

**OUR ISLAND WASTE**

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**1.0 EXECUTIVE SUMMARY**

1.1 Argyll and Bute Council covers a large and diverse geographic area, ranging from large urban centres such as Helensburgh and Oban, to rural island locations like Mull and even smaller islands like Luing.

1.2 The Council has several legal obligations that impose a duty on the Council to collect householders waste (Environmental Protection Act 1990). These historic obligations have over time been supplemented and updated to include duties on recycling of waste and its' associated collection.

The most recent and important change of legislation was the Waste Scotland Regulations 2012. A key part of these regulations comes into force in January 2021 in the form of a ban in Biodegradable Municipal Waste going to Landfill across all of Scotland. Currently there is no derogation for Islands or rural locations.

1.3 Linking to work being carried out in the production of Argyll and Bute's Waste Strategy, this report provides detail on the likely impacts of the BMW ban on our Island waste disposal operations. The report also details the technical options that are being considered and their likely impacts.

1.4 In the report it is recommended that members note the impact of the BMW ban on the disposal of waste from island sites in particular the increase in on costs both financial and environmental that will have to be borne as a result of converting the disposal operations from Landfill to Transfer Stations.

1.5 Members should endorse the approach taken through the Waste Strategy review to identify and cost potential solutions; with a report being prepared for September 7th Environment, Development and Infrastructure Committee

- 1.6 It is further recommend that members endorse preparation of a request to Scottish Ministers under the terms of the Islands Act 2018 for an Island Impact assessment focusing on the impact of the 2021 BMW ban. The impact assessment in conjunction with the options appraisal document will enable Scottish Ministers and SEPA to formally consider an Island Derogation or the provision of additional financial support to help meet the terms of the ban. See Appendix 1 for further details on the specific terms contained in the Act.
- 1.7 The report encourages members to endorse continued engagement with stakeholders such as Calmac, CMAL, and the Scottish Government on the impact of additional haulage requirements as a result of the BMW ban.

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**2.0 INTRODUCTION**

2.1 Argyll and Bute covers a land area of 690,946 hectares and is the second largest local authority by area in Scotland, after Highland. The population of Argyll and Bute is 86,810 (National Records of Scotland's 2017 Mid-Year Population Estimates). 43% of Argyll and Bute's population live in areas classified as 'remote rural'. There are 23 inhabited islands in Argyll and Bute (Census 2011). These are: Bute; Coll; Colonsay; Danna; Easdale; Eilean da Mheinn; Erraid; Gigha; Gometra; Inchtavannach; Innischoonan; Iona; Islay; Jura; Kerrera; Lismore; Luing; Mull; Oronsay; Seil; Shuna (Luing); Tiree; Ulva.

Approximately 17.1% of Argyll and Bute's population live on islands. The most populous Islands are Mull and Islay.

It should be noted that the population on the Islands is subject to seasonal fluctuations as a result of tourism with significant peaks in population timed around school holiday periods and local events such as the Islay, Mull, Tiree festivals.

2.2 Waste disposal is carried out by using three separate models across the Argyll and Bute:

- Island Landfill and Civic Amenity sites which are operated directly operated by Argyll and Bute Council;
- A 25 year PPP contract with Renewi (formerly Shanks) covering Waste disposal and Civic Amenity operations on the mainland excluding Helensburgh and Lomond. This contract runs until 2026;
- Helensburgh and Lomond is where waste is collected and disposed of at third party sites out-with Argyll and Bute.

2.3 As a result of measures in the Waste (Scotland) Regulations 2012 every

local authority in Scotland is obliged to implement a ban on Biodegradable Municipal Waste (BMW) going to landfill, from January 2021.

SEPA has made it clear that the ban of BMW waste going to Landfill will be implemented across all of Scotland with no Derogation planned for rural areas, including the islands.

- 2.4 Biodegradable municipal waste is defined by Regulation 11(3) of the Landfill (Scotland) Regulations 2003 (as amended) as “municipal waste that is also biodegradable”.

Biodegradable waste is “any waste capable of undergoing anaerobic or aerobic decomposition such as food, garden waste, paper and cardboard”.

Municipal waste is “waste from households as well as other waste which because of its nature or composition is similar to waste from households”.

BMW waste is the largest constituent fraction of our residual (Black Bag) waste.

- 2.5 Argyll and Bute Council currently operate two combined Civic Amenity and Landfill sites in the Islands area:

- Gartbreck on Islay – with capacity beyond the 2021 date of the BMW ban,
- Glengorm on Mull – Capacity until 2019

There are also decommissioned landfill operations on Tiree, Coll and Colonsay. These sites are operated as Civic Amenity Sites with the Waste arisings transferred to the mainland for disposal.

- 2.6 With the BMW ban coming into force in 2021 Landfill Operations on Islay and Mull will come to an end and an alternative waste disposal methodology will have to be put in place. This change will require significant Capital investment and an increase in operating costs as result of increased haulage requirements. Section 4 details the options currently under consideration and the likely impacts.

### **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that members note the impact of the BMW ban on the disposal of Waste from island sites in particular the increase in on costs both financial and environmental that will have to be borne as a result of converting the disposal operations from Landfill to Transfer Stations.

- 3.2 Members should endorse the approach taken through the Waste Strategy

review to identify and cost potential solutions; with a report being prepared for September 7<sup>th</sup> Environment, Development and Infrastructure committee.

- 3.3 It is further recommend that members support the preparation of a request to Scottish Minister under the terms of the Islands Act 2018 for an Island Impact assessment focusing on the impact of the 2021 BMW ban. The impact assessment in conjunction with the options appraisal document will enable Scottish Ministers and SEPA to formally consider an Island Derogation or the provision of additional financial support to help meet the terms of the ban. See Appendix 1 for further details on the specific terms contained in the Act.
- 3.4 The report encourages members to endorse continued engagement with stakeholders such as Calmac, CMAL, and the Scottish Government on the impact of additional haulage requirements as a result of the BMW ban.

#### 4.0 DETAIL

- 4.1 Currently residual waste containing the BMW element produced on Islay and Mull is landfilled on the islands. Residual and BMW Waste from Jura and Iona is landfilled on Islay and Mull respectively. The residual waste containing the BMW element is predicted at approximately 3420 tonnes for both Islay and Mull.
- 4.1.2 Business Cases for the conversion of landfill operations at Gartbreck and Glengorm are being prepared. The funds needed for the conversion works come from earmarked funds for Capping and Restoration. The funds available for the works is around £1.4m.
- 4.2 Currently co-mingled recycleate from bring sites, households and the civic amenity sites is sorted, baled and taken off the Islands for sale at market regularly.

WEEE waste, Glass Waste and Scrap Metal waste are also taken off the islands regularly. Waste from these streams are valuable commodities and through their sale a percentage of the haulage costs are recouped.

Estimated Haulage including Ferry costs for Non-Residual Waste including BMW for Mull, Islay and Tiree for 2018/19 is approximately £170k as detailed in Table 1 below.

**Table 1.**

Estimated Haulage Contract Cost	
Island	Est. Cost
Islay	£82,320
Mull	£54,316
Tiree	£31,560
<b>Total</b>	<b>£168,196</b>

- 4.3 To comply with the BMW ban around 3420 tonnes of residual waste would have to be collected and then transferred to the mainland via haulier and ferry/commercial cargo vessel.

The residual waste including the BMW element would then be taken to the mainland for disposal at:

- A Waste Disposal facility in mainland Argyll operated by Renewi (formerly Shanks) - Extracting the BMW element and disposing of it through composting, processing the remaining residual into Refuse Derived Fuel (RDF) for sale on the market.
- Or another 3<sup>rd</sup> party disposal facility producing RDF in the Central belt;
- Or an Anaerobic Digestion Plant (AD) plant- Process where the Anaerobic Digestion of BMW in sealed containers generates biogas used in energy generation.

- 4.3.2 Further details on the options for BMW ban compliance are a key element of the Waste Strategy EDI report (6/9/18).

- 4.4 Switching to a transfer operation for all of the islands residual waste will have the following effects:

- Increase in haulage costs as a result of residual waste transfers.
- Additional cost from processing gate fee of £103/tonne.
- Additional HGV traffic on Calmac operated ferry routes
- Additional HGV traffic on Mainland Argyll and Bute road network

The increase in haulage costs and traffic requirements are detailed in Table 2 below:

Table 2

Predicted Post BMW Island Waste Transfer impacts	Islay & Mull
No. of Households	3531
Total Annual Residual Islands Waste Tonnage	3420.58
Island Residual Waste/Household	0.97
Predicted Total of Island Residual Transfers	171
Predicted Total Island Non-Residual Transfers	147
<b>Total Waste Transfers from the Islands</b>	<b>318</b>
Predicted Annual Cost of Residual Transfers	£222,338
Predicted Annual Cost of Non- Residual Transfers	£168,196
Predicted Non-Residual Gate Fees@ £103/tonne	£352,260
<b>Predicted Total Annual Cost of Island Uplifts</b>	<b>£742,794</b>

4.5 Calmac have provided assurance to the Council that we would have the ability to block book ferry capacity for our residual waste transfers. However questions remain on whether the existing and short term future Calmac fleet are able to accommodate and additional 342 round trips of a 20 tonne HGV, particularly as they are already operating close to capacity on most of their routes. Given that in the last two years Calmac has experienced significant difficulty in maintaining fleet resilience as a result of mechanical failures, their ability to meet our requirements is not certain.

4.6 Disposal methodology for the BMW must marry up with the collection methodology i.e. in order for the BMW to be processed at an Anaerobic Digestion plant it would need to be separated at the point of collection and this would require a separate food waste collection to be put in place on the Islands. To implement a food waste collection on Mull and Islay would cost an additional £270k. Our proposed solutions of the transfer of residual waste would not necessitate a change in the current residual waste collection service.

## 5.0 CONCLUSION

5.1 The Island Strategic Group should note the issues raised in the report and the work being carried out as part of the Waste Strategy project. The first Waste Strategy report will be presented to EDI on the 6<sup>th</sup> of September. There will be regular reports to EDI on the progress of the Waste Strategy from draft to final publication thereafter.

5.2 Business cases for the conversion of our island Landfill sites to transfer operations are being prepared and will be submitted for approval when complete.

5.3 The haulage implications of the BMW ban will continue to be discussed with Calmac/CMAL/Scottish Government, with a view to put in place the required support to operate the waste transfer service effectively.

## 6.0 IMPLICATIONS

### 6.1 Policy

A comprehensive Waste Strategy covering the period up to and including 2026 is being produced to provide solutions and a road map of how to resolve the issues raised in this report.

As part of the development of the Waste Strategy a fully costed options appraisal document will be produced for review by the Scottish Government in order to seek both endorsement and additional support from central government.

The Waste Strategy will support the stated outcomes in the ABOIP by enhancing and developing community led and developed Waste Solutions. By adopting the approach that Waste is a strategic resource that can be utilised within the communities producing it the environmental and economic benefits of local solutions can be maximized.

The Waste strategy is also clearly linked to outcomes of the Corporate Plan:

Our Approach (Section 2.2):

- The Waste Strategy will identify the most efficient way to deliver waste services across the Council area.
- It will explore opportunities for commercial exploitation of waste
- It will support existing relationships with 3<sup>rd</sup> sector partners and develop frameworks for future involvement.

Getting it Right (Section 3.0)

- The Waste Strategy will ensure that we have compliant systems for the processing of waste.
- Best Value and effective management of council resources is built in to the options appraisal process of the Waste Strategy.

Measuring our Success (section 4.0)

- The Waste Strategy and its proposed solutions will be subject regular reporting and the councils Performance Improvement Framework

### 6.2 Financial

There will be an increase in the operating costs as a result of the BMW ban and switching to Waste Transfer operations on Islay and Mull.

The increase in operating costs will also impact on the funds available for reforestation works at Island Landfill sites. This may see works redundant sites reprioritised.

£1.4m of Capital fund has been earmarked in order to convert existing Landfill operations into appropriately equipped Waste Transfer Stations.

### 6.3 Legal

Under the Terms of the Island Act 2018, a request for Island Impact Assessments will be prepared and submitted to Ministers.

It is hoped that the Impact Assessment will consider the case for specific derogation for Islands from the BMW ban.

### 6.4 HR

Retraining of operations staff will be needed in the event of site operations shifting from Landfill to Transfer operations.

Should Transfer Stations on Islay and Mull be required the council may decide to carry out its own waste haulage operation. This will require additional staffing resource to ensure continuity of service and compliance.

### 6.5 Equalities and Fairer Scotland Duty

The Waste Strategy (including measures outlined in this report) as part of requirements under the Fairer Scotland Duty and its outcomes have been assessed through an Equalities Impact Assessment to establish the potential social economic impact of the strategy. At every reporting stage of the production of the Waste Strategy including the Island Waste Transfer Stations a Full Equalities Impact Assessment will be carried out.

### 6.6 Risk

Transfer of waste from the Islands is reliant on ferry services to ship the waste from the Islands. In the last 12 months there has been significant disruption in ferry services operated by Caledonia MacBrayne. The transit costs of all haulage from the Islands using are high and continue to rise. Ferry fares are subject to annual price rises and fuel costs are likely to continue to rise.

### 6.7 Customer Service

Various Contractual and Legal obligations.

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15/08/18

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## **APPENDICES**

### **Appendix 1 – Section 12a of the Islands Act 2018**

## Appendix 1:

### Section 12a of the Islands Act 2018

#### **12A Duty of the Scottish Ministers to have regard to request for retrospective island communities impact assessment**

(1) A local authority listed in the schedule may make a request to the Scottish Ministers to prepare and publish a retrospective island communities impact assessment in relation to existing legislation or national strategies which have an effect on an island community <sup>5</sup> which is significantly different from their effect on other communities (including other island communities) in Scotland.

(2) Following receipt of a request made under subsection (1), the Scottish Ministers must, within 3 months, confirm in writing—

(a) their approval of the request, or <sup>10</sup>

(b) their reasons for not approving the request.

(3) If the Scottish Ministers approve a request under subsection (2)(a), they must prepare and publish a retrospective island communities impact assessment under subsection (1) within 6 months of the date of their decision.

(4) In this section— <sup>15</sup>

“legislation” means—

(a) an Act of the Scottish Parliament, and

(b) subordinate legislation made under an Act of the Scottish Parliament,

“national strategies” means any strategy or framework prepared and published by the Scottish Ministers. <sup>20</sup>

(5) A retrospective island communities impact assessment must include—

(a) a description of the methods and data used to assess the effect on island communities,

(b) the steps (if any) the Scottish Ministers intend to take to rectify, mitigate or improve the effect of the legislation or national strategy on island communities.