

SERVICE UPDATE

<u>Name of Function:</u>	Operations, Waste & Recycling Service
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<u>Title of Update:</u>	Waste Management Update
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<u>Committee Terms of Reference:</u>	Operational Delivery Committee

Purpose

The purpose of this update is to provide Members with an overview of a number of impending changes that will impact the Council's waste management services. The policy and legislative changes are:

- Recycling Improvement Fund
- Extended Producer Responsibility
- Deposit and Return Scheme
- Household Recycling Charter: Code of Practice
- Waste Composition Analysis Fund
- Biodegradable Municipal Waste Landfill Ban
- The Circular Economy Bill & Routemap
- Persistent Organic Pollutants

1.0 Recycling Improvement Fund

1.1 Background

The Scottish Government launched a £70 million Recycling Improvement Fund in March 2021. The £70m fund (capital expenditure only) is phased over 5 years - £5.3m; £16m; £18,65m; £15.6m; £14.5m.

It commenced in 2021/22 and is administered by Zero Waste Scotland (ZWS).

The aim of the fund is to accelerate progress towards the 2025 target to recycle 70% of all waste in Scotland, through strengthening and improving

local authority waste and recycling infrastructure and contributing towards Scotland's net-zero carbon commitment.

The intention of the fund is to drive improvements in the quality and quantity of material collected for reuse and recycling by local authorities, while promoting more consistent approaches, with the aim of delivering wider environmental and carbon benefits.

1.2 Implications

To date £53m of the fund has been distributed to 17 local authorities for a total of 24 projects.

The projects have the potential to divert 44,314 additional tonnes for recycling or re-use which will save 49,482 tonnes equivalent of carbon dioxide.

1.3 Position

The Waste & Recycling Team submitted six projects to the fund in July 2021.

Three projects have been funded:

1. Fitting identification tags to communal bins to help improve data and performance (£220,000);
2. Expansion of re-use facility at Hazlehead recycling centre (£36,450);
3. Improvement works at Sclattie transfer station to improve facilities for separation of materials for recycling and re-use (£681,065). Since the original bid costs have increased and the Council has received an uplift taking the grant to £863,724.

Therefore the Council has secured £1,120,174.

The identification tag project is underway with fitting of the tags almost complete, further work is ongoing regarding development of the reporting and data analysis.

The re-use facility at Hazlehead is now complete and the on-site shop opened in July 2022.

Works at Sclattie commenced in March and are due to be completed by summer 2023

2.0 **Extended Producer Responsibility (EPR) Update**

2.1 Background

The UK Government (with the Scottish Government) is working on the Packaging Producer Responsibility system at a UK level, to bring it into line with Circular Economy Principles and to keep pace with the EU Circular Economy requirements.

Packaging producers will be made responsible for the full cost of managing the packaging they place on the market.

As part of the full net cost payments, producers of commonly littered packaging, such as fast-food packaging and single use cups, will be made responsible for the costs of its management.

This it is hoped will place a strong incentive on those producers to seek to reduce packaging and prevent littering, and where this is not possible, ensure it is effectively managed through litter bins and street cleansing.

2.2 Implications

The EPR proposals aim to bring revenue to local authorities for managing packaging waste. However, the mechanism for how this will operate is still under discussion.

To date the UK Government has brought in a raft of reporting requirements on those who put packaging into the market from 1 January 2023.

This is a UK wide system, points of consideration include administration and governance arrangements, payment mechanisms (including net-cost recovery), timeline for introduction, as well as the range of materials covered under this scheme.

It is likely that the list of packaging materials will be those commonly collected for recycling – paper, card, glass, cans, plastic.

A new target material, plastic film, is expected to be added to the list of materials that should be collected by local authorities.

2.3 Position

Officers from the Waste & Recycling Service have provided information and data to help inform the process.

Internal discussions are also ongoing with the Council's contractor, regarding potential impacts for processing materials, through the MRF.

Liaison is also ongoing with the Environment Service with respect to the potential impacts, or income, that EPR may bring for the litter and street cleansing service.

The main focus of work in Scotland will be to ensure that all Local Authorities receive adequate funding for the management of packaging waste and that any waste compositional analysis to identify levels of packaging waste in household, commercial waste, or litter is representative of the material managed in Scotland.

3.0 Deposit Return Scheme (DRS) Update

3.1 Background

The Scottish Government's Deposit Return Scheme (DRS) should have been implemented in July 2021 but was initially delayed to July 2022. It was further delayed to 16th August 2023; but has now been delayed to 1st March 2024.

Due to the on-going difficulties with the scheme and the potential veto of the UK Government the scheme may yet be delayed again until a UK wide scheme is agreed for implementation sometime in 2025. The matter has recently (April 2023) been referred to the Office for the Internal Market (OIM) by the Liberal Democrats as it may occasion differential pricing in different parts of the UK.

The scheme will collect drinks containers made from:

- aluminium and steel cans;
- plastic (PET) bottles;
- glass bottles (which will not be part of the English scheme)

with a 20p refundable deposit available at all shops which sell drinks to customers.

HDPE milk containers will be excluded from the initial scheme and cartons are also excluded.

Recently small volume containers of 100ml or less have been excluded from the scheme as have small producers – those providing less than 5,000 units per year to the market.

Hospitality premises which sell for consumption on the premises will also be exempt from the scheme.

The scheme aims to capture 90% of target drinks containers for recycling, which is around 1.5 billion containers per year.

The Scottish Government appointed Circularity Scotland Limited on 24 March 2021 as the Scheme Administrator.

3.2 Implications

Circularity Scotland Ltd see local authorities as being key stakeholders in the delivery of the DRS in Scotland and are keen to engage to identify where there are opportunities to utilise existing services and infrastructure.

Circularity Scotland advised that they plan to establish 8 bulking centres and 3 counting centres in Scotland (Aberdeen, Glasgow and Edinburgh). They expect to have around 37,500 return points, with 3,500 of these being reverse vending machines at large supermarkets and in airports etc.

There will be 3 main counting houses in Scotland – these are in Glasgow, Edinburgh and Aberdeen (Portlethen).

3.3 Position

If the DRS scheme performs as intended it will remove a significant quantity of valuable materials currently collected for recycling by the Council – namely cans, glass and plastic bottles.

Given they are among the higher value items collected it is likely that the initiative will reduce income received for the sale of recyclates which in turn will impact on the Service revenue budget.

However, there is the view that DRS will mean additional items may be recycled which are currently in the residual waste bins, and any savings in disposal costs from this could at least in part offset some of the losses.

Consideration will also be given to how this might impact on the kerbside recycling services and the impacts of DRS will be closely monitored.

4.0 **Household Recycling Charter Code of Practice**

4.1 Background

Currently, 31 authorities (of 32) are signed up to the Charter with 9 of those being fully compliant with the Code of Practice.

Sign-up to the Charter and Code of Practice remains voluntary.

A working group was convened in late 2019 to commence a review of the Code of Practice (2016) that supports the Household Recycling Charter. The Charter can be viewed here:

<https://www.zerowastescotland.org.uk/content/charter-household-recycling>

However progress stalled during the pandemic and has now been overtaken by the work being carried out on the Circular Economy Bill and Routemap.

4.2 Implications

Changes to the Code of Practice may have implications for local authorities, as the legislation and requirements around DRS and EPR become more developed. The CE Bill and Routemap may also impact on this.

It is not currently known what (if any) the Code of Practice may play, however, this needs to be considered carefully to ensure those local authorities that are not fully compliant with the CoP are not disadvantaged.

4.3 Position

Aberdeen City Council signed up to the Charter in 2017. The Charter shows the authority's commitment to the principles of:

- To improve our household waste and recycling services to maximise the capture of, and improve the quality of, resources from the waste stream, recognising the variations in household types and geography to endeavour that our services meet the needs of all our citizens.
- To encourage our citizens to participate in our recycling and reuse services to ensure that they are fully utilised.
- To operate our services so that our staff are safe, competent and treated fairly with the skills required to deliver effective and efficient resource management on behalf of our communities.
- To develop, agree, implement and review a Code of Practice that enshrines the current best practice to deliver cost effective and high-performing recycling services and tell all of our citizens and community partners about both this charter and the code of practice.

ACC is compliant with most of the Code with the exception of the service design.

The Charter defines that the recycling service should be a "3 stream" model which is:

- residual waste;
- containers (plastic and cans); and
- fibre (paper and cardboard);
- Glass should also be collected separately either at kerbside or *via* bring sites.

ACC's recycling service is fully comingled (mixed) and, whilst it collects and recycles all of the required materials, it does not collect them in the manner described in the Code.

Implementation of ACC's service model was well underway before the inception of the Charter and well before the Code of Practice and was intentionally designed as a fully comingled service in order to provide the full range of services to all in the city.

The Materials Recycling Facility was purpose-built to deal with this mix of materials and had successfully produced high quality sorted materials for reprocessing until the fire occurred.

Introduction of the Council's model resulted in the recycling rate increasing by over 10% since 2016 to 49.9% in 2019. The rate has since dropped to 45.1% (unverified) in 2022, however, there are a number of potential impacts including the pandemic and the fire last year that have contributed to this and a similar trend has been seen across the country over the last few years. Aberdeen remains above the Scottish average and still has the highest recycling rate of the Scottish cities.

Moving to the Code of Practice service design would mean that many households in Aberdeen would have reduced access to recycling services with a concomitant reduction in recycling performance.

For these reasons, the Code of Practice service design is not believed to be suitable for Aberdeen. The Council is, however, compliant with the other requirements of the Code in terms of policy, process and management.

It is likely that further reviews will be required to take full account of DRS, EPR and in particular the Circular Economy Bill and Routemap which will probably specify a portfolio of interventions to try to meet new recycling and re-use targets over a relatively short timescale.

5.0 Landfill Ban

5.1 Background

In 2012, the Scottish Parliament passed the Waste (Scotland) Regulations 2012, which included a ban on biodegradable municipal waste (BMW) going to landfill. In 2019, this date was pushed back and is now 31 December 2025.

Local authorities are required to make alternative arrangements to landfill for this material.

Scottish Government has established a programme board to facilitate progress for those councils that were unable to meet the original target date of 2021 for the ban on biodegradable waste to landfill.

The Scottish Government's Climate Change Plan update committed to extend the ban on BMW to include biodegradable non-municipal waste, subject to consultation and conducting impact assessments to provide assurances around certain waste streams.

5.2 Implications for Local Authorities

The date that landfill operators must refuse to accept biodegradable municipal waste was amended to 31 December 2025 through the Waste (Miscellaneous Amendments) (Scotland) Regulations 2020. Virtually all local authorities either have or are in the process of making arrangements to meet the ban by arranging contracts with energy from waste providers.

5.3 Position

Aberdeen City Council, Aberdeenshire and Moray Councils having sponsored the Ness Energy project are in a position to meet the 2025 deadline in 2023.

The energy from waste plant (Ness Energy) at East Tullos is currently being commissioned. Aberdeen's residual waste has been delivered to the facility since February 2023.

The plant is expected to be fully operational by late summer of 2023.

6.0 Circular Economy Bill and Routemap

6.1 Background

The Scottish Government consulted on the Circular Economy Bill and associated Routemap for waste last year. Aberdeen City Council responded to both consultations. The report detailing the CE responses was published in November 2022 with the Routemap analysis report initially published in April 2023. The CE Bill and Routemap are anticipated to be tabled before summer recess.

The Bill is to provide the framework and enabling legislation for the implementation of the Routemap outcomes. To date, local authorities have had little or no information regarding the final content of the Bill or the Routemap but the proposals in the consultation included whether to take powers in four areas: Strategic Interventions, Reduce & Reuse, Recycle, and Littering and Improving Enforcement and there were 13 proposals:

1. Circular Economy Strategy Obligation
2. Statutory Targets (consumption/reuse/recycling)
3. Establishment of circular economy public body
4. Measures to ban the destruction of unsold goods
5. Environmental Charging for single-use items
6. Mandatory reporting of waste and surplus
7. Strengthening approach to household recycling collection services
8. The role of targets to support recycling performance
9. The Duty of Care for Households
10. Incentivising waste reduction and recycling (households)
11. Business recycling collection zoning
12. New penalty for littering from vehicles
13. Seizure of vehicles

The draft Circular Economy Bill is expected to be laid before summer recess. To date, we are unaware of the detail of the content of the Bill or the Routemap.

6.2 Implications for local authorities

The package of proposals may lead to the need for a review or redesign of waste services, infrastructure and fleet and also potentially the approach taken and management of service design, consultation/communications, implementation, and review.

Particular areas of note for ACC are:

- Potential for mandatory recycling targets. The Scottish Government previously set a household waste recycling target of 60% by 2020 (and

recycling of 70% of all waste by 2025). If new targets for LAs are introduced this could be challenging without further tools to support these (particularly around householder participation). There are further complications around targets due to the impacts the now delayed Deposit Return Scheme (DRS) will have on collection systems for local authorities (as material moves from LA collections into the DRS scheme and so will negatively impact LA performance figures).

- Possible mandatory garden waste collections. ACC currently achieves an income of around £1 million from the garden waste permit scheme. It is not clear whether making this service mandatory would also remove the ability to make a charge for this service.
- Possible future changes to recycling collections. This could require changes to the existing services however the bill is promoting “co-design” and acknowledges that there are challenges, particularly in urban areas, with the current code of practice model and seeks to work with authorities to find suitable services that will deliver the desired outputs. Note that potential future impacts are being considered during the design discussion for the replacement facility at Altens following last year’s fire.

The Bill will also potentially encompass other measures that will affect services in a much wider context than waste and recycling services – for example, possible interventions around single use items, increased reporting, litter, etc.

Critically, given the sheer number of initiatives (in a relatively short timeframe) the Services will require to be strategic and nimble to ensure that change is carried out quickly but without compromising the ability to implement the overall package of measures.

6.3 Position

The authority is cognisant of the potential impacts on its services but until further detail is available it is difficult to assess what future changes may be required.

Prudently, the recent decision to extend the current contract with SUEZ will give the Service time and space to consider more fully the implications of the proposed measures before embarking on a new contract.

7.0 Persistent Organic Pollutants (POPs)

POPs are chemicals which are regarded as toxic, persistent, bio-cumulative, and subject to long range transportation (by air). They include a wide range of industrial chemicals including insecticides, pesticides and fire retardants in furniture and plastics.

The objective of control is to stop the use of POPs and to ensure those that are present are “destroyed” so that they do not present any future risk to the environment or human health.

POPs use has declined or been completely eliminated in many household goods. However as older goods become waste if POPs are present above certain thresholds then special handling to prevent the release of POPs and disposal to destroy the chemicals are required.

Recent research by the EA has determined that certain household goods are likely to contain POPs above the allowed threshold – namely waste upholstered domestic seating (WUDS) – in the form of items like sofas, armchairs, stools, chairs, etc.

7.1 Implications for local authorities

Given these chemicals may be present in the wastes Councils collect such as waste electrical goods, and soft furnishings the implications may be significant.

The UK government has issued guidance (and further guidance from SEPA is expected shortly) which states that when managing POPs containing soft furnishing waste they should not be mixed with other waste during storage, collection or treatment which includes in a skip or storage bay.

Waste can be collected in the same vehicle so long as it is not mixed with POPs containing waste and the waste is separated when unloaded. The POPs waste then needs to be incinerated.

Given the foregoing, changes to bulky waste collection services, processes at HWRCs and treatment and disposal may be required.

There are techniques for identifying POPs in waste. However they are complex and expensive. But it may be that Services will have to invest in the equipment and training in order to actually identify the waste that contains POPs above the threshold level rather than assume that all soft furnishings and waste electrical goods contain POPs.

7.2 Position

For the Council to comply it will have to review the way in which it collects and stores waste which may contain POPs (mainly bulky waste collections). Some work has been undertaken on this already in preparation for the move to the Ness Energy facility.

To treat the waste (which falls within the definition i.e. has POPs above a threshold level) prior to incineration the Council would have to provide new infrastructure (shredding).

However, given the Council has the energy from waste contract, disposal of POPs containing waste in a form which can be accommodated (i.e. meets the size requirements) at the energy from waste plant is possible.

The Council does not currently have the equipment necessary (or trained staff) to examine waste to determine whether or not it falls within the regulations.

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