

Response: Consistency in Household and Business Recycling in England

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About the District Councils' Network

The District Councils' Network (DCN) is a cross-party member led network of 183 councils. We are a Special Interest Group of the Local Government Association (LGA) and provide a single voice for district services within the Local Government Association.

Our member councils in England deliver 86 out of 137 essential local government services to over 22 million people - 40% of the population - and cover 68% of the country by area.

Our councils have a proven track record of building better lives and stronger economies in the areas that they serve. Districts protect and enhance quality of life by safeguarding our environment, promoting public health and leisure, whilst creating attractive places to live, raise families and build a stronger economy. By tackling homelessness and promoting wellbeing, district councils ensure no one gets left behind by addressing the complex needs of today whilst attempting to prevent the social problems of tomorrow.

Response from the District Councils' Network

Key Messages

Waste Collection Authorities are rightly proud of the excellent services they have developed, and the already impressive recycling rates that they achieve. Local councils and communities- from our city centres to our rural hamlets, and everyone in between- should continue to be able to decide how they want their waste collected; in a way that ensures sustainability.

A universal, standardised system simply won't be successful across the country. What works for residents in villages and rural areas won't work for people living in flats in a busy town or city. Many of these proposals put forward, particularly on garden waste, are not feasible nor equitable.

The DCN believes that the focus of reforms should instead be on reducing the amount of waste produced in the first place, rather than the radical changes suggested in this consultation. Districts are committed to creating sustainable and environmentally friendly communities and are leading the way in net zero ambitions.

Our members, therefore, have grave and wide-ranging concerns related to these proposals. We are then calling on Defra to drastically rethink these plans and consider the conditions we put forward that would make some of the key proposals viable. Our concerns relate to the feasibility and timetable of proposals, the costs, the focus of efforts, the fairness of some measures, and the loss of local input in shaping services. We will set forth our views and

evidence for these positions, garnered from our national network of council members, in this response.

Focus of proposals: The DCN holds that a strategy for managing waste should primarily focus on minimising waste at source and creating a more circular economy. Reducing waste is more sustainable than sending further vehicles on to roads to collect waste streams separately for processing. This is particularly true of food and garden waste streams as there is much that could be done to mitigate this waste and dispose of it without further collection. The merits of waste reduction should not be obscured by a focus on tonnage-based targets, being the primary measure employed within these proposals.

Community engagement campaigns can and should be key in addressing people's attitudes to waste and help them to reduce how much they produce. Home composting, with appropriate associated campaigns, is also a much more sustainable solution to garden waste. We therefore fail to see the merits of mandatory free garden waste collections across the country.

We would question the merits of enforced free separate garden waste collections in any case, given that many of our members' own compositional analysis has shown relatively low levels of organic garden waste within their residual waste streams. We have collated residual stream compositional analysis from 44 collection authorities, with three quarters of respondents confirming that the percentage of garden waste found in residual stood between 0 and 5%, regardless of whether the service is free or charged. This negates one of the primary rationalisations given for this proposal.

Insisting on blanket free garden waste collections would then risk increasing not only costs, but emissions produced by this new collection service, with not enough waste collected, or diverted from residual in many areas to offset this. The question also remains as to how a free garden waste service allies with the government's levelling up agenda, given that it will be of no benefit to households without gardens or outdoor space and therefore goes against the polluter pays principle.

We therefore recommend that the alternative options to decrease garden waste cited within the consultation are the focus of future proposals, and that measures to standardise free garden waste collections or cap charges are dropped. Local councils should have the freedom to run these collections in the way that works best for their local area, as they do now, and focus should be on the benefits of true waste reduction, rather than tonnage-based targets which are the wrong measure for a sustainable system.

Loss of local input: We would highlight our members' wider concerns that waste collections remain a matter for local determination. Councils know their localities intimately and the challenges and efficiencies that are involved in waste collections within them. The proposals to introduce statutory guidance and standards will remove councils' ability to reflect their local circumstances. The crowded streets of our market towns and seaside resorts will have very different needs and capacities for new services compared to our rural villages and hamlets. They should not have universal collection frequencies forced upon them. The economics and carbon impacts of proposed collections in our rural districts in particular, have not been properly accounted for, with our rural members citing the relatively low

amounts of waste collected from sparsely populated areas. The proposals will require disproportionate resources to deliver them in these areas.

There are further queries that need resolution regarding statutory guidance and how that will marry with the best practice requirements of Extended Producer Responsibility. There currently seems a real risk of disconnect between these proposals and further information is needed in general on the interplay between all the reforms proposed in the three recent consultations.

A good deal of our members also have many years' prior experience in collecting several dry recyclables together, with success in maintaining recycling rates and quality. Results from a survey of our member councils indeed showed a great variety in recycling rates and contamination levels across all methodologies, with many authorities working effectively with disposal services to maintain good recycling rates and low contamination levels in both twin-stream and comingled services.

Our members have further concerns on the collection of recyclables in separate streams related to Health & Safety issues that may arise. The HSE has long recommended a move away from boxes and containers, given the potential for their collection to cause musculoskeletal injuries to operatives. It is assumed boxes and containers would be proposed by Defra for these additional collections as provision of the needed amount of wheelie bins would seem highly impractical.

We therefore suggest that collection authorities should still have as much flexibility in their methodology of collection; and that the agreement to utilise twin-stream collection should be as straightforward as possible. This method should be permissible across a local authority area as a further official exemption.

Authorities in which, due to local circumstances, there is no alternative option but for comingled collections also need to be fully considered and supported on a case by case basis.

Feasibility of timescale: Many of our district members have cited doubts over their ability to meet the deadlines for service changes given the alterations in infrastructure that will be needed, and the very tight timeline now being requested. Having surveyed 80 of our council members we can confirm that 59% are currently unconfident that they will be able to implement the infrastructure changes needed by 2023/24, and over half of these authorities are very unconfident about doing so.

Acquiring new vehicles, or adapting current fleets will take significant time, with lead in times for delivery of vehicles currently standing at 9-12 months. This will only grow as all authorities scramble to get the necessary vehicles in place. This concern was particularly highlighted in our survey, with 80% of respondents citing procuring vehicles as a particularly challenging factor. Driver and staff training will be a further lengthy process, particularly given the current acute shortage of HGV drivers as recently reported. It is also highly likely that new depots will be needed to house new fleets, particularly if there is an aim to decarbonise the vehicle network, and providing the necessary facilities required will go well beyond the timetable for the proposed collection changes. Further operator licences will also be required to hold more vehicles at depots, which could well cause further administrative backlog. Over half of our survey respondents cited concern on this issue of depot provision,

and also expressed worry that the full costs of providing further depot space will not be met by new burdens funding.

Another concern unsurprisingly cited by over 60% of our survey respondents was that of negotiating contracts. Many current contracts in place for services will be difficult and costly to renegotiate in time for when changes are proposed to come into effect, and services will then potentially see further changes come in following years as more items are brought into scope.

On behalf of our members we are therefore calling for full confirmation that authorities with difficult arrangements to make regarding infrastructure or contracts are not heavily penalised for not meeting any hard stop implementation dates. Each authority needs to be considered on a case by case basis as to the complex reasons they cannot meet any deemed new standards in the timeframe requested.

Funding the proposals: We ask that costs of the proposals are again fully considered and that further details are provided. Further information is needed on how new burdens for the costs of changes will be calculated in an equitable manner; and beyond that, how it can be guaranteed that funding will be provided to cover ongoing costs in perpetuity.

Analysis carried out for the LGA and DCN by Solaire Consulting in 2020 estimated that the consistency changes proposed would increase annual service costs for districts in England by over £400 million when additional capital and running costs were averaged over seven years; this figure rises to almost £680 million if all English collection authorities are included. These figures do not include costs of delivering new waste receptacles, providing additional depots, communications to the public about changes, nor contractual or training costs. The true ongoing costs of the proposals will be very high, and it must be clear that costs will be covered beyond the initial phase of the reforms.

We also have concerns that no new burdens will be provided ahead of implementation of proposals. This leaves many authorities in the difficult position of having to cover costs of the wider infrastructure requirements regarding vehicles and depots ahead of time if they have any hope of meeting implementation deadlines. This will put significant strain on local authority budgets.

This is why the DCN are calling for Defra and other stakeholders to commit to immediate and ongoing work with collection authorities to understand the true costs of these changes and how they will be covered. In addition, we ask that a review of the progress of reforms, that includes a focus on the funding provided to waste authorities, is built into the Bill.

DCN proposal:

The District Councils' Network recognises the need to create a more sustainable waste system and continue to build upon rates of recycling. However, we do not accept central government enforcing methodology on what is a local decision for waste authorities.

If the Government is minded to proceed with weekly food waste proposals, despite this objection, then we ask that the following conditions be taken into account:

- That all costs for t service changes are met now, and into the future, including a guarantee that councils currently providing these services will have their future costs met to ensure fairness to all authorities.
- That discussions are held with DCN and other local government representatives to agree-
 - How this funding mechanism will be ensured and delivered
 - The potential input and role of local government in the administration of EPR
 - A review of on the progress of reforms to be built into the Environment Bill
- That arrangements and charges for garden waste collections are left to the discretion of local authorities, and that focus on this matter is instead funnelled to a behaviour change campaign to encourage home composting, HWRC drop off, and usage of existing collection services.
- Exemptions are considered in situations where it is simply still not viable to make food waste collections, such as high-rise flats.
- That further consideration is given to implementation dates for food waste collections, and wider new collections, given the concerns our members have cited on the difficulties associated with contracts and wider infrastructure requirements.

In regards to wider kerbside collection methodology and standards we would stress that these should remain a matter for local determination, so long as it's clear that the core set of materials are being collected, and that there is no significant reduction of environmental benefit. Mandated collection frequencies should certainly not be imposed on collection authorities.

Twin-stream collections should be considered as a further exemption within proposals, and these exemptions should be able to be applied for in as straightforward a manner as possible. Those authorities that feel they require continuation of comingled collection should be carefully considered bearing in mind the full local context.

Responses to the consultation questions

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)?

Aluminium foil

Aluminium food trays

Steel and aluminium aerosols

Aluminium tubes, e.g. tomato puree tubes

Metal jar lids

Food and drink cartons, e.g. TetraPak

Agree that all could be collected within the timeframe, if payments to cover full costs are in place.

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.

Though we agree that these items could theoretically be collected from 2023/24 we would stress that there are still questions as to whether reprocessors and sorting facilities will accept all items, and the potential contamination that could occur. Therefore, it is not a question of collection requirements but that of sorting infrastructure that should be focused on to ensure successful recycling of these items.

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?

Collection contracts

Sorting contracts

Materials Recovery Facility (MRF) infrastructure capacity

Cost burden

Reprocessing

End markets

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 these factors could be legitimate as to why proposed services could not begin in 2023/24. There are certainly many authorities with long-term contracts in place that end beyond the date, given the now very tight timeline, and would need to be exited or renegotiated to allow for the service changes required. Over 60% of districts that we recently surveyed cited contract negotiation a major concern in implementing proposals. It can also take authorities significant time to tender and negotiate new contracts, and many nearing end of contract currently find themselves unsure of how to proceed given proposals are still in development. Government must be prepared to fund the new burdens of early exits from contracts if it is an aim to have appropriate contracts in place from 2023/24.

The DCN are aware that MRF capacity, reprocessing and end markets are significant factors that will likely prevent these items being dealt with appropriately after collection in many areas if timelines go ahead. In the case of MRF capacity and availability, options are limited to the geographic area that materials can be efficiently transported for sorting. We are aware that MRFs are currently citing issues with their ability to sort several of the items listed in Q6 and authorities will have little recourse to divert to other MRFs based on this geographic constraint. End market availability is certainly a further concern given the negative attention given to the exporting of materials and the difficulty in making many end markets economically viable.

We cannot give an exact timeline for how long authorities will need to collect these materials as this will vary considerably across authorities. We would stress that authorities need to be treated on a case by case basis as their specific contracts, capacities, geographies and local circumstances will vary. A universal approach does not work when considering waste issues.

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)?

Agree

If cartons are to be collected it would be preferable for them to be included in the plastic collections in order to reduce contamination to fibres. However, sorting and MRF facilities will need to be able to sort these effectively and without additional cost burden to local authorities.

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

We do agree that if multi-stream is the method in use, then these items should be placed in the plastic waste stream, given that the excessive contamination of the fibre stream would render a lot of the efforts being taken in separating recyclables as futile. However, we would note that this action will have to be accompanied by strong messaging and engagement with communities on recycling practice, as our districts with current twin-stream collections report that it is very common for these items to be placed in a fibre bin. Given the nature of these items it is highly likely that consumers will continue to add them to the fibre waste stream and so reiteration of this message will be important. Further discussions with plastic reprocessors will also be needed to ensure that this collection can occur smoothly.

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?

Not sure / don't have an opinion

Please provide the reason for your response.

We would refer you to responses from individual districts and Waste Collection Authorities.

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?

Disagree

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

We cannot agree to this timeline at present as the consistent technology for full end reprocessing of films is not currently present and we are unsure as to when this would change. Although authorities could collect the materials it is likely that MRFs will not accept them and authorities would be left with a problem as to what should be done with them, and a loss of confidence from residents who are separating materials that are not being recycled.

Even if films are accepted questions remain as to whether they can be sorted for an end market. These end markets are not currently available and due to reprocessing and contamination issues it is likely quantities of films would be exported. They would ideally need to be reprocessed nationally in a sustainable waste system. Until these major issues on the disposal side are resolved across the country we do not think it is wise to adopt the collections of these materials for recycling. There does not seem to be any confidence that these issues can be resolved ahead of 2026/27 and therefore we cannot agree with the proposal at this time.

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?

Collection contracts

Sorting contracts

Materials Recovery Facility (MRF) infrastructure capacity

Reprocessing

End markets

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

We have already discussed the issues around reprocessing and end markets in our answer to Question 11. The issue of contracts is also certainly valid. Authorities will have to make difficult decisions on contracts in advance of the initial consistency changes coming into effect to account for new and separate collections. There may well have to be allowances made for divergence from guidance if it is uneconomical to break contracts when proposals take effect; or new burdens funding must be provided for early exits from contracts. This will be exacerbated by further service changes just a few years later. It may well be equally difficult to account for new requirements, coming soon after massive upheavals in 2023/24. Problems with collection contracts would be much less of a concern if it can be confirmed that films will be collected with other plastics as opposed to representing another separate waste stream for contracts to account for, requiring further infrastructure changes.

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

Agree

Q14. Which parts of Proposal 4 do you agree or disagree with?

Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year

Disagree

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

Disagree

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.

Disagree

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

Disagree

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

Disagree

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

We take issue with these end dates based on the fact that a significant proportion of our membership have cited not only concerns with their ability to renegotiate contracts to allow for this collection, but also wider infrastructure concerns that would allow them to carry out collections. This includes the procurement of new vehicles, already seeing lead-in times for delivery of around 12 months, this will only grow as a huge spike in demand occurs. 63 collection authorities cited this as a major concern within a survey conducted by DCN. The implementation lead-in times presented here may alleviate this pressure but with the detail provided at present it seems likely there will be a scramble for vehicles. 55% of our surveyed members also indicated that their depots will not accommodate the increased fleets needed for this service and so will have to make further provision, which will require significant additional time and expense.

On a wider point, the DCN still has concerns that these collections will be increasingly uneconomical and inefficient if steps are taken to minimise food waste. We also have concerns over the large drop off in participation rates seen when this service has operated, as evidenced by WRAP. The DCN cannot currently support the implementation of consistent food waste collections unless the conditions laid out above in our position summary can be agreed.

We would request that exemptions for weekly food waste collections be considered, particularly for high-rise flats or those above commercial premises, as well as in situations that mean that collections are difficult due to driver or vehicle shortages.

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?

Collection contracts

Treatment contracts

Cost burden

Reprocessing

End markets

Other:

Purchasing of additional vehicles; Access to additional staff; Infrastructure for collection authorities (i.e. depot); Infrastructure for disposal authorities (i.e. suitable transfer stations)

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 would refer you to responses from individual districts and Waste Collection Authorities for more detailed responses. However, one fact that holds across the country is that the 2023/24 date is unrealistic given that the almost half of all collection authorities that do not currently offer the service will have to scramble to make changes at the same time. This will put undue pressure on resources such as vehicles, staff, and disposal capacity. The sheer volume of demand will likely cause further delay to vehicle procurement and staffing and could potentially increase costs.

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.

Disagree

We recognise that this is a complex issue regarding the best way to encourage food waste collection uptake. However, we maintain that if there is an opportunity to consider alternatives to liners, as opposed to compelling authorities to provide them, then it should be taken. Otherwise authorities are left with a significant cost in perpetuity, or face a very difficult task of removing provision and likely seeing significant drop off in participation.

From an environmental perspective we also disagree on this proposal as caddy liners still represent another waste item that will have to be processed, and goes against the principle of minimising waste. They are unnecessary, cause more disruption in processing, and more sustainable alternatives to current caddy liners should be explored. We're also aware that digestate/compost with any plastic within it will be significantly harder to find an end market.

We do acknowledge that this may well hinder uptake of food waste collection services as caddy liners still represent the most straightforward consumer option, however introducing the collections without liners is more preferable than having to look to change habits and remove them later on. The provision of liners will also cause additional burden to local authorities.

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.

Until further work has been done to agree how these materials are defined, and how they can be consistently reprocessed then it is difficult to provide example of what should be included in guidance on these items.

There is a serious risk of contamination from these materials at present and members of the public are not aware that they may well be causing this contamination given that these materials are purported to be recyclable or compostable.

Until such a time as the criteria for these items has been achieved, and they can be consistently processed with clear labelling as to the appropriate waste stream, we believe they unfortunately cannot be considered as recyclables.

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?

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

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

We do not currently have any further evidence on this matter and would refer you to responses from individual districts and Waste Collection Authorities. However, we are aware that adding a composting phase to the treatment phase will likely come at significant cost.

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

Disagree

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

Christmas trees are excluded from this definition, which are a specific and significant garden waste material.

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 season), if this is fully funded by Government, and if authorities remain free to charge for more frequent collections and/or additional capacity?

Disagree

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

We disagree with both the costs and benefits listed.

Costs: In 2020 analysis was conducted by Solaire Consulting for the LGA and DCN on the costings of proposals, utilising 10 representative authorities. This showed that the combined costs to English collection authorities for stopping garden waste charging and providing a free garden waste collection service would total over £373 million annually when averaged across a seven-year period. When this is applied over the appraisal period it would appear to be markedly higher than the costs included in the consultation. We would suggest that even with some offset and allowing for discrepancy of estimates, the costs provided within the consultation are too low. We would be happy to discuss our analysis further.

Benefits: We would take issue with the projected increase in garden waste tonnage that would be shifted from residual waste. Many DCN members have carried out compositional analysis of residual waste streams that shows relatively low levels of garden waste. 44 collections authorities provided us with data from such analyses. 20% of these authorities offered a free garden waste collection service, with 80% charging. However, the most common percentage of garden waste found in residual streams was between 1-5% regardless of charge. 55% of authorities with a free service reported this proportion, as did 54% of those with a charged service. Both free and charged services saw a smaller number of authorities with less than 1% garden waste as a proportion of residual, standing at 33% and 17% respectively. This means that three quarters of all our respondents had 0-5% garden waste within their residual, regardless of charge. We therefore dispute the projected impact of this benefit. This would then likely reduce the projected carbon savings envisioned.

If the projected carbon savings are overestimated, then the carbon impacts and costs of the increased vehicles, staff and larger depots required will be a serious deficit to proposals. For example, we have received evidence for a partnership of seven councils that has shown the introduction of a free garden waste service would certainly generate an increase in carbon emissions, unlike other proposals within this consultation. The environmental benefit of this proposal is further reduced by the fact that only 17% of our surveyed authorities see all their waste go to landfill. The majority see this waste sent for Energy From Waste processing, Mechanical Biological Treatment or a mixture of processes. The costs of over £2billion would certainly not be justified based on our current evidence.

In addition, though there would be societal savings for free garden waste collections, there will be large parts of society that have no use for this publicly funded service, having no garden or outside space. They will see no saving or benefit, and this does not seem to align with the 'levelling up' agenda currently being advanced, nor the 'polluter pays' principle.

Q21. How likely are the following options to support the above policy aims?

Provide updated guidance on reasonable charges for garden waste.

Likely

Issue clear communications to non-participating households.

Likely

Support on increasing home composting (e.g. subsidised bin provision).

Very likely

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

The DCN wholeheartedly support these options and consider them viable alternatives to a free minimum collection of garden waste, particularly that of home composting. Sustainable waste management should focus on minimisation of waste and supporting home composting would do exactly that. Effective engagement to encourage this and making the process as easy as possible for residents could have a real impact on efforts to reduce waste. Nearly half of our members surveyed (48%), have had success in increasing home composting through subsidised bin provision or engagement campaigns. Free kerbside collections on the other hand will most likely decrease home composting.

Though we potentially support guidance on reasonable charges we would warn against the introduction of capped charges in line with those cited within the consultation document. A charge capped between £18-30 would not cover the average cost to authorities. The divergence in charges are caused by regional differences in terms of higher costs for processing and further distances to travel for collection in certain areas. The current actual range of charges are therefore legitimate and represent another example where local context and discretion is key and should be maintained. If a cap is to be introduced it should therefore be set at a much higher level that the figures included within the consultation and take into account regional differences.

The most preferable and cost-effective option in the long term when it comes to garden waste is to allow authorities to operate and charge for their services as they do now, but to couple this with an effective engagement campaign to encourage residents to utilise home composting, HWRC drop offs and existing garden kerbside services. This would represent a truly sustainable system that reduces waste, alongside reducing emissions as it's dealt with by residents at or near their homes as opposed to collection. More emphasis needs to be placed on this type of waste reduction as an alternative to tonnage-based collection targets which discount the large amount of waste diverted from collections.

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

Plastic and metal

Agree

Glass and metal

Agree

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.

It is clear from our members that it is certainly possible to collect these materials together without reducing the ability to recycle them or maintain quality. Our own survey of collection authorities showed a wide range of recycling rates regardless of methodology, much success relying on effective work between collection authorities and disposal services rather than the collection method. Many of our surveyed authorities that collected some amount of dry recyclables together reported high recycling rates with minimal contamination levels. If this is demonstrably the case then there is no reason to not allow this exemption. We would also suggest that our members with a significant proportion of high-density housing and flats, that do not have the space to accommodate separate collection of each stream, or highly rural areas at which costs for separate collections are not viable, should be able to easily utilise these exemptions.

We would also point to the Health & Safety issues associated with collections of these materials separately as this would likely involve usage of boxes or similar containers to make practicable. The HSE has long recommended a move away from boxes and containers, given the potential for their collection to cause musculoskeletal injuries to operatives.

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?

Our members that operate a twin-stream collection service have also made it clear that collection of all dry recyclables barring fibre (paper and card) does not have a significant impact on the ability to recycle the materials or maintain quality. Indeed, there are benefits to such a method in that plastic cushions glass on collection and therefore leaves it more suitable for remelt and reduces collection noise issues. If this is demonstrably the case then again there is no reason to not allow twin stream collections as a matter of course. We would also suggest that our members with a significant proportion of high-density housing and flats, or highly rural areas at which costs for separate collections are not viable, should be able to easily utilise this method. We also suggest that in highly built up and densely populated areas separate collections may not be technically viable due to limited space.

We would also point to the Health & Safety issues associated with collections of these materials separately as this would likely involve usage of boxes or similar containers to make practicable. The HSE has long recommended a move away from boxes and containers, given the potential for their collection to cause musculoskeletal injuries to operatives.

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

We would ask for more detail on what is meant by “proven to function in practice”. In practice, separate collections may well be thought possible in a seaside town. However, if local context is not considered sufficiently factors such as increased congestion, parking, and footfall in such a location, and the lack of space to manoeuvre vehicles and collect in these locations may be overlooked. We would ask for assurance that all local circumstances and context are thoroughly considered on a case by case basis to determine whether a system could function in practice.

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

Agree

We would stress that careful consideration of specific local context will be key in determining what is ‘technically practicable’ and that this list should not be considered exhaustive. We are particularly concerned about the technical practicality of separate collections in our highly rural areas.

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

Access to housing stock- congestion levels of roads, high level of parked cars at peak times, narrow streets, increased pedestrians and footfall (particularly pertinent in holiday town destinations).

Characteristics and capacity of housing- adequate space and manoeuvrability to store and present bins for collection.

Availability of recycling destinations – Whilst it may be possible to collect a material, if there is no suitable destination for recycling then the collection is not ‘technically practicable’.

Residents’ willingness to participate and the capacity of an authority to maintain the in-depth communications needed to ensure chance of success.

Health and Safety concerns related to collection of separate boxes and containers. The HSE has long recommended a move away from boxes and containers, given the potential for their collection to cause musculoskeletal injuries to operatives.

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

Agree

Q29. What other examples of ‘economically practicable’ should be considered in this proposal? Please be as specific as possible.

Cost of specialised vehicles and crews – e.g. smaller vehicles for narrow streets

Cost of adapting depots or providing new, as well as the costs of licenses for new depots and operators licences for fleets.

Infrastructure maintenance costs.

Cost of processing – Whilst it may be possible to collect a material, if recycling costs are too high then the collection stops being ‘economically practicable’.

Q30. Do you have any views on what might constitute ‘excessive costs’ in terms of economic practicability?

If a proportion of dry recyclable materials can clearly be collected together without reducing the ability to recycle said items and maintain quality then any additional cost to collect these

items separately should be deemed excessive. The analysis conducted by Solaire for DCN and LGA shows that instigating a full kerbside sort will cost collection authorities in England over £442 million a year when capital and running costs are averaged out. Efforts should be made to reduce this figure where possible, by collection of two or more dry recyclable materials together, despite the increase in sorting processes that would entail. The balance between additional waste collection costs and disposal processing savings needs to be carefully considered and got right not just for economical and technical reasons, but to ensure consumer buy-in.

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?

‘Significant’ should represent a large divergence in tonnage of materials recycled between that collected together and projected when collected separately; though this is difficult to define. This would certainly have to be a large deviation to account for emissions generated from separate collections, particularly in highly rural areas with low density housing. This must also be done on a whole-system basis, considering the processing and final recycling of materials alongside collections to assess full environmental benefit.

We would refer you to responses from individual districts and collection authorities for more specific responses to this.

Q32. Do you agree or disagree that the proposed examples for ‘no significant environmental benefit’ are appropriate?

Agree

Q33. What other examples of ‘no significant environmental benefit’ should be included in this proposal? Please be as specific as possible

Quality of materials sent for recycling

Higher capture rates of recyclables

Resident ‘buy-in’ and understanding of measures

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

Agree

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

The DCN holds that collection authorities should retain as much discretion as possible over collection of the core materials. This should include inclusion of a twin-stream collection method as an accepted exemption.

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.

We would refer you to responses from individual districts and Waste Collection Authorities.

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?

Agree

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

Agree

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?

Disagree

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

At this stage we see the benefits of the separation of fibres from other waste streams and agree with this inclusion within guidance.

However, we do not agree that plastic films should be collected separately. Adding a further separate waste stream at a later date will cause further disruption to services that does not seem necessary. Plastic films can be collected with other plastic materials without significantly impacting ability to recycle items. Although sorting requirements will be greater, we still do not see the justification or benefit of mandating another collection with the costs and carbon impacts that involves when collection with existing plastic stream would ensure a much smoother transition. Work should be done now to improve sorting and reprocessing of plastic films; this work will be needed in any case to allow consistent acceptance of films for end markets.

The DCN holds with the wider point that methodology should be dictated by local circumstances and that guidance should remain advisory. Local authorities should retain as much control as possible over collection methodologies.

Q40. Which service areas or materials would be helpful to include in nonstatutory guidance?

We would refer you to responses from individual councils, though would reiterate that many of our members are already exhibiting and leading in best practice for their community.

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

We would refer you to responses from individual councils. However, we would again reiterate that the analysis and reporting requirements included within the Extended Producer Responsibility proposals will represent a challenge to collection authorities if this falls to them, and time and funding will have to be allowed for these processes to be developed.

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 nonpackaging dry recyclable materials?

We would refer you to responses from individual districts and Waste Collection Authorities.

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?

Agree

Please provide the reason for your response.

We are pleased to see confirmation that EPR payments for collection services will come directly to collection authorities. We wish to ensure that a benefit for increased recycling rates and quality is guaranteed to come to districts and therefore accept that EPR payments should serve this purpose for packaging materials. We would however stress that equitable EPR payments that adequately cover costs coming to all collection authorities need to be assured.

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:

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?

Agree

Option 2 Should we discontinue recycling credits and require all two-tier authorities to agree local arrangements?

Disagree

Option 1 provides the most concrete certainty that Waste Collection Authorities receive benefit for increased recycling rates and quality. This must be ensured and previous issues of non-payment of recycling credits should not be seen again. Reliance on local agreements does seem the most efficient method, and probable to be less reliable than recycling credits.

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.

A backstop in some form will be needed in areas where local agreement cannot be reached. We would refer you to responses from individual districts and collection authorities for more detail.

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?

Aluminium foil

Aluminium food trays

Steel and aluminium aerosols

Aluminium tubes, e.g. tomato puree tubes

Metal jar lids

Food and drink cartons, e.g. TetraPak

Agree that all could be collected within the timeframe.

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.

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?

Collection contracts

Sorting contracts

Materials Recovery Facility (MRF) infrastructure capacity

Cost burden

Reprocessing

End markets

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

The same issues apply here that were cited in answer to Question 8.

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?

Disagree

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

As with similar proposals for household collections we cannot agree to this timeline now as the consistent technology for full end reprocessing of films is not currently present and we are unsure as to when this would change. Although collectors could collect the materials it is likely that MRFs will not accept them. Even if films are accepted questions remain as to whether they can be sorted for an end market. These end markets are not currently available and due to reprocessing and contamination issues it is likely quantities of films would be exported. They would need to be reprocessed nationally in a sustainable waste system. Until these major issues on the disposal side are resolved across the country we do not think it is

wise or sensible to adopt the collections of these materials for recycling. There does not seem to be any certainty that these issues can be resolved ahead of 2024/25 and therefore we cannot agree with the proposal.

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

As champions of our local businesses, our members are concerned about any negative impacts on small and medium-sized businesses due to these proposals. It is very common for retail businesses to be in highly built up areas at which space is at a premium. They are likely to be negatively impacted by having to store and sort waste separately, and it is highly likely that accessibility problems in making collections will arise. This should be thoroughly considered when making decisions on requirements for waste collectors to collect separate streams.

Q50. Do you agree or disagree with Proposal 19?

We would refer you to responses from individual districts and collection authorities.

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

We have no further comments at this time.

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

Communication

Some barrier

Financial

Some barrier

Space

Large barrier

Engagement

Some barrier

Drivers to segregate waste

Some barrier

Location

Large barrier

Enforcement

Some barrier

Variation in bin colours and signage

Low/no barrier

Contractual

Low/no barrier

Staff / training

Some barrier

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

Regarding the large barriers of location and space we would again suggest that at least twin-stream collections be considered for businesses at which these factors are particular issues. Appropriate sharing of services, zoning, or collaborative procurement could also be encouraged in such instances, with effective engagement provided on this.

Q53. Should micro-firms (including businesses, other organisations and nondomestic 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.

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

Careful phasing of the requirement could also be considered.

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

We would refer you to responses from individual districts and collection authorities

Q55. Which recyclable waste streams should be included under a potential zoning scheme?

Dry recyclable waste streams (glass, metal, plastic, paper and card)

Agree

Food waste

Agree

Other items e.g. bulky office waste (please specify)

Agree **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**

Encouraging businesses to use shared facilities on a site/estate

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:

Scheme design

Enforcement

Business support

Development of tools and guidance

Delivery of communications

Please provide explanations where possible to support your above response.

There is certainly a role to play for the stakeholders listed particularly Defra, WRAP, and BIDs, in designing such a scheme to ensure that best practice is incorporated, businesses and collectors are all adequately consulted, and that a consistent and effective approach can be taken. Defra and WRAP would also be well placed to work with a variety of stakeholders to develop tools and guidance.

Local authorities and other local stakeholders listed would be best placed to deliver communications and direct guidance on this, though this would also have to be considered as part of any funding offer/EPR payments. It is certainly the case though that effective communications and engagement will be key in making any such schemes work effectively and push up business recycling rates with minimal disruption.

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

We would refer you to responses from individual councils.

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.

There may well be a role to play here for district councils and other authorities given that we have most effective direct engagement and communication with our local businesses. Guidance could be offered on approved/existing contractors in the area, and engagement work done to foster collaboration in identified areas at which this would be beneficial, such as high streets. We would stress again that such work would have to be accounted for by new burdens/EPR payments.

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

1:1 support

National /regional campaigns

National guidance and good practice case studies

Online business support tools (e.g. online calculators and good practice guidance)

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

We would refer you to responses from individual councils

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?

Plastic and metal

Agree

Glass and metal

Agree

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.

It is clear from our members that it is certainly possible to collect these materials together without reducing the ability to recycle them or maintain quality. Our own survey of collection authorities showed a wide range of recycling rates regardless of methodology, much success relying on effective work between collection authorities and disposal services rather than the collection method. Many of our surveyed authorities that collected some amount of dry recyclables together reported high recycling rates with minimal contamination levels. If this is demonstrably the case then there is no reason to not allow this exemption. We would also suggest that our businesses in highly built up areas, that do not have the space to accommodate separate collection of each stream, should be able to utilise these exemptions.

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?

Our members that operate a twin-stream collection service have also made it clear that collection all dry recyclables barring fibre (paper and card) does not have a significant impact on the ability to recycle the materials or maintain quality. If this is demonstrably the case then again there is no reason to not allow twin stream collections as a matter of course. We would also suggest that our businesses in highly built up areas should be able to easily utilise this method.

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

We would refer you to our response to Question 25.

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

We would refer you to our response to Question 26.

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

We would refer you to our response to Question 27.

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

Agree.

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

We would refer you to our response to Question 29.

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

We would refer you to our response to Question 30.

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?

We would refer you to our response to Question 31.

Q71. Do you agree or disagree that the proposed examples for ‘no significant environmental benefit’ are appropriate?

We would refer you to our response to Question 32.

Q72. What other examples of ‘no significant environmental benefit’ should be included in this proposal? Please be as specific as possible.

We would refer you to our response to Question 33.

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

Consider provision of an assessment template. Consider making twin-stream collections an accepted exemption.

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?

We would refer you to responses from individual districts and collection authorities.

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

Agree

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

Agree

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?

We would refer you to responses from individual districts and collection authorities.

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?

We do not have any specific evidence on familiarisation costs and therefore cannot provide a substantive response to this question. However, we would certainly be of the opinion that the proposals will necessitate significant familiarisation and that these costs should be taken into account.

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

We would question the carbon savings assessment regarding free garden waste collections, given our own members' research already cited on the lack of significant difference in garden waste in residual bins between free and charged services. This alongside the fact that the carbon impacts of a free service as opposed to a charged one are much greater given the increased need for vehicles, and longer and less efficient collection routes. This has also been demonstrated in evidence provided by our members, particularly that produced by the Worcestershire Waste Partnership.

DCN also has significant concerns over the totality of new burdens that collection authorities will face. Our own commissioned research conducted by Solaire shows that the annual costs of the proposals to English districts alone will be £400.3million; rising to £679.9million when taking all waste authorities in England into account. This does not include factors such as costs of new contracts, bigger depots, training all the new staff, delivering new receptacles or the resource required to complete written assessments or engage communities on these changes. The true costs will be much higher than these estimates.

We also wish to see further reassurance that full costs of these new burdens will be covered, and covered equitably in terms of the costs of running the services related to consistency changes for all going forward. It is unfair on authorities that have already made changes to their services in line with proposals if the continued funding of the services is not provided. At present we fail to see how this full funding can be guaranteed given that it will be subject to confirmation in the next spending review. Further assurance and detail on how the formula

for this will work is needed, and ideally DCN and other local government stakeholder input will be sought on this.