

ABERDEEN CITY COUNCIL

COMMITTEE: Zero Waste Management Sub-Committee

DATE: 7th October 2014

DIRECTOR: Pete Leonard

TITLE OF REPORT: EU Recycling Targets and other Regulatory Changes

REPORT NUMBER: H&E/14/070

CHECKLIST RECEIVED: Yes

1. PURPOSE OF REPORT

The report provides an update on the EU Recycling Targets and other Regulatory Changes.

2. RECOMMENDATIONS

That the Sub-committee:

- i. Notes the proposed changes to the EU recycling targets and provide feedback
- ii. Notes the other regulatory changes outlined in this report

3. FINANCIAL IMPLICATIONS

There are significant financial implications involved in meeting the targets set by the Scottish government and the EU. The targets set in the Aberdeen City Waste Strategy are lower than those set by the EU and Scottish government but even these will require significant investment in new infrastructure, the roll out of new services and increased operational costs.

4. OTHER IMPLICATIONS

Legal: if the new proposed targets are adopted by the EU then they will become legally binding on nation states, however there are currently no direct sanctions proposed.

Resource: Significant resources and commitment will be required to implement new services in order to achieve the targets. Definition of the resource implications will not be known for some time until both the EU Directive has been agreed and any national legislation introduced.

Personnel: none from this report.

Environment and Sustainability. The facilities to be developed under the Zero Waste Project will significantly reduce the carbon impact of the Council's and householders activities. Increased recycling and low landfill will be achieved once all services and facilities are developed.

5. BACKGROUND/MAIN ISSUES

5.1 Revision of the EU Waste Framework Directive

5.1.1 On 2 July 2014, the European Commission adopted a legislative proposal to review recycling and other waste-related targets in the EU Waste Framework Directive 2008/98/EC, the Landfill Directive 1999/31/EC and the Packaging and Packaging Waste Directive 94/62/EC.

The aim of the proposal is to help turn Europe into a 'circular economy', boost recycling, secure access to raw materials and create jobs and economic growth. It does so by setting ambitious targets and adding key provisions on the instruments to achieve and to monitor them. The proposal is presented as part of the circular economy package.

The main elements of the proposal include:

- Recycling and preparing for re-use of municipal waste to be increased to 70 % by 2030;
- Recycling and preparing for re-use of packaging waste to be increased to 80 % by 2030, with material-specific targets set to gradually increase between 2020 and 2030 (to reach 90 % for paper by 2025 and 60% for plastics, 80% for wood, 90% of ferrous metal, aluminium and glass by the end of 2030);
- Phasing out landfilling by 2025 for recyclable (including plastics, paper, metals, glass and bio-waste) waste in non hazardous waste landfills – corresponding to a maximum landfilling rate of 25%;
- Measures aimed at reducing food waste generation by 30 % by 2025;
- Separate collection of Biowaste in place by 2025

Other less significant proposals include:

- Introducing an early warning system to anticipate and avoid possible compliance difficulties in Member States;
- Promoting the dissemination of best practices in all Member States, such as better use of economic instruments (e.g. landfill/incineration taxes, pay-as-you-throw schemes, incentives for municipalities) and improved separate collection;

- Improving traceability of hazardous waste;
- Increasing the cost-effectiveness of Extended Producer Responsibility schemes by defining minimum conditions for their operation;
- Simplifying reporting obligations and alleviating burdens faced by SMEs;
- Improving the reliability of key statistics through harmonised and streamlined calculation of targets;
- Improving the overall coherence of waste legislation by aligning definitions and removing obsolete legal requirements.

5.2 Implications of the proposed changes

5.2.1 There are a number of implications of the proposed changes for the Scottish Zero Waste Plan and the Scottish local authorities. On the whole the proposed changes are less stringent than the targets already laid down by the Scottish government in the Zero Waste Plan.

5.2.2 Appendix One is an extract from the Zero Waste Scotland Plan and shows the original EU waste directive targets compared to the Scottish government targets. The main changes are:

- A new target of 70% of municipal waste to be recycled by 2030 (the Scotland Zero Waste plan has the same target to be reached by 2025)
- Separate bio waste collections to be in place by 2025 (the Scotland Zero Waste plan has the same target for 2015)
- Landfill ban for non-hazardous waste (paper, cardboard, metal, glass, plastic and biowaste) by 2025 and by 2030 for the rest of non-residual waste (Scottish government target is maximum of 5% to landfill for total waste arisings by 2025)
- 30% reduction of food waste generation by 2025 in manufacturing retail, food service hospitality and household (this is compatible with Scottish biowaste policy)

5.2.3 In line with the revised overall targets of the Waste Framework Directive the packaging directive is also reviewed and its targets expanded and raised. The below new targets appear to be uniform to all Member States.

60% of all packaging waste by weight must be prepared for reuse and recycling by 2020

70% for 2025

80% for 2030

Plastic packaging waste must be prepared for reuse and recycled

45% by 2020

60% by 2025

Non-ferrous **metal packaging** waste:

70% by 2020

80% by 2025

90% by 2030

Glass packaging waste:

70% by 2020

80% by 2025

90% by 2030

Paper and Cardboard packaging waste:

85% by 2020

90% by 2025

Wood Packaging Waste:

50% by 2020

65% by 2025

80% by 2030

- 5.2.4 Initial assessment of these targets by COSLA against the actual direction of travel in Scotland suggest some challenges and it is expected that local authorities will confirm to COSLA the potential difficulty with reaching these targets.

5.3 Aberdeen City Council's recycling targets

- 5.3.1 The Aberdeen City Waste Strategy (2014 - 25) was updated in 2014 and agreed by the Zero Waste Sub-committee, Housing and Environment Committee and Finance, Policy and Resources Committee. In this strategy the targets set by the Scottish government in the Zero Waste Plan 2010 are laid down but it is acknowledged that Aberdeen will struggle to reach these targets due to the densely urban nature of the city and its households. Aberdeen City has a large number of flats and tenements without gardens and therefore these properties do not create garden waste. As a result of this more realistic targets were set for Aberdeen City as follows:

- 50% of household waste to be recycled through source separation by 2020
- 56% of household waste to be recycled through source separation by 2025
- Further recycling can be achieved by processing mixed waste

5.4 Other regulatory changes

- 5.4.1 Further legislative changes have been introduced to help tackle the problems of litter and fly tipping. These measures were included in the Regulatory Reform (Scotland) Act 2014, which was passed by the Scottish Parliament in January, and received Royal Assent in February. From 30 June 2014, amendments to the Environmental Protection Act 1990 will provide:

- A requirement for alleged offenders to provide their name and address to persons with litter/ flytipping enforcement powers (i.e. designated Local Authority officers).

- Clarity regarding the placement of waste bins by householders and businesses, so that it clearly encompasses the retrieval of bins and when they should be placed and removed.

5.4.2 A project to investigate Aberdeen City Council's approach to waste enforcement has been started in order to clarify which service is responsible for which aspect of enforcement, if there are any gaps or overlaps of responsibility and the impact of the recent legislation changes. This project will report back to the Zero Waste Committee in due course.

5.5 Implications for Aberdeen City Council

5.5.1 The direction of travel established in the new EU Commission proposals increases the challenge to nation states and to urban authorities in particular. If the new targets are adopted without change, there is likely to be subordinate legislation from the Scottish Government. It is clearly too early to understand what new obligations this would place on local authorities but some form of change is considered inevitable.

5.5.2 In relation to the current Aberdeen City Council policy, the major impacts relate to:

1. Potential impact on the capacity of waste infrastructure, in particular, the size of the Altens East Materials Recycling Facility (MRF) and the Energy from Waste (EfW) facility that will deliver combined heat and power to homes and business in the city. Under current proposals, the MRF will be constructed to have additional capacity above what is required in the Waste Strategy. As a result, the new proposals do not represent a great risk to this activity.
2. In relation to EfW, the City Waste Strategy identifies a need for approx. 40% EfW capacity. This assessment is based on the understanding that achieving levels of high quality recycling above 55-60% in a densely urban city like Aberdeen will be extremely difficult if not impossible. The establishment of a statutory recycling target of 70% would potentially limit the capacity that can be developed to 30% of all waste. This would result in a shortfall in treatment capacity post-2020 when biodegradable waste will be banned from landfill.

5.5.3 For the city this equates to approx. 10-15,000 tonnes of waste per annum. If this additional capacity is not provided and the city is unable to meet the high recycling targets, there will be no alternative disposal option available for this excess waste. The contrary situation may occur should the Council develop a facility in line with the City Waste Strategy and we are then able to meet the recycling targets there would be a potential over-capacity in EfW. It has been suggested that this over-capacity would then prevent the maximisation of recycling. This would potentially be the case were there no other waste streams arising in the northeast that would be suitable for EfW. In reality, whilst the Council is the largest single producer of waste in the city,

businesses in and around the city produce up to twice as much waste suitable for EfW as the Council.. Accordingly, only a small proportion of this (approx. 5% of total arisings in the northeast) would be needed to allow the EfW facility to work at full capacity. Furthermore, modern energy from waste technologies allow a wider range of feedstock to be used including waste wood and biomass. This means that there would be a range of other options to utilising the full capacity of the energy from waste plant other than curtailing recycling.

5.5.4 The proposals are still in the development stage and the Council has opportunities to inform the debate and ensure that the realities of urban waste recycling management are reflected in legislation.

5.5.5 In summary, the new EU proposals do provide additional challenges to the city on recycling, however, nothing has been agreed to date and the detailed implications cannot be known for some time. Officers will continue to monitor developments and update the Committee when required but no changes to current policy are proposed at this time. A further report may be forthcoming seeking authority to respond to formal consultations.

6. IMPACT

The impact of these regulatory changes for the Council has been outlined in detail in section 5.5. The main strategy that these changes would impact on is the Waste Strategy which was reviewed in 2014. The Waste Strategy also links to the Strategic Infrastructure Plan.

These new targets and regulatory changes will directly impact on the general public as the Council will need to engage with the public to increase our recycling rate through behaviour change.

Smarter city vision: This report helps us to work towards achieving the Smarter Environment (natural resources) element of the smarter city vision by helping to manage waste effectively and in line with UK and European legislative requirements by maximizing recycling and reducing waste to landfill, thereby reducing our costs and carbon footprint.

7. MANAGEMENT OF RISK

The main risks considered as part of this report are:

1. Not reaching the new target of 70% of municipal waste to be recycled by 2030 – mitigation measures are being developed to reduce the risk (introduction of co-mingled recycling to all households) but at this stage there is still a significant risk of not reaching this level.

2. The capacity of the infrastructure being developed is a potential financial risk to the Council. If we reach the target of 70% recycling then there would be spare capacity available in the Energy from Waste plant that would have to be sold on. If we don't reach the 70% target then it is important for the EfW plant to have sufficient capacity to deal with the additional waste.

8. BACKGROUND PAPERS

Appendix 1. Zero Waste Scotland Plan – Summary of targets

9. REPORT AUTHOR DETAILS

Ros Baxter
Waste Strategy Manager
Email: robaxter@aberdeencity.gov.uk
Tel: 01224 489256

Appendix One

Zero Waste Scotland Plan – Summary of Targets

Target/Cap	Year	Derivation
40% recycling/ composting and preparing for re-use of waste	2010	Scottish Government target

from households		
No more than 2.7 million tonnes of biodegradable municipal waste to be sent to landfill	2010	Article 5(2) of the EU Landfill Directive
50% recycling/composting and preparing for re-use of waste from households	2013	Scottish Government target
The preparing for re-use and the recycling of 50% by weight of waste materials such as paper, metal, plastic and glass from household waste and similar.	2020	Article 11 (2) a of the EU Waste Framework Directive
No more than 1.8 million tonnes of biodegradable municipal waste to be sent to landfill	2013	Article 5(2) of the EU Landfill Directive
60% recycling/composting and preparing for re-use of waste from households	2020	Scottish Government target
No more than 1.26 million tonnes of biodegradable municipal waste to be sent to landfill.	2020	Article 5(2) of the EU Landfill Directive
70% recycling and preparing for reuse of construction and demolition waste	2020	Article 11 (2) b of the revised EU Waste Framework Directive
No more than 5% of all waste to go to landfill.	2025	Scottish Government target
70% recycling/composting and preparing for re-use of all waste by 2025.		Scottish Government target