

## **Vale of Glamorgan Council**

### **Cabinet Meeting: 19 February, 2018**

#### **Report of the Cabinet Member for Neighbourhood Services and Transport**

#### **Revised Waste Management Strategy: The Future Collection Arrangements for Waste and Recycling**

##### **Purpose of the Report**

1. To advise Cabinet of the outcome of the Waste Resource Action Programme (WRAP) report and to consider future arrangements for the collection of waste and recycling.

##### **Recommendations**

1. That Cabinet approves in principle, to introduce the most sustainable recommendation of the WRAP report namely, a weekly source separated dry recycling collection service, subject to receiving the necessary capital funding from Welsh Government and the outcomes of a public consultation.
2. That Cabinet approves a public consultation exercise to capture the views of residents in respect of the methods used to participate in a source separated dry recycling collection service.
3. That authority is granted to the Director of Environment and Housing in consultation with the Cabinet Member for Neighbourhood Services and Transport, the Head of Legal Services and the Head of Finance to submit a capital bid to Welsh Government for Collaborative Change Programme support to finance the new waste infrastructure required, to introduce a source separated dry recycling collection service.
4. That authority is granted to the Director of Environment and Housing in consultation with the Cabinet Member for Neighbourhood Services and Transport, the Head of Legal Services and the Head of Finance to award the Processing of Co-mingled Recyclable Materials Contract from 2018 – 2021 and to refine the documentation as necessary.
5. That authority is delegated to the Director of Environment and Housing in consultation with the Cabinet Member for Neighbourhood Services and Transport, the Head of Legal Services and the Head of Finance to award the Waste Transfer Station Contract from 2018 – 2021 and to refine the documentation as necessary.

6. That Cabinet agrees to restrict black bags based on 2 per household per fortnight from 1st September 2018 with provision for large families and other certain circumstances (such provision to be determined with the assistance of the public via the public consultation exercise).
7. That Cabinet approves the development of a new 7-year Municipal Waste Management Strategy (MWMS) to reflect changes in service delivery and to achieve statutory recycling targets up to 2024/25.
8. That Cabinet refers this report to Scrutiny Committee (Environment and Regeneration) for their consideration.
9. That a further report is presented to Cabinet with an update of the future collection arrangements for waste and recycling once it is known whether capital funding from Welsh Government's Collaborative Change Programme is available or not and to include the outcomes of the public consultation exercise.
10. That for recommendations 3, 4 and 5 above use of Article 14.14 of the Councils Constitution be authorised.

## **Reasons for the Recommendations**

1. To ensure that the service is compliant to current legislation and that it is economically and environmentally sustainable.
2. To ensure the public views are captured to ensure the most efficient way of participating in a source separated dry recycling collection service, is selected.
3. To ensure the Council has an opportunity to bid for Collaborative Change Programme capital funding before the end of this financial year.
4. To ensure continuity of the dry recycling service for the purpose of reprocessing commingled recycling, with provision up until 31st March 2021.
5. To minimise the waste services transportation costs and to provide a local cost effective solution for the transfer of waste.
6. To ensure the Council meets its statutory recycling targets of 64% by 2019/20 and 70% by 2024/25.
7. To ensure the Council has a defined strategic plan to achieve its statutory recycling targets and comply with current waste legislation.
8. To provide the Environment and Regeneration Scrutiny Committee with an opportunity to consider the details of this report.
9. To give Cabinet an opportunity to consider the implementation plan that includes the development of a Waste Transfer Station, the outcome of the public consultation exercise, the suggested service commencement dates and the revised 7-year Municipal Waste Management Strategy.
10. To ensure continuity of recycling services from 1st April 2018 and to submit a timely capital funding bid to Welsh Government.

## **Background**

2. Cabinet on the 6 July, 2011 (minute no. C1367) revised the Council's Municipal Waste Management Strategy (MWMS) to reflect changes in service delivery that were considered necessary at the time to meet WG's recycling targets.

3. The 2011 review changed from collecting dry recycling source separated to being collected co-mingled. This was considered part of a 5 year business plan to improve participation and to meet Welsh Government's (WG) Statutory Recycling Targets (SRT's) of 52% by 2012/13, 58% by 2015/16 and in the future towards 64% in 2019/20. Householders were informed of this at the time and also that it may be necessary to further revise the service if there were changes to legislation or the economic position in the future.
4. Subsequent revisions to the EU Waste Framework Directive (WFD) which provides the legislative framework for the collection, transport, recovery and disposal of waste, changed UK legislation through the Waste (England and Wales) (Amendment) Regulations 2012 which were laid before Parliament and WG on 19 July 2012 and came into force on 1 October 2012.
5. The amended regulations relate to the separate collection of waste. From 1 January 2015, waste collection authorities must collect waste paper, metal, plastic and glass separately. It also imposes a duty on waste collection authorities from that date when making arrangements for the collection of such waste to ensure that those arrangements are by way of separate collection.
6. These duties apply to ensure that waste undergoes recovery operations in accordance with the directive and to facilitate or improve recovery where it is technically, environmentally and economically practicable (TEEP). The duties apply to waste classified as waste from households and waste that is classified as commercial or industrial waste.
7. The revised regulations allow the co-mingling of waste if an authority can demonstrate TEEP and where it is not possible in an existing 'high quality' recycling collection system to provide the separate collection of waste paper, metal, plastic and glass separately.
8. As a result of changes to the WFD and changes to UK legislation, Cabinet on the 23 February 2015 (minute no. C2660) agreed to carry out a recycling collection assessment to determine whether the existing kerbside collection arrangements were compliant to current legislation.
9. Additionally, it was agreed that Cabinet receive a further report on the outcomes of the assessment and any possible service delivery changes in the future that may be necessary to comply with current legislation. This would be undertaken as part of WG's Collaborative Change Programme (CCP).

## **Relevant Issues and Options**

10. It was always known that the legislative revisions would have an impact on the Council's kerbside collection methods and that it was likely that the Council would have to revert to its previous pre 2011 collection system of source separated recycling and adopt the WG's 'Collections Blueprint' methodology.
11. The Collection's Blueprint is statutory guidance ([Appendix A](#)) introduced by WG that recommends the service profile for the collection of recycling from households via kerbside sort to ensure compliance to the revisions of the WFD and to ensure high rates of high quality recycling, cost savings and improved sustainable development outcomes.
12. There has been a recent appraisal of the Collections Blueprint commissioned by WG in September 2015 and Eunomia Research & Consulting (Eunomia) was engaged to

review the blueprint to establish whether this was still the best option for a waste management service across Wales that best delivers:

- The Well Being Goals set for the WG and local authorities in the Well-Being of Future Generations (Wales) Act 2015;
  - the best overall value for money;
  - compliance with the EU Waste Framework Directive namely:
  - Article 11 – separate collection requirements:
  - Article 28 & 30 – to produce and update waste management plans:
  - High quality recycling and the best overall requirement of Articles 10 and 4 respectively of the WFD;
  - local authority landfill diversion and statutory recycling targets (SRT's);
  - support for the drive for a circular economy in Wales and resilience in terms of recycle markets;
13. Eunomia concluded that the Collections Blueprint still provides clear benefits in terms of cost and material quality ([Appendix B](#)).
  14. Although the Council has not yet introduced a revised compliant collection scheme, it can demonstrate aspects of TEEP as it has not been economically and practically possible to operate a separate collection system in the absence of a Waste Transfer Station (WTS) in the Vale and that it is not financially possible being contractually tied to a co-mingled dry recycling processing contract up until March 2018.
  15. The Council has not yet been subject to challenge as it has been working with WG in conjunction with WRAP to establish the most sustainable and economic process for the Vale.
  16. The Council has received support through WG's CCP to undertake this review and WRAP has undertaken a modelling exercise ([Appendix C](#)) using its own Kerbside Analysis Tool (KAT). The tool is a database that projects the number of vehicles and crews required to achieve the most cost effective service ensuring compliance and sustainable performance to achieve SRT's.

#### Collection Options Modelled

Option	Collection Detail	Dry Recycling	Food	Green	Refuse
Enhanced Baseline	Collect as per current service	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly
1	Collect as per current service	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
1*(ATE)	Collect as per current service but using a Waste Transfer Station (WTS) at ATE	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
2*(ATE)	Co-mingled collections but separately	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)

	collected glass				
3 *(ATE)	Twin streamed (separate bags of paper/card and cans/plastics) and separately collected glass	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
4 *(ATE)	Source separated dry recycling only	Weekly	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
5 *(ATE)	Source separated dry recycling including food (one driver & 2 loaders)	Weekly - separately collected recycling	Weekly	Fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
6	As option 5 & 7 but using trolley boxes	Weekly - separately collected recycling	Weekly	Collected fortnightly (Seasonal)	Fortnightly (but with bag restrictions)
7	Source separated dry recycling including food (but only one driver plus one loader) – WG’s blueprint methodology	Weekly - separately collected recycling	Weekly	Collected fortnightly (Seasonal)	Fortnightly (but with bag restrictions)

\* ATE - Transfer station based at the Atlantic Trading Estate, Barry

17. The most economic and sustainable method from the service appraisal are Options 5 and 7 in accordance with WG’s Collections Blueprint methodology. This also provides revenue savings in the longer term once the service is operating to its full efficiency.
18. Each option includes restricted black bags to ensure the Council achieves its next SRT of 64% by 2019/20 and the final target under WG’S current waste strategy “Towards Zero Waste” of 70% by 2024/25. The restriction will be necessary to maximise recycling participation, achieve WG targets under the Waste (Wales) Measure 2010 and avoid penalties of £200 for every tonne under a failed target under The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011.
19. The financial appraisal for each service option as suggested by Council Officers and assessed by WRAP were undertaken and detailed in the report. These results are relative to the time of the assessment and are not considered absolute.
20. Based on the modelling carried out, option 7 is suggested for consideration. Particular aspects of this system include 2 collections per household per week incorporating; the separate collection of residual waste (restricted) and garden waste

alternative weeks to the residual, the collection of source separated dry-recycling and food combined, using lightweight multi-compartment vehicles and 2 loaders.

21. All of options 5, 6 and 7 would comply with current legislation. The only difference is option 5 uses 2 loaders and option 7 uses 1 loader. It is considered that there would be an impact on road users if the driver of the vehicle was expected to leave the vehicle in the street and assist with separating and loading recycling, This may be practical in rural areas but not in urban areas.
22. Option 6 would involve using trolley boxes as opposed to bags and boxes. There are potential issues with the disassembling of trolley boxes and the reassembling back to householders as well as this being time consuming and it would require an additional capital investment of over £2m to purchase the receptacles.
23. All of options 5, 6 & 7 require the use of a centrally located WTS. For the purpose of this study Council owned redundant land at Atlantic Trading Estate (ATE) was modelled as it is the preferred location being ideally located to our main conurbations.

### **The Collection Options Modelled**

#### **Enhanced Baseline – No change to the current operation**

24. If the Council maintains its existing service it would become non-compliant if there is no strategy to deal with the requirements of the WFD and the Waste (England and Wales) (Amendment) Regulations 2012. The service continues to operate at a £200k deficit and furthermore it is anticipated that WG grant funding for waste will reduce by £230k from April 2018. Additionally, the processing of the Council's kerbside dry recycling is out to tender and at present there is a favourable gate fee which may significantly increase, due to the current international recycling market.
25. The service at present cannot sustain any further transport savings in the absence of a WTS whilst our waste and recycling is being transported to areas of Cardiff on a daily basis by individual collection vehicles.
26. Therefore to maintain the existing service, a revenue investment of £430k per annum would be required to sufficiently fund the service to the next SRT as well as any potential increases to our dry recycling processing costs.
27. The operational details of the existing service would be maintained and residents would continue to use bags and boxes.

#### **Option 1 – Restricting black bags only**

28. The operational details and financial implications would be the same as the enhanced baseline above but it would include consideration to restrict black bag waste.

#### **Option 1 (ATE) - Maintain a co-mingled dry recycling collection service but with a local WTS.**

29. The Council would still have a risk of being non-compliant and it would still require a revenue investment of approximately £430k but with potential to achieve some revenue savings having the use of a centrally located WTS. Although the modelling shows that this is a more expensive option than option 1, some of the costs attributed to the WTS would be contained to reflect a co-mingled recycling service i.e. it would reduce the sites proposed staff numbers, it would not require sorting equipment and additional machinery.

30. To build a WTS facility at the preferred location namely Atlantic Trading Estate (ATE) would require a capital investment of approximately £2.5m. The Council would not qualify for any funding under the existing WG CCP criteria.
31. Options 1 and 1 (ATE) are popular with participating residents as a result of its “ease of use” but they are unsustainable in the long term, as a result of increased operational costs, high processing costs, environmental impacts and risks associated with non-compliance to current legislation.
32. The operational details of the existing service would be maintained and residents would continue to use bags and boxes with the only service change to include consideration to restricted black bag waste.

**Option 2 – Maintain a co-mingled dry recycling collection service but with separately collected glass and the use of a WTS.**

33. The Council would still have a risk of being non-compliant and this option would require the largest revenue investment of approximately £830k per annum.
34. This option is also reliant on building a WTS facility at a capital investment cost of approximately £2.5m and the Council still would not qualify for any funding under the existing WG, CCP criteria.
35. The operational details would be similar to the existing service but it would include a separate box for glass which would be loaded separately upon collection. This would include a purpose built pod on the front of rear compaction vehicles.
36. The details of the existing service would be maintained and residents would continue to use bags and boxes with the only service change to include consideration to restricted black bag waste and a separate box for glass.

**Option 3 – Implement a twin stream collection system with separately collected glass and the use of a WTS.**

37. The Council would still have a risk of being non-compliant and this option would require a revenue investment of £360k per annum.
38. This is also reliant on building a WTS facility at a capital investment cost of approximately £2.5m and the Council still would not qualify for any funding under the existing WG, CCP criteria.
39. The operational details would require residents to place paper and card in a plastic sack together and likewise with metals and plastics. This is classed as twin streamed. Additionally a separate box for glass would be provided. The collection vehicles would be split bodied at the rear with a pod for the glass on the front.
40. The service change would also require restricted black bag waste.

**Option 4 – Implement a source separated dry recycling collection service (not including food)**

41. This would comply with all current legislation and there would be no risk of enforcement action but it would still require a revenue investment of approximately £545k as a result of running a separate food waste fleet. Additionally it would require a capital investment cost of £3m to build the WTS but the Council may not be prioritised for CCP support as it is not compliant with the Collections Blueprint methodology.
42. In terms of the dry recycling collection, this would be a change for residents and the majority of recycling would need to be presented for collection separately.

43. Within WG's separately collected recycling guidance namely the "Statutory Guidance on the Separate Collection of Waste Paper, Metal, Plastic and Glass" it does allow for some material to be co-mingled such as metals and plastics as the material mixed together will not adversely affect its quality.
44. For residents paper, cardboard and glass would need to be separated and metals and plastics mixed. Therefore, 4 containers would be required.
45. A household fully participating with the existing service would most likely use 3 bags or boxes per week so it would increase receptacle use by at least one and require material separation by householders.
46. The existing recycling bags and boxes would be utilised but there is an option of introducing lidded boxes which have advantages of preventing overfilling, providing ease of space by allowing stacking and it protects the valuable material from getting wet.

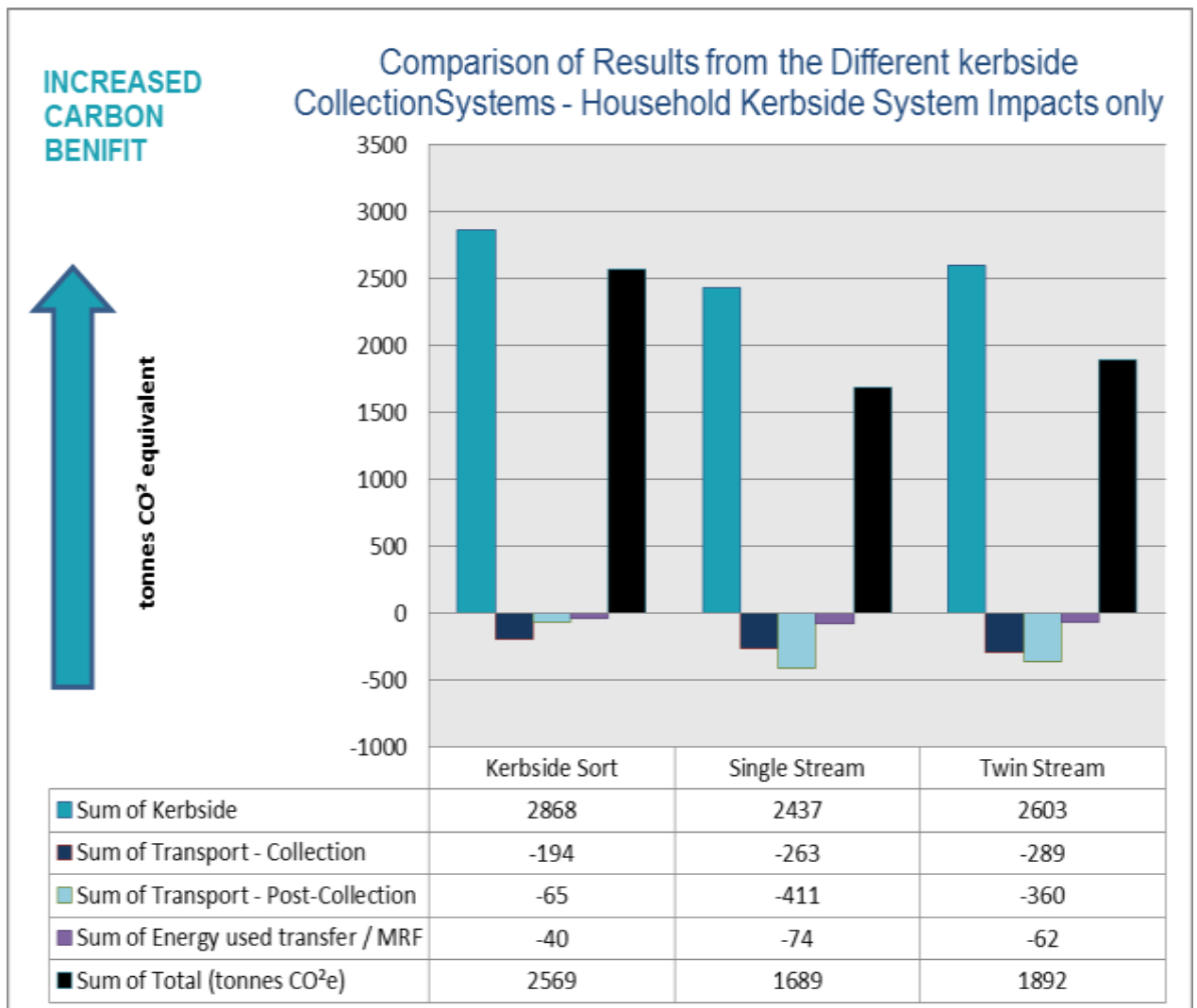
**Option 5, 6 & 7 – Implement a source separated dry recycling collection service as per WG's Collections Blueprint**

47. This would still require revenue support estimated at £200k plus the £230k reduction in WG funding in the short term only but it would be compliant with current legislation and be more sustainable in terms of material quality and minimise any environmental impacts.
48. In the longer term once the service is introduced and up to normal anticipated efficiency the modelling suggests there is potential to save approximately £400k per annum. This is likely to be in 2-3 years' time subject to capital funding and the proposed waste transfer station being fully operational.
49. The service is reliant on a WTS and being centrally located and it requires a capital investment cost in the region of £3m. However, the Council would be entitled to apply for WG's CCP support as the service change would be compliant to current legislation and meet WG's funding criteria.
50. The dry recycling collection would be source separated as detailed under option 4 but with food waste collected on the same vehicle. These would be Resource Recovery Vehicles (RRV's) which are lighter and more cost effective than the Rear Compaction Vehicles (RCV's) which are currently used. These options require a greater employee and transport resource than our current collection method however the WRAP report estimates that these additional cost are offset by receiving a greater value for the recycling matter that is collected.
51. Considering all the options WRAP conclude that the Collections Blueprint is the most favourable option. This provides advantages of;
  - Longer term revenue savings of an estimated £400k per annum.
  - The Council would qualify for CCP support.
  - There would be no compliancy risks in terms of current legislation.
  - It will produce high quality recycling material that is likely to be favoured in national and international markets.
  - It supports The Well Being Goals set for WG and local authorities in the Well-Being of Future Generations (Wales) Act 2015.
  - It supports the drive for a circular economy in Wales and resilience in terms of recycle markets.



52. Additionally it is understood that WG are considering a carbon policy that will affect the various collection systems. Where a collection system exists that is not compliant to the Collections Blueprint, it is expected that these will be adversely affected.
53. In September 2016, WRAP Cymru undertook a study on behalf of WG into the climate change impacts of recycling services in Wales ([Appendix D](#)). The analysis undertaken in this study suggests that, where performance is modelled using appropriate assumptions and datasets, the use of kerbside sort collection systems can result in a relatively significant climate change benefit, in comparison to the equivalent performance of co-mingled systems.
54. The benefits arise principally from the production of more of the higher paper grades in the kerbside sort system which has a corresponding additional climate change benefit. Greater use of closed loop re-processing for glass which is more beneficial in climate change terms than the open loop re-processing outlets predominantly associated with a comingled service.

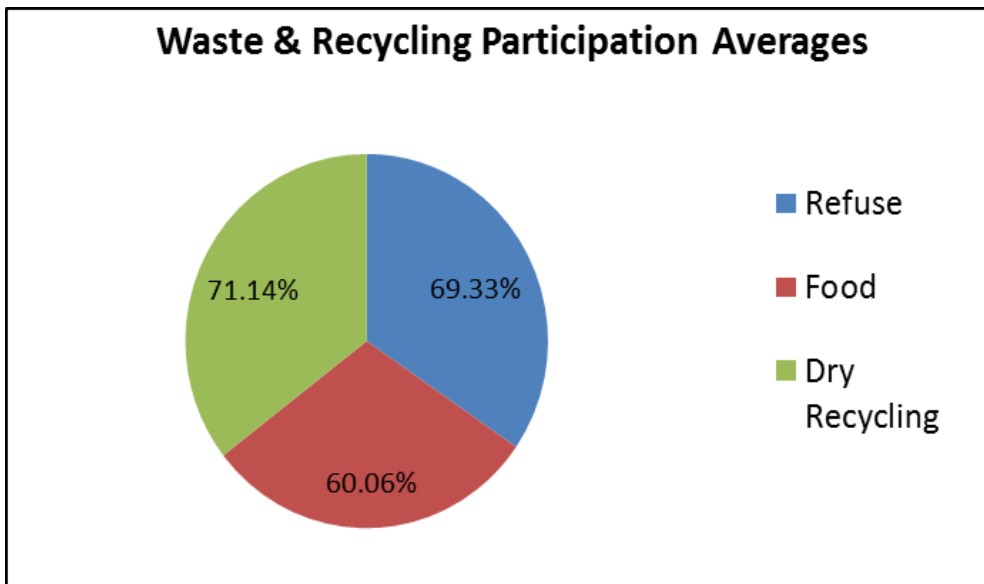
**WRAP Cymru - Summary from the Different Kerbside Collection Systems and the Climate Change Impacts.**



55. A reduction in the transportation to overseas re-processors and a decrease in fuel consumption from the collection system in the kerbside sort system in comparison to the co-mingled system, all contribute to lower carbon footprint. A recent enquiry with

Merthyr Tydfil County Borough Council who operate a kerbside sort collection system that is compliant with the Collections Blueprint methodology established that they capture UK only markets for all their kerbside recycling material.

56. In respect of paper grades which are specifically mentioned by WRAP in the Climate Change Report and using the Vale's product as an example, the Council's last end destinations report (which details where our dry recycling ends up) submitted from our existing processor (November 2017) saw our mixed paper distributed as far as India and China.
57. Although a dry recycling kerbside sort collection system is far more environmentally sustainable, there are barriers to consider with this system. The kerbside sort collection system is not a popular option with residents as it will require their assistance with separating waste and it requires the use of more containers.
58. To note, houses of multiple occupancy (HMO's) would retain a co-mingled service and this has been considered in the service appraisal undertaken by WRAP and considered an acceptable practice in those locations. There are methods being explored for HMO's such as communal recycling banks but initially it is suggested that a co-mingled service is retained for flats, waterfront apartments etc. only until a suitable alternative model is established.
59. To complement the most sustainable collection method, it will be necessary to review any barriers there are at present that restrict recycling participation. It is suggested that the proposed public consultation exercise be used to establish any barriers and these are appropriately reviewed to increase participation, in preparation of the next SRT due in 2019/20.
60. The WRAP report highlights that it is essential to restrict black bag waste to achieve high recycling rates and change behaviour towards recycling. At present there is a risk that we will not exceed our next statutory target in 2019/20 without implementing a restriction in 2018. The penalties for not meeting the next SRT as previously stated are £200 per tonne for every tonne under the performance target.
61. There still remain a number of households that do not recycle and although there is no legislation forcing residents to do so the Council can serve households with a notice to comply with its collection process including the use of containers. Under Section 46 of the Environmental Protection Act 1990 a Waste Collection Authority can serve a notice requiring an occupier to place waste for collection in receptacles of a certain kind and a number specified. Additionally it may place a notice for waste reduction schemes.
62. The latest recycling participation results taken from a survey undertaken in-house by the Waste Management and Cleansing team over a 4-week period during November 2017 identifies levels of recycling ward by ward ([Appendix E](#)) and provides averages of bags placed out for collection.
63. The sample calculated, measured the amount of waste and recycling participation each week and averaged over the 4-week period. The sample included on average 10 streets per week.



64. The average number of black bags put out by households across the Vale was 3 which overall is generally positive. However, the Council will not achieve further targets without instigating a change that requires all households to engage with the service. During the study it was noted that there were households with over 20 black bags of waste out and with the exception of one ward which had 9, every ward had households with at least 10 bags out for collection.
65. Without implementing a restricted black bag system, it will not be possible to achieve future targets with an educational approach alone. Councils across Wales have, or are considering, introducing similar restrictions per fortnight or 3-weekly or 4-weekly residual collections.
66. For the Vale it is recommended that a fortnightly service is maintained but restrict households to 2-black bags per fortnight with provision for very large families or exceptional circumstances to accommodate items such as hygiene products and other non-recyclable items. The public consultation outcomes will assist in informing the extent of this additional provision.
67. If a restriction is agreed, it is suggested that initially an educational approach to households exceeding the 2 bags per fortnight be taken. If it persisted, then a letter would be sent to the household and consideration to a notice under Section 46 of the EPA 1990. Then as a last resort if it could not be resolved, enforcement action.
68. There would also be changes required for households that use wheeled bins. There are two wheeled bin trial areas still operating, one area around Barry Road, Barry and one area in Dinas Powys that the Council still recognise. This would need to be withdrawn as well as any households who have bought their own bin for storage unless it matches the size of the proposed restrictions of residual waste i.e. 2-bags.
69. Householders will also be provided with advice on the size of black bags that can be placed out for collection. This would prevent large rubble type sacks being used to capture more space and prevent the need to recycle.
70. The size of a bag used for domestic waste collections is regulated under the Controlled Waste (England and Wales) Regulations 2012 which states that where a container is not provided then a cylindrical container (i.e. a bag) of 750mm in diameter and 1m in length is not subject to any collection or disposal charge and

therefore sits within the statutory duty for a Council to collect it, under Section 45 of the EPA 1990. This guidance would be provided to households.

71. The controls of the amount of black bag waste produced by households will also need to be regulated at the Council's Household Waste Recycling Centres (HWRC's) at Atlantic Trading Estate (Barry) and Llandow Industrial Estate (Llandow) otherwise restrictions at the kerbside will only divert waste to these sites and prevent householders from recycling.
72. WRAP have just finished an assessment of the Council's HWRC's and they will be providing a report suggesting notable practice which has been successfully implemented at other sites in Wales. A separate report will be presented to Cabinet with the details of the appraisal including any recommendations for consideration.
73. Additionally, the report will provide recommendations to establish an alternative HWRC site in the western Vale as the lease on the current site is due to expire at the end of 2019. The site is not considered viable beyond this date as a result of the site access, the general condition of the estate and a lack of investment from the land owner.
74. The current co-mingled dry recycling processing contract is due to expire in March 2018. As Cabinet will need to consider the recommendations of the WRAP service appraisal as well as a future waste management strategy, the Waste Management and Cleansing service has retendered on this contract on the basis of a 1 year contract only with 2 optional years built in thereafter with no guaranteed recycling tonnage. That way Cabinet can give consideration to the future of the service without the hindrance of being contractually restricted to a particular treatment method.
75. As well as waste contracts, there is a need to consider the implications on our existing vehicle fleet. It is proposed that if a service change is agreed, any vehicles necessary for a source separated collection service would be funded from the Council's fleet replacement fund that is an ongoing programme and through capital bids to WG through CCP funding.
76. Vehicle costs are an ongoing concern as transportation of waste remains a burden to the service area as a result of local and regional partnerships and the introduction of energy recovery facilities that were essential to achieving landfill diversion. Unfortunately as these specialist facilities are centrally located to partnerships, it is necessary to transport recycling and waste outside of the Council's boundary which has increased our own operational costs.
77. Until there is an opportunity to construct a WTS the Council's waste management team are testing the market by seeking options for the temporary supply of a WTS within the Vale that may assist with the current transport costs and the burden of transporting waste and recycling to separate areas across Cardiff.
78. If there is an opportunity to utilise a licenced WTS in the Vale this would provide a short term solution until funding is obtained to build a new facility at a centrally located site. The cost of an interim facility would be met from the existing dry recycling processing contract as it already includes WTS costs.
79. If the recommendations of the WRAP report are introduced and there is an opportunity to construct a centrally located WTS, it would assist with the rationalisation of the two operational depots (Court Road Depot and the Alps).
80. A WTS has potential to accommodate the recycling fleet, freeing essential space at the Alps to relocate resources based at Court Road Depot. This could also potentially

free up development space at the former Civic Amenity Site located off Court Road as well as providing all or some of the operational depot.

81. It is suggested that if a WTS is developed (subject to funding) that work continue on the feasibility study associated with the rationalisation of the depots in conjunction with the WTS. A further report will then be presented to Cabinet in respect of operating sites, the WTS and operational depots as part of that process.

### **Resource Implications (Financial and Employment)**

82. The main costs and savings associated with the various options are detailed in the body of this report. The decision to move to a service based on the 'blueprint' is subject to WG funding and authority is sought to submit the necessary application and business case for this.
83. The results of the WRAP report forecast revenue savings in the long term and if the Council adopts the principles of the "Collections Blueprint", the Council will be able to apply for additional funding through WG's CCP. Additionally, the Blueprint creates further employment opportunities as it requires more staff operationally than the existing.
84. Should WG capital funding not be forthcoming then it will not be possible to move to the 'Blueprint' option indicated. As advised from paragraphs 24 to 27 an additional revenue investment of circa £430k will be required year on year and there is a danger that the 70% recycling target for 2024/25 could be missed, which could result in the Authority being fined for every tonne of waste, outside of the target, not recycled. A change to the location of the waste transfer station (currently being tendered) and a reduction in the number of black bags that can be put out for collection could assist with both performance and ongoing costs, if the service was to remain the same, but there would be concerns whether the service would comply with the previously mentioned legislation. Therefore the details of this service would need to be agreed by Cabinet and this would have to be the subject of a future report.

### **Sustainability and Climate Change Implications**

85. An integrated waste strategy that prioritises minimisation, re-use and recycling and generates energy from waste will contribute to the principles of sustainable development when pursued through an innovative and productive economy that delivers new employment opportunities. By using resources more efficiently through waste prevention and high reuse and recycling rates, material security is improved and dependence on primary resources from outside the UK is reduced.
86. WG wish to develop the economic, social and environmental wellbeing of people and communities using ecological foot-printing measures to reduce environmental impact. The management of our waste is responsible for around 15% of Wales' ecological footprint. Improving recycling performance is therefore a positive action in reducing this impact.

### **Legal Implications (to Include Human Rights Implications)**

87. The Waste Framework Directive, Article 11(1) advises Member States to "take measures to promote high quality recycling and to this end, set up separate collections of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors". Subject to Article 10(2) of the Directive, by 1st January 2015 separate

collection shall be set up for at least, paper, metal, plastic and glass and this requirement was transposed into UK legislation by The Waste (England and Wales) (Amendment) Regulations 2012.

88. Under regulation 38, 39 and 40 respectively of the 2012 Waste Regulations. National Resources Wales may issue a compliance notice, a stop notice or a restoration notice to an establishment and undertaking which collects paper, glass, plastics or metals in contravention to the Regulations. Failure to comply with these notices may result in criminal proceedings and on any summary conviction, a fine not exceeding the statutory maximum.
89. WG legal guidance prepared under regulation 15 of the Waste (England and Wales) ) (Amendment) Regulations 2012 allowed Welsh Ministers to give guidance on the duties in the regulations and bring articles 10 and 11(1) of the Revised Waste Framework Directive into law in Wales.
90. Under Schedule 2 of the Local Government Measure 2009 Council's must "make arrangement to secure continuous improvements in the exercise of its functions". In doing so they need to have regard for strategic effectiveness, service quality and availability and fairness. Any decisions to change recycling collection services must be justified when considered against these requirements and to do so without all the evidence could breach the requirements of Schedule 2.

### **Crime and Disorder Implications**

91. There are risks to the Council if it fails to comply with the 2011 Regulations as this could ultimately result in it being subject to criminal proceedings by the Regulator, Natural Resources Wales, and a fine.

### **Equal Opportunities Implications (to include Welsh Language issues)**

92. An Equalities Impact Assessment (EIA) will be required as there are significant service changes proposed.

### **Corporate/Service Objectives**

93. This report links to the Corporate Plan and Well Being Outcome W02: An Environmentally Responsible and Prosperous Wales and the relevant Objective is O4 "Promoting Sustainable development and protecting our environment" with relevant reference to ER16 which states "Develop and implement a waste reduction strategy and remodel our waste infrastructure to increase participation in recycling, reduce the growth of municipal waste and meet national targets".
94. High quality material is also likely to support retention of material within the Welsh and UK economies – resulting in social and economic benefits in line with the objectives of the Well-Being of Future Generations (Wales) Act 2015.

### **Policy Framework and Budget**

95. This is a matter for Executive decision by Cabinet.

### **Consultation (including Ward Member Consultation)**

96. As this is a Council wide matter no individual ward member consultation has been undertaken.

## **Relevant Scrutiny Committee**

97. Environment and Regeneration.

### **Background Papers**

Cabinet 23 January 2017 (minute no. C3440) – Co-mingled Dry Recycling and Future Waste Transfer Arrangements.

Guidance on Applying the Waste Hierarchy -

[http://wales.gov.uk/topics/environmentcountryside/epg/waste\\_recycling/publication/hierarchyguide/?lang=en](http://wales.gov.uk/topics/environmentcountryside/epg/waste_recycling/publication/hierarchyguide/?lang=en)

WRAP – The Climate Change Impacts of Recycling Services in Wales -

<http://www.wrap.org.uk/CarbonImpactsReport>

### **Contact Officer**

Colin Smith – Operational Manager for Waste Management & Cleansing

### **Officers Consulted**

Committee reports – Legal

Irene Thornton – Senior Lawyer, Legal Services

Matthew Sewell – Visible Services Accountant

### **Responsible Officer:**

Miles Punter - Director of Environment and Housing Services