

Consultation on Consistency in Household and Business Recycling in England

May 2021

About you

Q1. What is your name?

Simon Ellin

Q2. What is your email address?

simon.ellin@therecyclingassociation.com

Q3. Which of the options below best describes you?

Please tick only one option. If multiple categories apply to you, please choose the one which **best describes you** and which you are representing in your response. (Required)

Academic or research

Business representative organisation/trade body

Charity or social enterprise

Community group

Consultancy

Distributor

Exporter

Individual

Local government

Non-governmental organisation

Operator/ reprocessor

Packaging designer / manufacturer / converter

Product designer/manufacturer / pack filler

Retailer including online marketplace

Waste management company

Other (please provide details)

Q4. If you are responding on behalf of an organisation, what is its name?

The Recycling Association Ltd

Q5. Would you like your response to be confidential?

No

Part 1: Measures to improve the quantity and quality of household recycling

Separate collection of dry recyclable waste from households

Q6. Do you agree or disagree that local authorities should be required to collect the following dry materials from all households, including flats, by the end of the financial year in which payments

to local authorities under Extended Producer Responsibility for packaging commences (currently proposed to be 2023/4 subject to consultation)?

	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	x	<input type="checkbox"/>	<input type="checkbox"/>
Aluminium food trays	x	<input type="checkbox"/>	<input type="checkbox"/>
Steel and aluminium aerosols	x	<input type="checkbox"/>	<input type="checkbox"/>
Aluminium tubes, e.g. tomato puree tubes	x	<input type="checkbox"/>	<input type="checkbox"/>
Metal jar lids	x	<input type="checkbox"/>	<input type="checkbox"/>
Food and drink cartons, e.g. TetraPak	x	<input type="checkbox"/>	<input type="checkbox"/>

Q7. If you have disagreed with the inclusion of any of the additional materials above in the timeframe set out, please state why this would not be feasible, indicating which dry recyclable material you are referring to in your response.

No comment

Q8. Some local authorities may not be able to collect all these items from all households at kerbside by 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date?

X Collection contracts

X Sorting contracts

X Materials Recovery Facility (MRF) infrastructure capacity

Cost burden

X Reprocessing

x End markets

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.

Household collections should be aligned with those from Non-household collections to ensure consistency and to maximise efficiencies in the collection and processing infrastructure. As EPR should be paying the full costs of the system, there should be no cost burden.

Legally binding and existing contracts are something that could remain in place unless all parties agree to their amendment.

With the likely introduction of DRS, the separate collection of fibre and the addition of film, flexibles and beverage cartons, MRFs will be required to undertake costly re-fits to handle the "new mix".

We also have concerns about the available markets for plastic films and flexibles as significant proportions of this feedstock is currently "unrecyclable"

Given Alupro's spec, where only 2% foil or other aluminium packaging is allowed, we have concerns over the end markets for "non-can aluminium" materials unless they were collected/sorted as separate entities, which is unlikely.

Q9. Do you agree or disagree that food and drink cartons should be included in the plastic recyclable waste stream in regulations, to reduce contamination of fibres (paper and card)?

Agree. They absolutely must be collected separately from other fibres. MRFs cannot adequately separate 2 dimensional (when flattened in a collection vehicle) drinks cartons from other fibre, but they can separate them from the plastic waste stream.

The fibre from cartons cannot be recovered in a conventional paper mill process and so if they were collected together with the general fibre stream, they would not be recovered.

We export circa 60% of all the fibre we collect for recycling and it is illegal to export drink cartons as green list waste. The UK regulator considers them illegal to export, so when mixed with other fibres and exported, they would have to do so under notification (PIC). This would likely prevent the export of all mixed papers.

The UK has specialist mills capable of handling drinks cartons if they are presented separately.

Q10. Assuming food and drink cartons are included by the date that Extended Producer Responsibility commences, what would be the financial impact on gate fees and processing costs from sending mixed material streams containing cartons into a Materials Recovery Facility?

No opinion

Collection of plastic films from households

Proposal 2

Q11. Do you agree or disagree that local authorities should adopt the collection of this material from all households, including flats, no later than 2026/27?

Agree, but as per our response to Question 9, plastic film must be collected as an absolute minimum requirement in a dual stream system and kept separate from paper and board. MRFs cannot adequately separate 2 dimensional films and flexibles from 2 dimensional paper and board and it would have a catastrophic effect on quality if they were collected together. Even then, MRFs must prove that they can separate films from other plastics, glass, cans and beverage cartons, and,

when materials are collected wet. Separation capabilities must be proven in widespread trials before introduction.

Q12. Which of the following reasons might prevent plastic film collections being offered to all households by the end of the financial year 2026/27?

By 2026/27, some existing long-term contracts could be in place for collecting and sorting which could conceivably prevent the collection of plastic films.

Currently, there is not the capacity in the UK to re-process significant quantities of plastic films collected from households and similar sources. We are relying on the plastics tax to stimulate investment in UK processing capacity and new technology to handle these materials by 2026/27. At the moment, some types of film eg polypropylene are "unrecyclable" and so we do have significant concerns that there will still not be markets for these materials in this timescale.

Under the Basel convention, the exports of some types of plastics and mixes of plastics is now illegal, and given the nature of the plastic films collected at the household (non-homogenous, composite, food contamination etc), they are unsuitable for export. The Turkey ban on imports of plastics has also closed that market.

In summary, we are very supportive of the collection of films if markets can be developed within the timescale - we have significant concerns here.

Proposals on the definition of food waste

Proposal 3

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

Agree, but with the caveat there are concerns around the plastic contents of tea and coffee bags and thus the use of any subsequent land spreading of the processed materials. Consideration should be given to excluding tea and coffee bags from food waste collections.

Proposals on separate collection of food waste from households for recycling

Proposal 4

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

X Agree

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

X Agree

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

X Agree

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

X Agree

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

X Agree

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

Q15. Some local authorities may experience greater barriers to introducing a separate food waste collection service to all household properties, including flats, by the dates proposed above. For what reasons might it be appropriate for these collection services to begin after this date?

- x Collection contracts
- x Treatment contracts
- Cost burden
- Reprocessing
- End markets
- Other (please specify)

Legally binding and existing contracts are something that could remain in place unless all parties agree to their amendment.

Proposal on caddy liners

Proposal 5

Q16. Do you agree or disagree with this proposal? Please provide any other comments on the use of caddy liners in separate food waste collections, including on any preferences for caddy liner material types.

Agree. Government should look very closely when considering the provision of "compostable polymer based" caddy liners. There is a lot of confusion in this space and we anticipate that the public, in some circumstances, will use non compostable bags for this purpose and will thus contaminate the digestate and lead to the spread of micro plastics. Compostable/biodegradable bags should be banned per se to avoid any unintended consequences arising from these consultations.

A fibre based liner would be much more fit for the purpose.

Proposals on biodegradable and compostable plastics packaging materials

Proposal 6

Q17. Do you have any comments on how the collection and disposal of compostable and biodegradable materials should be treated under recycling consistency reforms? For example, this could include examples of what should be provided in guidance on the collection and disposal of these materials.

The key to this is the title of this consultation - "Consistency". There is no justification to collect biodegradable/compostable plastics as they are not consistent with a circular economy and are a contaminant to conventional recycling. They should be banned per se.

Q18. Do you agree or disagree that anaerobic digestion plants treating food waste should be required to include a composting phase in the treatment process?

Disagree. If the introduction of a composting phase is required to treat "compostable polymer based" caddy liners, then for the reasons outlined in Question 16 and 17, a compostable stage should not be required.

Proposal on the definition of garden waste

Proposal 7

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

Agree

Proposals on increasing the recycling of garden waste from households

Proposal 8

Q20. Given the above costs, recycling benefits and carbon emissions reductions, do you agree or disagree that local authorities should be required to introduce a free minimum standard garden waste collection (240 litre containers, fortnightly collection frequency and throughout the growing season⁴⁵), if this is fully funded by Government, and if authorities remain free to charge for more frequent collections and/or additional capacity?

Agree

Proposal 9

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

Very Likely

Likely

Unlikely

Provide updated guidance on

reasonable charges for garden waste.⁴⁶

Issue clear communications to non-participating households.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support on increasing home composting (e.g. subsidised bin provision).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Q22. Do you have any further comments on the above options, or any other alternatives that could help to increase the recycling of garden waste and/or reduce the quantity of garden waste in the residual waste stream? Please provide supporting evidence where possible.

Again, consistency is the key here. One consistent scheme country wide, no exceptions other than if a household cannot accommodate a garden waste bin.

Proposals on exemptions for the separate collection of two recyclable waste streams from households

Proposal 10

Q23. Could the following recyclable waste streams be collected together from households, without significantly reducing the potential for those streams to be recycled? Agree	Agree	Disagree	Not sure / don't have an opinion / not applicable
Plastic and metal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glass and metal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

We have to make recycling as easy as possible for households and delivery has to be cost-effective. Co-mingled collections has proved very successful in encouraging participation and increasing capture rates. Local authorities who have introduced twin stream collections (paper separate in a bag) eg Stafford Borough Council, have been very successful in improving quality whilst retaining an easy one bin system to encourage participation. Plastics and metal/glass and metal/plastics and glass and metal can all be easily separated at the MRF with no significant contamination issues.

Q24. What, if any, other exemptions would you propose to the requirement to collect the recyclable waste in each waste stream separately, where it would not significantly reduce the potential for recycling or composting?

As above. If you collect fibre separately, you can collect all other materials in scope co-mingled - including film, flexibles and drinks cartons.

Proposals on conditions where an exception may apply, and two or more recyclable waste streams may be collected together from households.

Proposal 11

Technically Practicable

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

A dictionary definition of practicable is "able to be done or put into practice successfully." Given the fact it is incredibly simple to collect materials separately and it is not the proverbial rocket science, it is difficult to argue that source separation cannot be achieved on grounds of technical practicability.

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

Agree

X Disagree

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

There are no situations in which a technical solution for the separate collection of materials cannot be devised and local authorities should not be given the "practicable" excuse to not deliver separate collections.

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

None

Economically Practicable

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

Agree

X Disagree

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

We do not understand under EPR where there will be any circumstance where a separate collection cannot be delivered for economic reasons. EPR fees cover full bet costs and therefore should be set to cover all circumstances. This is the principle of polluter pays.

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

The argument offered in the proposal to define economic practicability in the collection of non-separated material is flawed. It will almost certainly be the case that the value of materials collected at kerbside whether separated or comingled will not outweigh the costs of collection in all market conditions. Yet this is proffered as a justification for comingling, undermining the rationale for source separation, which is to improve overall commodity values, improve circularity and secure long term outlets based upon reprocessor confidence in consistent, high quality raw material streams. A justification that allows comingling because it is cheaper undermines the purpose of consistent collections and the Governments ambition to raise quality standards in recycle.

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

Local authorities will be receiving huge additional funds to deliver services and thus excessive costs should not exist. If local authorities are given an out by being able to use "excessive costs" as an excuse to co-mingle fibre with other materials, then many are likely to do so. No economic circumstances should be provided to local authorities - no exceptions.

No Significant Environmental Benefit

Q31. Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together?

Again, using the fact that if fibre is collected separately then all other materials in scope can be comingled, then there are no circumstances where "significant environmental benefit" should be used by local authorities - this loophole should be closed.

You also need to consider the environmental impact of co-mingling fibre with film and flexibles and beverage cartons which will produce an unrecyclable product and thus render the collection pointless.

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

Agree

X Disagree

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

See answer to Q.31

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

None

Proposals on compliance and enforcement

Proposal 12

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

Agree

X Disagree

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

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

Local authorities should not be allowed to submit a single written assessment covering the whole of their service area. Allowing local authorities scope to exempt themselves wholly from the Governments proposals requiring the separate collection of materials is undermining of the purpose of the proposals and will encourage the abandonment of separate collection. Local authorities should be allowed to provide written assessment only for very specific and defined geographies within their service areas and these applications should be resubmitted and reviewed annually to ensure that they still apply.

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

None. The purpose of the written assessment is to require local authorities to justify non-compliance with the Governments proposals. This should not be considered a burden. If local authorities want an exemption from separate collections then must must prove to the regulator that they have a compelling case.

Q36. What factors should be taken into consideration including in the written assessment? For example, different housing stock in a service area, costs of breaking existing contractual arrangements and/or access to treatment facilities.

Only long-term structural factors such housing stock should be considered. Even then, innovative solutions should be found to overcome the problem.

Issues such as the renegotiation of contracts or access to treatment facilities are short term and can change quickly. These are likely to be facilitated by the revised EPR scheme and the considerable monies entering the collection system and therefore should be worked towards or around and not be cited as reasons to exempt an authority from meeting the Governments proposals.

Q37. Do you agree or disagree that reference to standard default values and data, which could be used to support a written assessment, would be useful?

Agree

X Disagree

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

Local authorities should be required to produce their own robust data. If local circumstances are to be used, then local data should be required to back it up. Using national data will allow local authorities to fudge their own local circumstances.

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

X Agree

Disagree

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

As long as the template is robust and doesn't amount to a tick box exercise

Proposal on minimum service standards for the separate collection of dry recyclable materials from households

Proposal 13

Q39. Do you agree or disagree with Proposal 13, particularly on the separation of fibres from other recyclable waste streams and the collection of plastic films?

X Agree

Disagree

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

There are no circumstances where fibre can be collected mixed with plastic film and flexibles or beverage cartons - they cannot be separated, there is no market for the material and therefore this loophole must be removed. A twin stream system must be the minimum service level with no exceptions.

We also have concerns over the collection of film and flexibles with other materials and proof of processing at the MRF using data extracted from sorting a particular mix of materials at the MRF to be used should be provided as part of the "TEEP" assessment.

Proposal on non-statutory guidance

Proposal 14

Q40. Which service areas or materials would be helpful to include in non- statutory guidance?

Nappies and sanitary products are a huge problem to the paper recycling industry and robust ways of eliminating them from fibre needs to be found.

Proposals on Review of Part 2 of Schedule 9 of the Environmental Permitting Regulations 2016

Proposal 15

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

It is very important that Government acknowledge there are other facilities besides MRF's that act as "bulking up" points for paper and board recycle. These include depots that are run by recovered paper (and other materials) depots which are a very important part of the recycling supply chain and particularly for commercial and industrial waste. They must also be considered as "evidence points" when the Government is revising the sampling regime.

Q42. If amendments are made to Part 2 of Schedule 9, do you agree or disagree that it is necessary to continue to retain requirements to sample non-packaging dry recyclable materials?

Agree
 X Disagree

With the likely increased requirements to sample packaging at MRFs and other depots, anything that can reduce the burden/cost should be considered and we see no point in having a requirement to sample non-packaging elements.

Proposals on recycling credits

Proposal 16

Q43. Do you agree or disagree that provision for exchange of recycling credits should not relate to packaging material subject to Extended Producer Responsibility payments?

Agree
 Disagree
 Not sure / don't have an opinion

Q44. In relation to recycled waste streams not affected by Extended Producer Responsibility or which are not new burdens we are seeking views on two options:

Option 1 Should we retain requirements for Waste Disposal Authorities to make payment of recycling credits or another levy arrangement with Waste Collection Authorities in respect of non-packaging waste?

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

Option 1	<input type="checkbox"/>	<input type="checkbox"/>	X
----------	--------------------------	--------------------------	----------

Option 2	<input type="checkbox"/>	<input type="checkbox"/>	X
----------	--------------------------	--------------------------	----------

Q45. Where local agreement cannot be arrived at what are your suggestions for resolving these? For example, should a binding formula be applied as currently and if so, please provide examples of what this could look like.

No response

Proposals on dry materials to be collected from non-household municipal premises for recycling

Proposal 17

Q46. Do you agree or disagree that waste collectors should be required to collect the following dry materials from all non-household premises for recycling, in 2023/24? 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aluminium food trays	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steel and aluminium aerosols	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aluminium tubes e.g. tomato puree tubes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metal jar lids	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Food and drink cartons e.g. TetraPak	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q47. Some waste collectors may not be able to collect all the items in the dry recyclable waste streams from all non-household municipal premises in 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date?

- Collection contracts
- Sorting contracts
- Materials Recovery Facility (MRF) infrastructure capacity
- Cost burden
- X Reprocessing
- X End markets
- Other (please specify)

Non-Household collections should be aligned with those from Household collections to ensure consistency and to maximise efficiencies in the collection and processing infrastructure. As EPR should be paying the full costs of the system, there should be no cost burden.

Legally binding and existing contracts are something that could remain in place unless all parties agree to their amendment.

With the likely introduction of DRS, the separate collection of fibre and the addition of film, flexibles and beverage cartons, MRFs will be required to undertake costly re-fits to handle the "new mix".

We also have concerns about the available markets for plastic films and flexibles as significant proportions of this feedstock is currently "unrecyclable"

Given Alupro's spec, where only 2% foil or other aluminium packaging is allowed, we have concerns over the end markets for "non-can aluminium" materials unless they were collected/sorted as separate entities, which is unlikely.

Proposal 18

Q48. Do you agree or disagree that collections of plastic films could be introduced by the end of 2024/25 from non-household municipal premises?

X Agree

Disagree

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

The collection of homogenous plastic film (LDPE film from transit packaging) is well established and generally infinitely recyclable if the quality is right. If other plastic films are to be collected too (household like) then they need to be collected separately as they are a high-risk contaminant. This will likely have an impact on timescales. Getting it right is more important than the timescale.

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

To reiterate, this must complement EPR. There should be no other barriers other than those outlined for household collections.

Proposals for on-site food waste treatment technologies

Proposal 19

Q50. Do you agree or disagree with Proposal 19?

Agree

Disagree

X Not sure / don't have an opinion

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

No comment

Proposals on reducing barriers to recycling for non-household municipal waste producers

Proposal 20

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

	Large Barrier	Some barrier	Low / no barrier
--	---------------	--------------	------------------

Communication	x	<input type="checkbox"/>	<input type="checkbox"/>
---------------	---	--------------------------	--------------------------

Financial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Space	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engagement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drivers to segregate waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Variation in bin colours and signage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Contractual	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Staff / training	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A lot has been mooted in the EPR consultation re getting businesses to recycle more. We represent the recyclers/collectors whose businesses are built around collecting packaging for recycling from businesses. Not exclusively, but by and large, any businesses producing significant amounts of packaging (1100 litre wheelie bins and above) already recycle and are fairly well covered. Quality is generally good.

Where we need to improve is capturing the material that we are not currently capturing and eliminating DMR. We believe this can very simply be achieved in 2 ways.

1) Micro businesses (we would define a micro business in this context as any business that is small enough to require a 240 litre wheelie bin) should be incorporated into council collection rounds where they can present their business and household like packaging.

2) Compulsory separation of recycling from general business waste across the board should be enforced by local authorities and funded through EPR. Local authorities would need these powers. Local authorities would employ liaison/enforcement officers who would educate businesses and enforce where required.

This would be a very low cost but extremely efficient way of improving business recycling performance. Evidence for recycling could be obtained by a variation of the PRN system but a fixed fee added to the market rate which would go into a central fund to pay for the local authority education/enforcement requirements.

Proposals on exemptions and phasing for micro-firms

Proposal 21

Q53. 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 and provide any evidence to support your comments.

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 2025/26) – Option 2

No – all micro-firms should be required to present these waste streams for recycling, from the ‘go live’ date in 2023/24

Micro-firms should be required to present pre-sorted recyclable materials from the go live date, because both employers and employees will be asked to adhere to the same requirements at home. This is not likely to add significantly to business costs once infrastructure is in place.

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

No response

Proposals on other cost reduction options

Proposal 22

Waste franchising / zoning

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

For each option, please select either agree, disagree, or not sure / don't have an opinion / not applicable.

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

X Disagree

Zoning is fundamentally uncompetitive and likely to favour large enterprises with existing infrastructure, allowing them to use their financial strength to price out smaller competitors. Zoning of any sort will undermine competition, bankrupt SME's operating in a highly diverse and competitive environment and undermine best value for the producers and the public.

Food waste

No opinion

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

No opinion

Q56. Which of the below options, if any, is your preferred option for zoning/collaborative procurement? Please select the option that most closely aligns with your preference

Encouraging 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

Co-collection using 240 litre bins.

Q57. Do you have any views on the roles of stakeholders (for example Defra, the Environment Agency, WRAP, local authorities, business improvement districts, businesses and other organisations and chambers of commerce) in implementing a potential zoning or franchising scheme?

For example, do you think there could be roles for one or more of these organisations in each of the following activities:

- 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)

If you think that there is a role for any other stakeholders, please specify.

No opinion

Please provide explanations where possible to support your above response.

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

The Recycling Association is strongly opposed to any franchising/zoning scheme which we believe is based on flawed assumptions as outlined elsewhere in our consultation response. It is anti-competitive and will have many negative outcomes.

Currently, business costs are held down in a very competitive commercial waste market, where there is a wide choice and larger and smaller operators compete based on a free market which offers flexibility, innovation, and local service offerings. Franchising and zoning will lose these benefits and will not result in the desired reduced costs and increased recycling. Many business recycling collections are operated by smaller recycling businesses who offer a local, bespoke, and very cost-effective service. If zoning/franchising is introduced, it will naturally benefit the larger operators with their large fleets, resources, and tendering expertise. The small operator will struggle to compete in this environment, will most likely be wiped out, reducing competition, and increasing prices.

In contrast to household collections, there are thousands of different business types all requiring individual, bespoke and sometimes complex solutions. The current free-market system offers the flexibility of service, delivering specific service needs, reporting requirements, local account management solutions and cost benefits. Franchising and zoning assumes a one size fits all approach and from the research The Recycling Association has undertaken where zoning and franchising has been introduced, service quality has actually degraded as a result.

It is also very unclear how zoning/franchising can work alongside national contracts, where larger firms have a national contractor who operates across multiple sites based on service delivery and reduced costs. It is pointless introducing zoning/franchising which will subsequently erode these benefits. What would be the legal basis of this?

Overall, it is very important to note that business/commercial collections is not a broken system like household collections. It is a very mature and largely successful system which has resulted in capturing high levels of packaging, eg 79% of all cardboard (CPI data). If choice and competition is eroded, this will likely be a backward step in meeting the objectives of the RWS. Of course improvements can be made and we have suggested some simple tweaks elsewhere in this consultation, such as municipal collections from micro businesses (240 litre wheelie bins) and the enforcement of waste separation by local authorities. Zoning/franchising is not required to deliver these small improvements and indeed are likely to result in a degradation of these services and a significant increase in costs.

Collaborative procurement

Q59. Do you have any views on how Government can support non-household municipal waste producers to procure waste management services collaboratively? This could include working with other stakeholders.

As previously outlined

Business support

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

1:1 support

National /regional campaigns

National guidance and good practice case studies

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

Other (please specify)

Commercial waste bring sites

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

We think these sites would be a useful tool. However, we must be very careful that they mask bad practice as individual use may not be monitored and separation of materials may not be as easy to enforce.

Proposal 23

Q62. Could the following recyclable waste streams be collected together from non-household municipal premises, without significantly reducing the potential for those streams to be recycled? Agree	Agree	Disagree	Not sure / don't have an opinion / not applicable
Plastic and metal	X	<input type="checkbox"/>	<input type="checkbox"/>
Glass and metal	X	<input type="checkbox"/>	<input type="checkbox"/>

There are well established collection and processing systems to handle these materials together. In some circumstances, it may be better to collect glass separately, where the collection round includes large glass producers such as the hospitality sector.

Q63. What, if any, other exemptions would you propose to the requirement to collect the recyclable waste stream in each waste stream separately where it would not significantly reduce the potential for recycling or composting?

None – the priority should be given to collecting fibre separately

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

Proposal 24

Technically Practicable

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

We believe that it should not be possible for a non-municipal waste producers to exempt itself from separate collection of recyclable material on the basis of technical practicability.

Where TEEP is used, it must be considerably more robust than the current system and the conditions where exemptions may apply must be made very clear. The new TEEP exemptions must reduce the opportunities to opt out and must set minimum service standards alongside the issuing of clear guidance. There should also be a level playing field between municipal and commercial collections so that there is equitable commercial opportunities. Currently, it is too easy for a business to opt out of separating their recyclables with enforcement action virtually never undertaken.

If plastic films and flexibles are introduced, there should be no loopholes in any situation where they are collected with fibre – this must be made very clear in the guidance. Plastic films and

flexibles cannot be separated from fibre and if they are collected together, it will encourage further illegal exporting and regulatory prosecutions.

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

Agree

X Disagree

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

None of the above reasons is sufficient to allow exemption on the grounds of technical feasibility. If a new transfer station or MRF is required, then it should be built – there will be enough money in the system to facilitate fit for the purpose collection and processing systems in all circumstances. No exemptions occur elsewhere, eg in Health and Safety, so the same principles should apply to achieve the same high standards.

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

None

Economically Practicable

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

Agree

X Disagree

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

It is impossible to answer this question without knowing if/how it will be funded through EPR. Rurality and geography are likely to be the only permissible exemptions, since it may not be economically practicable for the collection of small quantities of household like materials from remote business premises, but without knowing how funding.

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

See answer to Question 67

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

This cannot be answered without knowing if/how EPR will fund it.

No Significant Environmental benefit

Q70. Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together?

To answer this question, we need to know what government consider to be “significant”. If this interpretation is too loose, then organisations will exploit the loophole and collect materials together at the expense of quality and we will still be faced with the issue of materials dumped/perceived to be dumped around the world. What is the “significant” environmental cost of this. To reiterate, fibre is the issue when it comes to collecting materials together and if it is collected with film, then it is unrecyclable. This is probably “significant” when it comes to the environmental effect of collecting materials together

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

Agree

X Disagree

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

The availability of recycling facilities to process materials for recycling is not a reason to seek an exemption. The creation of recycling facilities for all materials is part of the purpose of the proposals, should be funded by EPR . If a material is too poor quality to allow it to be compliantly sold, it should not be collected.

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

See answer to Question 71

Proposals on compliance and enforcement

Proposal 25

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

Why does the Government consider it necessary to reduce the burden on waste collectors and producers to seek exemption? The burden of proof should be theirs and exemption only allowed in exceptional circumstances.

Q74. We are proposing to include factors in the written assessment which take account of the different collection requirements, for example, different premises within a service area. What other factors should we consider including in the written assessment?

There should be no dispensation. Those responsible for separating and collecting recyclable materials should be required to present it correctly for recovery. This consultation is all about “consistency”. No loopholes

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

Agree

X Disagree

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

Standard default values may provide indicative evidence. However, business activities and operations are all different and need to be considered on their individual merits and requirements. There is a significant danger that businesses could fall back on default values as a reason to opt out and not deliver an appropriate service. We need to ensure that businesses have closely examined their own circumstances and understood all the details of their written assessment.

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

X Agree

Disagree

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

Q77. Do you agree or disagree that the proposed approach to written assessments and non-household municipal collections will deliver the overall objectives of encouraging greater separation and assessing where the three exceptions (technical and economical practicability and environmental benefit) apply?

Agree

X Disagree

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

Proposal 26

Q78. Do you have any comments and/or evidence on familiarisation costs (e.g. time of FTE(s) spent on understanding and implementing new requirements) and ongoing costs (e.g. sorting costs) to households and businesses?

No comment

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

No comment