



Subject:	DAERA Consultation - Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI
Date:	11 <sup>th</sup> June 2024
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<b>Is this report restricted?</b>		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>					
After Committee Decision			<input type="checkbox"/>		
After Council Decision			<input type="checkbox"/>		
Some time in the future			<input type="checkbox"/>		
Never			<input type="checkbox"/>		

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
	The purpose of this report is to present to Members the draft Belfast City Council response to the DAERA public consultation on 'Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI'
<b>2.0</b>	<b>Recommendations</b>
2.1	- Members are requested to review and agree the draft Belfast City Council response to the recently published DAERA public consultation on 'Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI'.
2.2	- Members are asked to note the new closing date of the consultation, of 27 June 2024, at 17:00 and to acknowledge that the BCC draft response, if approved by Committee, will not be ratified by full Council until after the closing date and that this will be highlighted on our response notification to DAERA.

3.0	<b>Main report</b>
3.1	<p>Members will recall, from the Committee meeting on 9<sup>th</sup> April 2024, that The Department of Agriculture, Environment and Rural Affairs (DAERA) recently published a consultation titled “Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI” seeking views of key stakeholders. A link to the Consultation can be found here <a href="https://daera-ni.gov.uk/consultation">Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI Consultation   Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk)</a></p> <p>At that meeting, members:</p> <ul style="list-style-type: none"> <li>• noted the contents of the consultation document,</li> <li>• agreed a workshop to formulate a Belfast City Council response on the key items within the consultation,</li> <li>• agreed to support a request via the Council Waste Forum for a time extension, in order to consider a full and proper response to the consultation.</li> </ul>
3.2	<p>Following the Committee meeting of 9<sup>th</sup> April 2024, a member’s workshop was arranged and delivered by staff from Resources and Fleet, on Thursday 18<sup>th</sup> April. The workshop was designed to gain consensus with members on the consultation response and in particular on identified key topics.</p> <p>The members workshop set the legislative backdrop to the consultation and highlighted that the main purpose of the consultation is to work towards meeting legal requirements and the statutory targets contained within the Climate Change Act (NI) 2022 and the Waste and Contaminated Land Order (NI) 1997.</p> <p>Subsequent meetings have taken place with members unable to attend the workshop on the 9<sup>th</sup> of April.</p> <p><b>Members Workshop 18<sup>th</sup> April 2024</b></p>
3.3	<p>At the workshop, six key themes arising from the consultation proposals were highlighted and presented to members for discussion and recommendations agreed. These were:</p> <ol style="list-style-type: none"> <li>1. Restriction of Household Residual Waste Capacity</li> <li>2. Dry Recyclables and Food Waste</li> <li>3. The Concept of ‘QualiTEE’</li> <li>4. Non-Household Municipal Waste (NHM)</li> <li>5. Household Recycling Centres and Commercial Waste</li> <li>6. Enforcement Measures</li> </ol> <p>The key proposals and findings for each theme are as follows:</p>
3.4	<p><b>1. Restriction of Household Residual Waste Capacity</b></p> <p><i>To restrict the residual waste capacity for households to a maximum of 90 litres per week, delivered either via a 180-litre bin collected fortnightly or a 240-litre bin collected every 3 weeks.</i></p> <p>This proposal would have the potential to:</p>

- move materials up the waste hierarchy, especially diverting from residual bin to recycling, resulting in better environmental and economic outcomes.
- make improvements to recycling rate and contributes to targets.
- deliver efficiency savings given comparative costs of recycling treatment versus residual treatment.

However, it could also lead to possible displacement of residual waste to recycling centres. Also, its success relies upon adoption of behavioural change.

The recommended responses under this theme agree with the proposal. Since 2014, Council policy has been that replacement residual bins are 180-litres capacity (Public Consultation on Waste Framework 2017/18, demonstrated a clear favour in terms of restricted bin capacity rather than reduced frequency of collection)

It is highlighted in the draft response is that the Council's exception policy should be applied – i.e. assessment carried out on household basis; 6 or more people in a household and medical waste which results in more residual waste.

It is also highlighted that the proposed implementation time frame of 2 years would be challenging and this initiative, like may others within the consultation document, would require central government financial support (containers, delivery, communications).

## **2. Dry Recyclables and Food Waste**

### **3.5 *Provide a consistent range of materials collected from every household and apartment in Northern Ireland.***

This would ensure that a common set of materials would be collected across all households and all Councils. This would avoid confusion and lead to improved consistency and quality of materials.

However, it is worth noting that approx 70,000 households are currently without a glass collection in Belfast and providing glass collection to additional households within a two-year period could prove challenging. Whilst we would be in support of the recommendation of a core set of recycling materials, the draft response highlights that the implementation period of 2 years would be challenging and would require central government financial support (containers, delivery, communications).

### **3.6 *Additional materials to be added to the core set over time, with flexible plastic packaging to be collected from households by the end of the financial year 2026/27.***

This proposal would increase the range of materials, improving tonnage and reducing waste in black bins and reduce confusion over plastics and contamination. However, there would be a need for additional resources and containers depending on the degree of separation required. It could also be problematic at properties with communal collections where space is a limiting factor.

The draft response recommends that the proposal should be accepted in principle, but the most suitable method of collection of flexible plastics should be informed by best practice/pilots such as the Flex-collect pilot in GB which will report its findings in Spring 2025. Also, the list of materials should be kept under active review, apply to all households and other items e.g. batteries and small electrical appliances could be included in the future, subject to inclusion in an Extended Producer Responsibility Scheme (EPR) which would result in the manufacturers of these items paying for the collection, treatment and disposal of these items collected from the kerbside. ***The default position for collection of dry***

3.7	<p><b>recyclables from households is in four separate streams:</b>  <b>(i) fibres (paper/card),</b>  <b>(ii) plastics,</b>  <b>(iii) metals,</b>  <b>(iv) glass separately from each other in the dry recycling collection within 2 years.</b></p> <p>It is noted that under this proposal, increased segregation at source could lead to better quality and a significant reduction in contamination delivering increased recycling rates.</p> <p>However, within our current kerbside recycling schemes in Belfast, it has been demonstrated that plastics and metals can be collected comingled without any detriment to quality.</p> <p>Significant financial and resource support from central government and external sources as EPR would be required to deliver the service changes associated with these proposals if implemented.</p> <p>The Council draft response disagrees with this proposal as plastics and metals can be collected co-mingled without degradation of quality and in addition the two-year timeframe would be extremely challenging to deliver the level of service change required as well as the requirement to secure funding resources for same.</p>
3.8	<p><b>Quality of recyclate for reprocessing is important and needs to be improved through changes to collections and clear measures should be set to describe quality. 4 options presented to be ranked.</b></p> <p>This would ensure that more secondary materials are collected, of better quality and supporting local processing, jobs and a more circular economy. It would also reduce confusion over plastics and contamination.</p> <p>The segregated, kerbside sort scheme provides quality material but requires additional crews, containers and vehicle resources, generally attracting additional costs. This also requires behavioural change/buy-in to be successful and communications are vital.</p> <p>The following is the proposed ranking order:</p> <ol style="list-style-type: none"> <li>1) Option A – “three stream” (as per 4,700 homes in Castle DEA) <ul style="list-style-type: none"> <li>• Glass</li> <li>• Paper/Card</li> <li>• Metals and plastics</li> </ul> </li> <li>2) Option C – “two stream: glass out” (as per 22,000 households in outer city on blue bin scheme with separate box for glass collection) <ul style="list-style-type: none"> <li>• Glass</li> <li>• Comingled paper, card, metals and plastics</li> </ul> </li> <li>3) Option B – “two stream: fibres out” <ul style="list-style-type: none"> <li>• Paper/Card</li> <li>• Comingled metals, plastics and glass</li> </ul> </li> <li>4) Option D – “fully co-mingled” <ul style="list-style-type: none"> <li>• Comingled glass, paper, card, metals and plastics</li> </ul> </li> </ol> <p>The draft response also notes that there should be an exemption from the regulations in order to mix plastics and metals.</p>
3.9	<p><b>Changes to bring about weekly food waste collections to all houses and apartments. Provision of free caddy liners and mechanisms used in terms of liner provision.</b></p>

This proposal could lead to the diversion of food waste from black bins. Also, increased frequency of collection tends to deliver higher capture rates. DAERA assert that separation of food and garden waste could save money in the future depending on processing i.e. changing food waste from In-Vessel Composting (IVC) to Anaerobic Digestion (AD) and having separate seasonal collection arrangements for the garden waste and treated by windrow composting at a lower cost than both in-vessel composting and anaerobic digestion. Free of charge provision of caddy liners would ensure no barriers to participating. However, there would be significant resources and money involved to move all households, including apartments, to weekly food waste collections.

The draft response agrees in principle with this proposal as WRAP studies indicate higher capture rates through weekly food waste collections. However, any time frame for implementation must take account of existing contractual arrangements which councils have in place, and which would likely delay full scale roll-out until post 2030.

The Council's draft response agrees that caddy liners should be provided free of charge with the mechanism of provision left to each individual council to determine.

Recommended rank order of collection methods for the collection of food waste would be.

1. A separate weekly collection of food waste with additional arrangements for garden waste
2. A fortnightly mixed food and garden waste collection.
3. A weekly mixed food and garden waste collection.
4. A separate fortnightly collection of food waste with additional arrangements for garden waste.

3.10

### 3. The Concept of 'QualiTEE'

***Existing legislation asserts that to achieve the high-quality recycling necessary for a Circular Economy and to ensure we can reprocess as much as possible, the core recyclable waste streams must be collected separately from each other. The exceptions to this default position are where separate collection is not Technically feasible, would entail disproportionate Economic costs, or would not deliver the best Environmental outcome.***

DAERA note that amendments to the Waste and Contaminated Land Order (WCLO) set out that any exceptions to the default separate collection position must produce recyclables of a comparable Quality. This is unique to Northern Ireland (NI). This presents an opportunity for NI to set a high standard for the UK in terms of recycling and reprocessing as well as leading the way in transitioning to a Circular Economy.

However, increased segregation generally equates to more cost (e.g., separate glass or paper/card collections). It generally results in increased collection containers at households which may prove problematical for smaller households. If implemented in full, this scenario would eventually lead to the cessation of the blue bin system as a collection method as the Council would migrate to a multi-stream collection scheme. There is a proposed exemption for separate collections of metals and plastics and Councils will be required to provide the regulator with written assessments seeking exemptions to separate collection on the grounds of technical, environmental or economic factors.

Within the Council's draft response, it is noted that the Concept of QualiTEE is new to Councils. It was not discussed in depth at Council / DAERA workshops prior to the consultation being launched and Councils therefore need more engagement on the detail to fully understand its implications.

Within the proposals Councils would have the ability to gain exemptions on collection methods under one of the four criteria. As currently understood, the QualiTEE principle appears to be quite loose and an assessment could be readily prepared seeking an exemption under one of the grounds, thus undermining one of the key aims of the policy i.e. improved quality and supporting the local circular economy Therefore, more consultation on this issue in particular is required with Councils.

Finally, there are also concerns that the QualiTEE principle will be used as a measurement for the packaging Extended Producer Responsibility (pEPR) payments. However, as the QualiTEE principle is 'unique' to NI there are uncertainties and concerns as to how this will be applied when NI Council performance is benchmarked against GB counterparts when it comes to the EPR payments scheme. The Council's draft response seeks to draw this concern to the attention of the regulator.

3.11

#### **4. Non-Household Municipal Waste (NHM)**

The main proposals for Non-Household Municipal Waste covers Waste that is not generated by households but is similar in composition to waste generated by households. It covers waste generated by businesses and industry (including Belfast City Council) but there are exemptions. Many of the themes mirror those of household collections and include:

##### ***Proposals for segregation as per household collections***

- ***Segregation of residual and dry recyclables***
- ***Collection of Flexible plastic***
- ***Food waste – revisions to Food Waste Regulations 2015***

##### ***Anaerobic Digestion to be the preferred treatment method for separately collected NHW Food Waste***

##### ***Proposals to review and investigate options to support NHW sector (incl. Waste Zoning)***

The response is generally in favour of the proposals as they would ensure consistency between what people recycle at home, work and school etc. There is a strong potential to increase both the quality and quantity of recycling services if there were stronger controls on Non-Household Municipal Waste. In addition, the proposals support the core principles around the Circular Economy. Other upcoming legislation around Digital Waste Tracking will include NHM in data reporting and align the reporting of waste by businesses to the same standards of household waste reporting.

It is recognised that there may be barriers for businesses, e.g., timelines, storage, practical solutions, operational issues, contractual issues, costs, communications, staff training, contamination and carbon impact.

The proposals could have implications for Belfast City Council as a commercial waste collector, Written assessments would be required regarding the management of waste generated by MHM. There could be operational constraints (containers, vehicles, contracts, resources etc.). Notably there may be changes to charging mechanisms as Belfast City Council currently charge by volume and this may have to change to charging by weight. This might affect both commercial kerbside collections and any commercial waste presented at Household or Commercial recycling centres, subject to the proposals being implemented.

Although the response is generally in favour of many of the proposals it also highlights concerns for the Council both as a producer and carrier of Non-Household Municipal Waste, the timeframes envisaged for change, implied costs for infrastructure and the need for much greater NHM sector engagements.

In some areas such as waste zoning and exception arrangements, the response states that the proposals require more detail.

3.12

### **5. Household Waste Recycling Centres (HWRC) and Commercial Waste**

***To establish commercial waste, bring sites and/or to increase access to HWRCs for businesses, public bodies and other organisations to encourage more recycling and better waste management.***

This proposal would be of benefit for smaller organisations without formal waste collection arrangements or companies with limited storage space to demonstrate environmental credentials.

The draft Council response disagrees with this proposal as it stands in relation to the current HWRC sites and infrastructure due to the current capacity and location of the sites. It would be possible to agree on separate commercial waste sites as measurement and charging on these sites could be controlled, but any additional sites must be properly funded. Given the current legislation, shared sites remain open to abuse by commercial operators declaring that the waste is household waste and therefore non-chargeable. Legislative change is required so that the Council can determine which waste arriving at a HWRC is commercial and therefore chargeable.

It is unclear at this stage whether additional commercial waste will necessarily increase recycling rates at sites as commercial operators could dispose of residual as well as recycling waste. In the absence of legislative change, tailored administration solutions would be required (fair use policy/tonnage restrictions, permit systems, booking systems) It is clear that the proposals, if adopted, could significantly increase costs to Council without proper charging mechanisms. It is clear that this NHM Waste will inevitably need to be measured and tracked.

3.13

### **6. Enforcement Measures**

***Through collaboration with Councils, we will set out proportionate and robust guidelines for compliance and enforcement that enable Councils to enhance their waste and recycling services (Article 21 - Waste and Contaminated Land Order)***

***Amendments will be made to Article 5 of the Waste and Contaminated Land Order 1997 to ensure compliance with the post-consultation requirements to segregate a core set of dry recyclables and food waste by obligated businesses and the wider NHM sector.***

The Council's response agrees in principle with the proposals. Council invests considerable resources in encouraging residents to do the right thing and recycle correctly. However, there are limited options in terms of enforcement when repeated non-compliance is encountered.

Domestic Fixed penalty notice amount of £200 was thought to have been acceptable but should be reduced if paid sooner. Likewise, a Commercial Fixed Penalty Notice

	<p>amount of £700 was seen as acceptable but reduced if paid sooner. Taking members comments on board the response will emphasise that FPNs should be a measure of last resort. To ensure consistency it is recommended that DAERA introduce guidance that will support enforcing authorities to meet their statutory obligations. It is anticipated that should these enforcement actions be the responsibility of Councils; additional resources will be required to meet these obligations.</p> <p>DAERA recognise that there is a responsibility on the NHM waste sector to step up and play their part and not leave the heavy lifting to residents only. The environmental targets will not be achieved without the full participation of the NHM waste sector.</p> <p><b>3.14 Regional responses</b></p> <p>In addition to the BCC response, Council Officers have attended meetings organized by arc21 and NILGA/Council Waste Forum in May 2024 to inform coordinated responses by those organisations. Because of the differing approaches to collections and the management of waste by the eleven separate councils the proposed responses are generic, and some questions / proposals will not be responded to as there was no consensus from the participant councils. This proposed response sets out the Belfast position in respect of this consultation.</p> <p><b>3.15 <u>Financial and Resource Implications</u></b></p> <p>The outcome of the final consultation may result in changes to how the Council will collect and manage its waste both from a household and non-household waste perspective. As such there will be financial implications both in terms of capital and revenue. The response highlights these issues and requests that this cost of change is fully supported by DAERA and other external sources such as EPR.</p> <p><b>3.16 <u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None</p>
<b>4.0</b>	<p><b>Appendices – Documents Attached</b></p> <p>Appendix 1 - Belfast City Council’s draft response to DAERA’s public consultation “Rethinking Our Resources: Measures for Climate Action and a Circular Economy.”</p>