

Consultation on exemptions and statutory guidance for Simpler Recycling in England

(Permission for late submission received 30.11.23)

[Wildlife and Countryside Link](#) (Link) is the largest nature coalition in England, bringing together 80 organisations to use their joint voice for the protection of the natural world.

This response is on behalf of the Wildlife and Countryside Link's Resources and Waste Working Group, with support from Green Alliance.

EXEMPTIONS

6. Do you agree with the provision of an exemption to allow for the co-collection of paper and card, plastic, metal and glass in one bin without needing a written assessment?

We do not agree with the provision of a blanket exemption to allow co-collection of materials as specified on the face of the Environment Act without having seen any published evidence from the government to support it or a written assessment on the impact that this approach would have on recycling rates and resulting material quality. It is concerning that the ambition of this policy is being undermined by this proposed exemption and potentially politicised (the touted “7 bins” was never a tangible policy).

Although the consultation points out that six of the top ten waste collection authorities in England run co-mingled collections, the data is rolled up with composting and reuse and does not report separately on dry recyclables. These high-performing local authorities are primarily in affluent rural areas and more detailed composition analysis of these recycling collection may show that garden waste makes a higher-than-average contribution to the overall recycling rate. We would also observe that a sample of 10 is insufficient to base policy on and that a comprehensive approach, including comparing performance amongst waste disposal authorities and councils in other parts of the UK would be necessary to establish a firm evidence base. The four authorities in the UK who have reached recycling rates above 70 per cent are all in Wales and all operate source separated collection services.

Furthermore, the proposed exemption assumes that quality of materials collected, and output will not be impacted by co-mingled collections. Of additional concern is that the evidence to support this blanket exemption has not yet been shared with stakeholders and it is therefore challenging to give a view without assessing the data. The evidence that has been provided by material reprocessors is that co-mingling seriously affects quality and therefore could significantly harm successful British businesses. This is especially the case with paper, with [recycling firm DS Smith](#) saying that, by 2030, 44% of paper and card could have to be sent to incineration or landfill because of contamination, wasting £2.8bn-worth of paper and card or 17.3 million tonnes.

On this matter, we support INC PEN's response which outlines eight compelling reasons as to why this exemption should not be adopted. In particular, we support INC PEN's argument that a blanket exemption risks undermining the objectives of the government's packaging Extended Producer Responsibility (pEPR) regime should co-mingling be permitted without requiring a valid justification. The underperformance of local authorities resulting from co-mingling will not serve well the government's overarching aims in relation to packaging recycling. Nor will it serve to boost household confidence in the recycling system if inconsistencies remain across councils, especially in England which makes up 80% of the total UK population and consumption of 80% of packaging placed on the market.

We would support the following collection combinations for efficiency and effectiveness:

- Plastic and metal (aluminium, steel, foil)
- Paper
- Glass containers (excluding beverage containers since we support their inclusion within a deposit return scheme)

7. Do you agree with the provision of an exemption to allow for the co-collection of food and garden waste in one bin without needing a written assessment?

We do not agree with the co-collection of food and garden waste. Food waste and garden waste are better treated separately to achieve environmental aims. The government's own guidance that is being consulted on along with this question states that the preferred method of treatment is for food waste to go to anaerobic digestion, which requires separate collection. The guidance and evidence provided alongside this consultation therefore clearly suggests that this exemption would result in perverse environmental outcomes and should not be supported.

Moreover, we do not believe that free garden waste services should be offered as standard as households should be encouraged to home compost first, which has an even lower environmental impact. As outlined in Link's response to the July 2021 consultation, these are the main reasons for this objection:

- There would be high carbon and entirely unnecessary emissions of transporting heavy wet garden waste to recycling centres.
- It takes materials from someone who might otherwise compost that waste in their own gardens. This is what should be promoted as part of the transition towards a circular economy, as should community composting.
- The majority of garden waste will come from wealthier families with big gardens – therefore a free service provided by the Government will be effectively subsidised by the poor.
- It will artificially inflate recycling rates. Our current weight-based system incentivises the collection of heavy, low-value materials such as garden waste and not prioritising the best environmental outcome for individual material streams.¹ Garden waste could be reported

¹

http://www.esauk.org/reports_press_releases/press_releases/20180525_An_economic_assessment_and_feasibility_study_of_how_the_UK_could_meet_the_CEP_recycling_targets.pdf

separately if necessary. Many Local Authorities have introduced a charge for green waste, and this works well and there is no evidence that it has led to an increase in fly-tipped garden waste.

- Offering free garden waste collections will set the wrong precedent and will make it harder to introduce “pay as you throw” for other types of waste.²

Additionally, it is essential that there are evidence-based assessments on how such blanket exemptions may lead to lower quality outputs and less beneficial outcomes overall. Adopting output / outcome-based assessments will allow local authorities to identify required adaptations for service optimisation, according to the needs of specific areas (e.g. rural vs. urban).

Proposed guidance on materials in scope of the recyclable waste streams

8. The guidance advises that waste collection authorities should build flexibility into their contracts to ensure materials can be added/removed to the recyclable waste streams as new recycling technologies develop. Do you agree or disagree with the content of this section?

We strongly agree with the advice that waste collection authorities should build in flexibility into their contracts, as a matter of best practice, to accommodate the addition/removal of materials as recycling technologies evolve. However, there needs to be whole system consideration vs. individual waste authorities taking on new material streams in isolation which will simply perpetuate the current inconsistency of approach that this policy is seeking to address. Any decision to add or remove materials should require a process involving relevant value chain stakeholders and should ensure sufficient time to introduce changes to the system, including updates to on-pack recycling labels which provide crucial guidance to households on what they can and can't recycle. Additional citizen engagement via joined-up communications is also critical if Simpler Recycling measures are to deliver increased household recycling rates and better-quality outputs.

We would also welcome approaching the question from a different perspective, especially in relation to additions to the system – whether that material stream contributes positively to the overall system and its collection should be enabled at all. For example, rather than enabling collection of problematic packaging formats where recycling may yield minimal environmental and economic benefits, other measures ranging from bans to incentivising reuse and refill systems, should be leveraged ahead of enabling recycling. The UK needs to reduce its overall material consumption by 40% to bring us within our fair share of planetary means³ and the focus on end-of-life solutions merely supports the over-consumption of resources. Furthermore, producers placing new materials and formats on the market should be required to assess its necessity rather than add a new material that puts extra pressure on end-of-life systems.

² <https://www.staffordshire.gov.uk/Waste-and-recycling/Types-of-waste/Garden-waste/Q004.aspx>

³ “Thriving within our planetary means” https://www.wwf.org.uk/sites/default/files/2021-06/Thriving_within_our_planetary_means_full_report.pdf



The effectiveness of Simpler Recycling proposals and incentives to rationalise packaging materials and formats through the modulated fees structure of pEPR are critical to the overall success of the government's packaging waste reforms. Therefore producers must prioritise the use of materials which are already earmarked for collection rather than introduce new formats.

9. Do you agree or disagree with the contents of the list above, detailing the materials that are out of scope of the recyclable waste streams?

While we agree with the list of materials that are out of scope, a point of irony is that the government's proposal of a blanket exemption to allow co-collection of food and garden waste conflicts with what should be excluded from these particular streams. For example, tea bags and coffee grinds are listed as out-of-scope for garden waste yet are likely in-scope for food waste. This strengthens the case for not allowing a blanket exemption to co-collection of food and garden. It is a reminder of the value of separated collections which enable the collection of individual items where co-mingled waste streams do not.

The list of out-of-scope materials should be continuously reviewed within the context of EPR measures, recycling technology innovations and as valuable markets are created for materials on the list. There should be an ambition to reduce the number of items on the list, not only through viable recycling opportunities, but also through other measures aligned with waste hierarchy principles such as through bans or scaling up reuse systems and increasing affordable access to repair and refurbishment.

To support this point, the out-of-scope list could inform policymaking on how to deal with these non-recyclable waste streams. For example, the paper and card category includes items such as wet wipes and nappies, where adoption of reusable alternatives should be incentivised; the plastic category includes PVC packaging, one of the most toxic plastics which should be banned; the metal category includes household appliances where accessible repair and refurb should be enabled and the introduction of waste electricals and electronics (WEEE) kerbside collections must be given serious consideration.

Proposed guidance on dry recyclable waste collections from households

10. Guidance is provided regarding the requirement to collect dry recycling from premises and the use of communal bins. Do you agree or disagree with the content of this section?

While we agree that guidance on the requirement to collect dry recyclables should be provided to local authorities, we do not agree wholly with what has been laid out.

We welcome the clarity provided that dry recyclable wastes streams must be collected separately from food and garden waste but do not support a blanket exemption to permit co-mingled

collections of packaging waste nor co-collection of food and garden waste (reasons as outlined above).

With regard to frequency of collections, the waste authority should be able to determine the service level which delivers the best overall value in terms of efficiency and effectiveness based on their area, taking into consideration (not an exhaustive list) levels of waste generated but also housing stock, density of population and socio-economic factors. While cost of running the service is a key consideration, it should not be the sole determining factor.

Flexibility to increase/decrease levels of service should also be allowed, where seasonality may impact the volumes of waste and recycling generated, e.g. increased garden waste in spring, higher volumes of recycling around the Christmas period.

However, we would urge the government not to impose a minimum requirement of fortnightly collections. Evidence (including from Wales and Scotland) increasingly suggests that restrictions on residual waste collections can help drive up use of comprehensive recycling services. Since a significant portion of what households throw into their residual waste is recyclable, frequent collections result in the loss of those valuable materials and reduce the amount material going back into the system for us as recycled content. Additionally, frequent recycling collections drive down recycling rates and drive-up costs for local authorities and their residents, which is unacceptable in the middle of a cost-of-living crisis.

QUESTIONS 11-16

Responses not provided.