

Consultation on Consistency in Household and Business Recycling in England

July 2021

Wildlife and Countryside Link is the largest environment and wildlife coalition in England. We bring together 60 organisations to use their strong joint voice for the protection of nature. Our members campaign to conserve, enhance and access our landscapes, animals, plants, habitats, rivers and seas. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.

This response is supported by our member organisations listed below:

Environmental Investigation Agency
Friends of the Earth England
Marine Conservation Society
Surfers Against Sewage
Whale and Dolphin Conservation
WWF

Wildlife and Countryside Link is working in partnership with:

Green Alliance
Keep Britain Tidy

Executive Summary

The UK Government's recent declaration of a climate emergency and the Committee on Climate Change's new 'Net Zero' report show that the tide is turning, with major environmental crises no longer being ignored at the highest level. If the UK Government is to prove that these are more than hollow words, it must focus on addressing major environmental problems at root. In the case of the single-use packaging crisis, we must build a system focused on packaging waste prevention, with a wholesale transition to re-usable alternatives and closed-loop recycling.

The environment sector welcomes the continued attention on resources, and the opportunity to address the shortcomings of a packaging system regarded as inefficient at best and broken at worst. We are gratified that the Government recognises that a major overhaul is needed and plans to properly embed concepts such as the polluter pays principle and extended producer responsibility in UK packaging legislation.

At the same time, we believe improvements are still needed. It remains unclear how the warm words on waste minimisation and resource efficiency in the Resources and Waste strategy will translate into action on the ground. Questions remain about whether the consultations' proposals will add up to a coherent, sustainable system.

In the four recent consultations¹ we have noticed several recurring shortcomings. These are:

- **Reduction is too often ignored:** We cannot recycle our way out of the current packaging crisis, which requires a reduction-led strategy to phase out all non-essential, single-use packaging and a transition to a refillable, reusable society. We believe the Government must do much more to first prevent waste generation and reduce harm, as dictated by the waste hierarchy. An obvious place to start would be to set legally binding reduction targets, which were shunted into the long grass in the EPR consultation.
- **All the UK Governments and Government departments must work together:** There is inconsistency across UK Governments and Government departments that is proving extremely unhelpful and could risk the effectiveness of all proposed schemes. Any DRS in England, Wales and Northern Ireland must match the criteria and timelines of the Scottish scheme. In England specifically, we are concerned that the Department for Business, Energy and Industrial Strategy (BEIS) has been promoting bio-based and compostable plastics as a solution to the marine plastic crisis, at the same time as Defra's consultations suggest they should be avoided. We also worry that there is a lack of buy-in from other departments to some of the contents of the consultations.
- **Behaviour change is not guaranteed:** The overhauls rightly aim to fairly and effectively distribute responsibility, but there is little to encourage people to do the right thing, apart from through the proposed DRS. Charging for single-use cups, for instance, which is being explored in Scotland, is still disappointingly absent in the rest of the UK. The extended producer responsibility (EPR) reforms will also see producers paying to landfill recyclable waste if people do not engage in recycling behaviours. This is clearly a shortcoming and signals the need to reopen the discussions on variable charging. This is a common feature in many societies with low waste generation and high recycling. Consulting on this now is the best way to lay the groundwork for introduction once all citizens have access to high quality, consistent services.

We broadly welcome the proposals to harmonise household and business recycling collection, however we have also noticed several missed opportunities in this particular consultation which are:

- **There is no option in the consultation to refute the statutory guidance on alternative weekly residual waste collections.** We consider that Local Authorities need to have the ability to go to 3 and 4 weekly collections, otherwise the only option is to reduce the size of

¹ As well as this consultation on consistency in household and business recycling collection (for England), the UK Government has recently consulted on, a Deposit Return Scheme (for England and Wales), Extended Producer Responsibility for packaging and a Waste Prevention Plan (for England).

residual waste containers - assuming statutory guidance does not mandate 240 litres. Fortnightly collections for residual waste will be a barrier to recycling as studies have shown that this does not incentivise people to recycle more. In contrast, evidence from Wales demonstrates that less frequent residual waste collections have served to increase recycling participation.² What's more, increasing collection frequency will also increase the unnecessary rounds and therefore miles that collection vehicles have to undertake, unnecessarily increasing the carbon impact of the recycling system. Given the Government's desire to increase recycling, and its legally binding goals on carbon reduction, it should not be hampering itself in this way.

- **There is no option in the consultation to refute the decision not to proceed with bin colour standardisation** (despite a majority of respondents to the previous consultation being in favour of this policy and also despite this policy still appearing to be an option for non-household consistency measures). This is a missed opportunity as this policy would be extremely beneficial. If this policy is being considered for non-household consistency measures it makes sense to do the same for households to keep consistency and reduce confusion.
- **There is a missed opportunity to start laying the groundwork for variable charging for household waste.** Once consistent collections have been established and people are offered comprehensive services, they should be encouraged to play their full role in the system to avoid unfairly burdening businesses and the public purse with unnecessary waste creation and incorrect recycling. This would see householders pay based on how much they use the services, as they would for any utility - 'pay as you throw' or 'save as you recycle'. Those who generate the least amount of waste are rewarded by paying the least, and one of the main aims is to drive up recycling rates, which has happened elsewhere: according to 2017 research by Eunomia,³ eight out of the world's top ten recycling nations use variable charging to some extent.

² <https://www.dailypost.co.uk/news/north-wales-news/monthly-bin-collections-success-household-15955154>

³ Recycling - who really leads the world? <https://www.eunomia.co.uk/reports-tools/recycling-who-really-leads-the-world/>

Proposal 1: Separate collection of dry recyclable waste from households

6. 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 2023/24 subject to consultation)?

	Agree - this material can be collected in this timeframe	Disagree - this material can't be collected in this timeframe	Not sure / don't have an opinion / not applicable
Aluminium foil	y		
Aluminium food trays	y		
Steel and aluminium aerosols	y		
Aluminium tubes, e.g. tomato puree tubes	y		
Metal jar lids	y		
Food and drink cartons, e.g. TetraPak	y		

7. 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.

While we do not disagree with the inclusion of food and drink cartons, given their current prevalence within the UK market, there is a concern that there will not be sufficient UK reprocessing capacity to cater for the increased volume of containers collected. We understand that at least 60,000 tonnes of cartons are put to market in the UK, but that the sole reprocessing plant in Halifax has a maximum throughput of 25,000 tonnes per annum.⁴ Defra therefore needs to consider how the remaining cartons collected -- which could currently account for 60% of what is placed on the market, though we believe this format is growing in popularity -- will be processed

⁴ <http://www.ace-uk.co.uk/media-centre/news/uks-only-beverage-carton-recycling-plant-opens-for-business/>

and whether this will require export to countries with sufficient reprocessing capacity, a move that embeds additional carbon miles and limits the creation of additional UK-based green jobs. It is also key to note that it is not acceptable to rely on exports as a long term solution to dealing with our domestic plastic waste and we must work toward a phased export ban of these materials.

In addition, cartons are a laminate comprising card, plastic and aluminium. We understand that there is difficulty in recovering the plastic polymer and aluminium layers, while the card is downcycled.⁵ Hence Defra should consider how modulated fees within Extended Producer Responsibility might reflect the complexity of the packaging and its processing, particularly the potential to reduce this difficult to recycle waste stream and what that would mean for the need for increasing capacity within UK based infrastructure.

8. 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

Other (please specify)

If you have selected other, please specify:

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.

We don't currently envisage any circumstances that would prevent compliance with the timetable. While authorities may be locked into collection contracts with outsourced providers, the Government should be prepared to support authorities in breaking or adjusting contracts and making funds available for compensation payments under the New Burdens obligation.

As noted in our answer to question 7, cartons re-processing is currently undertaken at only one site in the UK. Therefore, the capacity of this site and the potential for UK wide collections should be explored.

Defra also needs to bring forward the timetable for implementation of the proposed Deposit Return Scheme to 2023, not late 2024 at the earliest as currently proposed, such that implementation is consistent UK wide. Requiring local authorities to put in place collection

⁵ https://zerowasteurope.eu/wp-content/uploads/2020/12/zero_waste_europe_report_-_beverage-carton_en.pdf

systems for the additional volume of drinks containers that will subsequently be separately collected as part of the Deposit Scheme proposals makes little sense. It is also unclear from the recent consultations whether beverage containers will continue to be obligated under EPR for packaging in 2024 until such time that DRS is introduced. Compositional analysis will provide information on the proportion of drinks containers in recycled and residual waste and the reduction in volume at kerbside arising due to aligned implementation of DRS, will allow authorities to better plan container sizes required for remaining household plastic, glass and aluminium wastes.

9. 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 – cartons should be included in the plastic recyclable waste stream

Disagree – cartons should be included in the paper and card recyclable waste stream

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

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

Agree. However, we understand that while 65% of authorities currently collect cartons from the kerbside⁶, only a proportion send this material to the UK's sole processing plant for carton reprocessing in Halifax. Destinations for other cartons collected are unclear and could include export. As per our response to question 7, more work is needed to ensure that 100% of cartons are collected and segregated for dedicated reprocessing in the UK.

Focusing on whether beverage cartons should or should not be included in the plastic waste stream distracts from focusing on measures which would drive reduction and reuse. There should be a focus on measures which disincentivise the use of hard-to-recycle formats, for example through modulated fees as part of Extended Producer Responsibility. Additionally, the recently published consultation on England's Waste Prevention Programme sets out the Government's intentions to pursue reduction and reuse policies across a number of resource intensive sectors including packaging and we would call for these policies to be introduced with urgency. There is also a public appetite for reuse, with recent polling commissioned by Friends of the Earth and City to Sea revealing that 81% of Brits want refillable products to be a top government priority for ending the plastic pollution crisis.⁷

⁶ <https://www.tetrapak.com/en-gb/sustainability/local-pages/where-can-i-recycle>

⁷ <https://friendsoftheearth.uk/sustainable-living/world-refill-day-brits-demand-government-action-plastic>

10. 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?

- No increase
- 0–9% increase
- 10–20% increase
- 21–100% increase

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

Please provide the reason for your response.

While we do not have the expertise to comment specifically on the financial impacts on gate fees and processing costs, we are aware that mixed material collections require an additional processing stage to sort materials into better quality and therefore more valuable streams. Thus logic would dictate that there would be impacts from both a financial and operational perspective. Furthermore, consideration must be given for the overarching objectives of this policy and only measures which improve the quality of materials collected and the commercial viability of undertaking the required sorting and reprocessing should be prioritised.

Proposal 2: Collection of plastic films from households

11. 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?

Agree

Disagree

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

If you disagree, please provide the reason for your response

While we agree that local authorities should adopt kerbside film collection no later than 2026/27, there should be even greater urgency with the date advanced from 2026/27. If this timeline is dependent on LA waste collection contract changes, then the Government should provide the necessary support to accelerate the changes to make this happen sooner. Moreover, this requirement should explicitly cover multi-material flexible formats which may include paper and aluminium as part of their structure.

We are not aware of a roadmap to demonstrate how this will be achieved - any such roadmap should explore how to overcome the barriers to including films in kerbside collections and how the proposed 2026/27 date could be brought forward.

Through voluntary retailer initiatives, consumers have demonstrated an appetite for returning these materials. The success of Tesco's recent "soft plastics" take back initiative across 10 stores underlines the consumers' willingness and appetite to return these materials for recycling. The trial started in 2018 and has since collected 120 tonnes of plastic for recycling. It has now rolled out to 171 stores and so far there has been an impressive volume of material coming back to stores.⁸

12. 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

Cost burden

Reprocessing

End markets

Other (please specify)

If you have selected other, please specify

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

The Plastic Pact, led by WRAP, is exploring how greater volumes of plastic film can be collected and reprocessed. We understand that currently only 55 local authorities in the UK offer a kerbside collection service⁹ and MRFs are therefore unlikely to be designed to segregate this material. In addition, there are limited end markets for secondary film products.

However, a deadline of March 2027 gives a six year period during which challenges can be overcome. Although stakeholders are currently working on solutions, we would not expect these to deliver adequate domestic infrastructure to deal with England's waste at home without a much more robust approach from the Government. As Green Alliance have noted with the Resource Recovery from Waste consortium in their Building a circular economy report, the Government's

⁸ <https://www.tescopl.com/news/2021/tesco-to-launch-uk-s-biggest-network-of-recycling-points-for-soft-plastic/>

⁹ <https://resource.co/article/recoup-survey-calls-focus-plastic-film-recycling>

approach to infrastructure has been far from adequate.¹⁰ The Government does not even centrally track recycling facilities and has little information on the coverage of reuse and repair infrastructure, which makes planning for adequate capacity impossible. Moreover, the vast majority of the Government's funds -- as well as private -- to date has been dedicated to residual waste treatment, and this approach needs to be overhauled if England is to create the right sort of infrastructure for reduction, reuse and recycling.

When it comes to household plastic waste in particular, the Green Alliance report highlighted that less than a third is collected for recycling, and two thirds of that is sent abroad. The remainder either goes to landfill or incineration. For this to change, the Government must end the practice of leaving infrastructure development to the market, starting with an urgent infrastructure stocktake that can inform plans to establish the needed levels of infrastructure for reduction and reuse, as well as recycling the remainder of material.

Proposal 3: Definition of food waste

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

Agree

Disagree

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

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

Agree.

On teabags specifically, a number of tea bag producers still use plastic glues within their manufacture¹¹. The quality of digestate from anaerobic digestion and plastic contamination is an ongoing issue, which affects compliance against the PAS110 standard¹². Hence, the Government should ensure that collection of tea bags within food waste does not exacerbate this situation and require all manufacturers to adopt plastic free means of sealing tea bags.

Some brands have now moved to soilon tea-bags, which claim to be biodegradable¹³, while others use PLA glues, which compost within industrial composting units¹⁴. Indeed, some brands claim to

¹⁰ https://green-alliance.org.uk/resources/Building_a_circular_economy.pdf

¹¹ <https://www.bbc.co.uk/news/uk-50260687>

¹² https://www.researchgate.net/publication/324910012_Investigation_into_plastic_in_food_waste_derived_digestate_and_soil

¹³ <https://www.independent.co.uk/extras/indybest/food-drink/best-plastic-free-tea-bags-clipper-t2-pukka-twinings-a8982626.html>

¹⁴ <https://www.yorkshiretea.co.uk/brew-news/plastic-in-tea-bags---progress-report>

be plastic free while using PLA glues, which on the face of it appears incorrect given that PLA is a bio-plastic.¹⁵

In any event, Defra must ensure that consumers are not faced with confusing messages when it comes to disposing of tea bags in food waste collections and that all tea bags put to market are manufactured from materials that can genuinely be treated within anaerobic digestion plants.

Proposal 4: Separate collection of food waste from households for recycling

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

	Agree	Disagree	Not sure / don't have an opinion / not applicable
Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year	Y		
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	Y		
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		Y	
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		Y	

¹⁵ <https://www.clipper-teas.com/tea-talk/plastic-free-tea-bags/>

<p>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</p>		<p>Y</p>	
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Please provide any views on the end date for these obligations and any evidence on associated costs and benefits

We would urge Defra to show ambition and not permit current collection and processing systems to remain operational until 2031. This does not incentivise investors to create the infrastructure required with any degree of urgency. We suggest that local authorities should be required to adopt separate food waste collections for all properties including flats by March 2024, irrespective of current contractual arrangements.

Indeed, the UK already has a lot of anaerobic digestion infrastructure, however, Defra should review provision and strategically manage future investments into areas of the country with less AD provision in support of a universal food waste collection roll-out. Local processing facilities will also limit carbon emission associated with transport of wastes and secondary compost and fertilisers.

Within this review, the Government should also seek to incentivise investment into the provision of composting alongside AD reduced processing times and improves the quality of compost produced and to allow facilities to treat compostable caddy liners, which have been shown to improve participation in food waste collections.¹⁶

Furthermore, as the Government is rightly looking to promote separate food waste collection and to ensure that garden waste is also taken out of the residual waste stream, it also needs to take measures to avoid incineration of biowaste. Although it is in line with current international practice, the UK Government should, as a first step, review its approach to excluding biogenic emissions from those counted from incineration and energy from waste facilities. The key should be to ensure biowaste is minimised in the first instance, followed by separately collecting and diverting biowaste away from both landfill and incineration. This would help avoid reliance on untested technology like carbon capture and storage, and instead promote tried and tested home/community/industrial composting routes. This would be in line with the proximity principle for the treatment of waste and would have benefits for enriching land, for instance.

¹⁶ <https://www.biocycle.net/integrating-anaerobic-digestion-with-composting/>

15. 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

If you have selected other, please specify

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 believe that existing collection contracts should not get in the way of introducing separate collection systems by March 2024 and that the Government should support local authorities in making any required compensation payments when breaking or amending contracts within the New Burdens support.

As referenced in our answer to Q14, reprocessing and end markets should not represent a barrier, if the Government ensures that investment into AD and composting plants are incentivised and located in the geographical areas most in need of infrastructure.

The case study of Milan demonstrates that flats, HMOs and high rises should not present a barrier to effective food waste collections. Milan has remarkably high rates of recycling and a successful household food waste collection despite 80% of residents living in high rise buildings.¹⁷

The Government should also take action to prevent food waste in line with the food waste hierarchy and ensure that business and local authorities provide householders with the information they need to prevent avoidable food waste. In addition, the Government should ensure action is being taken at each stage of the food production process (from farm to fork) to ensure action by householders is supported by complementary action within the value chain.

¹⁷ <https://resource.co/article/setting-trend-milans-recycling-success-12837>

Proposal 5: Caddy liners

16. 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.

Agree

Disagree

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

Please provide any other comments on the use of caddy liners in separate food waste collections

We agree with promoting the provision of free caddy liners as research from WRAP has found that households without an ongoing or adequate liner supply tend to stop participating in the programme,¹⁸ so the provision of liners will help drive the desired behaviour. A report produced for Defra also found that if households are allowed to choose their own liners there is a higher risk of contamination.¹⁹

However, it is critical that the Government mandates that caddy liner material be compostable. Allowing conventional plastic as liners creates plastic pollution and contaminates the resulting output which damages soil and plant health.²⁰ Although not currently proposed in the consultation, we believe that the Government should go further and mandate the provision of free, compostable caddy liners, whilst also providing funding for it under the new burdens doctrine.

Proposal 6: Compostable and biodegradable materials

17. 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.

We consider that there is no specific benefit to be accrued in developing and scaling compostable packaging as a replacement for conventional plastic. Evidence suggests there is also public confusion about definitions like 'compostable', 'bio-based' and 'biodegradable'. The term 'biodegradable' should not be used in conjunction with packaging, not least as public perceptions

¹⁸ https://archive.wrap.org.uk/sites/files/wrap/HH_food_waste_collections_guide_section_4_caddies_and_liners.pdf

¹⁹ http://randd.defra.gov.uk/Document.aspx?Document=WR0209_8618_FRP.pdf

²⁰ <https://bbia.org.uk/wp-content/uploads/2020/12/Evaluating-the-cost-implications-for-caddy-liners-in-food-waste-111220-1.pdf>

about whether an item is biodegradable can influence littering behaviour; i.e. if a bag is marked as biodegradable it is more likely to be littered.²¹ And if it is incorrectly collected with conventional recycling, rather than as a separate stream, it will contaminate packaging streams and reduce the quality of secondary materials.²² BEIS's Summary of Responses to the call for evidence on standards for bio-based, biodegradable, and compostable plastics acknowledged that repeated and strong concerns were raised regarding the extent to which plastics marketed as biodegradable actually biodegrade in the open environment, and whether the use of plastic labelled as biodegradable could encourage littering if citizens consider them to be in some way environmentally-friendly.²³

Bio-based packaging also causes public confusion and could lead to incorrect disposal behaviours such as littering or attempts at home composting²⁴, when in fact bio-based plastics often have the same properties and therefore degrade in the same manner as oil based plastic polymers. There is also the risk that if bio-based plastics become established in mainstream manufacturing the land required for growing bio-based plastic crops will begin to edge out land required for food crops or other competing claims for land, such as afforestation or fibre.²⁵ Assumptions around bio-based plastic crops leading to a reduction in carbon emissions are not universally valid, as variations can occur because of farming practices, technologies used, energy and raw material differences. and therefore require careful scrutiny²⁶. In addition, there is increasing interest in the use of agricultural wastes to produce bio-polymers. We don't believe this is a sustainable option, given the urgent need to manage soil more sustainably and return crop residues back to land. What's more, seasonal variations could require multiple sources for year round supply and alternatives like forestry residues have much lower yields than dedicated energy crops and can require energy intensive pre-treatment.²⁷

For the above reasons we don't contend that large scale adoption of bio-based or compostable solutions offer any particular benefits within a developing circular economy and may actually disrupt its development.

We do envisage a limited role for compostable packaging in future, particularly in food contact films where these could be placed in food waste recycling, along with compostable food waste caddy liners. However, this system would require that AD plants are combined with IVC to ensure that any plastics would be effectively processed and not have to be removed as a contaminant. It is essential that there is a clear strategy when it comes to compostable materials to prevent

²¹

https://wedocs.unep.org/bitstream/handle/20.500.11822/7468/-Biodegradable_Plastics_and_Marine_Litter_Misconceptions_concerns_and_impacts_on_marine_environments-2015BiodegradablePlasticsAndMarineLitter.pdf.pdf

²² <https://www.bpf.co.uk/press/biodegradable-and-oxo-degradable-plastics.aspx>

²³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/976912/standards-biobased-biodegradable-compostable-plastics.pdf

²⁴ <https://www.mdpi.com/2071-1050/12/6/2192>

²⁵ <https://news.climate.columbia.edu/2017/12/13/the-truth-about-bioplastics/>

²⁶ <https://www.sciencedaily.com/releases/2021/02/210205121239.htm> and https://green-alliance.org.uk/resources/Fixing_the_system.pdf

²⁷ https://green-alliance.org.uk/resources/Fixing_the_system.pdf

unintended consequences of their use and make sure they really do lead to environmental improvements. Reports such as “Fixing the System” by Green Alliance²⁸ and “Compostable Packaging Guidance” by WRAP²⁹ provide guidance in this respect.

18. Do you agree or disagree that anaerobic digestion plants treating food waste should be required to include a composting phase in the treatment process?

Agree

Disagree

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

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

We strongly agree. We would like to see Defra work with and incentivise the AD industry to scale up the addition of composting to existing AD plants as an additional step after the anaerobic digestion process and for new AD plants to be developed with an additional composting process, as happens commonly in places like Italy.³⁰ This additional step is already required in some parts of Europe where digestate is considered a waste product unless it is composted. Following suit would allow compostable bags to be more effectively used as, if they survive the quick anaerobic digestion process, they will be effectively dealt with in the composting stage. Moreover, this additional process results in a more stable and less polluting product that can be more widely used as a fertilizer.³¹ Composting digestate should prevent the loss of nitrogen and help deal with concerns about air pollution during the spreading of digestate, as highlighted in the Government's Clean Air Strategy.³²

Proposal 7: Definition of garden waste

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

Agree

Disagree

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

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

²⁸ https://green-alliance.org.uk/Fixing_the_system.php

²⁹ <https://wrap.org.uk/resources/guide/compostable-plastic-packaging-guidance>

³⁰ <https://www.gov.uk/government/publications/clean-air-strategy-2019>

³¹ <https://resource.co/article/systematic-shift-9974>

³² <https://www.gov.uk/government/publications/clean-air-strategy-2019>

None of the excluded items would compost.

Proposal 8: Separate collection of garden waste from households

20. 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?

Agree

Disagree

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

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

There are multiple reasons why we disagree with this proposal:

- 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.³³ Garden waste could be reported 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.³⁴

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

³⁴ <https://www.staffordshire.gov.uk/Waste-and-recycling/Types-of-waste/Garden-waste/O004.aspx>

- 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.

Proposal 9: Further options to increase the recycling of garden waste

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

	Very likely	Likely	Unlikely
Provide updated guidance on reasonable charged for garden waste		Y	
Issue clear communications to non-participating households		Y	
Support on increasing home composting (e.g. subsidised bin provision)	Y		

22. 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

We strongly support measures to increase home composting as this would support the move towards a circular economy and increase citizens’ perceptions of waste as a valuable resource. In contrast, a free garden waste service, which is being proposed in this consultation, would be unsupportive of these outcomes. Support on increasing home composting should include targeted communications to households.

Proposal 10: Exemptions for the separate collection of two recyclable waste streams from households

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

	Agree	Disagree	Not sure / don't have an opinion / not applicable
Plastic and metal	y		
Glass and metal		y	

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.

We agree with the collection of plastic and metal together. The single pass Kerb Sort resource recovery vehicles used in places like Wales and Northern Ireland have shown that collecting these together can actually make collection rounds more efficient, as these light materials can be easily stored together at the top of the collection vehicle and thereby increase vehicles' capacity and decrease the number of recycling vehicles needed on the road.³⁵ However, it may be beneficial to avoid collecting glass with metal or any other material as broken glass contaminates other recyclables.

24. 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?

We do not support other exemptions being proposed.

Proposal 11: Conditions where an exception may apply and two or more recyclable waste streams may be collected together from households

Comments below relate to separate collection of packaging waste - however, we need to consider whether food waste collections - where AD plants are not available could lead to sensible requests for exemptions

25. Do you have any views on the proposed definition for 'technically practicable'?

³⁵ <https://www.romaquip.com/kerb-sort>

This exemption should not provide for widespread exemptions, given that separate collection is in use around Europe and the Government intends to fund capital investment into new vehicles and containers. We contend that if evidence is available showing how a specific collection can be delivered then an authority should not be able to rely on this exemption. An authority should be required to set out the measures and investment needed to make the collection technically practicable and all written assessments should be a matter of public record.

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

Agree

Disagree

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

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

In order to improve recycling rates, it is necessary to demonstrate real ambition and minimise the criteria for exemptions. Exemption applications should be robustly analysed and should only be granted in clearly evidenced cases.

We do not believe that any of the listed examples should be the norm or default for exemptions for the following reasons:

- Type of housing stock and accessibility: The case study of Milan demonstrates that flats, HMOs and high rises should not present a barrier to effective separate waste collections. Milan has remarkably high rates of recycling and a successful household food waste collection despite 80% of residents living in high rise buildings.³⁶ A study by LARAC in the UK also found that whilst there are challenges in the practicalities of collecting waste from flats and HMOS, there are opportunities for targeted behavioural interventions that would greatly improve outcomes.³⁷ Indeed, many councils have been working on solutions and have successfully piloted schemes to improve recycling in highrise flats, such as in Hillingdon, South Lanarkshire and Westminster.³⁸ WRAP have also carried out a number of studies on recycling in flats which outline useful ideas for how these proposals could apply to HMOs.³⁹
- Rurality and geography of property location: We see no reason why rurality and geography should provide an exemption given that all properties within an area should already be on a collection round and the Government has already indicated that any new

³⁶ <https://resource.co/article/setting-trend-milans-recycling-success-12837>

³⁷ <https://larac.org.uk/blog/sharing-house-sharing-responsibility-recycling-hmos>

³⁸ <https://www.letsrecycle.com/news/latest-news/hillingdon-rolls-out-high-rise-recycling/>

³⁹ <http://www.wrap.org.uk/sites/files/wrap/Recycling%20for%20flats%20March%202006%20WW%20Defra.pdf> ;
<http://www.wrap.org.uk/content/recycling-collections-flats-introduction>

collection vehicles would be funded within New Burden requirements. Rurality increases the case for single-pass resource recovery vehicles that can collect multiple streams in one go, as demonstrated in Wales and Northern Ireland. It does not increase the case for exemptions.

- Storage of containers at properties: We believe that limitations on space or storage can be addressed through innovation in storage systems.
- Availability of suitable containers: We consider that suitable containers are and will be readily available.
- Storage in existing waste transfer infrastructure: We consider that there is existing waste transfer infrastructure to manage, sort and separate wastes.

27. What other examples of areas that may mean it is not ‘technically practicable’ should be considered in this proposal? Please be as specific as possible.

We don’t believe any other examples should be considered. In order to improve recycling rates, it is necessary to demonstrate real ambition and minimise the criteria for exemptions. Exemptions applications should be robustly analysed and should only be granted in clearly evidenced cases.

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

Agree

Disagree

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

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

The low, stagnating recycling rates in England are due to a historic lack of funding and policy support – particularly on end-markets for recyclates – both of which are essential to driving recycling rates higher.⁴⁰ The proposals outlined in this consultation can only be achieved through significant additional funding to Local Authorities from the Government and through Extended Producer Responsibility regulations. This being said, we disagree with any of the proposed examples being classified as “not economically practicable” to deliver separate collections (except in a minority of robustly evidenced cases) for the following reasons:

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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

- Type of housing stock and accessibility: as per our response to question 26, the case study of Milan demonstrates that separate collections can be successfully introduced in a city where 80% of residents live in highrise buildings.⁴¹ As described in question 26 there are also various case studies in the UK where behaviour interventions and other solutions have successfully improved recycling rates in flats and HMOs.
- Rurality and geography of property location: We see no reason why rurality and geography should provide an exemption given that all properties within an area should already be on a collection round and the Government has already indicated that any new collection vehicles would be funded within New Burden requirements.
- Available recycling and treatment infrastructure: we see no reason why this would provide an exemption for being not economically practicable because there is existing waste transfer infrastructure to manage, sort and separate wastes.

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

None. In order to improve recycling rates, it is necessary to minimise the criteria for exemptions. Exemptions applications should be robustly analysed and should only be granted in clearly evidenced cases.

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

We believe that excessive costs should not provide for widescale exemptions. Given the Government’s offer to support local authorities with measures which will enable them to comply with this policy, this is a moot point.

However, we acknowledge there may be cases where the lack of an established end market for a material means the costs of collection would be outweighed by the value of the material collected. Before accepting an exemption on these grounds, the Government should endeavour to understand why this market failure exists and whether the packaging material in question could be modified such that it provides for a more valuable secondary product of use by manufacturers, or potentially removed from the market if non-essential.

Furthermore, we would call for the fees applicable under EPR to be appropriately modulated to account for the lack of a viable end market, even if the material can be readily recycled.

⁴¹ <https://resource.co/article/setting-trend-milans-recycling-success-12837>

31. 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 believe that the absence of 'significant' environmental benefit should not be the basis for wide-scale exemptions unless there is clear evidence this is the case. To support this, the Government needs to set out clear criteria by which this could be determined.

However, of greater concern is how the term "significant" is defined - we would suggest that any definition takes into consideration the negative impacts of alternative disposal methods for packaging such as landfill, incineration and leakage into the environment.

Furthermore, any assessment needs to be backed up by independent documentary evidence.

However, there may be instances where an assessment of no significant environmental benefit may be valid, for instance in the case of chemical recycling for plastics, where carbon emissions from the process may be higher than the process of making primary plastics. With this particular example, the priority should be a reduction in the use of materials targeted for chemical recycling.

With all this in mind, the Government should follow through on delivery of their Waste Prevention Programme and there are also other solutions which would reduce the carbon impacts. For example, if the journey length is long, collection could take place less frequently (although we note that there is no option in the consultation to refute the statutory guidance on alternative weekly residual waste collection which we have noted is a shortcoming of this consultation).

The Government must also ensure that prevention and reuse are incentivised alongside recycling, as a means of reducing overall carbon emissions and increasing resource productivity.

32. Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate?

Agree

Disagree

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

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

- Greenhouse gas emissions – for examples from vehicles or Materials Facilities
- Lifts per vehicle and journey length

For both the above points the collection rounds should in theory be no more extensive than is currently the case and with increasing consideration being given to electric vehicles and low carbon energy, there ought to be no trade off between any increase in mileage or lifts per vehicle.

The Government should promote single-pass vehicles, which will cut down on emissions from collection rounds by meaning only one vehicle has to collect different streams where, in the past, two or three may have been required.

New Burdens requirements should include capital funding from single-pass vehicles, but local authorities should be encouraged to replace existing vehicles at the end of their life and not scrap relatively new vehicles, accepting that where single pass collection may be delayed for several years, any increase in transport carbon emissions may be less than the carbon embedded during the manufacture of the original vehicle.

There are also other solutions which would reduce the carbon impacts. For example, if the journey length is long, collection could take place less frequently (although we note that there is no option in the consultation to refute the statutory guidance on alternative weekly residual waste collection which we have noted is a shortcoming of this consultation). Furthermore, if packaging is non-essential and its collection provides no significant environmental benefit (as a consequence of GHG emissions and journey length re collection) then this packaging should be disincentivised by Government through EPR.

- Availability of recycling facilities
- Reject tonnages

We envisage existing recycling facilities for packaging and other recyclable material being used and hence there should be no requirement for increased journey time between collection and recovery facilities. However, there could be sensible requests for exemptions from food waste collections where AD plants are not available.

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

However, overall we would not expect this exception to be used often. Even where an existing co-mingled collection results in good quality recyclate, we would not endorse this as an exemption because of the additional processing step at MRFs.

Proposal 12: Compliance and enforcement

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

Agree

Disagree

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

If you disagree, please provide the reason for your response

It depends. If a single written assessment, it should still provide enough detail to evidence where exceptions have been made, for what reasons and the business case.

However, we do not believe self-assessment is sufficient. There needs to be a more robust process in place, which may involve application, assessment and confirmation by the Environment Agency, who would require additional funding under New Burdens to support the monitoring of this process.

Establishing a system of self-assessment, with infrequent inspection by the Environment Agency, could result in abuse of the exemptions process, thereby maintaining the status quo..

Where exemptions are granted, these should be for a limited period of time with the expectation that the local authority will put a plan in place outlining how they will work towards meeting the objectives of the policy. Without this in place, there is little incentive for local authorities to improve their services and deliver better environmental outcomes overall.

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

Develop good practice guidance on undertaking assessments against each exception, with standards clauses that can be used and standard mechanisms for evaluating and reporting impact, which will also embed consistency of approach across authorities.

This will also allow for ease of reporting on the most common exemption and enable the Government to support them to overcome them

36. 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

Primary, independent evidence should be required to support any exemption requests. Furthermore, local authorities should not be submitting exemption requests based on funding issues given that costs will be covered either by EPR payments or New Burdens funding.

37. 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

Disagree

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

If you disagree, please provide the reason for your response

In line with Q35 - yes we agree.

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

Agree

Disagree

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

If you disagree, please provide the reason for your response

In line with Q35 - yes we agree.

Proposal 13: Minimum service standards for the separate collection of dry recyclable materials from households

39. 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?

Agree

Disagree

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

If you disagree, please provide the reason for your response

We agree with the separate collection of fibres as this will lead to improved rates of recycling because the fibres have an increased chance of remaining uncontaminated and dry.

We also agree with the separate collection of plastic films but reiterate our answers to questions 30 and 48. In particular, if plastic film is to be collected separately, the Government needs a roadmap to support the development of infrastructure to reprocess it. Furthermore, the Government must ensure there is value in the end market and/or endeavour to understand why a market failure exists and whether the packaging material in question could be modified such that it provides for a more valuable secondary product of use by manufacturers.

Furthermore, we would call for the fees applicable under EPR to be appropriately modulated to account for the lack of a viable end market, even if the material can be readily recycled.

Proposal 14: Non-statutory guidance

40. Which service areas or materials would be helpful to include in non- statutory guidance?

We wish to take this opportunity to point out that there is no option in the consultation to refute the statutory guidance on alternative weekly residual waste collections. We consider that Local Authorities need to have the ability to go to 3 and 4 weekly collections, otherwise the only option is to reduce the size of residual waste containers - assuming statutory guidance does not mandate 240 litres. Fortnightly collections for residual waste will be a barrier to recycling as studies have shown that this does not incentivise people to recycle more. In contrast, evidence from Wales demonstrates that less frequent residual waste collections have served to increase recycling participation.⁴² What's more, increasing collection frequency will also increase the unnecessary rounds and therefore miles that collection vehicles have to undertake, unnecessarily increasing the carbon impact of the recycling system. Given the Government's desire to increase recycling, and its legally binding goals on carbon reduction, it should not be hampering itself in this way.

We also wish to take this opportunity to point out that there is no option in the consultation to refute the decision not to proceed with bin colour standardisation (despite a majority of respondents to the previous consultation being in favour of this policy and also despite this policy still appearing to be an option for non-household consistency measures). This is a missed opportunity as this policy would be extremely beneficial. If this policy is being considered for non-household consistency measures it makes sense to do the same for households to keep consistency and reduce confusion.

⁴² <https://www.dailypost.co.uk/news/north-wales-news/monthly-bin-collections-success-household-15955154>

We believe it would be helpful to include non-statutory guidance on:

- Sanitary waste including period care products and wet wipes (Keep Britain Tidy research indicates that 4 in 10 people flush “unflushables” down the toilet which causes blockages and ultimately can result increased marine litter⁴³);
- Nappies (Keep Britain Tidy research indicates that there is genuine confusion about whether nappies are recyclable and 7% of nappy users wrongly throw nappies in the recycling⁴⁴);
- Electrical waste;
- Textiles;
- DIY and construction waste.

In the specific case of waste electricals, the Consultation on Consistency in Household and Business Recycling in England specifies that the Secretary of State may specify waste electricals to be collected in accordance with certain conditions following consultation. It explains that the Secretary of State will only consider this if they are satisfied that “the waste stream concerned is suitable for recycling or composting and that this will have an environmental benefit”. Given the internationally high rate of e-waste in the UK, we would argue that the evidence base already exists to support the environmental benefits of improved collection of electronics waste.

In the specific case of textiles, an estimated £140m worth of clothing is sent to UK landfill each year, showing the failure of the current system to encourage either reuse or recycling of clothing. We would support measures to make textile collections more frequent and comprehensive in scope, funded by EPR for textiles. There is a lack of consistency around the country over textile collections with only some local authorities offering a free home collection service for recycling. As the Government works to improve consistency in household recycling, consideration should be made as to how local authorities can be better incentivised to offer greater textile collections. Work to increase collections must be accompanied with more investment in textile recycling infrastructure."

We welcome the principle that EPR funds could be used to support reuse, repair and remanufacture and the Government should consider how non-statutory guidance could support this work. The waste prevention programme states these funds could support “circular economy hubs” which we strongly support given the potential to provide jobs, reduce resource use, and regenerate local high streets as well as providing a clear public example of circular economy principles in action." Our full Waste Prevention Plan response is at [WCL - Waste Prevention Programme for England consultation response](#).

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https://www.keepbritaintidy.org/sites/default/files/resources/20132_Journal%20of%20Litter%20and%20Environmental%20Quality_Vol3-V6-ONLINE.pdf

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<https://www.keepbritaintidy.org/sites/default/files/resources/Inside%20the%20Head%20of%20the%20Contaminator%20-%20Research%20Report%202020.pdf>

The Waste Prevention Plan states that the Government intends to “enhance” the third sector’s role in reuse (however, it provides little information on how this will be achieved). We hope the Government will be in a position to publish more details on this ambition of the waste agenda, setting out how Ministers believe they can promote more HWRC-based reuse shops, promoting the benefits of second hand products for all income groups and making them more attractive and accessible."

This consultation has also missed an opportunity to start laying the groundwork for variable charging for household waste. Once consistent collections have been established and people are offered comprehensive services, they should be encouraged to play their full role in the system to avoid unfairly burdening businesses and the public purse with unnecessary waste creation and incorrect recycling.

This would see householders pay based on how much they use the services, as they would for any utility - ‘pay as you throw’ or ‘save as you recycle’. Those who generate the least amount of waste are rewarded by paying the least, and one of the main aims is to drive up recycling rates, which has happened elsewhere: according to 2017 research by Eunomia,⁴⁵ eight out of the world’s top ten recycling nations use variable charging to some extent.

In the UK this idea has been politically challenging, with fears of continued opposition from the tabloid press and claims that it will result in an increase in fly tipping. However, when Guernsey introduced variable charging in 2019, the predicted spate of fly tipping never materialised, residents in flats were fully on board, and the island saw an immediate increase of its household waste recycling rate of 23 per cent, going from 50 per cent recycling in 2018 to 73 per cent the following year. England’s aim to recycle 65 percent of municipal waste by 2035, which the Government estimates it will just about hit with current reforms, should be much easier to meet and exceed if the polluter pays principle was followed through from the beginning to end of the material cycle.

It would also be fair on people who are doing the right thing. At the moment, no matter how much they minimise waste or recycle wherever possible, they are charged the same, subsidising their neighbours' wasteful habits.

Proposal 15: Review of Part 2 of Schedule 9 of the Environmental Permitting Regulations 2016

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

⁴⁵ Recycling - who really leads the world? <https://www.eunomia.co.uk/reports-tools/recycling-who-really-leads-the-world/>

We have no additional comments to make.

42. 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 non-packaging dry recyclable materials?

Agree

Disagree

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

Please provide the reason for your response where possible

The future operation of MRFs needs to be considered if, as expected, the majority of household and business waste collections are separately sorted at the kerbside or on-site. MRFs may be used to provide an additional processing stage, ensuring any minor residual contamination is removed and also providing additional sorting for plastic polymers and colours of glass to ensure it is predominantly used for remelt and not downcycled to aggregate.

In terms of the sampling programme we agree that a more robust, more frequent sampling and audit programme is required. There is little point in increasing operational burdens if only a limited audit and sampling programme is to be applied.

Given the additional resource demands on the Environment Agency, New Burdens funding should be made available to them, in addition to local authorities.

Without a robust audit programme, there will remain a risk of poor quality inputs continuing to be accepted, with non-segregated wastes slipping under the radar, which should be minimised, given the UK's record on shipment of these wastes to countries without the necessary waste management infrastructure.

A good sampling and audit programme will also ensure confidence in reported loss rates through the MRF to ensure pre and post MRF recovery rates are accurate and increase confidence in the recycling process, which will assist in national and local communications in driving confidence of householders and businesses.

Proposal 16: Recycling credits

43. 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

Disagree

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

Please provide a reason for your response

We agree with looking into how Extended Producer Responsibility payments will impact recycling credits. However in general we consider that the best approach is to get rid of the 2 tiered system and move to a unitary system.

44. In relation to recycled waste streams not affected by Extended Producer Responsibility or are not new burdens we are seeking views on two options. For each option, please state whether you agree or disagree with the proposal

	Agree	Disagree	Not sure / don't have an opinion / not applicable
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?	Y		
Option 2: Should we discontinue recycling credits and require all two-tier authorities to agree local arrangements?		Y	

45. 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.

We are not in a position to provide a response to this question.

Proposal 17: Dry materials to be collected from non-household municipal premises for recycling

46. 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?

	Agree – this material can be collected in this timeframe	Disagree – this material can't be collected in this timeframe	Not sure / don't have an opinion / not applicable
Aluminium foil	Y		
Aluminium food trays	Y		
Steel and aluminium aerosols	Y		
Aluminium tubes e.g. tomato puree tubes	Y		
Metal jar lids	Y		
Food and drink cartons e.g. TetraPak	Y		

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.

While we don't disagree with the inclusion of food and drink cartons, given their current prevalence within the UK market, there is a concern that there will not be sufficient UK reprocessing capacity to cater for the increased volume of containers collected. We understand that at least 60,000 tonnes of cartons are put to market in the UK and that this is a growing packaging stream, but that the sole reprocessing plant in Halifax has a maximum throughput of 25,000 tonnes per annum.⁴⁶ Defra therefore needs to consider how the remaining 60%+ of cartons collected will be processed and whether this will require export to countries with sufficient reprocessing capacity, a move that embeds additional carbon miles and doesn't lead to additional UK based green jobs. Indeed, it is not acceptable to rely on exports as a long term solution to dealing with our domestic plastic waste and we must work toward a phased export ban of these materials.

⁴⁶ <http://www.ace-uk.co.uk/media-centre/news/uks-only-beverage-carton-recycling-plant-opens-for-business/>

In addition, cartons are a laminated structure comprising card, plastic and aluminium. We understand that there is difficulty in recovering the plastic polymer and aluminium layers, while the card is downcycled.⁴⁷ Hence Defra should consider how modulated fees within Extended Producer Responsibility might reflect the complexity of the packaging and the impacts associated with its production, particularly in addressing the need for increasing capacity within UK based infrastructure. All this should be progressed alongside measures to reduce the UK's overall materials consumption, increase resource efficiency and introduce effective waste prevention plans.

47. 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
Other

If you have selected other, please specify

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

We do not currently envisage any circumstances that would prevent compliance with the timetable. Businesses should be able to break existing contracts quickly and without compensation, if their current waste contractors are not intending to offer the required service level.

As noted in our answer to question 46, cartons re-processing is currently undertaken at only one site in the UK. Therefore, the capacity of this site and the potential for UK wide collections should be explored.

Defra also needs to bring forward the timetable for implementation of the proposed Deposit Return Scheme to 2023, not late 2024 at the earliest as currently proposed, such that implementation is consistent UK wide. . Requiring businesses to put in place collection systems for the additional volume of drinks containers that will subsequently be separately collected as part of the Deposit Scheme proposals makes little sense.

⁴⁷ https://zerowasteurope.eu/wp-content/uploads/2020/12/zero_waste_europe_report_-_beverage-carton_en.pdf

Proposal 18: Collection of plastic films from non-household municipal premises

48. Do you agree or disagree that collections of plastic films could be introduced by the end of 2024/25 from non-household municipal premises?

Agree

Disagree

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

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

The Plastic Pact, led by WRAP, are exploring how greater volumes of plastic film can be collected and reprocessed. MRFs may not currently be set up to segregate this material. In addition, there are limited end markets for secondary film products. However, a deadline of March 2025, would guarantee a regular volume of feedstock from business (while household collections take a little longer to come on stream - by March 2027 at latest).

However, the Government must end the practice of leaving infrastructure development to the market, starting with an urgent infrastructure stocktake that can inform plans to establish the needed levels of infrastructure for reduction and reuse, as well as recycling the remainder of material.

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

We have no additional comments to make.

Proposal 19: On-site food waste treatment technologies

50. Do you agree or disagree with Proposal 19?

Agree

Disagree

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

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

It would appear that where facilities create large volumes of food and/or garden waste on site (such as prisons and hospitals), then an investment in on-site processing may be commercially justified, particularly where the biogas, digestate and/or compost can be used on site also. Such installations would also negate the need for regular waste collections and the associated transport carbon emissions.

It will be for each site to develop feasibility studies into the return on investment and savings accruing from on-site treatment vs collection via contractor.

There could be sensible requests for exemptions from food waste collections where institutions are already successfully recycling food waste independently, such as in prisons and hospitals. The Government could go further and promote on-site treatment as the preferred option for large premises dealing with significant amounts of waste.

Proposal 20: Reducing barriers to recycling for non-household municipal waste producers

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

	Large barrier	Some barrier	Low / no barrier
Communication	y		
Financial		y	
Space	y		
Engagement	y		
Drivers to segregate waste	y		
Location		y	
Enforcement	y		
Variation in bin colours and signage		y	
Contractual	y		

Staff / training	y		
Other (please specify)			

If you have selected other, please specify

Please provide any comments on how these barriers can be overcome

We expect that the business sector will naturally offer a more informed view on this question. However, some limited work does exist on barriers which highlight that communications, training, management support, bin location and signage are important in encouraging greater recycling in the workplace.⁴⁸ We also contend that enforcement, or rather a lack of enforcement, could play a key role in discouraging non-household recycling. There needs to be an effective deterrent and a genuine risk of being penalised for failure to recycle, if a high proportion of non-household premises, particularly micro-businesses, are to participate. The Government also needs to carefully consider how to deal with microbusinesses that operate out of households and whether they should be allowed to use domestic recycling services, perhaps for an additional service fee to help local authority funding.

Proposal 21: Exemptions and phasing for micro-firms

53. Should micro-firms (including businesses, other organisations and non-domestic 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.

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

No – but all micro-firms should be given two additional years to comply with the new requirements in the Environment Bill (i.e. compliant in 2025/6) – Option 2

No – all micro-firms should be required to present these waste streams for recycling, from the ‘go live’ date in 2023/4

Please provide any evidence to support your comments

We believe in displaying genuine ambition when it comes to recycling and exceptions from the requirement to collect and segregate the five waste streams should be minimised. There is a real

⁴⁸ <https://businessrecycling.com.au/documents/doc-1251-br-barriers-recycling-guide.pdf>

opportunity to mirror recycling infrastructure at home with that present in the workplace, which should reinforce understanding and longer term recycling behaviour.

However, given that micro-firms in particular have limited or no internal environment advisors and may not regularly seek advice and guidance on environmental legislation, we agree that an additional two year period to allow for compliance is reasonable.

Defra should consider the variety of situations likely to be encountered for instance micro-businesses operating in isolation, composite hereditaments and retail parks, in the latter case where a landlord or estate manager may take overall responsibility for waste management on behalf of tenants. There are clear exemplars in this space and Defra should seek to develop case studies to demonstrate not only how business and retail park managers can comply with the requirements but also how they might also seek to go beyond to develop prevention and reuse initiatives⁴⁹

Defra should also consider the role of trade associations and business advisors in supporting communication to micro-businesses and ensure that consistent information and campaign materials are made available to these organisations.

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

We do not believe there are any other reasons why other non-household premises should be exempt.

Proposal 22: Other cost reduction options

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

	Agree	Disagree	Not sure / don't have an opinion / not applicable
Dry recyclable waste streams (glass, metal, plastic, paper and card)	y		
Food waste	y		

⁴⁹

<https://www.betterbuildingspartnership.co.uk/canary-wharf-becomes-world%E2%80%99s-first-commercial-centre-awarded-plastic-free-communities-status>

Other items e.g. bulky office waste (please specify)	y		
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If you have selected other items, please specify

56. 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 two neighbouring businesses to share the same containers under contract
- Encouraging businesses to use shared facilities on a site/estate
- Business Improvement Districts/partnerships tendering to offer a preferential rate (opt-in)
- Co-collection – the contractor for household services also deliver the non-household municipal services
- Framework zoning – shortlist of suppliers licensed to offer services in the zone
- Material specific zoning – one contractor delivers food, one for packaging, one for refuse collection services
- Exclusive service zoning – one contractor delivers the core recycling and waste services for the zone
- None of the above

We suggest that the ability for a local authority to either provide non-household collections or contract the service to one provider through tender, offers the most cost effective, sustainable and simple to access service. This would reduce vehicle emissions and allow pricing models to be developed whereby higher charges are levied for residual waste, off-set by lower charges for recycling, providing a financial incentive for non-household premises and micro-businesses in particular to engage in the proposed separate recycling scheme. Examples from the US illustrate that franchise zones can operate and provide stability, investment surety and environmental benefit.⁵⁰

57. 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:

⁵⁰ <https://www.waste360.com/commercial/commercial-franchise-zones-explained>

	Procurement	Scheme design	Administration and day to day management	Enforcement	Business support	Development of tools and guidance	Delivery of communications campaigns	Any other activities (please specify)
Defra		Y			Y	Y	Y	
Environment Agency				Y				
WRAP (Waste and Resources Action Programme)		Y			Y	Y	Y	
Local authorities	Y	Y	Y	Y	Y		Y	
Business Improvement Districts (BIDs)		Y			Y		Y	
Businesses and other organisations		Y						
Chamber of commerce					Y		Y	

If you think that there is a role for any other stakeholders, please specify
Please provide explanations where possible to support your above response

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

We suggest Defra takes account of successful franchise examples worldwide in developing a scheme that draws in good practice in developing a well-designed scheme that permits

competitive tender but provides medium term investment and job stability while also reducing vehicle movements and environmental impacts.

59. 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

We suggest the Government needs to work with the LGA, LARAC, British BIDS and business sector groups such as ACS, NFRN, the waste and recycling industry and others in developing the concept and the benefits as a means of encouraging take-up.

60. 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)

Other – please specify

If you have selected other, please specify

These options are all potentially helpful, as there will need to be a number of ‘chances to see’ or engage, particularly for micro-businesses.

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

A number of existing Household Waste Recycling Centres do allow deposits of commercial waste, subject to a number of controls.⁵¹ This is in addition to the opportunity afforded by commercial waste transfer stations.

Clearly, any sites need to be designed and operated in a way which ensured waste was contained securely and that fly-tipping was prevented.

⁵¹ https://wrap.org.uk/sites/default/files/2020-10/WRAP_CI%20Guide%20Final_.pdf

Proposal 23: Exemptions to the separate collection of two waste streams from non-household municipal premises

62. 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?

	Agree	Disagree	Not sure / don't have an opinion / not applicable
Plastic and Metal	y		
Glass and Metal		y	

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.

We agree with the collection of plastic and metal together. However, it may be beneficial to avoid collecting glass with metal or any other material as broken glass contaminates other recyclables.

63. 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?

We don't believe any other examples should be considered.

Proposal 24: Proposals on conditions where an exemption may apply and two or more recyclable waste streams may be collected together from non-household municipal premises

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

The framing of this exemption should not provide a platform for widespread exemptions, given that separate collection is in use around Europe and the Government intends to fund capital investment into new vehicles and containers. We contend that if evidence is available showing how a specific collection can be delivered then an authority should not be able to rely on this exemption. An authority should be required to set out the measures and investment needed to make the collection technically practicable and all written assessments should be a matter of public record.

Additionally, any exemptions granted on this basis must be time-limited and assessment and there should be a requirement for local authorities to include their plan for how these barriers will be overcome in order to comply fully with the policy to deliver the optimum outcomes.

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

Agree

Disagree

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

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Type of premises and accessibility • Rurality and geography of premises • Availability of containers • Storage of containers at premises • Storage in existing waste transfer infrastructure

In order to improve recycling rates, it is necessary to demonstrate real ambition and minimise the criteria for exemptions. Exemptions applications should be robustly analysed and should only be granted in clearly evidenced cases.

We do not believe that any of the listed examples should be the norm or default for exemptions for the following reasons:

- Type of premises and accessibility: We have restated our answer to question 26 below. While the cited studies relate to domestic properties, there is no reason why the learning is not equally applicable to business, where accessibility due to the nature or size of the premises is an issue.

- The case study of Milan demonstrates that flats, HMOs and high rises should not present a barrier to effective separate waste collections. Milan has remarkably high rates of recycling and a successful household food waste collection despite 80% of residents living in high rise buildings.⁵² A study by LARAC in the UK also found that whilst there are challenges in the practicalities of collecting waste from flats and HMOS, there are opportunities for targeted behavioural interventions that would greatly improve outcomes.⁵³ Indeed, many councils have been working on solutions and have successfully piloted schemes to improve recycling in highrise flats, such as in Hillingdon, South Lanarkshire and Westminster.⁵⁴ WRAP have also carried out a number of studies on recycling in flats which outline useful ideas for how these proposals could apply to HMOs.⁵⁵
- Rurality and geography of premises: We see no reason why rurality and geography should provide an exemption given that all premises within an area should be able to access a commercial waste service. Alternatively they should be able to access a commercial bring site without making specific separate journeys.
- Storage of containers at properties: We believe that limitations on space or storage can be addressed through innovation in storage systems or through use of communal container areas within multi-occupancy retail units and industrial estates.
- Availability of suitable containers: We consider that suitable containers will be readily available.
- Storage in existing waste transfer infrastructure: We consider that there is existing waste transfer infrastructure to manage, sort and separate wastes.

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

We don’t believe any other examples should be considered.

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

Agree

⁵² <https://resource.co/article/setting-trend-milans-recycling-success-12837>

⁵³ <https://larac.org.uk/blog/sharing-house-sharing-responsibility-recycling-hmos>

⁵⁴ <https://www.letsrecycle.com/news/latest-news/hillingdon-rolls-out-high-rise-recycling/>

⁵⁵ <http://www.wrap.org.uk/sites/files/wrap/Recycling%20for%20flats%20March%202006%20WW%20Defra.pdf> ;
<http://www.wrap.org.uk/content/recycling-collections-flats-introduction>

Disagree

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

If you have disagreed with any of the above, please say why and indicate which example you are referring to

- Type of premises and accessibility: We have restated our answer to question 26 below. While the cited studies relate to domestic properties, there is no reason why the learning is not equally applicable to business and systems can be devised that make collection from most premises economically practicable.
- The case study of Milan demonstrates that flats, HMOs and high rises should not present a barrier to effective separate waste collections. Milan has remarkably high rates of recycling and a successful household food waste collection despite 80% of residents living in high rise buildings.⁵⁶ A study by LARAC in the UK also found that whilst there are challenges in the practicalities of collecting waste from flats and HMOS, there are opportunities for targeted behavioural interventions that would greatly improve outcomes.⁵⁷ Indeed, many councils have been working on solutions and have successfully piloted schemes to improve recycling in highrise flats, such as in Hillingdon, South Lanarkshire and Westminster.⁵⁸ WRAP have also carried out a number of studies on recycling in flats which outline useful ideas for how these proposals could apply to HMOs.⁵⁹
- Rurality and geography of premises: We see no reason why rurality and geography should provide an exemption given that all premises within an area should be able to access a commercial waste service at an economical cost. Alternatively they should be able to access a commercial bring site without making specific separate journeys.

**68. What other examples of 'economically practicable' should be considered in this proposal?
Please be as specific as possible**

We don't believe any other examples should be considered.

69. Do you have any views on what might constitute 'excessive costs' in terms of economic practicability?

⁵⁶ <https://resource.co/article/setting-trend-milans-recycling-success-12837>

⁵⁷ <https://larac.org.uk/blog/sharing-house-sharing-responsibility-recycling-hmos>

⁵⁸ <https://www.letsrecycle.com/news/latest-news/hillingdon-rolls-out-high-rise-recycling/>

⁵⁹ <http://www.wrap.org.uk/sites/files/wrap/Recycling%20for%20flats%20March%202006%20WW%20Defra.pdf> ;
<http://www.wrap.org.uk/content/recycling-collections-flats-introduction>

We have no additional comments to make.

70. 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 have no additional comments to make.

71. Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate?

Agree

Disagree

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

If you have disagreed with any of the above, please say why and indicate which example you are referring to

Zoning of collections particularly for micro-businesses in specified locations or on industrial parks, should ensure that collection rounds minimise transport emissions and lifts per vehicle. Separately collected wastes would reduce the incidence of contamination and rejected loads providing a real environmental benefit through avoided disposal emissions.

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

We don't believe any other examples should be considered.

Proposal 25: Compliance and enforcement

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

Develop good practice guidance on undertaking assessments against each exception, with standards clauses that can be used and standard mechanisms for evaluating and reporting impact, which will also embed consistency of approach across authorities.

74. 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 have no additional comments to make.

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

Agree

Disagree

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

If you disagree, please provide the reason for your response

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

Agree

Disagree

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

If you disagree, please provide the reason for your response

77. 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?

Agree

Disagree

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

It is not clear how compliance will be effectively enforced, as set out in the consultation. It appears that waste companies will be responsible for preparing written assessments rather than business premises themselves. Also that written assessments will not be submitted for assessment and confirmation by the Environment Agency but will only be assessed in the event of suspected non-compliance.

It is not clear how this will act as a driver to encourage compliance. It would appear more appropriate for local authorities to oversee local business compliance, given the proportion of businesses classed as micro-businesses, the Environment Agency cannot hope to develop an

intelligence led approach to compliance and enforcement, whereas local authority waste, environmental health and trading standards teams will together have oversight of all businesses operating in their area. The requirement for additional capacity could be catered for within the New Burdens framework and would ensure a high level of compliance.

Proposal 26: Costs and benefits

78. 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 have no additional comments to make.

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

We have no additional comments to make.