbside due to the number of containers/vehicle splits that would be required. Additional containers for dry material separation, garden waste and food waste added to residents needing to separate materials under DRS will not work and will lead to apathy and reduced tonnages compared to comingled collections.

Proposal 11 – Exceptions on two or more streams collected together

Q25 Do you have any views on the proposed definition for ‘technically practicable’? (P54)

Like most respondents to the first consultation we support the need for Government to provide flexible guidance for local authorities to take account of varying local circumstances. Council’s need support to adopt a consistent approach to demonstrating when it may not be technically or economically practicable to collect recyclable household waste in recyclable waste streams separately, or circumstances in which separate collection may not have significant environmental benefit. We believe this approach should be applied across all of the requirements for collection including garden, food and residual waste to allow local decision making within an agreed national framework.

Q26 Do you agree or disagree that the proposed examples cover areas where it may not be ‘technically practicable’ to deliver separate collection? (P54)

Agree

X *Disagree*

Not sure / don’t have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

The principles being developed within the EPR concerning payments to local authorities based on rurality and geography need to be consistent with the principles within this consultation.

With the technological advancements in MRF sorting facilities, co-mingled and twin stream collections could be put in place resulting in less health and safety issues especially in regard to manual handling fewer containers at the kerbside and the use of wheeled containers rather than boxes and bags which will help with an aging workforce .

The focus needs to be on the end products and what the MRF can deal with efficiently and produce good quality material ready for reprocessing. If MRFs can process plastic, cans, glass and cartons for example and separate these items to a similar quality as separated materials then it makes sense technically, economically, environmentally and practically to collect these items mixed.

Q27 What other examples of areas that are not ‘technically practicable’ should be considered in this proposal? Please be as specific as possible. (P54)

Q28 Do you agree or disagree that the proposed examples cover areas that may not be ‘economically practicable’ to deliver separate collection? (P55)

X *Agree*

Disagree

Not sure / don’t have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

Whilst we agree with the examples, from a financial point of view the costs of breaking existing contractual arrangements and potentially procuring new suppliers need to be considered as well.

Q29 What other examples of 'economically practicable' should be considered in this proposal? Please be as specific as possible. (P55)

Whilst we agree with the examples from a financial point of view the costs of breaking existing contractual arrangements and potentially procuring new suppliers need to be considered as well.

The number of HMOs in an area could be criteria in TEEP assessment, as these are likely to produce more food waste per household than standard properties

Like most respondents to the first consultation we support the need for Government to provide flexible guidance for local authorities to take account of varying local circumstances. Council's need support to adopt a consistent approach to demonstrating when it may not be technically or economically practicable to collect recyclable household waste in recyclable waste streams separately, or circumstances in which separate collection may not have significant environmental benefit. We believe this approach should be applied across all of the requirements for collection including garden, food and residual waste to allow local decision making within an agreed national framework.

Q30 Do you have any views on what might constitute 'excessive costs' in terms of economic practicability? (P55) Concerns over WRAP family groups and the definition of efficient and effective systems.

Food waste collection costs in urban and rural area will be significantly different. There will be excessive costs for collection per tonnes/household in rural areas compared to urban locations. The number of HMOs in an area could be criteria in TEEP assessment, as these are likely to produce more food waste per household than standard properties.

Q31 Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together? (P56)

If councils can demonstrate that the collected mixed material is being sorted and put back to what it was designed for (closed loop recycling) then it can be demonstrated that there is no significant environmental benefit from collecting it separately.

Like most respondents to the first consultation we support the need for Government to provide flexible guidance for local authorities to take account of varying local circumstances. Council's need support to adopt a consistent approach to demonstrating when it may not be technically or economically practicable to collect recyclable household waste in recyclable waste streams separately, or circumstances in which separate collection may not have significant environmental benefit. We believe this approach should be applied across all of the requirements for collection including garden, food and residual waste to allow local decision making within an agreed national framework.

Q32 Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate? (P56)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to.

Q33 What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible. (P56)

If councils can demonstrate that the collected mixed material is being sorted and put back to what it was designed for (closed loop recycling) then it can be demonstrated that there is no significant environmental benefit from collecting it separately.

Proposal 12 – Compliance and enforcement

Q34 Do you agree or disagree that local authorities should only be required to submit a single written assessment for their service area? (P58)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

Q35 What other ways to reduce the burden on local authorities should we consider for the written assessment? (P58)

Tools for Councils to show how one collection is of more benefit than another and a standardised approach to excessive cost e.g. how to ensure in comparing costs we consider HMOs appropriately– all councils will have some but what percentage per council. Standardised consistent approach for local authorities to calculate the impacts.

Q36 What factors should be taken into consideration including in the written assessment? For example, different housing stock in a service area, costs of breaking existing contractual arrangements and/or access to treatment facilities. (P58)

The number of HMOs in an area could be criteria in TEEP assessment, as these are likely to produce more food waste per household than standard properties.

The costs of breaking existing contractual arrangements and potentially procuring new suppliers need to be considered as well.

Q37 Do you agree or disagree that reference to standard default values and data, which could be used to support a written assessment, would be useful? (P59)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

These may be useful but they would need to consider fully the diverse nature of local authorities especially those that are more rural. Reference values and data should not be used as the default or benchmark for comparison by those evaluating the written statement. There needs to be an ability to override the default values and data if we have evidence that is different to those values.

Q38 Do you agree or disagree that a template for a written assessment would be useful to include in guidance? (P59)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

There needs to be opportunity to add content from a local perspective.

Proposal 13 – Minimum service standards of dry recyclable materials

Q39 Do you agree or disagree with Proposal 13, particularly on the separation of fibres from other recyclable waste streams and the collection of plastic films? (P61)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

We support the principle that the collection of household waste and resources should be carried out in accordance with broad national standards as proposed in the Resources and Waste Strategy, supported by clear and consistent messaging. However, it is critical that any new system is fair, and does not place increased costs onto local authorities elsewhere. The focus should be on outcomes, leaving local councils free to decide if, how and when to collect materials on the basis of what works for them based on TEEP.

Guidance is welcomed on the separate collection of fibres and film. Plastic films are not commonly collected and we would need guidance on how to introduce this to collection schemes.

Proposal 14 – Non-statutory guidance

Q40 Which service areas or materials would be helpful to include in non- statutory guidance? (P63)

As a Waste Disposal Authority we previously requested, in response to the 2019 consultation, that requirements for Household Waste Recycling Centres (HWRCs) be considered as part of this second round of consultation, however it is not clear if HWRCs will need to collect the core set of materials.

Proposal 15 – Review of Environmental Permitting Regulations

Q41 Do you have any comments on the recommendations from the review of the Part 2 of Schedule 9 of the Environmental Permitting Regulations? (P64)

Greater clarity is required on the revised sampling requirements especially for smaller bulking points where the available space is limited.

Q42 If amendments are made to Part 2 of Schedule 9, do you agree or disagree that it is necessary to continue to retain requirements to sample non-packaging dry recyclable materials? (P64)

Agree

Disagree

X Not sure / don't have an opinion / not applicable

Please provide the reason for your response where possible.

Proposal 16 – Recycling Credits

Q43 Do you agree or disagree that provision for exchange of recycling credits should not relate to packaging material subject to Extended Producer Responsibility payments? (P68)

X Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide the reason for your response.

Whilst locally we operate recycling credit payment for dry materials including those in scope of the EPR we operate a local arrangement for garden waste offering to take ownership of this waste collected by collection authorities and cover the disposal cost. Otherwise, a payment based on savings is made.

As the consultation states “The intention behind recycling credits was to ensure that savings from avoided waste disposal costs by a Waste Disposal Authority were shared with Waste Collection Authorities to provide a financial incentive to improve recycling and to reduce disposal costs”. However, whilst the cost of processing (and income from some materials) may be significantly lower than the recycling credit and hence makes a mockery of recycling credits, if collection authorities do not receive an equal level of funding through the EPR or “New Burdens” then there may be significant financial issues for collection authorities.

With respect to the payment of recycling credits in relation to non-packaging waste, such as newspapers, magazines or food waste, local arrangements should be made based on sharing costs and/or savings arising from the management of these wastes. However, where agreement cannot be arrived at it may still be necessary to have some legally based backstop for payments.

Q44 In relation to recycled waste streams not affected by Extended Producer Responsibility or which are not new burdens we are seeking views on two options: (P68)

- Option 1 Should we retain requirements for Waste Disposal Authorities to make payment of recycling credits or another levy arrangement with Waste Collection Authorities in respect of non-packaging waste?
- Option 2 Should we discontinue recycling credits and require all two-tier authorities to agree local arrangements?

	Agree	Disagree	Not Sure / Don't have an opinion / not applicable
Option 1		X	
Option 2	X		

Q45 Where local agreement cannot be arrived at what are your suggestions for resolving these? For example, should a binding formula be applied as currently and if so, please provide examples of what this could look like. (P68)

Any back up should consider cost and mutual benefit and needs to be enforceable.

Proposal 17 – dry recycling collections from non-household premises

Q46 Do you agree or disagree that waste collectors should be required to collect the following dry materials from all non-household premises for recycling, in 2023/24? (P76)

	Agree –this material can be collected in this timeframe	Disagree –this material can't be collected in this timeframe	Not sure / Don't have an opinion /not applicable
Aluminium foil	X		
Aluminium food trays	X		
Steel and aluminium aerosols	X		
Aluminium tubes, e.g. tomato puree tubes		X	
Metal jar lids	X		
Food and drink cartons, e.g. TetraPak	X		

If you disagree with the inclusion of any of the materials above in the timeframe set out, please provide the reason for your response and indicate which dry recyclable material you are referring to.

Waste collectors should not be required to collect these dry materials from all non-household premises for recycling, in 2023/24. This is unless this is co-ordinated and at the same point in time as local authorities are commencing collection of these materials from household sources, and funding from producers under the EPR funding is available where appropriate.

Q47 Some waste collectors may not be able to collect all the items in the dry recyclable waste streams from all non-household municipal premises in 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date? (P76)

- X *Collection contracts*
- X *Sorting contracts*
- X *Materials Recovery Facility (MRF) infrastructure capacity*
- X *Cost burden*
- X *Reprocessing*
- X *End markets*
- Other (please specify)*

Please provide the reason for your response and indicate how long waste collectors require before they can collect all these materials.

All of the above are criteria why waste collectors may not be able to collect all these items by this date. However, as appears likely these items will be covered by the EPR and local authorities and other waste collectors will receive their net costs for provision of services. If the EPR funding is not in place by 2023/24 we need to be sure that any additional costs will be funded as a “New Burden” and exactly how this will work.

Many local authorities, including North Yorkshire and York Councils, have made long-term financial investments in technology to treat and dispose of municipal waste. Changes in waste composition and waste volume arising from this consultation and the EPR, DRS consultations are likely to lead to challenge, contractual change and additional costs from service providers. These ‘consequential’ costs do not appear to be considered within this consultation.

As per our response to the EPR consultation any costs paid to local authorities, whether through EPR funding or “New Burdens” funds should be net of an average price per tonne for each material collected, providing that local authorities attaining a higher than average price (reflective of good quality recyclate) retain the financial benefit. Quality recyclate is a key aim of these consultations; this incentivises local authorities to recover high quality recyclate whilst an average price per tonne could offer some protection from volatile markets subject to the methodology applied. It is important that the risk of fluctuating material values rests with the packaging producers or within “New Burdens” funding.

We previously expressed concerns, in response to the 2019 consultation, regarding end markets. Whilst proposals within this consultation and EPR consultation will increase demand, we are unsure that this will meet the potential supply if collection standards for these materials are reached. If this is the case who will take on the risk, will EPR funding or “New Burdens” funding cover the full cost of these materials collected for recycling being sent for disposal due to lack of markets.

Proposal 18 – Collection of film from non-household premises

Q48 Do you agree or disagree that collections of plastic films could be introduced by the end of 2024/25 from non-household municipal premises? (P77)

- Agree*
- X *Disagree*
- Not sure / don't have an opinion / not applicable*

If you disagree, please provide the reason for your response and any evidence as to why this would not be feasible.

Why are the proposed dates not the same for household and non-household? these should be the same 26/27.

Waste collectors should not be required to collect these dry materials from all non-household premises for recycling, by 2024/25. This is unless this is co-ordinated and at the same point in time as local authorities are commencing collection of these materials from household sources, and funding from producers under the EPR funding is available.

Q49 Do you have any other comments on this proposal? For example, please specify any barriers that may prevent collectors delivering these services. (P77)

Many local authorities, including North Yorkshire and York Councils, have made long-term financial investments in technology to treat and dispose of municipal waste. Changes in waste composition and waste volume arising from this consultation and the EPR, DRS consultations are likely to lead to challenge, contractual change and additional costs from service providers. The ‘consequential’ costs in regard to these materials do not appear to be considered within this consultation.

As per our response to the EPR consultation any costs paid to local authorities, whether through EPR funding or “New Burden “ funds should be net of an average price per tonne for each material collected, providing that local authorities attaining a higher than average price (reflective of good quality recyclate) retain the financial benefit. Quality recyclate is a key aim of these consultations; this incentivises local authorities to recover high quality recyclate whilst an average price per tonne could offer some protection from volatile markets subject to the methodology applied. It is important that the risk of fluctuating material values rests with the packaging producers or within New Burdens funding.

We previously expressed concerns, in response to the 2019 consultation, regarding end markets. Whilst proposals within this consultation and EPR consultation will increase demand, we are unsure that this will meet the potential supply if collection standards for these materials are reached. If this is the case who will take on the risk, will EPR Full Net Cost funding or “New Burdens” funding cover the full cost of these materials collected for recycling being sent for disposal due to lack of markets.

There needs to be best practice guidance on how to collect these items at the kerbside and residents require information on how to present the items for recycling covering such things as to why loose film can cause problems for processing. There may be issues with bagged up and tied film.

Proposal 19 – on-site food waste treatment technologies

Q50 Do you agree or disagree with Proposal 19? (P79)

Agree

Disagree

X *Not sure / don’t have an opinion / not applicable*

Q51 Do you have any other comments on the use of these technologies and the impact on costs to businesses and recycling performance? (P80)

No

Proposal 20 – reducing barriers to non-household waste recycling

Q52 What are the main barriers that businesses (and micro-firms in particular) face to recycle more? (P81)

	Large barrier	Some barrier	Low/no barrier
Communication			

Financial			
Space			
Engagement			
Drivers to segregate waste			
Location			
Enforcement			
Variation in bin colours and signage			
Contractual			
Staff/training			
Other			

If you have selected other above, please specify. Don't answer

Please provide any comments on how these barriers can be overcome.

Proposal 21 – exemptions and phasing on micro-firms

Q53 Should micro-firms (including businesses, other organisations and non-domestic premises that employ fewer than 10 FTEs) be exempt from the requirement to present the five recyclable waste streams (paper & card, glass, metal, plastic, food waste) for recycling? Please select the option below that most closely represents your view and provide any evidence to support your comments. (P83)

*Yes – all micro-firms should be exempt from the requirement – **Option 1***

*No – but all micro-firms should be given two additional years to comply with the new requirements in the Environment Bill (i.e. compliant in 2025/26) – **Option 2***

X *No – all micro-firms should be required to present these waste streams for recycling, from the 'go live' date in 2023/24 yes*

The major issue for these businesses is storage capacity as the majority will not have space for a single container let alone the number potentially required for separate collection of the various waste streams.

As Micro-firms make up a considerable part of local businesses especially in rural areas and contribute a substantial amount of waste where possible these materials need to be recycled appropriately. Government needs to find a way to cover the potential financial cost to Micro-firms to ensure they are not at a financial disadvantage from appropriately dealing with these wastes.

Q54 Should any non-household municipal premises other than micro-sized firms be exempt from the requirement? Please provide evidence to support your comments. (P84)

No, regardless of storage capacity there should be a drive for communal arrangements for these wastes. It is unfair for exemptions if domestic properties have to comply.

Proposal 22 – Waste franchising/zoning

Q55 Which recyclable waste streams should be included under a potential zoning scheme? (P88)

	Agree	Disagree	Not Sure / Don't have an opinion / not applicable
Dry recyclable waste streams			X
Food waste			X
Other items e.g. bulky office waste			X

We have concerns that it this is aimed at urban areas rather than rural areas. However, as long as it is competitive it does makes more carbon sense.

Q56 Which of the below options, if any, is your preferred option for zoning/collaborative procurement? Please select the option that most closely aligns with your preference. (P89)

- X *Encouraging two neighbouring businesses to share the same containers under contract preferred and legitimised*
- *Encouraging businesses to use shared facilities on a site/estate*
- *Business Improvement Districts/partnerships tendering to offer a preferential rate (opt-in)*
- *Co-collection – the contractor for household services also deliver the non-household municipal services yes*
- *Framework zoning – shortlist of suppliers licensed to offer services in the zone*
- *Material specific zoning – one contractor delivers food, one for packaging, one for refuse collection services no*
- *Exclusive service zoning – one contractor delivers the core recycling and waste services for the zone yes*
- *None of the above*

Zoning options are preferential but we have concerns that it is aimed at urban areas rather than rural areas. But, as long as it is competitive it does makes more carbon sense.

We believe that there are several of these options that are appropriate besides *Encouraging two neighbouring businesses to share the same containers under contract preferred and legitimised – share costs and seems reasonable*. These include

- Encouraging businesses to use shared facilities on a site/estate
- Co-collection options encouraging two neighbouring businesses to share the same containers under contract and encouraging businesses to use shared facilities on a site/estate should be encouraged.

Q57 Do you have any views on the roles of stakeholders (for example DEFRA, the Environment Agency, WRAP, local authorities, business improvement districts, businesses and other organisations and chambers of commerce) in implementing a potential zoning or franchising scheme? For example, do you think there could be roles for one or more of these organisations in each of the following activities: (P89)

- *Procurement*
- *Scheme design*
- *Administration and day to day management*
- *Enforcement*
- *Business support*
- *Development of tools and guidance*
- *Delivery of communications campaigns*
- *Any other activities (please specify)*

If you think that there is a role for any other stakeholders, please specify.

We believe all of these stakeholders will have a role to play in the majority of these activities.

Please provide explanations where possible to support your above response.

Q58 Do you have any further views on how a potential waste collection franchising / zoning scheme could be implemented? (P89)

No

Q59 Do you have any views on how Government can support non-household municipal waste producers to procure waste management services collaboratively? This could include working with other stakeholders. (P90)

No

Q60 Which type(s) of business support would be helpful? (Select any number of responses)
(P90)

- X 1:1 support
- X National /regional campaigns
- X National guidance and good practice case studies
- X Online business support tools (e.g. online calculators and good practice guidance)
- Other (please specify)
- N/a

Q61 Are there any barriers to setting up commercial waste bring sites, and do you find these sites useful? (P90)

We currently offer a service at all 20 of our Household Waste Recycling Centres for businesses to dispose and recycle many waste streams. Commercial waste bring sites would either need to be manned (HWRC) or locked areas with only those legally agreeing to conditions of use able to access them otherwise they will be liable to fly tipping and vandalism.

We are not aware of any dedicated commercial waste bring sites that are in current operation and as these could have been implemented, but have not there must be reasons why.

Proposal 23 – exemptions to separate collection from non-household premises

Q62 Could the following recyclable waste streams be collected together from non-household municipal premises, without significantly reducing the potential for those streams to be recycled?
(P91)

	Agree	Disagree	Not Sure / Don't have an opinion
Plastic and metal	X		
Glass and metal	X		

If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.

Dependent upon the success of the EPR and DRS the tonnages of these materials are likely to decrease within recycling collections. This consultation requires a wider range of material types to be collected, therefore it is essential that certain wastes are collected together to reduce the cost of collection, customer confusion and apathy from having a multitude of recycling containers/boxes/bins for collections

As long as the MRF can separate materials to good quality recycle then it makes sense environmentally, economically and practicably to collect items together. We are not aware of significant issues from processors used by collection authorities locally with co-mingled collected recycling and nationally these schemes produce significantly higher tonnages at less cost and are therefore efficient and effective.

Q63. What, if any, other exemptions would you propose to the requirement to collect the recyclable waste stream in each waste stream separately where it would not significantly reduce the potential for recycling or composting?

Separate collections of each dry material type are not always necessary if it a suitable quality of the resulting material through mixed collections can be demonstrated.

We further suggest that an exemption for a combination of plastic, metal and glass is considered. Efficient and effective systems in predominantly rural areas is more readily achieved when waste streams are co-collected, and the separate collection of fibres ensures high quality recycle is recovered. Glass, plastic and cans are collected mixed currently in North Yorkshire and are giving a good standard of recycle.

Proposal 24 – exemption on two or more recyclables from non-household premises

Q64 Do you have any views on the proposed definition for ‘technically practicable’? (P93)

The proposed principle of “separate collection” appears to be DEFRA’s baseline, TEEP needs to consider all forms of collection systems and not focus purely upon separate collection, with other collection systems potentially allowed by exception.

Q65 Do you agree or disagree that the proposed examples cover areas where it may not be ‘technically practicable’ to deliver separate collection? (P94)

Agree

X *Disagree*

Not sure / don’t have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

With the technological advancements in MRF sorting facilities, co-mingled and twin stream collections could be put in place resulting in less health and safety issues especially in regard to manual handling fewer containers at the kerbside and the use of wheeled containers rather than boxes and bags which will help with an aging workforce.

The focus needs to be on the end products and what the MRF can deal with efficiently and produce good quality material ready for reprocessing. If MRFs can process plastic, cans, glass and cartons for example and separate these items to a similar quality as separated materials then it makes sense technically, economically, environmentally and practically to collect these items mixed.

Q66 What other examples of areas that are not ‘technically practicable’ should be considered in this proposal? Please be as specific as possible. (P94)

Q67 Do you agree or disagree that the proposed examples cover areas that may not be ‘economically practicable’ to deliver separate collection are appropriate? (P94)

X *Agree*

Disagree

Not sure / don’t have an opinion / not applicable

If you disagree with any of the above, please provide

Whilst we agree with the examples, from a financial point of view the costs of breaking existing contractual arrangements and potentially procuring new suppliers need to be considered as well.

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Q68 What other examples of ‘economically practicable’ should be considered in this proposal? Please be as specific as possible. (P95)

Whilst we agree with the examples, from a financial point of view the costs of breaking existing contractual arrangements and potentially procuring new suppliers need to be considered as well.

Q69 Do you have any views on what might constitute ‘excessive costs’ in terms of economic practicability? (P95)

Q70 Do you have any views on what should be considered ‘significant,’ in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together? (P95)

If it can be demonstrated that the collected mixed material is being sorted and put back to what it was designed for (closed loop recycling) then there is no significant environmental benefit from collecting it separately.

Q71 Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate? (P95)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Q72 What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible. (P96)

If it can be demonstrated that the collected mixed material is being sorted and put back to what it was designed for (closed loop recycling) then there is no significant environmental benefit from collecting it separately

Proposal 25 – compliance and enforcement

Q73 What ways to reduce the burden on waste collectors and producers should we consider for the written assessment? (P97)

Tools to show how one collection is of more benefit than another and a standardised approach to excessive cost e.g. how to ensure costs are considered appropriately.

Q74 We are proposing to include factors in the written assessment which take account of the different collection requirements, for example, different premises within a service area. What other factors should we consider including in the written assessment? (P98)

The major issue in more rural areas is that the majority of businesses have extremely limited storage capacity and the majority may not have space for a single container let alone the number potentially required for separate collection of the various waste streams. This needs to be a consideration.

Q75 Would reference to standard default values and data, that could be used to support a written assessment, be useful? (P98)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

These may be useful but would need to consider fully the diverse nature of the areas considered, especially those that are more rural. Reference values and data should not be used as the default value or as the benchmark for comparison by those evaluating the written statement. There needs to be an ability to override the default values and data if there is evidence that is different to those values.

Q76 Do you agree or disagree that a template for a written assessment would be useful to include in guidance? (P98)

X *Agree*

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response.

There needs to be opportunity to add content from a local perspective.

Q77 Do you agree or disagree that the proposed approach to written assessments and non-household municipal collections will deliver the overall objectives of encouraging greater separation and assessing where the three exceptions (technical and economical practicability and environmental benefit) apply? (P98)

Agree

Disagree

X *Not sure / don't have an opinion / not applicable*

Proposal 26 – costs and benefits

Q78 Do you have any comments and/or evidence on familiarisation costs (e.g. time of FTE(s) spent on understanding and implementing new requirements) and ongoing costs (e.g. sorting costs) to households and businesses? (P103)

Q79 Do you have any comments on our impact assessment assumptions and identified impacts (including both monetised and unmonetised)? (P103)