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**Report to Clackmannanshire Council**

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**Date of Meeting: 8th March 2012**

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**Subject: Zero Waste Strategy 2012-2022**

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**Report by: Head of Facilities Management**

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**1.0 Purpose**

- 1.1. A new Zero Waste Strategy is required to address the legislative and policy changes introduced by Scotland's Zero Waste Plan and the forthcoming Zero Waste (Scotland) Regulations expected in May 2012. The content of the regulations has been made widely available in draft form with a policy statement on the regulations published by the Scottish Government, therefore no significant changes to the final regulations are expected before enactment in May 2012.
- 1.2. This report introduces a public consultation designed to inform the preparation of a new Zero Waste Strategy for 2012-2022.

**2.0 Recommendations**

- 2.1. It is recommended that Council:
- (a) approves a public consultation exercise in order to formulate a new Zero Waste Strategy on the basis of the appended Main Issues paper and
  - (b) requires a further report on the resulting Zero Waste Strategy for Clackmannanshire be brought back to a future Council meeting.

**3.0 Considerations**

- 3.1. In Scotland's Zero Waste Plan, launched in 2010, the Scottish Government committed to produce a set of regulations that would help deliver its zero waste policy.
- 3.2. Zero Waste is described in the vision of the Zero Waste Plan as "a Scotland where resource use is minimised, valuable resources are not disposed of in landfills, and most waste is separated into separate waste streams for reprocessing, leaving only limited amounts of waste to go to residual waste treatment, including energy from waste facilities."

- 3.3. The proposed Zero Waste (Scotland) Regulations will fulfil part of that commitment and give statutory backing to many of the actions in the Zero Waste Plan contributing to compliance with the revised EU Waste Framework Directive 2008/98/EC (rWFD) and Scotland's ambitious climate change agenda.
- 3.4. The Council has a statutory duty to comply with the waste hierarchy set out in Article (4) of the rWFD by virtue of the Waste Management Licensing (Scotland) Regulations 2011, Schedule 4, that effectively that translates the rWFD into Scots law.
- 3.5. The waste hierarchy ranks the preferred options for dealing with waste as firstly prevention, then re-use, recycling, recovery of value (energy) and finally disposal.
- 3.6. The proposed Zero Waste (Scotland) Regulations will add to the obligations upon the Council to comply with the waste hierarchy by modifications to the Environmental Protection Act 1990 on how the Council discharges its functions as Waste Collection Authority and Waste Disposal Authority.
- 3.7. The Zero Waste (Scotland) Regulations will introduce new duties upon waste producers, collectors and those who treat controlled waste. The key legislative proposals are:
- i) Landfill bans including biodegradable waste by 2020.
  - ii) A new duty upon councils to separately collect paper and card, plastic, glass and metals from both households and businesses.
  - iii) A new duty upon councils to introduce household food waste collections, introducing the service by 2013, and completing its roll-out by 2015, in all except the most sparsely populated areas of Scotland.
  - iv) A new duty upon businesses to sort their waste prior to collection into glass, metal, plastic, paper and card, and food waste by 2013, with small businesses having until 2015 to separate out their food waste.
  - v) A ban on sending materials collected for recycling going to landfill or to incineration and a requirement not to mix these materials once collected.
  - vi) A requirement for councils to make public reports about what happens to their collected and recycled household waste.
  - vii) New criteria for waste acceptance at energy from waste facilities (incinerators) to prevent recyclable waste being burned as fuel when it should be recycled.
- 3.8. With the exception of food waste collections, Clackmannanshire is well positioned to meet most of the new requirements of the Zero Waste (Scotland) Regulations in the short term.
- 3.9. The Zero Waste (Scotland) Regulations will require the Council to introduce household food waste collections.
- 3.10. To meet the challenge of future waste targets it will be necessary to update the Council's waste management strategy to ensure the Council is prepared for;

- i) 50% recycling/composting by 2013
  - ii) 60% recycling/composting by 2020
  - iii) 70% recycling/composting by 2025
  - iv) Not more than 5% of all waste to landfill by 2025
- 3.11. The targets i), ii), iii) above will be measured using a new Carbon Metric and not simply by tonnes of waste recycled to align the measurement of waste management closer to climate change impacts.
- 3.12. The new duties and burdens proposed in the Zero Waste (Scotland) Regulations will require adaptation of services provided by the Council to:
- i) ensure the highest level of participation and compliance by householders with recycling services
  - ii) introduce food waste collection to households and commercial waste producers
  - iii) ensure that future procurement of residual waste treatment will provide the Council with the performance necessary to achieve the 2025 target of not more than 5% waste to landfill.

#### **4.0 Consultation**

- 4.1. Officers from Clackmannanshire Council and Falkirk Council are jointly working with Zero Waste Scotland, the Zero Waste Plan delivery body of Scottish Government, to make preparations for the joint development of a new Zero Waste Strategy, including public consultation and Strategic Environmental Assessment of the strategy.
- 4.2. A Joint Main Issues Paper, Appendix 1, has been prepared to assist the consultation and engage with stakeholders on the development of this new Zero Waste Strategy.
- 4.3. Although the consultation and strategy will be jointly developed by officers from Clackmannanshire and Falkirk Councils, each Council will receive its own Zero Waste Strategy for approval in 2012.
- 4.4. Joint working in waste strategy development has historically proven beneficial to the Council. From the inception of the Forth Valley Waste Plan that secured Strategic Waste Fund grant, Clackmannanshire Council has been rated as one of the highest performing councils in recycling and waste management.
- 4.5. Further assistance from Zero Waste Scotland is underway developing a Clackmannanshire Council food waste business case based on introducing food waste collections to households. This business case will seek to secure maximum government funding for the introduction of household food waste collections.
- 4.6. Additional funding opportunities for public engagement are also being undertaken with Zero Waste Scotland in relation to public engagement to improve participation with the Council's recycling services.

## **5.0 Conclusion**

- 5.1. The Zero Waste (Scotland) Regulations will introduce new burdens and duties upon the Council and the wider Clackmannanshire community. To meet this challenge requires consultation in advance of the development of a new Zero Waste Strategy for Clackmannanshire.
- 5.2. After consultation, a new Zero Waste Strategy will be developed and brought to Council for approval.

## **6.0 Sustainability Implications**

- 6.1. The development of a Zero Waste Strategy will support the Council's sustainability strategy, climate change declaration and provide a road map to comply with the Council's waste management obligations.
- 6.2. A Clackmannanshire Zero Waste Strategy will demonstrate leadership to business and the community showing how the Council intends to address the challenges of Scotland's Zero Waste Plan and the proposed Zero Waste (Scotland) Regulations.

## **7.0 Resource Implications**

- 7.1. The consultation and development of a new waste management strategy is funded by the Scottish Government through Zero Waste Scotland.
- 7.2. The full extent of the resource implications for the Council cannot be calculated with certainty at this time because the Zero Waste (Scotland) Regulations are not enacted and the new Zero Waste Strategy has not been developed.
- 7.3. It is estimated that the introduction of weekly household food waste collections will incur additional revenue costs in the region of £100,000 per annum in 2012/13 and an additional £100,000 per annum in 2013/14 and increase by a further £50,000 per annum in 2014/15. Capital costs are expected to be £125,000 in both financial years 2012/13 and 2013/14.
- 7.4. The Scottish Government is providing limited gap funding for the introduction of household food waste collections to assist councils with service roll-out. Once Clackmannanshire's food waste business case has been fully developed in conjunction with Zero Waste Scotland it is expected that a gap funding offer will be made to Clackmannanshire by Zero Waste Scotland.
- 7.5. Additional funding has been approved by the Council over the three years 2012/13 to 2014/15 to support the implementation of the Zero Waste (Scotland) Regulations initiatives.
- 7.6. The full financial implications, as know at this time, of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☒

7.7. Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

7.8. The external support provided by Zero Waste Scotland means there are no additional staff resources required for the Zero Waste Strategy consultation.

## 8.0 Exempt Reports

8.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

## 9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input checked="" type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

## 10.0 Equalities Impact

10.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes ☒ No ☐

## 11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

## 12.0 Appendices

- 12.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

### **Appendix 1: Clackmannanshire & Falkirk Council Joint Main Issues Paper: Zero Waste Strategy 2012-2022.**

## 13.0 Background Papers

- 13.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

i) **Scotland's Zero Waste Plan**

<http://www.scotland.gov.uk/Publications/2010/06/08092645/0>

ii) **DRAFT Zero Waste (Scotland) Regulations**

<http://www.scotland.gov.uk/Publications/2011/02/09135833/0>

iii) **EU Waste Framework Directive 2008/98/EC revised**

[http://europa.eu/legislation\\_summaries/environment/waste\\_management/ev0010\\_en.htm](http://europa.eu/legislation_summaries/environment/waste_management/ev0010_en.htm)

### **Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Graeme Cunningham	Environment Manager	452 548

### **Approved by**

NAME	DESIGNATION	SIGNATURE
Stephen Crawford	Head of Facilities Management	Signed: S Crawford
Garry Dallas	Director Services to Communities	Signed: G Dallas