

WASTE STRATEGY – HOUSEHOLD WASTE CHARTER

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide Members with an outline of the Household Recycling Charter and its Code of Practice (CoP), advising of the renewed importance of the Charter and the potential future challenges it poses.
- 1.2 The report also seeks Members approval for Argyll and Bute Council to endorse the Household Recycling Charter and its CoP.
- 1.3 The Household Recycling Charter and associated Code of Practice (CoP) was developed and agreed by the Scottish Government-COSLA Zero Waste Taskforce in November 2015. The Charter and CoP aims to bring more consistency to recycling services across Scotland in an effort to increase recycling rates in support of Circular Economy Objectives.
- 1.4 The Charter and its CoP have been endorsed by COSLA and 30 Authorities. Argyll and Bute Council is one of two Authorities that have not endorsed the Charter and the CoP.
- 1.5 The Charter and its CoP are currently voluntary. However, this report informs on the work of the Scottish Government and details the stance taken by the Scottish Government to ensure that the Local Authority Charter compliance is made mandatory. In addition, by removing the voluntary status of the Charter the Scottish Government has also committed to reviewing the CoP in light of other regulatory changes such as the Scottish Deposit Return Scheme and the Landfill Ban.
- 1.6 The Scottish Government has also made it clear that future financial and practical support from themselves and Zero Waste Scotland is likely to be contingent on compliance with the CoP.
- 1.7 Endorsing the Charter commits Argyll and Bute Council to bring services into compliance with the CoP which will have an impact on services and costs. Furthermore, these potential obligations may increase if the CoP review suggests including new requirements for Food Waste and other

materials.

1.8 It is recommended that Members:

- Review the information contained within the report regarding the Household Recycling Charter and its associated Code of Practice.
- Agree to approve Argyll and Bute Council endorsement of the Household Recycling Charter in order to enable the council to apply for additional funding and resources to support ongoing investment in Recycling and Waste Recovery.

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2.0 INTRODUCTION

- 2.1 Following development by Zero Waste Scotland, the Waste Managers' Network and consultation with stakeholders in the public and private sector, the Charter for Household Recycling was agreed by COSLA leaders at its meeting on 28th August 2015. The Charter for Household Recycling and its Code of Practice (CoP) is attached to this report as Appendix 1.
- 2.2 The Charter for Household Recycling and its accompanying CoP seek to design services that:
- Achieve high quantities of recycling and minimise non-recyclable waste
 - Maximise the recycling of high quality materials
 - Deliver cost effective services for local government
 - Encourage participation from citizens
 - Keep citizens, staff and contractors safe
 - Support employment.
- 2.3 Argyll and Bute Councils waste management services is already closely aligned with the principles of the Charter for Household Recycling and CoP. Our services have been designed to comply with pre-existing regulations; in the form of Environmental Protection Act (1990) amended by the Waste (Scotland) Regulations 2012.
- 2.4 Endorsement of the Charter and its CoP is currently voluntary, the Scottish Government have indicated that it may become a mandatory requirement in the future.
- 2.5 The Charter has received wide support from COSLA, the Scottish Government (and it's Agencies). 30 out of 32 Local Authorities have endorsed the Charter and have committed to the 21 principle obligations of the charter.
- 2.6 Argyll and Bute is one of 2 Authorities that have not endorsed the Charter

and the CoP. The other local authority not to endorse the Charter is the City of Edinburgh Council.

- 2.7 Officers have previously presented to Elected Members the likely impacts of re-aligning services in compliance with the Charter CoP. Key to the opportunity cost calculation of Charter compliance is the particular cost of transitioning from Co-Mingled Recyclate Collections to separate collections for Paper/Card and Plastic/Cans. This transition would require investment in:
- Materials storage sheds at all Council and Waste PPP sites
 - Both bins and the Refuse Collection Fleet
 - Possible increased staff compliment to deliver new services
 - Increased haulage/ferry costs.
- 2.8 Since 2015, out of the 30 Authorities that had endorsed the charter, around 50% are compliant with the CoP. The remaining Authorities have transition plans in place to bring their service in to compliance with the CoP. Individual Authorities progress towards compliance is not uniform with some signatories having made little progress towards compliance. Authorities are concerned that the funding allocated to them by Zero Waste Scotland to facilitate (only Capital funding is available) does not support the ongoing Revenue cost of delivering a CoP compliant service.
- 2.9 One reason for reluctance to reform service may be linked to other issues brought about by regulatory changes such as the introduction of the Scottish Deposit Return Scheme (DRS) for single use beverage containers and the 2025 Landfill Ban. In the 2019 “Programme for Government” announcement the Scottish Government has stated that a review of the Charter and its CoP will take place after the 2021 Holyrood election.
- 2.10 The full scope of the review is currently unknown. However, Zero Waste Scotland and the Scottish Government have indicated that several key issues will feature as part of the review. These include:
- Changing voluntary compliance with the Charter and its CoP to a mandatory requirement for all Local Authorities;
 - Inclusion of Food Waste Collections as a requirement pending review of the Rural Food Waste Derogation;
 - Review of the level of Recyclate Materials segregation required post introduction of the DRS;
 - Inclusion of Green (Garden) Waste collections;
 - Changes to the Minimum Residual Waste volume that authorities provide Householders.
- 2.11 The Scottish Government has also intimated that future financial and practical support for Waste services are likely to be contingent on signing up to the charter. From a political perspective, the council is one of two authorities in COSLA to have not endorsed the Charter it highlights the council as being problematic. The reputation for non-compliance poses a

significant risk to the council which therefore undermines our position when seeking support from both COSLA and other Authorities.

- 2.12 If the Charter is not adopted, the council risks not being able to play a role in helping to shape and develop the outcome of the CoP review. The result of this review will provide the Government mandated operational framework for all future Local Authority Waste Recycling and Recovery Services. If the council is not involved we would risk the unique challenges of our geography and current models going unconsidered during the development of the CoP review that could significantly disadvantage the council.

3.0 RECOMMENDATIONS

3.1 It is recommended that Members:

- Review the information contained within the report regarding the Household Recycling Charter and its associated Code of Practice.
- Agree to approve Argyll and Bute Council endorsement of the Household Recycling Charter in order to enable the council to apply for additional funding and resources to support ongoing investment in Recycling and Waste Recovery.

4.0 CURRENT CHARTER CODE OF PRACTICE (CoP)

- 4.1 The Scottish Government's Circular Economy Strategy 'Making Things Last' provides for a number of waste prevention and waste management policies. Local authorities have engaged with this strategy principally in the form of the Household Recycling Charter, a joint Scottish and local Government initiative to transform council's waste management services and make them ready for new government targets.
- 4.2 The Household Recycling Charter is a commitment to transform councils' waste services, to achieve a more uniform waste collection service across the country, to improve collection rates, to create large-scale consistent streams of high-quality recyclate material that can act as a feedstock for the circular economy, and to maximise economic benefit (job creation, sale of recyclate material). Both the Charter and the associated CoP were subject to scrutiny from COSLA's Executive Group prior to approval by COSLA Leaders.
- 4.3 In total 30 local authorities have politically committed to the Charter. Four authorities have commenced service transformation with Zero Waste funding. Zero Waste Scotland has provided c£2m in 2017/18 to East Ayrshire Council, and further funding of around £4.2m was agreed for councils in 2019/20, including Shetland Islands, Dundee, Perth & Kinross and Fife. The Scottish Government has committed that funding will

continue to be available in future years to help Charter signatories make the transition to new Charter compliant waste collections services. All of the Charter compliant funding provided to Authorities to date is Capital funding not Revenue support.

4.4 COSLA continue to support the Charters and Scottish local authorities progress to comply with the CoP. COSLA wish to ensure that Zero Waste funding meets the challenges that local authorities face, and that any service transformation is sustainable.

4.5 The Charter CoP (see APPENDIX 1) is broken down in to different aspects such as:

- Collection Methodology
- Materials in Scope
- Waste collection policies
- Volume of bins and frequency of collection
- Training and Health and Safety
- Communication on Waste

4.6 The CoP seeks to deliver three outcomes:

- 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 endeavor 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.

4.7 This CoP sets out the basis for a consistent approach to the provision of recycling services by local authorities in Scotland. There are then 'Essential' and 'Desirable' requirements, which shall be interpreted in the following manner:

ESSENTIAL

- These requirements are vital in the effort to achieve consistency across waste and recycling services in Scotland. The adoption of these requirements are considered to be the minimum expectation placed on Councils signing up to the Household Recycling Charter.

DESIRABLE

- These requirements are important in the effort to achieve consistency across waste and recycling services in Scotland. The adoption of these requirements is something that Councils shall consider after they have

met the essential requirements.

- 4.8 Under the current regulatory framework that all Local Authorities have to operate within; the council is already compliant with the around 90% of the Essential Requirements of the CoP. The councils current waste service operation is also broadly compliant with many of the Desirable Requirements.
- 4.9 The primary difference between the current council Waste service offerings is around the level of recyclate segregation at the kerbside. Since 2015 the council has offered a kerbside recyclate collection across all of Argyll and Bute. Across the majority of Argyll and Bute the main method for collection of the recyclate material has been via a fortnightly Co-mingled recyclate collection. The materials in scope for the Co-mingled recyclate collection include:
- Paper (Clean paper, Newsprint/Magazines)
 - Cardboard
 - Cans (Aluminium and Steel)
 - Plastic Bottles, Tubs and Trays
- 4.10 The council's 2018 total recycling, composting and recovery rate was 48.9%. Around 7,100 tonnes of target recyclate materials were collected and recycled by the council (or on behalf of the council).
- 4.11 In Kintyre, kerbside recycling services are operated by a third sector partner (Kintyre Recycling Ltd.). The service operated by Kintyre recycling Limited includes, collection and the sorting/onward sale of the materials. In order to support efficient local sorting and maximise the value of material when sold both organisations operate a service with segregation of materials at the kerbside. The level of service provided by Kintyre Recycling Limited is CoP compliant.
- 4.12 Many of the Local Authorities that have signed up to the Charter have made little progress towards total compliance. The level of non-compliance is likely linked to the febrile Waste and Resource management policy environment. The Scottish Government and it's agencies recognise that authorities are not likely to invest further in measures bringing their services closer into compliance until they receive greater clarity on key policy changes such as; the Scottish Deposit Return Scheme, the Landfill ban and the results of the review of the Charter CoP.

5.0 CoP REVIEW- RECYCLATE

- 5.1 In the 2019 "Programme for Government" the Scottish Government announced that they are aiming to carry out a review of the Household Recycling Charter and the CoP. As part of the review the Scottish Government will also be considering proposals to make endorsement of

the charter and compliance with the CoP a statutory requirement for all Local Authorities.

- 5.2 Moving the charter from a “opt in/out” position to a mandatory requirement for all authorities will directly impact upon Argyll and Bute Council, as it has not endorsed the charter. However, depending on the results of the review into the CoP the impact of endorsing to the Charter and the CoP could either be low or significantly challenging depending on the approach adopted by the Scottish Government.
- 5.3 The review of the CoP will look at both the collection methodologies and the scope of the waste streams currently covered by the CoP. Critically the review will be informed by the Scottish Governments climate change commitments and other Circular Economy policies such as the DRS.
- 5.4 The DRS will enable consumers to take single-use containers back and redeem a 20p deposit from any retailer selling drinks covered by the scheme. The scheme will include plastic bottles made from polyethylene terephthalate (“PET plastic”, which is the most common type of bottle for products such as fizzy drinks and bottled water), aluminium and steel cans and glass bottles. Introduction of the DRS will impact on the types, quantity and quality of waste material the council collects at the kerbside and Civic Amenity sites/ Bring sites. Waste material will be captured from both Kerbside Residual and Recyclate waste streams.
- 5.5 Currently the DRS is due to be rolled out across Scotland from June 1st 2022. The Scheme will be available throughout Scotland. It is estimated the scheme will have around 17,000 return points, it is hoped that this will make it as easy to return a drink as it is to buy one. Containers of at least 50ml and no more than 3 litres are included. Customers will return their empty containers either over the counter, by using a reverse vending machine, or to an online retailer. The Scheme Administrator appointed to operate the scheme is bound by the regulations to capture 70% of containers for recycling, in the first year of operation, rising to 90% of containers by the third year.
- 5.6 DRS is predicted to capture the majority of the high value plastic and metal materials from kerbside collections. However, it is not clear if taking into consideration the roll out of the DRS, that the separation of materials at the kerbside would be required as the scheme is likely to capture the majority of this material. Therefore, the most efficient mode of collection and processing operation offering the largest economy of scale for Authorities is likely to be a Co-mingled recyclate service.
- 5.7 Given that a large number of Authorities (Highland, GCC, WDC, Inverclyde and others) currently operate a Co-mingled service and have not taken substantive steps to move to source segregation it possible that the Scottish Government will reflect on the requirement for kerbside recyclate segregation in the future CoP. Authorities that have signed up to the charter that operate kerbside Co-Mingled services are likely to push the

Scottish Government to downgrade the need for kerbside sorting from an Essential to a Desirable requirement.

5.8 If Argyll and Bute were to move to enhanced kerbside recycle segregation, this would require significant investment in:

- Bins
- Provision of storage sheds at Council and Renewi operated sites
- Increased Haulage
- Vehicles
- Staffing costs.

6.0 CoP REVIEW- RURAL FOOD WASTE DEROGATION

6.1 In the 2019 “Programme for Government” announcement the Scottish Government declared their intention to review the existing Rural Food Waste Derogation. The announcement to review the derogation sits apart from the review of the Charter CoP. Both issues are however linked as Food Waste is one of the Waste Streams under consideration for inclusion in the CoP.

6.2 The current Rural Food Waste Derogation is based on a settlement population numbers with all settlements with population of less than 10,000 being exempt from requiring a Food Waste service. The only area in Argyll and Bute that meets this requirement is the Helensburgh and Lomond administrative area.

6.3 The terms of the review are as yet unknown, the Scottish Government has made it clear that they view extending the provision of a Food Waste Service is a priority.

6.4 If the derogation is abolished and it is taken alongside the review of the CoP Waste Streams, authorities could be put into the position of Food Waste Collections being made an essential requirement in the CoP. The council would have a new requirement to operate a Food Waste service across the whole council area and this would have a significant capital and revenue cost implication. The cost impact of introducing an increased Food Waste service would be in addition to substantial pre-existing cost pressure of the transition to Landfill ban compliance.

6.5 In addition to increased revenue costs of operating the new service there would also be additional costs resulting from the required variation to the pre-existing Waste PPP agreement with Renewi. This cost is likely to be substantial but is not quantifiable, previous variations have cost around £250K.

- 6.6 Introducing a Food Waste service could also have the effect of rendering the pre-existing Mechanical Biological Treatment process at Renewi sites obsolete. The equipment could however be repurposed to Compost the Food Waste Material within Argyll and Bute potentially generating a commercial product. However, the value of this compost material is extremely low and it may be more beneficial to source recovery via Anaerobic Digestion as it has a higher environmental/circular benefit.
- 6.7 The introduction of a requirement for a Food Waste service would also affect planning for Landfill Ban compliance and the technical solution is taken forward to replace Landfill. Therefore, it is of critical importance that the Scottish Government make their intentions in this regard unequivocally clear to all stakeholders.
- 6.8 As the mandatory introduction of Food Waste is a new requirement across most of Argyll and Bute additional funding support should be sought from the Scottish Government to offset the increase in costs.

7.0 CHARTER BENEFITS

- 7.1 Council endorsement of the Household Charter would bring Argyll and Bute Council's Policy and Operational Framework in line with 30 out of 31 other Local Authorities in Scotland.
- 7.2 Being aligned to the Charter would allow Argyll and Bute Council to take part in the CoP review process. This participation would allow the council the opportunity to shape and develop the CoP with the Scottish government and other stakeholders to produce a revised document that recognises the unique challenges of our geography and other commitments (Waste PPP Contract).
- 7.3 The Scottish Government in its 2020 Programme for Government announcement gave a commitment to setup a £70m fund to be used to support local authorities to develop their Waste and Recycling infrastructure in support of national progress towards the Scottish Governments Circular Economy goals. This £70m funding pot is over a five year period with £50m in the first three years. The fund is to be managed on behalf of the Scottish Government by Zero Waste Scotland. It is planned that the fund will be open to applications from the start of the next financial year. The scope of the fund is to provide Capital support to Local Authorities working to improve their Waste and Recycling infrastructure. One of the favorable criteria for accessing this funding is commitment to the Household Charter, this means that without endorsement of the Charter the Council may struggle to access this funding pot and potential future funding streams. A future report will be brought to Committee detailing opportunities where funding through this source may be sought.

8.0 CONCLUSION

- 8.1 On balance it is within the interests of the Council to endorse the Household Recycling Charter and the associated CoP. Not endorsing the Charter would prevent Argyll and Bute Council from fully participating in national Waste and Recycling policy development and risks precluding the council from future funding streams.

9.0 IMPLICATIONS

9.1 Policy:

The council is currently compliant with all of the provisions of the existing regulatory framework. In the event of compliance with the Charter and its CoP becoming a mandatory requirement it is council policy to seek funding from the Scottish Government to cover new obligations.

9.2 Financial:

Unknown at this stage but not signing up to Charter may limit access to funding. There may also be additional costs to become fully compliant.

9.3 Legal:

None

9.4 HR:

None

9.5 Equalities/Fairer Scotland Duty:

None

9.6 Risk:

It is important to mitigate the risk of any additional costs resulting from service reform such as introducing a mandatory Food Waste Service by playing an active role in discussions with the Scottish Government on the likely, costly impact of this change.

9.7 Customer Service:

None

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APPENDICES

Appendix 1 - Charter for Household Recycling and Code of Practice (CoP)