
Report To	Safe Sustainable Communities Committee	Date	8 March 2011
Report By	Corporate Director Regeneration and Environment	Report No	SSC/ENV/IM/11.74
Contact Officer	Kenny Lang	Contact No	5906
Subject	Scottish Government Consultation on the proposed Zero Waste (Scotland) Regulations 2011		

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Committee of the Scottish Government Consultation on the proposed Zero Waste (Scotland) Regulations 2011.

2.0 SUMMARY

- 2.1 The Zero Waste Plan, published on 9 June 2010, set out the strategic direction for waste policy for Scotland and proposed 22 actions to be taken to deliver it. The consultation covers 3 of those actions relating to the introduction of regulatory measures to increase the types and collections of materials, restrictions on certain types of materials going to landfill and restricting inputs of certain materials for use in Energy from Waste.

The Consultation period closed on 28 February 2011, a copy of this report has been submitted to the Corporate Management Team and the Scottish Government have received a response subject to committee approval.

- 2.2 The Consultation document has 5 discrete parts and proposes two new Statutory Instruments to deliver the objectives of the Zero Waste Plan.
- 2.4 The consultation poses 14 questions and a draft response has been prepared on behalf of Inverclyde Council (Appendix 1).
- 2.5 There will be cost implications for the Council from a service delivery perspective in terms of collection, treatment and disposal of waste, and also for our internal users such as Education and Social Work in respect of the requirements to segregate waste under the revised Duty of Care. This will be in addition to the extra costs resulting from increases in taxation already being applied relative to waste disposal.

3.0 RECOMMENDATIONS

- 3.1 It is recommended:
1. that the Committee note the contents of this report and feed back any comments to officers; and
 2. That it be remitted to the Head of Environmental and Commercial Services to undertake a comprehensive best practice review of the waste management services and report to the Committee in respect of the most beneficial options for delivering the levels of recycling and diversion under the proposed legislation.

Ian Moffatt
Head of Environmental and Commercial Services

4.0 BACKGROUND

4.1 The European Union Waste Framework Directive imposes a number of obligations on Member States including the a requirement to develop waste management plans.

4.2 In response to this, Scotland developed the Zero Waste Plan in June 2010. This Plan sets out the Scottish Government's vision for waste and includes a number of measures aimed at reducing the quantities of waste produced and also of that going to landfill.

4.3 The Zero Waste Plan goes beyond the scope of the Waste Framework Directive and imposes higher targets than those required under the Waste Framework Directive (Appendix 2).

5.0 CONSULATION DOCUMENT

5.1 The Scottish Government intends to meet a number of the actions identified through the Zero Waste Plan by introducing the Zero Waste (Scotland) Regulations. These new regulations cover the following actions identified within the Zero Waste Plan:

- require source segregation and separate collection of specified waste materials;
- restrict input to landfill (effectively banning materials which could be re-used or recycled or which could be used to produce energy); and
- restrict inputs to energy from waste facilities (effectively banning materials which could be re-used or recycled).

5.2 A consultative document has been prepared covering 5 discrete parts

- The Consultation Document;
- Draft Regulations
- A revised Code of Practice on The Duty of Care;
- Guidance on waste material allowed into Energy from Waste Facilities; and
- Guidance on the banning of waste materials going to landfill.

5.3 The consultation proposes two new Statutory Instruments to deliver the objectives of the Zero Waste Plan

- Zero Waste (Scotland) Regulations 2011; and
- Environmental Protection (Duty of Care) (Scotland) Regulations 2011

6.0 DRAFT REGULATIONS

6.1 The Consultation considers the following proposals which will impact on Local Authorities, waste contractors, businesses, households and SEPA

Source Segregation and Collection- Businesses

Duty of Care on all waste producers (other than householders) to require source segregation glass, metal, plastic, textile, paper and card for collection separately from all other wastes.

A requirement on undertakings involved in food production (food manufacture, canteens, kitchens, schools, restaurants and supermarkets) to source segregate food waste.

A requirement on Waste Carriers to Collect and carry source segregated recyclable

materials separately from other wastes, and to provide a suitable collection service to their customers.

Source segregation - Household Waste

A requirement for Scottish waste collection authorities to take all technically, environmentally and economically practicable measures to provide separate storage, collection, and carrying of the listed recyclable materials to households.

A requirement for Local Authorities to arrange the separate storage, collection of food waste.

Amendment of Waste Management Licenses and Pollution Prevention Control Permits

Waste Management Licenses and Pollution Prevention Control Permits (PPC) will be amended to prohibit the mixing of separately collected wastes with other waste where such mixing would hinder future recycling.

PPC permits will also be amended to ensure that only “residual waste” (i.e. waste which has undergone all practical attempts to recyclable material) can be used for incineration.

7.0 DUTY OF CARE - A CODE OF PRACTICE (CoP)

7.1 The revised duty of cares identifies a number of key issues for persons who produce, collect, manage or treat waste and underpins some areas of the Draft Regulations, this would include Council offices, schools and halls. Some main changes to the revised document are

- Requirements on Waste Producers (other than households) separate recyclable materials;
- Requirements on businesses or organisations (schools etc) which carries out activities consisting of food production, food retail or food preparation to present food waste for collection separately from other wastes;
- Obligations on Waste Carriers (including Local Authorities collecting commercial waste) to collect source segregated recyclable materials separately from other wastes;
- Obligations as a Waste Managers (including Local Authorities) to restrict materials that can be landfilled and to restrict inputs of residual waste for thermal treatment;
- Duties on Waste Exporters clarifying what waste can be exported for recovery and banning the export of waste for disposal; and
- Obligations on Householders to ensure that any waste produced by them is only passed on to a registered waste carrier.
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8.0 AMENDMENTS TO PPC PERMITTING SYSTEM

8.1 Controls on the materials to be used as Energy from Waste (EfW) will be introduced and limited to:

- residual wastes. - wastes which have been subject to all reasonably practicable efforts to extract recyclable materials prior to incineration or co-incineration, and
- other suitable waste types e.g. treated wood, sewage sludge and waste oil.

8.2 Transitional arrangements will apply to existing EFW plants but this is not spelled out in the document.

9.0 LANDFILL BANS

9.1 The Consultation identifies landfill bans as follows

- A material based landfill ban on the landfilling of food; glass; metals; plastics; textiles; paper; and card /cardboard (only where they are source segregated as part of the new duty on waste producers or by householders); and
- A measurable property ban based on biodegradable content

Unsorted waste (i.e. black bags, litter bin waste) is not specifically banned from landfill, however, after 2017, waste sent to landfill will have a measured biodegradable content and waste should not exceed that content. This minimum content will be determined through further consultation.

10.0 TIMESCALES

10.1 Timescales for implementation of the proposals are included in the consultation

2013: Requirement to segregate listed recyclables
Requirement to segregate food waste

2015: Landfill ban on source segregated recyclables
Landfill ban on source segregated food waste

2017: Biodegradability ban for organic waste

11.0 IMPACTS AND IMPLICATIONS OF PROPOSED REGULATIONS

11.1 Segregated Recyclable Material

The proposals will require the collection of recyclables both from householders and also our commercial waste customers. The Waste Framework Directive allows for these materials to be collected through recycling points and the Scottish Governments proposals exceed that.

The Council currently collect the majority of listed materials through our recycling scheme from around 80% of households in Inverclyde. The Council do not however provide a segregated collection of Glass currently. The Council also only offer a limited recycling service to around 100 commercial waste customers predominantly for cardboard.

11.2 Food Waste

The draft regulations will require separate door to door collections of food waste from households and food producing businesses or organisations. This is a departure from the Scottish Governments previous stance which indicated that co-mingled food and garden waste would be acceptable.

The stance adopted by the Scottish Government does not include garden waste as a source segregated material. This material provides a large diversion of waste from landfill within Inverclyde amounting to almost 7.5% of our recycling performance.

11.3 Biodegradability ban for organic waste

It is considered that longer term to meet the biodegradability ban, the Council will require to pre-treat litter bin waste, sweepings, gully waste to reduce the overall bio degradable content of this material. The regulations do not make it clear how this will be achieved and have suggested minimum limit of 3% which have to be agreed and a regime for monitoring and testing to be implemented.

11.4 There are several implications in respect of the Draft Regulations:

- The non segregation and control of recyclable waste and food waste will be a Criminal offence under the Duty of Care punishable by a fine and/or imprisonment;
- Councils will have a Duty to provide separate collections of listed materials;
- It will be an offence to pass on source segregated waste for disposal;
- It will be an offence to classify any waste as residual which has not undergone any mechanical pre-treatment ; and
- It will be an offence to incinerate anything other than newly classified residual waste.

11.5 To comply with the requirements of the draft Regulations it is envisaged that the Council would require to:

- Provide a glass collection scheme for householders;
- Provide a segregated food waste collection to householders and business generating food waste (including all Council premises schools etc);
- Provide a segregated recyclable waste collection to businesses (including all Council premises schools etc); and
- Reduce the biodegradability of waste going to landfill, including treatment of sweepings and gully waste.

It should be noted that a budget pressure was included as part of Inverclyde Council's 2011/13 Revenue Budget presented to full Council on 14 December 2011 in respect of the separate collection of food waste from householders.

11.6 It is likely that the Council will require to undertake a significant routing exercise and possibly increase the number of rounds to accommodate the source segregation of material from both domestic and commercial customers. It is possible that some of these services may be offered in tandem (e.g. a combined glass collection service to households and business or integrating the domestic collection of recycle with a business recycling collection)

11.7 Officers will undertake a Best Value exercise considering the various options to minimise the financial impact of the proposed legislation and maximise the opportunities for increasing recycling levels. The review will consist of:

- A best practice review of available collection and treatment systems;
- Maximising existing asset utilisation including vehicles and MRF facility; and
- Opportunities to generate business.

11.8 It is considered likely that the future cost of service delivery in terms of waste management will increase, this will directly impact on the Councils waste management charges and will increase costs to our internal customers such as Schools and Social Work.

RESPONDENT INFORMATION FORM

Regulations to Deliver Zero Waste – A Consultation on the Proposed Zero Waste (Scotland) Regulations 2011

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name/organisation:

Postal Address:

1. Are you responding: (please tick one box)

(a) as an individual (go to Q2a/b and then Q4)

(b) on behalf of a group/organisation (go to Q3 and then Q4)

Individuals

2a. Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government website)?

Yes (go to 2b below)

No (We will treat your response as confidential)

2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis: (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

On behalf of Groups or Organisations

3. The name and address of your organisation will be made available to the public (in the Scottish Government library and/or on the Scottish Government website).

Are you also content for your response to be made available?

Yes

Sharing Responses

4. We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so.

Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?

Yes

No

Please return this information form with your comments by 28 February 2011.

Your comments with this form may be sent by post, e-mail or fax to:-

Postal address: Zero Waste Delivery Team
Scottish Government
Area 1-H
Victoria Quay
Edinburgh EH6 6QQ

E-mail: EQCAT@scotland.gsi.gov.uk

Fax: 0131-244 0245

Regulations to Deliver Zero Waste

A Response to the Consultation on the Proposed Zero Waste (Scotland) Regulations 2011 by Inverclyde Council

Q1 – Are there any other materials or waste streams which should be included in these requirements to sort and collect separately?

A1:

Garden waste;

The consultation document makes reference to the source segregated collection of food waste in a dedicated container.

However within the document no reference is made to the source segregation of organic garden waste despite the overall inclusion of a ban on biodegradable waste and limitations that any waste sent to landfill must have a biodegradable content of less than 3%. A number of Local Authorities are now undertaking co-mingled food and organic garden waste collection. The draft regulations would render this approach as non compliant. If this is the case and Councils are required to undertake food only waste collections, a number of authorities may opt to stop the collection of organic garden waste and continue to use existing resources and infrastructure on the collection of source segregated collection of food waste. The regulations should clarify the approach to be taken in dealing with organic garden waste and whether this is allowed to be collected along with food waste.

Q2 – Food waste is required to be presented in a dedicated container. Are there any other recyclable materials which should be sorted and presented separately for collection in a dedicated container?

A2:

If the regulations are not redrafted organic garden waste would require to be separately collected. Please refer to A1 above.

Glass (post consumer)

In addition to glass collection at bring sites emerging technologies for post collection separation of co-mingled household waste appear to be successfully providing high quality glass recyclate in a very cost effective manner and therefore consideration should be given to this option within the proposed regulations.

Q3 – Do consultees have any comments on the new draft Duty of Care Code of Practice?

A3:

The Duty of Care Code of Practice (CoP) only applies in Scotland. Where material can be exported to a facility out with Scotland the CoP will have no legal bearing and would therefore not be enforceable. How would the Scottish Government enforce the CoP where there is a possibility that Local Authorities are non complying through the cross border transportation of materials?

Again there is a lack of consistency regarding textiles – included in the list but not in the text.

The CoP covers food waste and other recyclable materials however it does not address the issue of organic garden waste.

Waste arisings vary in composition and we would question the applicability of a season ticket taking into regard the compositional changes which occur.

Waste carrier/collectors '*must provide a suitable service which supports those customers who have a duty to segregate at source.*' This provides a significant on-cost to the Councils and food producing companies in respect of food generated at source.

From our understanding, these premises will require to present food in a dedicated waste container. The general design and layout of many shopping streets and premises in Scotland do not adequately allow for waste storage in its present format let alone source segregated waste. Larger food production companies may also have in-house facilities for dealing with such waste and the CoP needs to be clear on how these facilities will be treated.

There needs to be clear definition given on the key terms in the regulations to clarify what is meant by:-

1. Unreasonable
2. Technically, environmentally or economically practicable

There requires to be detailed clarification in relation to the enforcement of key aspects of the proposed new Regulations. The proposals that SEPA would take on the sole regulatory role for the Duty of Care legislation does not work when considering the requirement for speedy resolutions in a local context. Given SEPA's more centralised role and the requirement for a more localised reactive approach it would be prudent to devolve those more localised regulatory functions (e.g fly tipping inspections, regulations and inspection of local businesses) to Local Authorities.

This approach would be more in keeping with the risk assessment based regulatory system proposed under the Hampton Review and would ease the regulatory burden on SEPA in terms of both size and scope of regulatory activity.

Q4 – Do consultees consider that Government should mandate more specifically what actions waste collection authorities must take to improve recycling of waste from households? If so, what are they?

A4:

Areas to consider would be

- Simplification across councils of collection systems using best practice evidence to support this.
- Standardisation of procurement in respect of treatment

There is a benefit in this approach from the Scottish Government as this would provide a more uniform and consistent method of collection across the whole of Scotland. This supports the Governments objectives of and Waste Strategy and supports the work undertaken in respect of inter Council joint working arrangements.

Potentially such uniformity and consistency would simplify procurement arrangements however there are issues relating to both Capital costs and ongoing revenue costs where Councils existing infrastructure does not fit with the one being presented. Varying cost bases would also need to be factored in to ensure that some Councils with and existing low cost would not be required to increase costs to meet standardisation with other authorities. More consideration needs to be given to lead in times to support and assist in the transition from current arrangements to new methods of treatment where required.

Q5 – What additional measures, if any, should Government consider in order to oblige householders to recycle?

A5:

Significantly Scotland does not have or require major retail outlets/supermarkets to have in place any take back schemes, these are widely used in Europe and have been recognised to deliver good levels of participation.

A more standardised approach to recycling may also help in what can be recycled/composted. A lot of people commute out with their own local authority boundaries to work where that council will have different service arrangements to their own at home.

It may be an un-popular suggestion; however a harder stance on contamination and presentation may be required. This form of monitoring has been extremely successful in Stirling Council. A scheme of Fixed Penalty Notices more closely aligned to those in place in England under the Section 48 of the Clean Neighbourhoods and Environment Act 2005 could also be introduced with the proviso that this is linked by education and support measures for householders and used as a last resort.

Q6 – Do consultees agree that banning the listed materials accompanied by a requirement to sort; will be effective in achieving high recycling rates? If not, what additional or alternative measures could be adopted?

A6:

Section 8.3 of the consultation states: *'The ban does not, by itself, increase levels of recycling for these key materials.'*

Banning material of this sort will not generally be recognised by the general public. Where bans of a similar nature have come in the onus has been put back on the producers of the actual product i.e. WEEE Compliance Scheme; Battery Take Back schemes, Scrap Cars etc. Perhaps more of a shift towards the retail consortium would be of more benefit.

Similarly a more targeted and detailed communication strategies should be developed informing the public what is required. The high end emphasis towards waste minimisation and non production appears to have been eschewed in favour of landfill bans and recycling targets. There is an inherent conflict between minimisation and high levels of recycling. The policy should focus on waste minimisation as a primary waste objective.

Q7- Do consultees consider that banning the listed materials accompanied by a requirement to sort will help support investment in the infrastructure require to achieve high recycling rates?

A7:

No. The infrastructure requirements are in place to meet the medium term targets, however these are largely centred around a number of merchant facilities geared up to deal with comingled and source segregated dry recyclates. Increasingly these facilities deal with Commercial and Industrial waste recycling with MSW as a bolt on to their operations.

The Consultation document makes reference that dry recyclate materials removed from unsorted waste, (i.e. black bag waste), will not be of an acceptable quality for end users. In some respects this is contradictory to the requirement to sort out this material prior to any use of the final feedstock for EfW; the question then arises as to what infrastructure would be suitable for this material given the constraints identified. The approach taken would seem to exclude Mechanical Biological Treatment (MBT) in favour of Mechanical Heat Treatment (MHT).

An opportunity exists to develop district heating schemes linked to the EfW strategy which will provide low cost sustainable heating should be explored further. Given the rising costs of fuel and energy, the development of infrastructure for these schemes would assist and enhances the Scottish Governments Fuel Poverty Strategy.

Infrastructure in terms of AD facilities, particularly in the Clyde Valley area appear to be well established and this is coupled with the number of planning permissions currently being submitted, or recently approved, would suggest that there may be no immediate requirement for additional facilities of this type.

Overall it is likely that the major infrastructure will be developed by merchant facilities, possibly at a higher gate fee than that which would be developed by Local Authorities due in part to the increased risk of achieving higher standards of recycling. The community benefits of such infrastructure may be minimised as facilities opt for increased mechanisation and profits generated being diverted to head offices. Issues around the term of contract and reliability of newer technology need to be bottomed out.

Q8 – What pre-treatment do consultees consider necessary in order to ensure that only residual waste is managed in EFW facilities?

A8:

A number of pre-treatment options are available such as (Mechanical Biological Treatment) BMT or Mechanical Heat Treatment (MHT)/Autoclave. However the quality of the resultant “recyclate” from each is vastly different and would suggest that MHT would be the more beneficial process based on quality recyclate alone.

It should be noted though that this is not the designed intention of MHT/Pyrolysis plants, and has largely been used in the past as a preparation stage for further thermal treatment. It is also the case that the processes in themselves require material of a higher calorific value (paper, plastics etc) to work effectively. This further adds to the treatment process at the front end and increases the overall operating cost.

Q9 – Do consultees agree that this is an appropriate measure to prevent over-provision of residual waste management infrastructure?

A9:

Infrastructure will be largely directed by waste management contracts and led more by inter Council arrangements and commercial requirements. The measures therefore will be largely dependant on the location of facilities, customer demand, and whether the facilities are merchant operated or local authority owned.

If contracts are not let with sight to this, there is a danger of over-capacity being created through the merchant side.

Q10 – What single stream waste, such as contaminated wood, do consultees consider appropriate for EFW?

A10:

The question pre-supposes that maximum value has been achieved through the removal of recyclate. There could be occasions when market conditions may make a commodity with high calorific value, worth more as a feedstock for EfW. The draft regulations do not allow for this level of flexibility and could result in such material not being separately collected and landfilled as an alternative.

Q11 – Scottish Government intends that the EFW restrictions will apply immediately to any new installation. What transitional period should be allowed for existing EFW installations to comply with the regulations?

A11:

The type of facility is reliant on the composition of the feed stock. If that is going to be constantly changing over the next 10 years or so it will be very hard to design and build a facility to operate at optimum capacity with a changing feedstock. This will be even more challenging for existing facilities.

The facilities based at Shetland and Dundee should be allowed to continue to operate until such time that the Government fund any transitional improvements and testing to ensure that the feedstock is suitable for use within the facilities.

Q12 – Do consultees consider that the lead-in times for the bans are reasonable?

A12:

The bans will only be achievable if the correct infrastructure is in place to deal with the waste. These bans then require that all the relevant procurement planning permissions, consents and licenses are granted in a timely fashion and allow for a practicable design and build time. Experiences have shown that significant delays can occur particularly in respect to the granting of licenses, consents and planning.

A number of Authorities will not be procuring any infrastructure until well beyond the time after the Regulations have been published, 2011. Even if all authorities were to procure in 2011, the timescale of 6 years is at odds with the research undertaken by Eunomia Consulting and specifically referred to within the Consultation paper which indicates a timescale of between 7 to 10 years.

There is insufficient evidence to support the proposed regulatory measures which allows Councils and infrastructure providers any degree of comfort that a quantitative risk analysis has been undertaken. It is highly unlikely that any merchant facility would tender on the basis of fully undertaking a contract to design, build and operate a facility which would comply with a biodegradability ban including all necessary consents in 6 years.

Therefore some form of derogation should be developed to assist in the transition from current practice to the introduction of new treatment plants etc to comply with the proposed regulations.

Q13 – What best method do consultees consider should be used to assess the level of biological activity?

A13:

It is unlikely that any test method dealing with the waste mix would be consistently accurate; a sample of operating facilities should be taken and used as a bench mark against which other facilities could be measured.

Taking into account that testing will be undertaken the details of testing would require reference to agreed and accepted testing methodologies.

This question again makes the assumption that a Total Organic Carbon content of 3% could be achieved and by implication that there is a testing methodology which supports this approach and that there is reliable data available to demonstrate that biodegradability bans are in place and working (backed up by methods to assess biological activity).

Q14 – Do consultees have any other comments?

A14:

Timeframes

While it is clearly advantageous to have deadlines in place it is considered that the delivery timescales are at least very challenging and potentially unachievable should refer closer to the research cited by Eunomia.

Clarity and Interpretation

The proposed regulations extend the scope of the Revised Waste Framework Directive and in parts make some contradictory statements.

The document states that *'Unsorted waste must be pre-treated to extract any materials which can be cost effectively recycled.'*

While the document also states that *'it is unlikely that textiles, paper, and card and organic biowastes can be separated from mixed waste in such a way that the quality of the material will be acceptable to end users.'*

The reference to a 3% maximum of Total Organic Carbon going to landfill presupposes that this is currently being achieved and the consultation then goes on to ask how the organic content can be measured, it is considered again that the figures stated should be based on data which has a robust

From the materials listed that only leaves glass, metal and plastics. The document also stated that the quality of glass sorted from mixed waste is likely only to be suitable for aggregates. This is not a true and a number of merchant facilities have shown that recycling this material is both achievable and acceptable to end markets.

Waste descriptions are wide ranging and are subject to opinion, plastics cover a wide range of materials not all of which can be collected or are acceptable at re-processors. Similarly paper covers a wide range of products. Some "paper" products have no market value and including them in a consignment may reduce the overall value of that load. It is therefore unclear as to whether the quality and quantity issue are balanced. Clearer and more comprehensive descriptions of what glass, paper, card, metals, plastics etc is therefore required.

Similarly centralised bring points for some materials would achieve the aims of the WFD and can achieve high yields at a lower cost than door to door collections. Maintaining a segregated collection for glass as an example would be costly and the option to collect glass co mingled lowers the value at the processors. The move to individual collections should therefore be a measure for Councils to consider as part of a best value option.

Guidance in respect of technology options should also be provided under Best Available Technology or Best Practicable Environmental Option and clearly identify the applicability to each waste stream.

Greater clarity therefore required to ensure that there is a uniform approach and interpretation of the proposed regulations across Scotland.

Costs

While it is encouraging that Scotland have an ambitious vision, this must be balanced with the current financial situation faced by not only Councils, but the market overall and the availability of large scale investment in infrastructure.

There is a question throughout the document as to the overall Best Value obligations for Council's, given the move towards more kerbside collections. If there is no opportunity for Councils to consider alternatives to the kerbside schemes there is at least an opportunity for a fully developed integrated waste management systems across local authorities which is more uniform than the current disparate collection methods being provided.

The regulations are also being released at a time of great financial uncertainty. To implement fully the changes the Scottish Government are stating will take huge capital investment from both the public and private sector.

The current collection infrastructure is largely supported through the bids through the former Strategic Waste Fund and in some respects by the avoided landfill costs. It is unlikely that these in themselves will be sufficient to provide additional services as may be required. Therefore unless the Scottish Government is committed to providing financial backing it will be difficult to implement.

Land Fill Allowance Scheme

The Scottish Government should revoke the Landfill Allowance Scheme at the earliest opportunity to provide clarity and to allow Councils where appropriate, to invest the resources already accrued to meet outstanding liabilities resulting from the scheme.

Summary

Inverclyde Council welcomes the opportunity to comment on the proposed Zero Waste Regulations and supports the values which are contained in the Zero Waste Plan. The Plan leads from and further develops the revised Waste Framework Directive and in doing so makes the changes proposed hugely challenging and ambitious.

The adoption of the regulations will impact not only on the Local Authorities and the private waste sector but also across every household throughout Scotland.

At the treatment end Councils need to be assured that the technologies can consistently meet the diversion levels and that markets will be available for the wider range and increased quantities of commodities being presented.

APPENDIX 2 – ZERO WASTE PLAN TARGETS

Target/Cap	Year	Derivation
40% recycling/composting and preparing for re-use of waste from households. ¹¹	2010	Scottish Government target.
No more than 2.7 million tonnes of biodegradable municipal waste to be sent to landfill. ¹²	2010	Article 5(2) of the EU Landfill Directive. ¹³
50% recycling/composting and preparing for re-use of waste from households ¹⁰	2013	Scottish Government target.
The preparing for re-use and the recycling of 50% by weight of waste materials such as paper, metal, plastic and glass from household waste and similar.	2020	Article 11(2)a of the EU Waste Framework Directive. ⁵
No more than 1.8 million tonnes of biodegradable municipal waste to be sent to landfill. ²	2013	Article 5(2) of the EU Landfill Directive. ³
60% recycling/composting and preparing for re-use of waste from households. ¹⁰	2020	Scottish Government target.
No more than 1.26 million tonnes of biodegradable municipal waste to be sent to landfill. ²	2020	Article 5(2) of the EU Landfill Directive. ³
70% recycling and preparing for re-use of construction and demolition waste. ¹⁰	2020	Article 11(2)(b) of the revised EU Waste Framework Directive. ¹⁴
No more than 5% of all waste to go to landfill.	2025	Scottish Government target
70% recycling/composting and preparing for re-use of all waste by 2025.	2025	Scottish Government target.