

NORTH LONDON WASTE AUTHORITY

REPORT TITLE:

CONSULTATIONS AND POLICY UPDATE

REPORT OF:

HEAD OF OPERATIONS

FOR SUBMISSION TO:

AUTHORITY MEETING

DATE:

12 December 2013

SUMMARY OF REPORT:

The report provides an update on external developments in relation to commingled recycling collections, waste electrical and electronic equipment and local biodiversity and open space planning matters that are relevant to the Authority, and an officer response to a consultation on a proposed waste re-use standard for approval.

RECOMMENDATIONS:

The Authority is recommended to:

1. note the updates in relation to the separate collection of waste and WEEE collections (Sections 2 and 3);
2. note the updates in relation to Haringey's Biodiversity and Open Space Plan (Section 4);
3. approve the officer response to the WRAP Re-use Standard consultation (Section 5); and
4. delegate authority to the Head of Operations in consultation with the Chair to respond to DEFRA's "Call for Evidence: Plastic Bag Charge for England" as outlined in Section 6.

SIGNED: Head of Operations

DATE: 3 December 2013

1. Purpose of Report

1.1 This report provides an update on policy issues that are relevant to the Authority's operations. This includes:

- an update on the interpretation of the Waste Framework Directive relating to the collection of waste (Section 2);
- an update on the way WEEE will be collected (Section 3);
- an update on Haringey's Biodiversity and Open Space Plan (Section 4);
- an officer response on the WRAP Re-use Standard consultation for approval (Section 5); and
- an introduction to DEFRA's "Call for Evidence: Plastic Bag Charge for England" (Section 6).

2. Separate Collection of Waste

2.1 During October 2013, the then resources minister, Lord de Mauley sent a letter to all councils stating that commingled collections of dry recyclables will not be permissible in all circumstances and to ensure that identified waste streams are kept separate to provide high quality recyclables. The LGA has responded to DEFRA outlining that the letter "does not have the weight of statutory guidance" and that "it would be legally unsafe to allow it to guide local authority decisions in any way." Article 10 of the Waste Framework Directive states that from the 1st January 2015, where necessary in relation to the waste hierarchy, for the protection of human health and the environment, and to facilitate or improve recovery, "waste shall be collected separately if technically, environmentally and economically practicable and shall not be mixed with other waste or other material with different properties." Article 11 of the Directive says: "Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collections of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors."

2.2 However, the guidance on how to assess and show what is 'technically, environmentally and economically practicable' (TEEP) in relation to the corresponding recycling collection services is not yet published by DEFRA, and there is no clear timetable from DEFRA as to when this might happen.

2.3 The TEEP Guidance is expected to be directed mainly at the constituent borough councils, but Authority officers will undoubtedly have to engage as the quality of recyclates is obviously a product of both the boroughs' efforts in relation to communicating to residents about the right materials to recycle, residents actions in response to this, and the Authority's MRF Services Contractors' ability to sort the commingled feedstock to the standards required by the reprocessors to whom they are selling the recyclates. The Authority will brief Members again once this guidance has been published.

2.4 The Authority has previously responded (see Strategy Update Report, Authority Meeting 16 April 2013) to the draft MRF Code of Practice which will require all materials recycling facilities (MRFs) over a certain size to measure the quality of their inputs and outputs. The results from these tests would then be made available, for example to businesses buying the material for recycling as well as to local councils and others who supply material to the MRFs. If a MRF is compliant with the Code of Practice, this may be significant in relation to the TEEP matters above.

3. Changes to the WEEE System

- 3.1 This matter is noted within the report on contracts activity elsewhere on this agenda, but as it is a matter of external legislative and policy change, it is also noted here with emphasis on the policy perspective.
- 3.2 The Authority has previously responded to the waste electrical and electronic equipment (WEEE) Call for Evidence consultation (see Strategy Update Report, Authority Meeting 27 June 2013). From this consultation, Option 3 is now being proposed, which will allow multiple compliance schemes to continue to operate, but set each producer compliance scheme (PCS) a collection target, based on their membership and the Directive targets.
- 3.3 Under the new system, from January 2014 each compliance scheme will be given a tonnage reuse and recycling target based upon the amount of electrical and electronic equipment (EEE) placed on the market by their members. The other change compared to the previous system is that the trading of evidence will no longer be allowed. Therefore if a scheme collects more WEEE than it is obliged to, it will not be able to trade the additional tonnage evidence with other schemes. Instead, over-collecting schemes will be required to finance the excess (or retain the income), whereas under-collecting schemes will have to pay a 'compliance fee' for the tonnage of WEEE it has been unable to collect.
- 3.4 The Authority is contracted with a WEEE compliance scheme that is obligated to collect and manage all of the WEEE collected on behalf of the seven north London Boroughs. Officers will therefore continue to monitor this change to the scheme and work closely with our WEEE contractors to identify the full impacts of this change.

4. Haringey Biodiversity Survey and Open Spaces Survey and Consultation

- 4.1 LB Haringey has recently been undertaking an audit and assessment of open spaces in the borough and consulting stakeholders on their leisure and recreation needs and additionally asking what consultees think about the boroughs' existing open spaces. The study was commissioned to assess the quality, function, accessibility and value of the borough's parks, green spaces and other open spaces. As part of the study, the borough sought to understand the value of these spaces to residents and asked consultees:
- how they used and viewed these spaces; and
 - how they believed these spaces could be improved.
- 4.2 The Pinkham Way site which is owned by the Authority and the LB of Barnet and located within Haringey does not have public access so was not included in the list of open spaces which were assessed as part of the survey. Accordingly officers did not consider that it was necessary to respond to the open spaces survey.
- 4.3 However, a request was received from LB Haringey asking for access to the Pinkham Way site so that it could be assessed as part of the biodiversity survey. The site has both nature conservation and employment designations.
- 4.4 An accompanied biodiversity survey was undertaken on 25th October following officer authorisation for access.

- 4.5 The next stage in the process is for a report to be prepared by LB Haringey with recommendations regarding both biodiversity and open space in the borough. Officers will provide Members with an update as appropriate. The Pinkham Way site remains relevant to NLWA's service requirements in terms of future waste management operations. Accordingly LB Haringey consultations regarding land use and land use designations within the borough will remain relevant to the Authority even though the Authority has no immediate plans to develop the Pinkham Way site.

5. WRAP Re-use Standard

- 5.1 WRAP has recently consulted on its draft Re-use Standard. The draft Re-use Standard is intended to improve the market for products for re-use that have been subjected to quality assured process and to build customer confidence in purchasing from the reuse sector. Product-specific requirement standards will also be drafted for items such as electrical items, furniture and textiles. The timing of the consultation meant that it could not be left until this Authority meeting, but an officer response was sent outlining the following key concerns:

- It is vital that any standard introduced does not discourage re-use.
- As drafted, the Re-use Standard should not apply to each product group listed in the consultation document e.g. trying to implement the standard for items such as clothing and books, is onerous.
- The Re-use Standard should be flexible so that it can be tailored to existing practices already in place to ensure quality control of re-use products.
- Although voluntary, it is unlikely that the Authority would be able to adopt the full Re-use Standard as currently drafted as part of our programme of re-use events. This is because it does not appear workable for one-day events such as Give and Take days and 'swishing' events, or Stuff for Free events, and therefore the Authority might be running such events in the future in a way that is not compliant with the voluntary standard.

- 5.2 The response is attached for Member approval.

6. Defra Call for Evidence on the Plastic Bag Charge for England

- 6.1 From October 2015, DEFRA is planning to introduce a 5p charge for all single-use carrier bags in England. It is anticipated that this charge will reduce the number of plastic bags used, increase their re-use and subsequently reduce littering. A similar charge has already been adopted in Wales and Northern Ireland, with Wales seeing a 76% decrease in single-use carrier bag distribution.
- 6.2 The charge is proposed not to apply to re-usable 'bags for life' or paper bags, or biodegradable plastic bags that meet defined criteria. DEFRA is proposing to work with industry to set the criteria for biodegradable plastic bags.
- 6.3 Organisations with fewer than 250 employees can be exempt from implementing the charge if they wish.
- 6.4 The proceeds of this charge will not be collected by Government, but the Government will encourage organisations to donate the profits to good causes.

- 6.5 On 25 November, DEFRA launched a consultation asking for further evidence, including the type of bags that should be exempt from the charge, how to tell people about the charge and ensure organisations apply the charge, and how to encourage organisations to donate their profits from the charge to good causes. The consultation closes on the 20 December 2013.
- 6.6 Officers have undertaken an initial review of the consultation, but it has not been possible to prepare a draft response in time for inclusion with this report. It is therefore recommended to delegate authority to the Head of Operations in consultation with the Chair to provide a response.

7. COMMENTS OF THE LEGAL ADVISER

- 7.1 The Legal Adviser has been consulted and has no comments to add.

8. COMMENTS OF THE FINANCIAL ADVISER

- 8.1 The Financial Adviser has been consulted and has no comments to add.

Local Government Act 1972- Access to Information

Documents used:

Defra (October 2013) Letter to Local Authority Bodies on the Separate Collection of Materials.

<https://www.gov.uk/government/.../waste-seperate-collection-201310.pdf> [sic]

LGA (October 2013) LGA Response to Defra on Separate Collection of Waste.

http://www.local.gov.uk/waste-management/-/journal_content/56/10180/5580249/ARTICLE

GOV.UK (2013) Consultation Outcome: Waste Electrical and Electronic Equipment (WEEE). Implementing the recast Directive and UK system changes.

<https://www.gov.uk/government/consultations/waste-electrical-and-electronic-equipment-weee-implementing-the-recast-directive-and-uk-system-changes>

Haringey Open Space and Biodiversity Study.

<http://www.haringey.gov.uk/open-space-study>

Defra (2013) Call for Evidence: Plastic Bag Charge for England.

<https://consult.defra.gov.uk/resource-atmosphere-and-sustainability/call-for-evidence-plastic-bag-charge-for-england>

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Appendix 1: WRAP REUSE CONSULTATION

31 October 2013

By email to: reuse.standard@oakdenehollins.co.uk

RE: WRAP Reuse Standard 2013: Standard for the Collection, Processing and Dispatch of Products or Components for Re-use

Dear Sir/Madam,

Thank you for providing the North London Waste Authority (NLWA) with the opportunity to respond to the consultation on the Re-use Standard 2013.

The NLWA is a statutory authority that is responsible for managing the municipal waste from seven north London Boroughs. We are currently in the process of reviewing the long term waste management requirement for the area.

The Authority undertakes a programme of re-use events each year across the North London boroughs, including a regular and very successful series of "Give and Take Days" and "Stuff for Free" events. These events divert hundreds of tonnes of household goods from landfill. The Authority also works closely with pan north-London and London-wide organisations operating in north London, such as housing associations, the London Re-Use Network, and London Community Resource Network to encourage re-use of items such as furniture and appliances amongst residents, especially in the social housing sector. The Authority also heavily promotes textile re-use, and encourages north London residents to hold "swishing" parties to swap unwanted clothes instead of throwing them away. In addition to the Authority's programme of reuse events, the individual North London Boroughs provide collection services for household items suitable for re-use. Items for re-use can also be taken to our HWRCs.

Whilst the Authority welcomes any scheme that will encourage re-use and is committed to supporting best practice, we have highlighted our concerns with the proposed Re-use Standard overleaf. Overall, the Authority is concerned that as currently drafted the Re-use Standard is not detailed enough and that it should not be applied to every product group listed. It is recommended that re-use standards are more clearly defined for individual items where consumer confidence is low and where there is a potential health and safety risk in using that product, for example electrical goods and large furniture.

The Authority is always seeking opportunities to improve our service offering and would welcome any further discussion on this matter.

Yours sincerely

Andrew Lappage

Head of Waste Strategy and Contracts

	Question	Answer
	Adoption of the Standard	
1	What are your views on the introduction of this Re-use Standard? In particular, is it applicable to the target organisations, as listed in Section 3 of this paper?	<p>The Authority undertakes a programme of re-use events each year across the North London boroughs, including a regular and very successful series of “Give and Take Days” and “Stuff for Free” events. These events divert hundreds of tonnes of household goods from landfill. The Authority also works closely with pan north-London organisations such as housing associations, the London Re-Use Network, and London Community Resource Network to encourage re-use of items such as furniture and appliances amongst residents, especially in the social housing sector. The Authority also heavily promotes textile re-use, and encourages north London residents to hold “swishing” parties to swap unwanted clothes instead of throwing them away.</p> <p>The Authority welcomes any scheme that will encourage re-use and is committed to supporting best practice. However, there are some barriers that the Authority can foresee with implementing the Re-use Standard as currently drafted and these are further detailed below:</p>
2	Do you think that, as drafted, the Standard will achieve its stated aim, as set out in Section 7 of this paper? What are the barriers to its implementation?	<p><u>Product Groups</u></p> <p>The Authority does not believe that the Re-use Standard is suitable for all the product groups listed in the consultation document. The Re-use Standard should recognise that different quality standards for different products are required based on the market for different products and therefore one Re-use Standard should not be applicable for all re-use items. It is recommended that re-use standards are more clearly defined for individual items where consumer confidence is low and where there is a potential health and safety risk in using that product, for example electrical goods and large furniture. However, the Authority believes that trying to implement a standard for items such as clothing and books is onerous. Overall, from the Authority’s experience and research undertaken, the demand for low cost appliances is greater than supply, so it is vital that any standard introduced does not discourage re-use of particular items. The relationship between the Re-use Standard and existing Trading Standards requirements should also be identified and clarified within the document.</p>

Although the Re-use Standard is voluntary, the Authority recommends that individual detailed standards are drafted for different re-use items rather than trying to apply the drafted Re-use Standard to a wide range of products. As currently drafted an organisation which is collecting and selling, or passing on a wide range of products for re-use would face an onerous task inspecting and labelling each product in line with the Standard's requirements. This could be overly onerous for a small organisation potentially discouraging them from supporting the implementation of the Standard at all. Another option is to consider that the Re-use Standard is only applied to organisations generating a certain turnover, processing a certain amount of materials for re-use etc or one that specialises in re-using specific materials/products etc.

Definition of Procurer:

It is recommended that the Re-use Standard provides further information as to how it would impact re-use event organisers. The Authority wants to encourage re-use and is concerned that informal re-use events would not be able to adopt the standard. This is because many events are organised as day events only, with a high turnover of re-use products supplied on the day. From the Authority's perspective, we undertake visual inspection of re-use products and PAT testing on electrical re-use items. However, we would not have the ability to implement all the stages of the Re-use Standard, in terms of undertaking repair work, cleaning and labelling of re-use items at our "Give and Take Days" and "Stuff for Free" events. The Authority would also not expect organisers of "swishing" events to adopt the Standard.

In addition to the Authority's programme of re-use events, the individual North London Boroughs provide collection services for household items suitable for re-use. A process of quality control takes place when the collection is requested and at the point of collection. Therefore, it is imperative that any Re-use Standard can be tailored to existing local authority and organisation practices in order to achieve high take-up and implementation of the Re-use Standard.

Processing Stages:

Research undertaken by the Authority has shown that although basic refurbishment to re-use products does improve the likelihood of it being sold, it does incur burdens of time, effort, expertise and space. In

		<p>particular, in London, space is a limiting factor for the re-use sector and the requirement to undertake repair and refurbish activities is likely to require more space. Re-use organisations are often set up as registered charities relying on a small team of dedicated staff and volunteers. Although the Authority would encourage job creation and additional skilled labour, the resource and financial impact of repair and refurbishment of re-use products needs to be considered. The Authority believes that the Re-use Standard will be particularly onerous for small organisations and there is a concern that they may be pushed out of the market by larger organisations able to fully implement the Re-use Standard. It is important that any Re-use Standard introduced does not negatively impact existing and new reuse organisations' operations.</p> <p>The Re-use Standard needs to be achievable and it is recommended that organisations are able to adopt part of the Standard and can be credited for it. The Re-use Standard should also make reference to appropriate storage and protection of re-use materials once they have been collected or delivered.</p> <p>It is also recommended that an appropriate support network is put in place for those organisations who wish to adopt the Re-use Standard.</p> <p><u>Items not suitable for re-use:</u></p> <p>It is important that the Re-use Standard makes clear that repair and refurbishment can be undertaken where practically possible. There is also a concern that by making the Re-use Standard too onerous may result in creating more waste which will result in additional financial implications for the 'procurer' to record and dispose of any materials.</p>
3	<p>To what extent do you think that the Standard will be taken up by the Re-use sector as a whole? Do you think that your organisation will adopt it? If so, is this likely to be within two years from its launch?</p>	<p>It is unlikely that the Authority would be able to adopt the full Re-use Standard as currently drafted as part of our programme of re-use events.</p>
4	<p>Which product groups would benefit from the development of</p>	<p>Please refer to Question 2.</p>

	Product Specific Requirements to be used in conjunction with the Standard?	
	Communication and promotion	
5	How do you think the Standard should be branded? Should the branding include any marks or logos?	The Authority has no comment.
6	Where should any brand identification be used (i.e. product labels, company documents, shop front, etc.)?	The Authority has no comment.
7	What methods should be used to promote the Standard and its benefits to re-use organisations?	The Authority has no comment.
8	What methods should be used to promote the Standard and its benefits to those seeking to purchase re-used items in order to increase consumer confidence?	The Authority has no comment.
	Certification issues	
9	Should adoption of the Standard by re-use organisations be voluntary, self-certified, or formally certified through an	The Authority has no comment.

	accredited body? If formal certification is a requirement, who should be the Scheme Administrator?	
10	What can be done to minimise the cost of compliance to the Standard (and/or certification), whilst maintaining its credibility in terms of increasing consumer confidence in re-used items?	The Authority has no comment.
11	How frequently should organisations be re-tested for compliance/certification and why?	The Authority has no comment.
	Ownership and maintenance	
12	It is the intention that this Standard will be owned and maintained by the re-use sector. Which organisation(s) should be responsible for its ownership and upkeep?	The Authority has no comment.
13	How often should the Standard be reviewed/updated?	The Authority has no comment.
	Product Specific Requirements (PSRs)	
14	An example (for EEE) of how a PSR might be written has been	Please refer to Question 2.

	<p>included as part of the documentation for this consultation. In considering the example, do you have any comments on the proposed format or content of PSRs?</p>	
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<p>15</p>	<p>Do you have any general comments about this Re-use Standard and Product Specific Requirements?</p>	<p>In compiling this response, the Authority has used the following references:</p> <ul style="list-style-type: none"> • European Commission (2011) Attitudes of Europeans towards Resource Efficiency. Analytical Report • Reuse. Third Sector Reuse Capacity in London (2008) Commissioned by the Greater London Authority in partnership with Government Office for London, London Councils, North London Waste Authority, the London Recycling Officers Group and the Association of London Cleansing Officers. • LCRN (2008) Expanding and Encouraging Furniture Reuse in North London. A Study of Reuse Capacity and an Account of Initial Development Support Provided. • LCRN (2009) Reuse Synergies and Opportunities in North London. Expanding Reuse Provision in the NLWA. • WRAP (2011) Bulky Waste Guidance, http://www.wrap.org.uk/content/bulky-waste-guidance-0
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