Scottish Borders COUNCIL

SCOTTISH BORDERS COUNCIL
THURSDAY, 12 NOVEMBER, 2015

A MEETING of the SCOTTISH BORDERS COUNCIL will be held in the COUNCIL CHAMBER,

COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS on THURSDAY, 12 NOVEMBER,

2015 at 10.00 AM

J. J. WILKINSON,
Clerk to the Council,
5 November 2015

	BUSINESS		
1.	**Convener's Remarks.**	
2.	**Apologies for Absence.**	
3.	**Order of Business.**	
4.	**Declarations of Interest.**	
5.	**Minute** (Pages 1 - 14) Consider Minute of Scottish Borders Council held on 7 October 2015 for approval and signing by the Convener. (Copy attached.)	2 mins
6.	**Committee Minutes**	5 mins
	(a) **Committee Minutes** Consider Minutes of the following Committees:- (a) Local Review Body 21 September 2015 (b) Scrutiny 24 September 2015 (c) Civic Government Licensing 25 September 2015 (d) Audit & Risk 28 September 2015 (e) Executive 29 September 2015 (f) Lauder Common Good Fund 30 September 2015 (g) William Hill Trust 30 September 2015 (h) Petitions and Deputations 1 October 2015 (i) Planning & Building Standards 5 October 2015 (j) Audit & Risk External Members Appointment 13, 22 & 23 October 2015 (k) Local Review Body 19 October 2015 (l) Executive (Education Theme) 20 October 2015 (m) Civic Government Licensing 23 October 2015 (n) Scrutiny 29 October 2015 (o) Planning & Building Standards 2 November 2015 (p) Executive (Economic Dev Theme) 3 November 2015	

	(Please see separate supplement containing Committee Minutes.)	
	(b) **Committee Minute Recommendations** (Pages 15 - 16) Consider Committee recommendations. (Copy attached.)	
7.	**Open Questions**	15 mins
8.	**Police Scotland Presentation** Presentation on Multi-Member Ward Police Plans by Chief Inspector McLean, Local Area Commander.	15 mins
9.	**Community Recycling Centre Trade Access Policy** (Pages 17 - 56) Consider report by Service Director Neighbourhood Services seeking approval of a Community Recycling Centre Trade Access policy for Scottish Borders Council. (Copy attached.)	10 mins
10.	**Syrian Refugee Crisis - A Scheme for the Resettlement of Syrian Refugees in the Scottish Borders** (Pages 57 - 74) Consider report by Chief Executive outlining the work that has been undertaken to develop a scheme for the resettlement of Syrian Refugee households into the Scottish Borders. (Copy attached.)	10 mins
11.	**Making Things Last -Consultation on Creating a more Circular Economy in Scotland** (Pages 75 - 134) Consider report by Service Director Neighbourhood Services proposing that Scottish Borders Council respond to the Scottish Government's consultation entitled 'Making things last'. (Copy attached.)	10 mins
12.	**Committee Membership** Consider appointments to the following Committees:- (a) Audit & Risk to replace Councillor Archibald (Admin Member required) (b) Petitions and Deputations to replace Councillor Greenwell (Opposition Member required)	5 mins
13.	**Any Other items Previously Circulated**	
14.	**Any Other Items the Convener Decides Are Urgent**	
15.	**Private Business** Before proceeding with the private business, the following motion should be approved:- "That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act."	
16.	**Minute** (Pages 135 - 136) Consider private Section of Scottish Borders Council Meeting held on 7 October 2015. (Copy attached.)	1 mins

17.	(a)	**Committee Minutes**		2 mins
		Consider private sections of the Minutes of the following Committees:-		
		(a) Executive	29 September 2015	
		(b) Lauder Common Good Fund	30 September 2015	
		(c) Planning & Building Standards	5 October 2015	
		(d) Audit & Risk External Members Appointment	13, 22 & 23 October 2015	
		(e) Executive	20 October 2015	
		(f) Planning & Building Standards	2 November 2015	
		(Please see separate supplement containing the Private Committee Minutes.)		
	(b)	**Committee Minute Recommendation** (Pages 137 - 138)		
		Consider private minute recommendation. (Copy attached.)		

NOTES
1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**

2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

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SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 7 October 2015 at 10.00 a.m.

Present:- Councillors G. Garvie (Convener), S. Aitchison, W. Archibald, M. Ballantyne, S. Bell, C. Bhatia, J. Brown, M. Cook , A. Cranston, V. Davidson, J. Fullarton, I. Gillespie, B. Herd, G. Logan, W. McAteer, S. Marshall, D. Moffat, A. Nicol, D. Parker, D. Paterson, F. Renton, S. Scott, R. Smith, J. Torrance, G. Turnbull, B. White.

Apologies:- Councillors J. Campbell, K. Cockburn, G. Edgar, J. Greenwell, J. Mitchell, S. Mountford, R. Stewart, T. Weatherston.

In Attendance:- Chief Executive, Depute Chief Executive (People), Depute Chief Executive (Place), Corporate Transformation and Services Director, Service Director Regulatory Services, Service Director Children and Young People, Chief Financial Officer, Chief Social Worker, Chief Officer Health and Social Care Integration, Chief Officer Audit and Risk, Clerk to the Council.

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1. **CONVENER'S REMARKS**
1.1 The Convener congratulated Peter Handley from Kelso who had received the Health Walk Volunteer of the Year Award and Ian Gibb and Tom McGhee from Earlston Paths Group who had received the Community Path Volunteer of the Year Award at the recent Volunteer Awards 2015. He also congratulated Councillor Mountford on his appointment as Chairman of SBHA.

DECISION
AGREED that congratulations be passed to those concerned.

1.2 The Convener read out a letter that he had received from the Lord-Lieutenant of Roxburgh, Ettrick and Lauderdale thanking the Council on behalf of Her Majesty the Queen for the major part the Council had played in Her recent visit to open the new Borders Railway at Tweedbank.

DECISION
NOTED.

2. **MINUTE**
The Minute of the Meeting held on 27 August 2015 was considered.

DECISION
AGREED that the Minute be approved and signed by the Convener.

3. **COMMITTEE MINUTES**
3.1 The Minutes of the following Committees had been circulated:-

Health & Social Care Joint Integration Board	10 August 2015
Local Review Body	17 August 2015
Executive	18 August 2015
Hawick Common Good Fund	18 August 2015
Teviot & Liddesdale Area Forum	18 August 2015
Scrutiny	20 August 2015
Galashiels Common Good Fund	20 August 2015
Eildon Area Forum	20 August 2015

Civic Government Licensing	21 August 2015
Police, Fire & Rescue and Safer Communities Board	28 August 2015
Executive	1 September 2015
Selkirk Common Good Fund	1 September 2015
Tweeddale Area Forum	2 September 2015
Pension Fund	3 September 2015
Pension Fund Board	3 September 2015
Duns Common Good Fund	3 September 2015
Berwickshire Area Forum	3 September 2015
Planning & Building Standards	7 September 2015
Executive	15 September 2015
Teviot & Liddesdale Area Forum	15 September 2015
Hawick Common Good Fund	16 September 2015
Jedburgh Common Good Fund	16 September 2015
Kelso Common Good Fund	16 September 2015
Cheviot Area Forum	16 September 2015

DECISION
APPROVED the Minutes listed above subject to paragraphs 3.1 to 3.3 below.

3.2 **SCRUTINY COMMITTEE**
With reference to paragraph 2 of the Minute of the Scrutiny Committee of 20 August 2015, it was recommended that Scottish Borders Council write to the Scottish Government requesting that the 1980 Scotland Education Act be amended to give Local Authorities the power to enforce Section 37 of the Act in order to ensure that children who were being home schooled received a satisfactory education appropriate to their age and aptitude. The Leader suggested that a report on this matter be considered by the Executive Committee (Education Theme) before any further action was taken and following discussion this was agreed.

DECISION
AGREED that a report be submitted to the Executive Committee (Education Theme) in advance of any letter to the Scottish Government regarding Home Schooling.

3.3 **POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD**
With reference to paragraph 4.3 of the Minute of the Police, Fire & Rescue and Safer Communities Board of 28 August 2015, it was recommended that a report be prepared for the Council on the Future of the Pathways Project and that Officers would promote the young drivers initiative and a communications plan would be put together to ensure all avenues of communication were covered.

DECISION
AGREED to approve the recommendation detailed above.

3.4 **TWEEDDALE AREA FORUM**
With reference to paragraph 13 of the Minute of Tweeddale Area Forum of 2 September 2015, it was recommended that representations be made to the Scottish Government asking if, following the resignation of the Chief Constable, consideration be given to reviewing Policing in this area and in Scotland in general with a view to ensuring greater accountability.

DECISION
AGREED to approve the recommendation detailed above.

4. **OPEN QUESTIONS**
The questions submitted by Councillors McAteer, Logan, Brown and Fullarton were answered.

DECISION
NOTED the replies as detailed in Appendix I to this Minute.

5. **INTEGRATED CULTURE AND SPORT TRUST FEASIBILITY**
   With reference to paragraph 7 of the Minute of 25 June 2015, there had been circulated copies of a report by the Corporate Transformation and Services Director detailing the outcome of dialogue with Borders Sport and Leisure Trust (BSLT) on the feasibility of an Integrated Culture and Sport Trust and seeking approval for the formation of an Integrated Culture and Sport Trust with BSLT. The report explained that the Feasibility Study had been undertaken jointly by officers from SBC and BSLT. The team worked closely with a Reference Group comprising six Elected Members, 2 of whom were also BSLT Trustees from SBC, along with two other BSLT Trustees. The Feasibility Study was appended to the report and it concluded that an Integrated Trust should be formed to support improved delivery of outcomes making BSLT and Cultural Services stronger together. There were a number of critical factors which would be required to ensure the success of the Trust and these included:-

   - Strong leadership from Trustees, Elected Members and senior management of BSLT and SBC to drive forward the actions necessary to make the implementation and operation of an Integrated Trust a success
   - A strong long-term partnership relationship between BSLT and SBC
   - A positive attitude amongst all parties to make the Integrated Trust a success
   - Trustees should consider an appropriate name for the Integrated Trust to reassure all stakeholders, including staff, that Culture was given appropriate focus
   - Sufficiently funded to succeed as a strong and sustainable business for the future

   The Director reassured Members that the formation of a Trust would not affect the ownership of heritage collections. Members discussed the proposal and thanked staff for their positive input into the process. The need to protect Community Centres and maintain their current autonomy was highlighted. An assurance was also given that the cataloguing of collections would continue and that confirmation would be made soon on those buildings owned by Common Goods. The continuation of the Member Officer Working Group was supported.

   DECISION
   AGREED:-

   (a) to note the findings of the feasibility report;

   (b) to the formation of an Integrated Culture and Sport Trust with Borders Sport and Leisure Trust;

   (c) that the Chief Executive, Corporate Transformation & Services Director and Chief Financial Officer, in consultation with the Council Leader, the Deputy Leaders and Executive Member for Culture & Sport, be authorised to work with BSLT to complete all necessary due diligence processes and develop the necessary agreements to facilitate the successful transfer to the Trust of the agreed services, facilities and staff with an anticipated go-live date of 1 April 2016;

   (d) that the proposed Performance Management Framework for BSLT (including for Community Centres) with effect from 1 April 2016 be brought back to the Executive Committee for approval no later than 8 March 2016;

   (e) to note consultation with key staff and trade unions would continue throughout the transfer process along with appropriate engagement with key stakeholders and the community;

   (f) to recommend to the Community Planning Strategic Board to adopt the Integrated Trust as a CPP Partner, represented at Strategic Board level and on the Joint Delivery Team; and

(g)   to the continuation of the Member Reference Group to support the work required to 31 March 2016.

6.   **CORPORATE PLAN – MID POINT REVIEW**
With reference to paragraph 7 of the Minute of 25 April 2015, there had been circulated copies of a report by the Chief Executive providing an update on progress made in working towards the eight corporate priorities stated within the Council's Corporate Plan, approved in April 2013. It also proposed an updated Corporate Plan which included a summary of priorities for the coming years and an updated Performance Management Framework. The report explained that the internal and external context had changed significantly and as such a revised Corporate Plan was proposed, a copy of which was contained in Appendix 1 to the report. The revised edition still focused on the same vision, values and priorities, with only a slight change of wording to Priority 2, to reflect changes to service priorities within the Children and Young People's Service Directorate and a focus on inclusion. Against each of the 8 Corporate Priorities, Scottish Borders Council could demonstrate that significant progress had been made, either through ongoing performance improvement or through the delivery of key pieces of work or projects that contributed to each priority. Annex 1 within the Appendix provided an Executive summary as well as a more detailed look at each of the 8 priorities. There were two annexes to the 2013 Corporate Plan (Annex 1: Delivering against our Priorities, and Annex 2: Performance Management Framework) and again, revisions to both were proposed in Appendix 1 to reflect the changing local and national context, progress made, priorities for the future, and reporting arrangements. Members discussed the report and asked that on the page headed "Current Challenges" within the "Our workforce" section the word "senior" before "staff" be deleted. A more explicit mention of the relationship with the Voluntary Sector, particularly in terms of services provided for children and families, was also requested.

DECISION
AGREED to:-

(a)   note the progress made in working towards the corporate priorities, detailed in Appendix 1 (Annex 1) to the report;

(b)   approve the new wording of Corporate Priority 2 – "Improving attainment and achievement levels for all our children and young people, ensuring an inclusive approach"; and

(c)   note the amendments made to the Performance Management Framework, contained in Appendix 1 (Annex 2) to the report, to reflect and respond to internal and external changes.

7.   **HEALTH & SOCIAL CARE INTEGRATION STRATEGIC PLAN**
There had been circulated copies of the draft Strategic Plan 2016-2019 for the Scottish Borders Health and Social Care Partnership together with a copy of the draft easy read booklet. The Chief Officer Health and Social Care Integration advised that the document was in the consultation phase with stakeholders and the public, and now included a section on how success would be measured. The Depute Leader (Health Services) advised that the document had already been commended by the NHS and encouraged Members to submit any comments. The final version would be brought to Council in the New Year.

DECISION
NOTED the draft Plan.

8.   **CHIEF SOCIAL WORKER ANNUAL REPORT**
There had been circulated copies of a report by the Chief Social Worker containing the eighth annual report on the work undertaken on behalf of the Council in the statutory role of Chief Social Work Officer (CSWO). The CSWO report, attached as Appendix A to the report,

provided the Council with an account of decisions taken by the Chief Social Work Officer in the statutory areas of Fostering and Adoption, Child Protection, Secure Orders, Adult Protection, Adults with Incapacity, Mental Health and Criminal Justice. The report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2014 to March 2015, and highlighted some of the key challenges for Social Work for the coming year. The report explained that 2014 has been a period of consolidation of the new governance arrangements for Social Work in Scottish Borders Council. However, there had been significant changes including the continuing implementation of Self Directed Support and further work to fully implement legislation to integrate Adult Health and Social Care Services and the Children and Young People's Bill. Public Protection arrangements had continued to be a high priority for the Council during this period. There had been a number of achievements including ongoing improvements in the discharge process that had enabled people to move to appropriate care settings in a timely way. The implementation of Getting It Right For Every Child was well under way and the Early Years agenda was well advanced. Processes for Self Directed Support were in place to provide service users and carers greater say in choice and the management of their care arrangements and over 300 people were now using this approach. Challenges facing Social Work for 2015/16 were identified which include work to maintain the quality of the social care provision, recruitment and retention of Social Care Staff across all sectors, ongoing financial constraints and introducing new arrangements for children and young people including the named person. Work was also progressing for the implementation of the new arrangements for Community Justice.

DECISION
AGREED to approve the report of the Chief Social Work Officer.

9.   **STATEMENT OF ACCOUNTS AND ANNUAL REPORT 2014/15**
9.1   There had been circulated copies of a report by KPMG, the Council's Auditors together with a report by the Chief Financial Officer and a copy of the Annual Accounts 2014/15. It was noted that these had been approved by the Executive Committee on 29 September 2015 to meet the necessary legislative requirements. The Leader paid tribute to the officers involved in the preparation of the accounts and noted that the accounts were improving each year. Councillor Ballantyne as Chairman of the Audit and Risk Committee commented on that Committee's review of the accounts and echoed the Leader's comments. She further highlighted that the accounts had received an unqualified statement from the Auditors and commented on the improved format which made the accounts easier to read.

DECISION
NOTED the Scottish Borders Council's Audited Annual Accounts for the year to 31 March 2015.

9.2   **GROUP AND SUBSIDIARY BODY ACCOUNTS 2014/15**
There had been circulated copies of the Annual Accounts for the following Group and Subsidiary Bodies:-

(a)   SBC Common Good Funds
(b)   SBC Welfare Trust
(c)   SBC Education Trust
(d)   SBC Community Enhancement Trust
(e)   Thomas Howden Wildlife Trust
(f)   Ormiston Institution
(g)   SBC Charity Funds
(h)   Bridge Homes LLP

It was noted that these had also been approved by the Executive Committee on 29 September 2015.

DECISION

NOTED the Audited Annual Accounts for the year to 31 March 2015 in respect of the group and subsidiary bodies listed above.

9.3 **PENSION FUND ANNUAL REPORT AND ACCOUNTS**
There had been circulated copies of a report by KPMG, the Council's Auditors together with a report by the Chief Financial Officer and a copy of the Annual Accounts 2014/15 in respect of the Council's Pension Fund. It was noted that these had also been approved by the Executive Committee on 29 September 2015 to meet the necessary legislative requirements. Councillor White as Chairman of the Pension Fund Committee commented on the performance of the Fund which had now reached £0.5 billion for the first time. The overall fund performance was 11.8% and had outperformed the benchmark. Councillor White also thanked officers for their work in this area.

DECISION
NOTED the audited Scottish Borders Council Pension Fund Annual Report and Accounts 2014/15.

10. **ANNUAL REPORT ON TREASURY MANAGEMENT 2014/15**
With reference to paragraph 6 of the Minute of 20 November 2014, there had been circulated copies of a report by the Chief Financial Officer containing the annual report of treasury management activities undertaken during the 2014/15 financial year. The annual report provided an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. All of the performance comparisons reported upon were based on the revised indicators agreed as part of the mid-year report approved in November 2014. The report also detailed the Council's borrowing requirement to fund capital investment undertaken during 2014/15, how much the council actually borrowed against the sums budgeted, and the level of external debt carried on the council's balance sheet within approved limits. During the year the Council had, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing and therefore did not undertake additional long term borrowing during the year. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code and the Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2015.

DECISION
AGREED:-

(a) **to note that treasury management activity in the year to 31 March 2015 had been carried out in compliance with the approved Treasury Management Strategy Policy; and**

(b) **the annual report of Treasury Management activities for 2014/15 as detailed in Appendix 1 to the report.**

11. **APPOINTMENT OF SLECTION COMMITTEE FOR THE EXTERNAL MEMBERS OF THE AUDIT AND RISK COMMITTEE**
There had been circulated copies of a report by the Chief Officer Audit and Risk seeking approval for the appointment of a Selection Committee for the purpose of interviewing, selecting and appointing persons for the positions of external member of the Audit and Risk Committee. The report explained that the Council had had two external members on its Audit and Risk Committee since 2002 to improve independence and objectivity and to ensure that the Audit and Risk Committee's role in the scrutiny process was robust. The independence of the Audit and Risk Committee has been recognised by external inspection agencies over the years most notably within the Best Value reports on Scottish Borders Council. The appointment of the existing external members of the Audit and Risk Committee would end on 31 October 2015. There was currently one vacancy and a formal recruitment process was underway. The one existing external member had indicated his interest in being re-appointed. The appointment of external members of the Audit and Risk Committee would be for a fixed

period to 31 October 2018. Approval was sought for the appointment of a Selection Committee for the purpose of interviewing, selecting and appointing persons as external members of the Audit and Risk Committee comprising the Convener, the Chairman of the Audit and Risk Committee and the Depute Leader (Finance). The Leader suggested that Councillor Nicol also be part of the Committee and following discussion this was approved.

DECISION
AGREED to appoint a Selection Committee, comprising the Chairman of the Audit and Risk Committee, the Convener, the Depute Leader (Finance) and Councillor Nicol for the purpose of interviewing, selecting and appointing persons as external members of the Audit and Risk Committee.

12. **MEMBERSHIP OF THE LICENSING BOARD AND THE CIVIC GOVERNMENT LICENSING COMMITTEE**
With reference to paragraph 11 of the Minute of 20 November 2014, there had been circulated copies of a joint report by the Corporate Transformation and Services Director and the Service Director Regulatory Services detailing the outcome of a review of the membership of the Licensing Board and the Civic Government Licensing Committee and gives options for the number of Members of the Board and Committee. The report explained that a review of licensing had been undertaken to consider the appropriate number of members on both the Civic Government Licensing Committee and the Licensing Board. The 2 bodies were governed by different sets of legislation so could be combined. In terms of membership of Licensing Boards and Civic Government Licensing Committees (or equivalent) in other local authorities, there was a wide variation across Scotland and Appendix 1 to the report gave details of the number of members on each of these. Nationally, while there was a slight correlation with the number of members of Licensing Boards, there is no discernible pattern in membership numbers for the Committees which dealt with Civic Government Licensing. Each Council had taken a decision on numbers based on its own local requirements and circumstances. As there was not a specific national pattern of membership numbers on either Licensing Boards or Civic Government Licensing Committees, the current number of members on Scottish Borders Council's Board and Committee was not out of place. It was therefore for Scottish Borders Council to choose the appropriate number of members of a particular body (albeit in line with legislation), to ensure quality decisions were made, following due process. One option would be to leave the size of the Board and Committee unchanged. Another would be to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board. A further option would be, given the generally positive reaction to the reduction in numbers on the Planning and Building Standards Committee and the Local Review Body, to reduce the number of members of both the Licensing Board and the Civic Government Licensing Committee to 9.

VOTE
Councillor Parker, seconded by Councillor Logan, moved the option to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board.

Councillor Ballantyne, seconded by Councillor Scott, Moved as amendment the option to reduce the number of members of both the Licensing Board and the Civic Government Licensing Committee to 9.

On a show of hand Members voted as follows:-

Motion   -   15 votes
Amendment   -   4 votes

The Motion was accordingly carried.

DECISION

DECIDED to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board.

13. **MOTION BY COUNCILLOR BALLANTYNE**
Councillor Ballantyne, seconded by Councillor Scott, submitted alternative wording in respect of her Motion as follows:-

"The paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should be brought to Council prior to the signing of construction contracts and should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected."

There was a short recess while advice was taken from Officers regarding the competency of the amendment. The amendment was then accepted and Councillor Ballantyne spoke in support of her Motion and highlighted that the main purpose was to ensure that the final arrangements worked for both parties. In response to a question from the Leader, the Chief Executive advised on the impact of the Motion should it be approved and that it could affect the letting of the contracts. The PQQ had already been issued and it was expected that the tender would be awarded within the next 2-3 months.

Councillor Parker, seconded by Councillor Cook, moved as an amendment as follows:-

"The paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected."

VOTE
On a show of hands Members voted as follows:-

Motion   -   8
Amendment   -   16

The amendment was accordingly carried.

DECISION
DECIDED that the paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected.

14. **PRIVATE BUSINESS**
.   **DECISION**
AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.

<u>SUMMARY OF PRIVATE BUSINESS</u>

<u>Minute</u>
1.   The private section of the Council Minute of 27 August 2015 was approved.

Committee Minutes

2.   The private sections of the Committee Minutes as detailed in paragraph 3 of this Minute were approved.

The meeting concluded at 12.20 p.m.

OPEN QUESTIONS

Questions from Councillor McAteer

To Executive Member for Environmental Services

1. Following recent public comments, where the Executive Member for Environmental Services stated that Scottish Borders Council will not pursue those that do not pay dog fines, can we receive an assurance that this is not the policy of this Council, and can we have an explanation of circumstances when it might be justified or appropriate to take this course of action?

    Reply from Councillor Paterson
    I can confirm it is the Council's policy to pursue the recovery of fixed penalty notices served for dog-fouling. There are circumstances in which this will not be appropriate such as where a household is assessed as vulnerable, there are concerns over the ability to pay and where it is not economically viable to carry out further recovery and enforcement activity.

    This Council recognises the distress, inconvenience and risks to health that dog fouling causes in our communities. That is why I have instructed Officers to develop a new strategic approach to dealing with this issue which will come before Council at the earliest opportunity.

2. In light of a recent announcement that Fife Local Authority plan to introduce monthly street waste collection, can the Executive Member for Environmental Services provide reassurance that this diminution of a valuable service will not be similarly introduced to Scottish Borders Council during the life of this Council?

    Reply from Councillor Paterson
    On the 25th June Council unanimously approved its approach to the development of a new Waste Management Plan, which will include a full review of the delivery options for its kerbside collections.

    A Member-Officer Reference Group has been established with member representation from all parties which will be fully engaged in the development of this new Plan.

    Until such time the review is complete it is not possible to confirm what the kerbside collection services will look like in the future. However at the current time the Council has no plans to implement 4 weekly collections of residual waste.

    It is worth highlighting that Fife is currently only introducing 4 weekly collections to 2,000 households. This forms part of a 9 month trial which aims to collect data to inform future kerbside collection service delivery models.

    Supplementary
    Councillor McAteer asked for confirmation that a 4 weekly collection could not be ruled out. Councillor Paterson advised that nothing was being ruled out at present but reaffirmed that there were no plans at this time to implement 4 weekly bin collections.

    To the Executive Member for Community Safety
3. In view of Police Scotland's recent decision to cease to provide Ward related crime and incident statistics, can the Executive Member for Community Safety explain how Scottish Borders Council will now be able to provide the transparency and reassurance Ward constituents seek, specifically given the continued challenge to the effectiveness of Police Scotland in relation to Community Policing?

<u>Reply from Councillor Moffat</u>
The Scottish Borders Police, Fire and Rescue and Safer Communities Board has the responsibility for scrutinising the performance of policing in the Scottish Borders based on crime and incident statistics. The Council receives the detailed minutes of these meetings. The Police Scotland Scottish Borders Local Policing Plan 2014 -17 sets the objectives and priorities for local policing in the Scottish Borders and the Plan was approved by the Council at its meeting on the 27th March 2014. To supplement this Plan, Police Scotland earlier this year has renewed individual Multi Ward Police plans which cover the whole of the Scottish Borders. These were developed on the basis of consultation and engagement with local communities. These local plans identified priorities for each ward and the Police are focusing on responding to these priorities and reporting progress to Area Committees. Some statistics can be provided such as if there has been a reduction or increases in relevant demand for police in a given area but only where this demand is directly associated to the Multi-Member Ward plan priority. These are used to demonstrate if the work being conducted by officers is having a positive impact in reducing the occurrences of the identified priority.

<u>Supplementary</u>
Councillor McAteer asked Councillor Moffat to agree that more detailed and inclusive figures on crime, including solvency rates, were needed so that people could understand what was happening in their areas. Councillor Moffat stated that Police Scotland provided the opportunity for anyone to look-up information regarding their area. It was not broken down by town at present but this would hopefully be available within the next few months.

<u>Questions from Councillor Logan</u>

<u>To Executive Member for Education</u>
1. If the maximum number of N5 examinations a student can sit is restricted to six, do you agree that some of pupils in the Scottish Borders are at a disadvantage compared to students elsewhere in Scotland when trying to gain places on the best University courses?

<u>Reply from Councillor Aitchison</u>
I disagree with the assumption that Scottish Borders young people are disadvantaged by the number of National qualifications they are presented for within Scottish Borders Schools.

The implementation of Curriculum for Excellence has resulted in a change to qualifications; replacing Standard grades with National qualifications. Despite the changes to qualifications, entry level to university remains the same. Students require good quality grades at Higher level for all degree courses. For a limited number of courses students may be required to gain Advanced Highers in specific subjects, as well as Highers.

Competitive courses require top Higher grades achieved in one sitting, as well as extras such as relevant work experience and/or wider achievement. Some competitive courses, such as medicine or dentistry, require five Highers at A grade as well as a strong performance in an additional Cognitive ability test.

Scottish Borders approach to National 5 is consistent with the rest of Scotland, although a few schools do offer up to eight presentations.

Scottish Borders approach to N5 examinations provides students with a strong foundation to prepare for Higher and Advanced Higher Exams which are more relevant and necessary for entry to university.

<u>Supplementary</u>
In response to a question from Councillor Logan on the availability of courses, Councillor Aitchison highlighted the problem of becoming obsessed by numbers of subjects studies and

the need not to put excessive pressure on students when school was about much more than academic achievement. He also commented on the sharing of subject provision for the smaller high schools and advised that this was a work in progress. However, he highlighted that Scottish Borders Council was currently 4th in terms of Scottish Local Authorities in providing positive destinations for school leavers.

<u>To the Leader</u>
2.	With reference to the proposed new building at Tweedbank to house the Great Tapestry of Scotland, can you inform us of the additional cost that will occur to meet all of the conditions imposed by the Chief Planning Officer particularly in phase 2?

<u>Reply from Councillor Parker</u>
The Tapestry project will not incur additional costs as a consequence of the conditions imposed by the Chief Planning Officer. The reference to Phase 2 relates to the wider Business Park Project and the costs to be incurred are already built into the anticipated project costs for that separate project.

3.	Given the public concern highlighted in letters, reports in the local press and verbally by our constituents, do you agree that the 25 October 2012 report to Council, entitled "Waste Treatment Project Contract Variation", contains nothing that could possibly be construed as commercially confidential or sensitive and should now be released to the public?

<u>Reply from Councillor Parker</u>
No, I do not agree. The contents of that report are covered by a confidentiality agreement by which we are bound.

<u>Supplementary</u>
Councillor Logan stated that in his opinion there was nothing confidential in the report and that he was happy to submit himself to the Court of Public Opinion and if he had made a mistake he was willing to apologise and asked Councillor Parker if he was prepared to do the same. Councillor Parker reiterated that the report was covered by a confidentiality agreement.

4.	<u>To the Executive Member for Social Work</u>
In light of the success of the pilot scheme introduced last year by Perth and Kinross Council in conjunction with the Perth and Kinross Credit Union will you reconsider the decision not to promote Capital Credit Union's prepaid debit card in the Borders? This card, entitled credEcard, has a myriad of benefits apart from assisting with budgets particularly for those people who do not have access to bank accounts.

<u>Reply from Councillor Renton</u>
As reported previously at Council we have actively promoted the use of credit unions in the Scottish Borders and the partnership between Capital Credit Union and the Council was indeed a good example of our commitment to supporting disadvantaged families in the Scottish Borders.

We have in in the past hosted awareness raising days, supporting Credit Union road shows and more recently Capital Credit has been promoting its services here at HQ.

The Council is always willing to support the work of ethical credit lenders to assist those people who do not have access to bank accounts but whilst we may support initiatives that help people to manage their finances in a sustainable way we cannot actively 'promote' any single organisation, bearing in mind there will be other products out there.

Capital Credit Union has attended the Council's Strategic Partnership Against Poverty where these matters are discussed and we would welcome a discussion with them on how best they can be supported with this or any other initiative.

Councillor Logan asked why if another Council was doing this why this Council would not.
Councillor Renton undertook to provide additional information outwith the meeting.

Question from Councillor Brown

To the Depute Leader (Health Services)
Will the integration of Health and Social Care in the Borders be able to address the on-going issue of Hawick Community Hospital refusing to admit patients who reside out-with Hawick, which is contrary to the assurances given to the people of Jedburgh when the Cottage Hospital closed? Is this not a breach of equality and choice within the Health and Social Care Services?

Reply from Councillor Bhatia
'The Health and Social Care Partnership', in the context of the Integrated care Fund Plan, is reviewing the primary and community services in central Borders including access for patients to local services.

When the community hospital in Jedburgh was closed there was an agreement that patients could access community hospital and enhanced community health services locally. The GPs who provide medical cover in Hawick Community Hospital decided 18 months ago not to accept patients outside the area. It is recognized that this is of concern to the community and to the local members and this will be taken into account when looking at future services.

The Chief Officer will be happy to meet with local members to discuss the issues.

Supplementary
Councillor Brown asked that if the ward boundaries were changed as proposed would the GPs in Hawick then refuse to treat people from Denholm and the surrounding Area. Councillor Bhatia acknowledged that there was a problem with GP contracts and this was being looked at by the Scottish Government.

Questions from Councillor Fullarton

1. To the Executive Member for Environmental Services
    The Council's recycling rates have fallen from 46% to 38% - what will this cost the Council in landfill tax each year if it continues at this rate?

    Reply from Councillor Paterson
    In 2014 the Council sent over 30,000 tonnes of household waste to landfill. As a result the Council spent approximately £2.5 million on landfill tax. In August, the Council agreed to close its landfill site at Easter Langlee allowing waste to be diverted and therefore minimising the costs associated with landfill tax. It will also assist the Council in working towards European and national recycling and landfill targets.

    It is important to outline that a number of positive steps have already been taken since 2014, to increase the household recycling rate including various Community Recycling Centre upgrades, with improvement works beginning at Hawick CRC this autumn. In addition, a new community recycling centre was opened in Kelso this year, while 2015 has also seen a new statutory food waste collection service introduced in 6 communities.

    Supplementary
    Councillor Fullarton asked if the offer by Zero Waste Scotland to review the withdrawal of the green waste collection was now seen as an opportunity lost. Councillor Paterson advised that it had been made clear to the Council at the time of the withdrawal of the green waste service that recycling rates would fall.

2. To the Executive Member for Education

We are aware of current shortfalls in teacher recruitment in Maths and Sciences. Can the Executive Member give us an update on the outcomes of the Teacher Recruitment Open Day held at the McDonald Cardrona Hotel?

<u>Reply from Councillor Aitchison</u>
Over 300 teachers attended the "Cardrona Recruitment" day from across the Scottish Borders, Scotland and the rest of the UK.

All subject vacancies across the secondary sector were advertised prior to the 'Cardrona day' and candidates were interviewed for all vacant positions. All vacancies in the secondary sector were filled as a result of this process prior to the summer holidays, including all science and mathematics posts.

Since the recruitment day there have been 4 additional Maths vacancies across the secondary sector and these positions are currently advertised nationally. We expect to be able to recruit to these vacancies in the very near future.

The event at Cardrona was extremely positive, not only did it allow us to attract many high calibre candidates across the range of secondary school subjects but it also provided us with an opportunity to promote the good work taking place in our schools right across the Scottish Borders.

<u>Supplementary</u>
Councillor Fullarton asked what steps would be taken to fill the current vacancies given the current problems in these subjects. Councillor Aitchison confirmed that given the success in filling previous vacancies he was confident that these posts would be filled.

3.   <u>To the Executive Member for Community Safety</u>
As the Chairman of the Police, Fire & Rescue, and Safer Communities Board, the Executive Member must know that the likelihood of 30% of current police officers retiring in the next 3 years is a cause for concern. Does the Executive Member know if this percentage is reflected in the number of police based in the Borders and will he raise this with the Scottish Police Authority Board?

<u>Reply from Councillor Moffat</u>
I understand the staff survey was carried out by an independent body. Every officer and member of support staff from Scottish Police Authority and Police Scotland was invited to participate, and 11796 responded (50.4%). There is response rate by region, and East has 29.5% of the response (3476 people). 71% of respondents were police officers. There were no specific statistics for the Scottish Borders. The response rate is really positive and gives us a foundation for improvement and future engagement. 33% of all respondents did indicate an intention to leave, however 49% of those 9181 respondents said it was changes to the pension that made them consider leaving. There are a lot of positives in the survey - 73% of respondents felt their team worked well together, 83% felt they were treated with respect by colleagues. On 3 September 2015, the Cabinet Secretary for Justice asked the Chair of the Scottish Police Authority to undertake an immediate review of governance in policing and asked that the review report be provided in six months. I believe that this national review by the Scottish Police Authority will lead to the greater accountability of Police Scotland at national level and stronger links between the national and local scrutiny of policing in the Scottish Borders, through the Scottish Borders Police, Fire and Rescue and Safer Communities Board which I chair.

<u>Supplementary</u>
Councillor Fullarton asked if Councillor Moffat considered that the justice reforms in Scotland were not working given that 30% of officers wanted to leave. Councillor Moffat advised that it was the pension issue which was the main problem. He also commented on plans to improve the scrutiny of the Police at a local level.

SCOTTISH BORDERS COUNCIL 12 NOVEMBER 2015

STARRED ITEMS FROM COMMITTEE MINUTES

EXECUTIVE COMMITTEE 3 NOVEMBER 2015

2.   **HOBKIRK PRIMARY SCHOOL** 2.1 There had been circulated copies of a report by the Service Director Children and Young People proposing changes to the status of Hobkirk Primary School in that it be mothballed for a temporary period and that the decision to do so be reviewed within 12 months. The report outlined the background to the falling pupil roll at Hobkirk Primary School, which had resulted in placing requests from parents of the last seven pupils attending the school being granted, leaving no pupils at the school. Arrangements for accommodating the pupils within Denholm Primary School were described in the report and included transport, staffing and the educational and social benefits to be achieved through the process. The Statutory Guidance issued pursuant to the Schools Consultation (Scotland) Act 2010 recognised that on occasions a Local Authority might consider it appropriate to mothball a school. This decision did not need to be subject to the formal requirements of that Act. However, the guidance emphasised that mothballing was temporary and any decision to do so must be kept under review. The Service Director Children and Young People, Ms Donna Manson, advised that parents had identified a number of concerns relating to the size of Hobkirk School and the effect on their children's education. Their children had been attending extra curriculum activities at Denholm Primary School and enjoyed the socialisation of these group events. As a result of discussions all parents made placing requests, all of which had been granted. Arrangements were then made for the children to attend Denholm Primary School.   Engagement with parents of pre-school children had also taken place in Hobkirk and their preference was for their children to attend Denholm Primary School.   Ms Manson continued that the new Curriculum for Excellence had an impact on the parents' choice. In answer to Members' questions, Ms Manson clarified that transport for the seven children to Denholm Primary School had been agreed as a management exception as an interim measure and officers would re-engage with those parents of pupils who had already transferred previously. However, transport would not be provided to schools outwith the catchment area.   During the interim period the Headteacher would be undertaking a large amount of management tasks, therefore the dual headship role would continue for the time being. In respect of pupils attending Secondary schools there was approximately a 50% split between Jedburgh and Hawick High Schools, with placing requests being used by parents to send their children to the school of their choice.

  2.2   Mrs Aitchison, Parent Representative, made a comparison between Hobkirk Primary School and Ednam Primary School which were not dissimilar. Mrs Aitchison highlighted the significant impact on communities when the village school no longer existed and expressed concern that in providing free choice for some parents the choice for other parents was denied. When a school was identified as being at risk then engagement with the community should take place at the earliest opportunity to identify ways of sustaining the school. Members discussed the report and referred to Hobkirk Primary School's roll which had reduced from 39 pupils in 2010 to seven pupils in 2015. It was suggested that the small schools policy may need to be reviewed to allow for earlier intervention to support some village schools.   Ms Manson further advised that in a mothball situation the legislation stated that the decision should be reviewed at a maximum of three years but good practice suggested a review within one year. The Executive Committee in January 2015 had considered details of the development of a School Estate Strategy and this included a review of the school estate, with further details due to be considered by the Executive Committee in the new year. The Deputy Chief Executive (People) clarified that all parents would be consulted as part of the review of the school estate.   The Chairman advised that all the Committee's comments would be included in the review as it went forward. Members agreed, with reluctance, to approve the recommendations.

      DECISION

AGREED:-

* **(a)** to recommend to Council that Hobkirk Primary School be mothballed with immediate effect for a temporary period;

   (b) to review the status of the school within the next 12 months; and

   (c) in the interim that transport be provided to Denholm Primary School for any new pupils moving into the area.

Scottish Borders COUNCIL

WASTE SERVICES – COMMUNITY RECYCLING CENTRE TRADE ACCESS POLICY

Report by Service Director Neighbourhood Services

SCOTTISH BORDERS COUNCIL

12 NOVEMBER 2015

1 **PURPOSE AND SUMMARY**

1.1 **This report recommends the approval of a Community Recycling Centre Trade Access policy for Scottish Borders Council.**

1.2 The aim of the Community Recycling Centre (CRCs) Trade Access Policy is to expand on the existing range of trade services by providing small, peripatetic traders with a cost effective and legislatively compliant means to dispose of the bulk of their waste and recycling. The proposal would aim to allow SBC to provide an improved and sustainable service that would contribute towards the current costs of trade waste disposal at CRCs.

1.3 CRCs are currently licenced to accept household waste only. However, it is suspected that some traders gain regular, unauthorised access to dispose of their waste. To resolve this, the options available are to either enforce a trade ban at CRCs or introduce the proposed permit system. Both of these options will incur costs to manage and enforce. The option of introducing a permit system however, would result in an income stream which could cover the management and enforcement costs and may contribute towards some of the trade waste treatment and disposal costs.

1.4 A key aim is to ensure that any system is simple and sustainable, therefore, after extensive consultation and research, it is proposed that a two permit scheme be introduced to allow traders access to six of the Council's Community Recycling Centres, the exception being Selkirk.

1.5 CRCs have been designed for household waste only and their current design, size, capacity and operational activities are such that the permit system should be introduced with the proposed material, vehicle, access and volume restrictions initially.

1.6 A review of the system will be undertaken after three months. Depending on the outcome of the review it may be possible to relax or remove some of the restrictions in place and for further improvements to be made to the new service.

1.7   Applications for either of the permits will be via an online form with legal checks and full payment included as part of the application process. This proposal is to introduce the new service from 1st April 2016 which aligns with the timescales for renewing the existing trade waste service contracts.

2   RECOMMENDATIONS

2.1   **I recommend that the Council approves:**

(a)   the introduction of a Trade Waste Access Policy for six of the Community Recycling Centres in the Scottish Borders Area.

(b)   the proposed two permit scheme with material, vehicle, access and volume restrictions along with the associated fees.

(c)   the need for a full time permanent enforcement role to manage the system and provide support for operational staff and site users.

(d)   expenditure incurred for implementation and ongoing costs as summarised in Appendix 1a.

3 BACKGROUND

3.1 Drivers

The implementation of the previous Integrated Waste Management Strategy (IWMS) had been identified as a key Business Transformation Project which was programmed to save £800k by 2017/18, contributing significantly to the £28 million savings target the Council has over this period. As part of that IWMS it was agreed to undertake a review of Community Recycling Centre (CRC) provision to ensure it is fit for purpose and financially sustainable in the long term.

3.2 Part of that review was to improve current service provision to traders and to develop a chargeable trade access policy at CRCs. Services currently available to traders include a chargeable kerbside collection service for both residual waste and recyclables, a bulky uplift service and weighbridge facilities at Galashiels, Hawick and Eshiels where landfill tax and disposal charges apply.

3.3 Currently waste disposed of at CRCs by traders cannot be identified, leaving the Council liable for the costs of disposal or recycling.

Under the Waste (Scotland) Regulations 2012 businesses are legally responsible for safely disposing of any waste they produce and to take all reasonable steps to recycle as much of that waste as possible.

4 PROPOSED SCHEME

4.1 Research

Of the 32 Local Authorities in Scotland, 15 allow traders access to their recycling and/or disposal facilities at a cost and 6 enable the recycling permit to be added to the trade collection contract for existing customers, free of charge. The other 11, including SBC, restrict access to householders only. The current CRCs in Scottish Borders were designed specifically for the acceptance of household recyclables and residual waste only and therefore do not have the capacity to accept large amounts of trade waste.

4.2 Extensive research was carried out on the various schemes currently in operation in those 21 Authorities. These ranged from issuing permits, books of vouchers, chip and pin, advanced booking and use of weighbridges. Refer to Appendix 3 for further information.

4.3 Assessments

Impact assessments were carried out on the different charging levels, payment types and schemes currently in use by the 21 Authorities. Refer to Appendices 4a, 4b, and 4c.

After assessing the pros and cons of the various schemes it is proposed that a chargeable two permit scheme be introduced for traders to access Scottish Borders Council's Community Recycling Centres.

4.4 Restrictions

Taking the limited capacity of the Council's sites into consideration, to minimise complaints from other site users over queuing and inconvenience when a trader is off-loading, it is proposed to allow access to certain vehicles only. In this way, the amounts of rubble, soil, stones, garden and landfill waste accepted will be restricted. Refer to Appendix 6a and 6b. Unlimited amounts of most recyclables will however be allowed thereby assisting traders in complying with the aforementioned Regulations.

4.5   Permits
Each permit will be valid for a period of one year from the date of issue. Permits will be specific to one vehicle and will be non-transferrable, however, the permit may be reassigned if a new vehicle is purchased. An administration charge will be made for this process.
Permits will only be issued to traders who have a business address within the Scottish Borders boundary.

Two types of permit will be available:
   - Recycling
   - Green, Construction and Recycling.

Each permit will be colour coded A5 and highlight the vehicle registration, expiry date and will contain a SBC hologram to avoid fraudulent duplication. Refer to Appendix 2 for copies of draft permits.

4.6   Recycling Permit
This would be for dry mixed recyclables (paper, card, cans and plastics), scrap metal and wood. There would be no restriction on the volume of recyclable materials accepted or number of visits to the Recycling Centres. This would be priced at £340.00 per annum. Refer to Appendix 2.

4.7   Green, Construction and Recycling permit
This would be for garden waste, landfill, soil and rubble and recyclables. As in 4.6 unlimited amounts of recyclable materials will be accepted however only a limited amount of garden, construction and landfill waste will be accepted. Visits to the CRCs would be limited to four bags (approximately 30 litres each) or equivalent, supplied by SBC, once per day for garden, construction and landfill waste.
This would be priced at £875.00 per annum. Refer to Appendix 2.

4.8   Costs
The table below summarises the number of businesses with a combined general waste and recycling kerbside collection contract and the range of costs incurred (based on a full year 52 weeks).

Cost to the business	Number of Contracts
< £300	101
≥ £300 and < £500	74
≥ £500 and < £1000	141
≥ £1000 and <£2000	94
≥ £2000 and <£3000	13
≥ £3000	25
Total number of contracts	448
> £875	151

To support the view that the proposed CRC permit costs are not unreasonable, the above table demonstrates that many businesses are already paying more than the proposed permit costs via a kerbside collection contract.

The table below compares the proposed CRC Green, Construction and Recycling Permit with various kerbside contract scenarios and their costs.

Proposed CRC Green, Construction & Recycling Trade Permit				
General Waste	Cost	Recycling	Cost	Total Cost
4 sacks per day x 5 days / wk. 120 litres of landfill waste per visit, (600 litres per week)	-	Unlimited recyclables including metal and wood	-	**£875**
Compared to				
Kerbside trade contracts				
General Waste	Cost	Recycling	Cost	Total Cost
1 x 360 litre bin. emptied once week	£253	Large Contract (650 sacks – approx. 12/week)	£481	£734
1 x 660 litre bin emptied once week	£510	Medium Contract (350 sacks - approx. 7/week)	£251	£761
1 x 1100 litre bin emptied once week	£791	Small Contract (150 sacks – approx. 3/week)	£96	£887

It should be noted that
- the kerbside general waste contract allows landfill waste only and does not allow any construction materials.
- the kerbside recycling contract allows paper, card, cans and plastics only and does not include wood, metal or green waste.

The introduction of a CRC permit scheme should therefore enhance and improve on SBC's current services to Border's businesses, supply a compliant disposal route that is currently not available for smaller, mobile businesses and at a reasonable cost.

We would aim to review trade services and pricing structures to maximise take up, provide businesses with good value whilst meeting both the Council's and a business's legislative duties and cover service costs.

5   **OPERATION OF SCHEME**

5.1   Access
Traders would be allowed access to Galashiels, Hawick, Eshiels, Duns, Eyemouth and Kelso CRCs, Monday to Friday between the hours of 9.00am and 4.30pm.   A review of these access times (which will include getting feedback from businesses) will be undertaken after three months and consideration given to any changes required.

Permits must be prominently displayed on the vehicle windscreen on entry to the CRC.

Due to the proximity of Galashiels and Hawick, capacity issues and the cost of double handling of the waste, trade access will not be allowed at the Selkirk CRC.

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5.2 **Vehicle Restrictions**

SBC's Community Recycling Centres are generally small and designed to accept waste from households only and therefore have a limited capacity to accept large amounts of waste. Also larger vehicles can cause the sites to become congested and these are excluded from the permit scheme.

For example, vehicles over 3.5 tonnes gross vehicle weight, trailers over 6 foot by 4 foot and vehicles with tail lifts. Refer to Appendix 6a for some examples of vehicles not allowed under this scheme and Appendix 6b for examples of vehicles allowed under the scheme.

5.3 **Start date and application for permit and payment**

The new scheme would start from 1st April 2016 and applications for permits will be via an online form with full payment by debit or credit card as part of the process.

For those who do not have access to online facilities, the application can be completed using the public access computers at the Council's contact centres or by contacting Customer Services who will complete the form with the customer by telephone.

5.4 **Issue of permits**

The completed application will be sent electronically to the Trade Waste team to issue the permit. As part of the application traders must verify they are legally entitled to carry/transfer waste by quoting the relevant Scottish Environment Protection Agency licence details. This will be verified by the Trade Waste team prior to issue of permit(s). The target for issuing permit(s) will be three to five working days after receipt of application.

5.5 **Site operations**

Feedback from other Local Authorities and CRC operational staff indicate that a key element of managing the scheme would be the installation of height and exit/entry barriers. It is proposed to install these barriers in financial year 2016/17.

5.6 **Resource**

Research of other Local Authority schemes indicate that having a dedicated resource in place to manage the scheme and support the operational staff was key to that scheme being successful.

A permanent member of staff would therefore be engaged to introduce and manage the scheme, engage with businesses and promote the new service, address any abuse of the scheme by traders and to support operational staff.

It is proposed that temporary staff would also be employed over a two week period when the system is first introduced. This would essentially be a two week grace period for businesses and a time where additional staff would be available to make them aware of the new trade access policy and advise how they can go about getting a permit.

Although take up by traders is not known at this time, it is estimated that income levels likely to be generated, (given research of trade take up in other Local Authority permit schemes), will provide funding for this post, refer to Appendix 1b.

6   IMPLEMENTATION

6.1   Communications

As part of the implementation a Communications Plan will be put in place. A key part of communications will be raising awareness with householders of the new trade access policy and the days / hours the sites will be accessible to traders. Information leaflets outlining the proposed scheme will be distributed at the centres to all those driving commercial type vehicles prior to the scheme going live. The scheme will be introduced simultaneously to all sites from 1st April 2016.

6.2   Resource

Research of other local authorities indicates that despite best efforts, there is no scheme that is 100% successful in stopping traders using CRCs. A key element to maximising success and making any scheme worthwhile however is having a permanent dedicated resource available other than CRC operational staff to manage the scheme.

As per 5.6 above, both a full time permanent post is deemed essential for the management of the new system as well as additional, temporary, resource over a two week period when the system is first introduced.

6.3   Review

It is proposed that a regular ongoing review of the scheme and operational impacts be carried out together with further consultations with service users and staff with adjustments being made to adapt and improve the service as required.

A specific review of the 9.00am-4.30pm access hours for traders will take place after 3 months and any alterations considered if required.

7   IMPLICATIONS

7.1   **Financial**

Currently some traders can gain unauthorised access to the Community Recycling Centres to dispose of waste. This results in the Council bearing the cost of disposal to landfill, via landfill tax, VAT and non-collection of disposal charge, or the cost of onward processing of recyclables.
With the introduction of a reasonably charged permit scheme the possibility would exist for the Council to recover some of the disposal costs it currently bears. However this would be dependent on the level of take up by traders.

(a)   It is estimated that the start-up costs for the introduction of a trade waste access policy in year 2015/16 would be £28k with recurring costs thereafter of £30k per annum. Detailed breakdown of costs in Appendix 1a.

(b)   Estimating a minimum take-up of 42 of each of the permit types would give an income of £51k for a full year. This represents 2% of available businesses operating in the SBC area not currently using the Council's commercial kerbside collection service. Refer to Appendix 1b for how the number of permits has been calculated.

(c)   A Project Business Case will be prepared for capital funding to install height restricting and entry/exit barriers in 2016/17 to the value of £44k.

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7.2 **Risk and Mitigations**

Full consideration has been given to possible risks, impacts and mitigating actions have been identified wherever possible. Refer to Appendix 4.

These include the capacity of the sites in handling additional waste and consequently having to close sites more often to service skips, householders having to queue while traders offload and a possible increase in the amount of fly tipping.

There is also the risk of introducing an overly complex and costly scheme which would not have the desired effect of encouraging traders to use our facilities and therefore denying SBC of an opportunity to raise additional income. Refer to Appendices 4b, 4c and 4d which show impact assessments relating to charging levels, payment types and system types.

To ensure risks are anticipated and minimised as far as possible, the scheme will be reviewed regularly once introduced and mitigations updated as further information becomes available.

A summary of the key risks (Appendix 4) is noted below:

(a) Complaints from householders who are having to queue and generally are inconvenienced at the CRCs by the introduction of traders.

To mitigate this risk, Officers initially proposed that traders be allowed access Monday to Friday, between the hours of 10.00am and 4.00pm.

Following feedback from Members, the access times being proposed are now 9.00am to 4.30pm. This will be reviewed after 3 months of operation.

Allowing access only on week days, allows weekends to be exclusively for householders and ensures operations at each site are possible with minimum disruption to site users, minimum need for site closures to change over skips and reduces the likelihood of complaints.

For the green, construction and landfill waste permit, it is proposed that traders are restricted to access once per day and that there is a restriction on the amount of waste accepted per visit (four hessian sacks, or equivalent, supplied by Scottish Borders Council).

(b) A large amount of additional waste may create operational difficulties in servicing the sites, with containers filling quicker and requiring the sites to be closed more often.
Mitigating actions are as per 7.2(a) above.

(c) A low uptake of the permit scheme would pose a risk to it being self-financing and its potential to contribute to the costs of disposal currently being carried by SBC. Careful consideration was given to setting the charges for these permits so that it would not be unaffordable to the traders who the Council is aiming to provide the service for.

(d) Increased fly-tipping could be a result of the introduction of this scheme. This has been discussed in detail with Neighbourhood Operations Managers and it is considered that the existing processes for addressing fly-tipping currently would be adequate to deal with this matter. This situation would be regularly monitored however and actions taken as required. The permanent CRC resource would also be able to help mitigate this risk by actively engaging with businesses

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to maximise take up of the CRC trade access scheme.

(e) Non-permit schemes operated by other Local Authorities in Scotland, including books of vouchers or permit plus booking systems relied on substantial back-office systems to administer them. Introducing similar type schemes to SBC would make them less efficient and more costly therefore diminishing the possible income. By proposing a two permit scheme with payment as part of an on-line application, the back-office tasks and associated costs are kept to a minimum.

7.3 **Equalities**

(a) An initial impact assessment has been completed (see Appendix 7). At this stage it is anticipated to have an overall positive impact on meeting the Equality Duty. Further assessment will be conducted through implementation to ensure this is achieved.

(b) It is anticipated that there are no adverse impacts due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals in this report.

7.4 **Acting Sustainably**

There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

7.5 **Carbon Management**

There are no significant effects on carbon emissions arising from the proposals contained in this report.

7.6 **Rural Proofing**

Access to CRCs for traders is anticipated to have an overall positive impact for businesses operating in rural areas as this service is provided in addition to existing trade collection and weighbridge offload services. The only possible negative affect is that Selkirk CRC is not open to traders and those operating in this area will have to drive to one of the other 6 CRCs that allow admittance. See Appendix 8.

7.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

8 **CONSULTATION**

8.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.

8.2 The Corporate Equalities and Diversity Officer was consulted with regard to carrying out an Equality Impact Assessment.

Consultations were held with the Corporate Communications team to deliver an information package regarding the introduction of a trade access policy for traders.

8.3 A consultation exercise was carried out with the business community in Scottish Borders which showed that the majority who responded would welcome the introduction of a trade waste policy that allowed access to the

Community Recycling Centres. For a summary of the consultation refer to Appendix 5.

8.4   Extensive consultation was held with all other Scottish Local Authorities, particularly rural Authorities, on the schemes they currently operate for disposal of trade waste and recyclables. There proved to be various charging schemes in place and also restrictions on site access. For details of these schemes refer to Appendix 3.

8.5   Consultations were also carried out with Councillors, current Community Recycling Centre staff and Trade Unions which required further information on other rural Authorities, impacts and mitigations. These have been incorporated into the report.

8.6   If approved consultations will continue with traders and CRC staff to review and adapt/improve the policy where possible. Updates on the policy will be provided via the Area Forums.

Approved by

Service Director Neighbourhood Services   Signature …………………………….

Author(s)

Name	Designation and Contact Number
Rob Orr	Waste Strategy Technician 01835825000 Ext5630

Background Papers: Delivery of an Integrated Waste Management Strategy
Previous Minute Reference: Scottish Borders Council 12th December 2013

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email eitranslationrequest@scotborders.gov.uk

COSTS OF INTRODUCING TRADE ACCESS PERMIT SYSTEM

	2015/16 Implementation £	2016/17 Recurring Revenue £	2016/17 Capital £
Height Restrictors & Barriers	-	-	44,000
SEPA Licences	7,650	-	
Resource *	18,000	29,800	
Administration & PR	2,350	200	
TOTAL	**28,000**	**30,000**	**44,000**

Resource* summary:

2015/16

    cost of temporary resource for a two week introduction period

    cost of permanent resource to prepare and implement then manage the scheme

2016/17

    annual cost of permanent, full-time post to manage the system & permit re-issue costs

Appendix 1b

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Income potentials based on permit purchase

There are approximately 5,300 businesses in the Borders with currently 1,100 contracted to receive a trade waste collection service from SBC.

This leaves approximately 4,200 businesses operating in the area either with other private collection or disposal contracts in place or with no contracts in place at all.

Based on the charges recommended, the undernoted table indicates potential annual income levels for 1%, 2% and 3% total take-up of a permit presuming half taking the recycling permit and half taking the Garden, Construction & Recycling permit.

	Permit Type		
Permit Purchase	**Recycling – £340 each**	**Green, Construction & Recycling – £875 each**	**Total Income**
21 each = 1% of businesses with no SBC contract	£7,140	£18,375	**£25,515**
42 each = 2% of businesses with no SBC contract	£14,280	£36,750	**£51,030**
63 each = 3% of businesses with no SBC contract	£21,420	£55,125	**£76,545**

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SBC Trade Recycling Centre Permit

Recycling Permit

Please note that only the following materials can be accepted for disposal using this permit:

Dry, mixed recyclables (paper, card, cans and plastics), scrap metal and wood (clean and free from attachments).

	RECYCLABLES - PAPER, CARD, CANS & PLASTICS	METAL	WOOD
GALASHIELS, HAWICK, ESHIELS, DUNS, EYEMOUTH & KELSO	✓	✓	✓

✓	UNLIMITED AMOUNT PERMITTED TO CRC

The following vehicles will not be allowed admittance:
- Trailers over 6ft x 4ft
- Vehicles over 3.5 tonnes (gross vehicle weight)
- Agricultural vehicles (tractors)
- Tippers or tail-lifts
- Horseboxes
- Motorhomes

All waste must be pre-sorted prior to arrival on site. No other waste permitted.

Trade Waste Permits must be displayed at all times when using the Community Recycling Centres. Scottish Borders Council reserve the right to restrict access to any vehicle on a site-by-site basis if a valid permit is not on view.

Opening Hours:

Monday to Friday 10.00am-4.00pm

Contact:

Trade Waste
Tel: 01835 825111
Email: tradewaste@scotborders.gov.uk
www.scotborders.gov.uk/recycling

Please note: Opening hours have been changed to Monday to Friday 9.00am-4.30pm.

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SBC Trade Recycling Centre Permit

Green, Construction & Recycling Permit

Please note that only the following materials can be accepted for disposal using this permit:

Green garden waste, rubble, soil and stones, scrap metal, wood (clean and free of attachments), waste for landfill and dry mixed recyclables – paper, card, cans and plastics.

	RECYCLABLES - PAPER, CARD, CANS & PLASTICS	METAL	WOOD	GARDEN	RUBBLE, SOIL & STONES	LANDFILL
GALASHIELS, HAWICK, ESHIELS, DUNS, EYEMOUTH & KELSO	✓	✓	✓	✓	✓	✓

✓	UNLIMITED AMOUNT PERMITTED TO CRC
✓	LIIMITED AMOUNT PERMITTED; MUST BE BAGGED; 4 SBC HESSIAN BAGS MAX PER VISIT; SINGLE VISIT PER DAY

The following vehicles will not be allowed admittance:
- Trailers over 6ft x 4ft
- Vehicles over 3.5 tonnes (gross vehicle weight)
- Agricultural vehicles (tractors)
- Tippers or tail-lifts
- Horseboxes
- Motorhomes

All waste must be pre-sorted prior to arrival on site. No other waste permitted.

Trade Waste Permits must be displayed at all times when using the Community Recycling Centres. Scottish Borders Council reserve the right to restrict access to any vehicle on a site-by-site basis if a valid permit is not on view.

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Monday to Friday 10.00am-4.00pm

Contact:

Trade Waste
Tel: 01835 825111
Email: tradewaste@scotborders.gov.uk
www.scotborders.gov.uk/recycling

Please note: Opening hours have been changed to Monday to Friday 9.00am-4.30pm.

Other Local Authorities - Trade Access Systems Operated
Nos. Local Authorities allowing trade access: **21**
No. Local Authorities NOT allowing trade access: **11 (incl. SBC)**

Type of System	Charging	Conditions	Nos. of Local Authorities*
Permit	Recycling Permit added to trade collection contract for existing customers (free of charge).	No added income generated.	6
	Standard Ticket/Permit - £110-218; Construction/Green Waste Ticket/Permit - £543-780 or £22/tonne either by weighbridge tickets or using a ready reckoner. Each application includes admin fee of £37.50 (all prices incl. VAT).	Certain materials e.g. Landfill waste not included in permit. Access limited to a few sites only. Separate full-cost permit for each trailer. High levels of competition from private contractors pushes down price in certain areas e.g. Fife.	4
Permit & Book	Can book a 20 minute slot to dispose of waste.	Inconvenient for traders who cannot visit when it suits them.	1
Voucher/Ticket per visit	Trade Waste voucher costs £13-138 depending on vehicle size or weight of material disposed of. One offers a book of 20 tickets for £29.30 for recyclates.	Copy of ticket handed in at site and copy retained by trader. High levels of administration involved for single-operator sites.	5
Chip & Pin	£103.50/tonne if using chip and pin, and £115/tonne if invoiced. (+£50/WTN).	Ideal system but expensive to implement (used by Edinburgh)	1
Weighbridge & Pay	Waste Transfer Note/delivery £25-252/ tonne depending on material type disposed of (recyclate cheapest and special waste most expensive).	Most accurate way of ascertaining disposal amounts but very expensive system for traders.	7
Total			23

*Highland operates 3 different systems.

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Risk / Impact Assessment

Risk	Impact	Mitigating Actions	£ Mitigating Actions
Queues at CRCs	Complaints	-Access 6 sites every day during the week -Trader access restricted to Mon-Fri, 10am-4pm -Currently coming in and coping	-CRC Officer / Business Support trade team / Waste Services
Containers full / capacity problems	-Complaints -Site closures -Operational issues – skips need emptying more frequently	-Operational review – implement based on staff knowledge and experience -Restrictions / limits on certain materials	-CRC Officer -Monitor / review / revise
Increased fly tipping	-Costs to Council to deal with -Aesthetics / environmental impact	- SEPA meeting already held - Neighbourhood Operations meeting already held - Regular monitoring and communications with N/Ops Managers - Actions as required - Annual review of CRC charges - Engagement with businesses / Duty of Care (DoC) / education / awareness raising	-CRC officer to engage with businesses and maximise take up of permit - Neighbourhood Services system already in place to address fly-tipping -Enforcement – actions /options to be investigated (N/Ops, Safer Comms & Env H links) -Repeat business consultation exercises / awareness raising
Low uptake of permits (due to cost? Due to inconvenience?)	-Fly tipping -Little/no income -Continued CRC trade abuse	-'Reasonable' charges (research other LA charge levels; baseline – SBC costs to dispose of) -Keep the system simple - Regular business engagement, education, awareness raising via Business Gateway, Chamber of Commerce, re. DoC, etc Inform and educate re DoC & individual – door-knocking -Business consultations – ask re frequency of visits / staff records - Monitor, review and revise charging	-CRC Officer & other resource (Waste Services / Trade Waste / Business Support)
Estimated frequency of	-Skips get full quickly at certain CRCs	-Other LA views -Business consultation exercises results	-Monitor by CRC Officer -Adapt load amounts

visiting a CRC – to be considered	-Queuing	-Business consultation / once in place – frequency of visiting	-Increase skips/capacity?
Risk of diverting kerbside & weighbridge customers to permit system	-Potential loss of income from kerbside & weighbridge	-Currently only a very small number of large businesses use weighbridge -Pricing such that businesses would be better retaining kerbside collections of some materials; convenient -Monitor, review and revise as required	-Resource in place to monitor (CRC staff, Waste Services, Trade Waste, Business Support & CRC Officer)
Admin system too complex	-Time-consuming -Resource intensive -Costly -Has an impact on the customer experience	-Keep simple and streamlined initially -Online payments in lump sum to ensure income -Monitor, review and revise always an option (annually)	-Trade waste team to administer
Traders accessing all CRCs at weekends and Selkirk Mon-Fri	-Complaints from householders -Operational issues – skips need emptying more frequently -Queuing -Health & safety issues	-CRC Officer monitoring unauthorised access -Temporary agency operatives employed to provide support during introductory period of Permit system	-CRC Officer -Agency fees for temp staff

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Trade Permit - Charging Impact Assessment   **Appendix 4a**

Aim	Business Take-up	Income Generation Potential	Fly Tipping Increase	Kerbside Collections	Maximises Staff Checks	Site Operations / Queues	Objections by Traders	Scope to Review and Increase Income Potential
Full Cost Recovery (covers full cost of scheme + full disposal costs)	Red	Red	Red	Red	Green	Green	Red	Red
Minimum Cost Recovery (covers cost of scheme only and no contribution to disposal)	Green	Amber/Green	Green	Green	Red	Red	Amber	Green
Equitable Cost Recovery (covers cost of scheme and some contribution towards disposal)	Green	Green	Green	Amber / Green	Green	Amber / Green	Amber / Green	Green

Key: Green = Low risk   Amber = Medium risk   Red = High risk

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Trade Permit – Payment Type Assessment   **Appendix 4b**

Aim	Suitability for Customer	Objections by Traders	Suitability for SBC Processes and Admin	Income Generation Potential	Payment Guaranteed for the Year	Guarantee of Payment Collection	CRC Staff Know Permit is Paid and Valid	Scope to Review and Increase Income Potential
One-off online payment by Credit/Debit Card	Green	Amber/Red	Green	Green	Green	Green	Green	Amber
D/D Payment	Green	Green	Green	Green	Red	Red	Red	Green
Cheque/Cash	Green	Green	Red	Green	Red	Red	Red	Red

Key: Green = Low risk   Amber = Medium risk   Red = High risk

Trade Permit - System Impact Assessment   **Appendix 4c**

System Type	Convenience for Customer	Objections by Traders	Convenience for Checking by Operations	Payment Guaranteed for the Year	Suitability for SBC Processes and Admin	Queuing / Delays	Scope to Review and Increase Income Potential
Permit	Green	Green	Green	Green	Green	Green	Green
Vouchers	Amber	Amber	Red	Red	Red	Red	Green
Booking System	Amber/Red	Red	Red	Red	Red	Red	Green
Weighbridge and Pay	To be considered in future						

Key: Green = Low risk   Amber = Medium risk   Red = High risk

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Business Waste Consultation Surveys - Summary of Feedback   **Appendix 5**

Total no. surveys completed: **95** (86 online; 9 hardcopy)
Already have kerbside recycling contract: **Yes: 62**   **No: 33**

Types of materials brought in (most frequent first):

Paper, card, cans or plastics	59
Non-recyclable waste for landfill	40
Other (see below)	25
Garden Waste	24
Metal	24
General rubble/stones, etc.	23
Wood	23
Soil	6

Other materials:
Batteries, fluorescent tubes, small electrical appliances, lights, glass bottles, carpets, underlay, glass, printer ink cartridges, hard drives, computers, private household waste, surplus office furniture, WEEE, oil, insulation.

Frequency of visits (most often first):

Weekly	29
Monthly	21
Fortnightly	19
Twice per week	11
Other (see below)	9
Daily	4
Every second day	3

Other times:
None, once or twice a year, rarely, twice a week at most, very occasionally, weekly as required, as and when required, rarely in winter, more often in summer with garden waste, every 3-6 months, perhaps every other month.

Times most likely to visit:

Could be any time during the day	55
9am-noon	16
4pm-5pm	14
Pre 9am	10
2pm-4pm	9
Noon-2pm	4

Type/Size of Vehicle Used:

Transit van	32
Car	20
Small panel van	15
4x4	10
Estate car	7
Car based van	5
Pick-up/flatbed	5
Micro/mini van	2

Likelihood of bringing in a trailer: **Yes: 15**   **No: 79**
Numbers aware they have a Duty of Care /
have to register as a Waste Carrier: **Yes: 78**   **No: 16**
CRC most likely to be used:

Galashiels	23
Hawick	23
Eshiels	16
Could be all/any site	13
Selkirk	10
Eyemouth	9
Duns	6

Vehicles exceeding 3.5 tonnes GVC	**Trailers over 6ft x 4ft**
Agricultural vehicles (tractors)	**Tippers or tail-lifts**
Motorhomes	**Horseboxes & Horse trailers**

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 Cars	 **Estate cars**
 4 x 4s	 **Car derived vans**
 Large and small panel vans	 **Microvans and Minivans**
 Trailers of 6ft x 4ft or less	 **Transit vans not exceeding 3.5 tons GVW**

Scottish Borders Council
Stage 1 Equality Impact Assessment – Start Up
(For Early Proposals, Project Initiation, Start Up)

1.	**Title of Proposal:**	Community Recycling Centre (CRCs) Review - Trade Access Policy

(Please enter the title or reference for your proposal)

2.	**Service Area:** **Department:**	Place – Neighbourhood Services - Waste Services

(Please enter the department/service area submitting the proposal)

3.	**Description:**	To review Community Recycling Centre provision to ensure it is fit for purpose and financially sustainable in the long term. This has resulted in the need to consider permitting businesses access to the sites for the disposal of waste and recycling. Businesses currently have the option to contract with SBC for a kerbside waste / recycling collection service or can take materials directly over a weighbridge and then direct to landfill. The introduction of a permit system allowing businesses access to CRCs will: - improve the range of services SBC currently offers to businesses, - provide a more efficient and effective means for small, mobile businesses to dispose of their waste, - support businesses in meeting their legislative requirements under the Waste (Scotland) Regulations 2012 and also - allow SBC to recover some of the costs currently incurred through businesses' unauthorised access to CRCs. It should be noted that all businesses have a legislative duty to ensure their waste is treated and disposed of in an authorised manner by authorised, licenced waste disposal operators. Waste collection, treatment and disposal operators, of which the Council is on, can recover the costs of providing such services.

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4.	Relevance to the Equality Duty.	
	Do you believe your proposal has any relevance to the following duties of the Council under the Equality Act 2010?	
	(If you believe that your proposal may have some relevance – however small please indicate yes)	
	Duty	**Yes/No**
	Elimination of discrimination (both direct & indirect), victimisation and harassment. *(Could your proposal discriminate? Or help eliminate discrimination?)*	No
	Promotion of equality of opportunity? *(Could your proposal help or hinder the Council with this)*	Yes
	Foster good relations? *(Could your proposal help or hinder the council s relationships with those who have equality characteristics?)*	No

5.	**Which groups of people may be impacted (both positively and negatively) if the proposal is advanced?**				
	(Please x all that apply).				

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Equality Characteristic	Impact			Description
	No Impact	**Possible Positive Impact**	**Possible Negative Impact**	*Where you have identified a potential impact, please detail what you perceive this to be. Where an equality characteristic is potentially negatively affected, please explain how and the extent to which they may be negatively affected.* **If you are unsure of the answer please state this and recommend further investigation.**
Age (Older or younger people or a specific age grouping)	X			Implementation of this policy would have no impact on this group.
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring			X	Implementation of this policy would have a possible negative impact on a group that was unable to drive however SBC has a kerbside collection service that would meet such businesses needs and this policy is being developed to meet the needs of mobile, peripatetic businesses.

Gender (Males, Females, Transgender or Transsexual people)	X			Implementation of this policy would have no impact on this group.
Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)	X			Implementation of this policy would have no impact on this group.
People with Religious or other Beliefs: different beliefs, customs (including atheists and those with no aligned belief)	X			Implementation of this policy would have no impact on this group.
Sexual Orientation, e.g. Lesbian, Gay, Bisexual, Heterosexual	X			Implementation of this policy would have no impact on this group.
Carers (those who have caring responsibilities for someone with an equality Characteristic)	X			Implementation of this policy would have no impact on this group.
Poverty (people who are on a low income including benefits claimants, people experiencing fuel poverty, isolated rural communities etc)		X	X	Some businesses, based and operating in a rural community and depending on where this community is located, could be negatively impacted due to the fact that SBC has a limited number of CRCs across the Borders and they therefore may have increased fuel costs. SBC however also has a kerbside collection service that the business could utilise. On the other hand, some businesses could be positively impacted as disposing of waste and recycling at CRCs may provide an easier and more convenient means of disposing of their waste.

					The overall benefits of improving the range of services SBC can offer to businesses is considered to outweigh any likely negative impact that might be incurred to some in this group.
	Employees (those employed by the Council including full time, part time and temporary)		X	X	Employees working at the Community Recycling Centres would be positively impacted if this policy and the resource identified to manage the system is approved as they will be more supported in their role in dealing with customers and being able to manage the new policy. If the policy is approved without the resource then staff will likely be negatively impacted as they will have very little support and little means to manage or enforce the new policy.

6.	**Mitigation** Where you have identified a potential negative impact, please detail what mitigations will need to be put in place in order for your proposal to progress. **If you are unsure of the answer please state this and recommend further investigation**.

Characteristic	Mitigation
Disability	The existing kerbside collection service mitigates this potential negative impact.
Poverty	Businesses have a duty of care and legislative requirement to ensure their waste is collected, treated and disposed of in an authorised manner. They will have to pay for such a service. SBC offers a range of services for businesses. This policy results in another means available to businesses to ensure they comply with their duties.
Employees	Ensure that additional resource, as requested, is put in place to help manage the CRC trade access policy if approved.

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7.	How certain are you of the answers you have given?	
	Answer	**Tick One**
	Certain - I have populated the evidence base to support my answers.	
	Fairly Certain – but don't have concrete evidence to support my answers so would recommend further assessment is conducted if the proposal is progressed.	✔
	Not Certain – further assessment is recommended if proposal is progressed.	

Completed By			
Name	Fiona McDougall	Service Area.	Waste Services
Post	Project Officer	Date	July 2015

This assessment should be presented to those making a decision about the progression of your proposal.

If it is agreed that your proposal will progress, you must send an electronic copy to corporate communications to publish on the webpage within 3 weeks of the decision.

For your records, please keep a copy of this Equality Impact Assessment form.

The rural proofing checklist

Consider all the questions below. Will your initiative encounter the challenges presented by rural circumstances? Answering 'Yes' indicates a potential negative impact which should be highlighted and, where appropriate, adjustments should be made. Some potential solutions are indicated to help you consider appropriate adjustments. *Please refer to the guidance note 'Frequently Asked Questions' before completing the checklist.*

Name of policy/ strategy: Integrated Waste Management Strategy – Community Recycling Trade Access Policy

Date checklist completed: 12 August 2015

Completed by: Fiona McDougall

	Yes	**No**	**Summary of likely negative impacts**:
1. **Will the policy have a negative effect on the availability or delivery of services for people living in rural areas?** For example, might it encourage closure or centralisation, and will this have an unequal/ negative effect in rural areas where services are already limited? *Rural solutions: improve transport/ accessibility to compensate for the centralisation of services; encourage other funds for threatened rural services; provide more money to rural outlets to maintain service standards.*	X		Community Recycling Centres (CRCs) are currently only located in 7 towns across the Borders. Access for traders to dispose of their waste and recycling will be restricted to 6 sites: Galashiels, Hawick, Eshiels, Duns, Eyemouth and Kelso CRCs. Selkirk CRC will not be available to businesses as it is too small and has limited capacity. Traders working in the Selkirk area will therefore need to drive to another CRC.

	Yes	No	Summary of likely negative impacts:
			Summary of adjustments made: No adjustments are possible. Access to CRCs for traders is provided in addition to existing trade collection and weighbridge offload services.

	Yes	No	Summary of likely negative impacts:
2. Will access to the service be restricted for people living in rural areas? (If yes, how will the service be made available to people living in rural areas?) For example, will the policy result in the need for increased travel, or have a negative impact on the ease and/ or cost of travel? Will the impact be different in sparsely populated or remote rural areas, where journey times tend to be longer, public transport is poor, more people rely on a car and travel options are limited or expensive? *Rural solutions: reduce the need to travel by using mobile services, local delivery or telephone / internet; ease travel by coordinating or improving transport links (e.g. additional services, on-demand transport, community transport/ community car schemes, taxi vouchers); reduce the costs of travel by subsidising services or individuals (remembering that there may be no public transport service between many locations; share premises or staff with other service providers to maintain or create a rural outlet ('joint provision').*	X		Community Recycling Centres (CRCs) are currently only located in 7 towns across the Borders. Access for traders to dispose of their waste and recycling will be restricted to 6 sites: Galashiels, Hawick, Eshiels, Duns, Eyemouth and Kelso CRCs. Selkirk CRC will not be available to businesses as it is too small and has limited capacity. Traders working in the Selkirk area will therefore need to drive to another CRC. Allowing trade access to the CRCs is however likely to be more beneficial, especially to peripatetic businesses, than the existing kerbside trade collection services on offer. **Summary of adjustments made**: No adjustments are possible. Access to CRCs for traders is provided in addition to existing trade collection and weighbridge offload services.

	Yes	No	Summary of likely negative impacts:
3. Will the cost of delivery be higher in rural areas (where customers are more widely dispersed or it is hard to be cost-effective)? (If yes, how will this extra cost be met or lessened?) <u>For example</u>, will longer travel times or distances to clients add to the cost of service provision? Will services need to be run out of smaller outlets, reducing cost-effectiveness? *Rural solutions: allow for higher unit delivery costs when calculating costs (e.g. a 'sparsity' factor) or when specifying cost-efficiency criteria; encourage joint provision to reduce costs.*		X	The cost of delivery will not be greater in rural rather than urban areas as the permit charges are fixed according to material type and not based on geographical location. **Summary of adjustments made**: **N/A**
	Yes	No	Summary of likely negative impacts:
4. Will the policy have a negative effect on the availability of affordable housing in rural areas? <u>For example</u>, have all the knock-on consequences been considered which might affect or reduce the number of houses available or make it more difficult for people to find a housing solution in rural areas? *Rural solutions: consider provision of alternative affordable rural housing solutions.*		X	**N/A** **Summary of adjustments made**: **N/A**

	Yes	No	**Summary of likely negative impacts**:
5. Will the policy be delivered by the private sector, or through a public-private partnership or local institution that may limit provision in rural areas? For example, will the smaller, scattered population in rural areas provide a sufficient market to attract the private sector? Will there be similar opportunities for choice and competition? Does the private sector in rural areas have the capacity to deliver? Will the policy be as effective in rural areas, where private, public and voluntary sector organisations tend to be smaller and have less capacity? If funds or services are to be allocated via a bidding process, will small organisations be able to compete fairly? *Rural solutions: consider the use of regulation, including universal service obligations; set rural delivery targets; draw up contracts that prevent cherry picking of the most profitable (urban) markets; encourage commercial providers with incentives; offset higher rural costs (e.g. through rate relief); provide specific support for capacity building; allow longer timescales for bidding; simplify the bidding process; allow an increased level of public or voluntary sector input to compensate for limited private sector input.*		X	N/A **Summary of adjustments made**: N/A

	Yes	No	Summary of likely negative impacts:
6. Does the policy rely on infrastructure for delivery (e.g. mobile phone coverage, broadband ICT, main roads, utilities) that may be limited in rural areas? For example, how will the policy work in rural areas where the existing infrastructure is typically less developed (e.g. no mobile phone coverage), or where infrastructure does not exist (e.g. cable TV, mains gas), and / or where upgrading of infrastructure may be difficult or expensive? *Rural solutions: consider using regulation or licences to encourage the development of better infrastructure; encourage or coordinate demand to make supply viable; use the public sector's collective demand to stimulate supply; provide other ways of accessing the service. Use local radio and existing local communication networks to disseminate information.*		X	The trade permit system relies on access to CRCs, site infrastructure that already exists. **Summary of adjustments made:** **N/A**

	Yes	No	Summary of likely negative impacts:
7. Will the policy have a negative impact on rural businesses, or land-based businesses, (including the self-employed) and therefore, on rural economies and environments? For example, will it have a different effect on smaller businesses (which employ a larger part of the workforce in rural areas) or those sectors which are typically more important in rural areas – farming, forestry, tourism? Will the higher proportion of self-employed people in rural areas be affected (including those running part-time businesses)?		**X**	There is likely to be a positive impact on rural businesses which will be allowed admittance to CRCs in the area for the first time and use those closest to their customers.
Rural solutions: ensure the needs of small businesses are specifically addressed; take support, advice and training out to businesses; where possible avoid too much red tape that will unduly affect small firms. Consider opportunities for innovative local service delivery mechanisms which may also boost local employment and income; identify 'win-win' solutions which deliver economic, social and environmental benefits (e.g. identify local delivery solutions; consider incentives for environmentally friendly practices; promote local supply chains; allow for and encourage a wide range of rural enterprises).			**Summary of adjustments made:** **N/A**

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	Yes	No	Summary of likely negative impacts:
8. Will the policy have a negative impact on employment in rural areas? For example, will any full or part-time posts be lost as a result? Will the existing jobs become less attractive and therefore harder to fill in a rural location? What will be the impact on other services provided in the area? *Rural solutions: consider if part-time jobs can be 'rolled up' to create a more sustainable post; look for a local delivery solution; consider measures to improve the choice of work (e.g. increasing skills, improving local childcare, improving transport to work).*		X	N/A **Summary of adjustments made:** N/A

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	Yes	No	Summary of likely negative impacts:
9. Will the policy have a negative impact on people who are disadvantaged in rural areas? (If the policy is targeted at addressing disadvantage, how will it target rural disadvantage, which is not usually concentrated in neighbourhoods?)		X	N/A
<u>For example</u>, do the indicators used for identifying need measure rural deprivation issues (e.g. access to services, access to job opportunities, low earnings and housing affordability)?			**Summary of adjustments made:** N/A
Rural solutions: use small area statistics to identify pockets of hardship; adjust the indicators or their weighting to accommodate both urban and rural aspects of deprivation; choose larger areas for targeting to pick up scattered disadvantage; target population groups rather than areas.			

	Yes	No	Summary of likely negative impacts:
10. Does the policy assume 'one size fits all', and fail to take into account the different size and specific circumstances of smaller rural schools and other isolated rural service facilities? For example, would centralisation of a service reduce local purchasing and job opportunities in the rural area, or create increase travel time and energy costs? *Rural solutions: consider the possibility of creating localised and alternative solutions in rural areas.*		X	The policy is based on a chargeable two permit system: (1) Recycling permit and (2) Green, Construction & Recycling permit which allows disposal of different materials at different charges according to the business's needs. **Summary of adjustments made:** **N/A**

Steps to take

1. Ensure you are clear about the objectives of the proposed policy, its intended impacts or outcomes (including which areas, groups or organisations should benefit) and the means of delivery.

2. Run through each question in the checklist, identifying where the proposed policy is likely to have a different impact in rural areas, focusing on potential negative impacts.

3. Where there is uncertainty or a potentially different (worse) impact, this should be investigated further (and included in the overall assessment of the costs and benefits of the policy).

4. Where the impact in rural areas will be significantly different, explore policy options to produce the desired outcomes in rural areas or avoid/ reduce any undesirable impacts. This exercise may also highlight opportunities to maximise positive impacts in rural areas.

Feed the results of your appraisal, including solutions, into the decision-making process and ensure a record is kept, to be included in your Department's annual proofing report.

Council 12 November 2015

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SYRIAN REFUGEE CRISIS – A SCHEME FOR THE RESETTLEMENT OF SYRIAN REFUGESS IN THE SCOTTISH BORDERS

Report by the Chief Executive

SCOTTISH BORDERS COUNCIL

12 November 2015

1   PURPOSE AND SUMMARY

1.1   **This report outlines the work that has been undertaken to develop a scheme for the resettlement of Syrian Refugee households into the Scottish Borders, and seeks approval to start a negotiation process with the Home Office to resettle Syrian refugee families.**

1.2   The report highlights the position of UK and Scottish Governments on the resettlement of Syrian refugees into the UK and Scotland. The UK Government's Scheme aims to resettle 20,000 refugees over the next four years and the Scottish Government has indicated that 2,000 refugees could be resettled in Scotland. The Scheme prioritises those refugees who cannot be supported effectively in their region of origin: women and children at risk, people in severe need of medical care, and survivors of torture and violence. Local authorities are recognised as the lead body in this resettlement process. Funding is provided by the Home Office to support local authorities taking part in the Scheme.

1.3   The proposed Scottish Borders refugee resettlement scheme would aim to resettle up to 10 refugee families in the next four years. This would be in line with the Scottish Borders share of the 2,000 refugees coming to Scotland based on the area's proportion of the Scottish population.

1.4   It is proposed that the local scheme begins with two families, and then gradually increase this number by building on the learning process from resettling the refugees. This conforms to the approach taken by other local authorities. The initial location for resettling the refugee families would be Galashiels because of its good transport connections, public and private services and support structures. It is intended that other locations would be considered as part of the 'roll-out' of the scheme.

2   RECOMMENDATIONS

2.1   **I recommend that the Council agree that officers progress the work to resettle refugee families into the Scottish Borders.**

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3   BACKGROUND

3.1   In response to the unfolding Syrian refugee crisis the Prime Minister of the UK Government announced on 7 September 2015 that the UK would take an additional 20,000 Syrian refugees by 2020. Following this announcement, Mr Humza Yousaf, the Scottish Government Minister for Europe & International Development, said: "*As made clear by the First Minister at last week's emergency humanitarian summit, Scotland is willing to take our fair share of refugees to help some of the most vulnerable people in need*". This 'fair share' equates to 2,000 refugees over the next 4-5 years. Local authorities are recognised by both the UK and Scottish Governments as taking the lead in the resettlement of refugees.

3.2   As a result of these announcements, the Convention of Scottish Local Authorities (COSLA), on behalf of its members has been working with both Scottish and UK Governments to agree the processes that will see refugees resettled and integrated into Scotland. The aim is to support a common approach that builds on current practice and enables the refugees to have the best chance of integrating successfully into Scottish society.

3.3   A national Taskforce at the Scottish Government level has been established which is chaired by Mr Yousaf, with Housing and Integration Sub-Groups. COSLA is represented on both groups. In addition there have been regular Tri-partite discussions involving COSLA, UK, and Scottish Governments. COSLA has also organized a series of information sessions where information and guidance has been imparted to local authorities. Officers from Scottish Borders Council have attended these meetings.

3.4   There has been an existing Syrian Refugee Scheme operated by the UK Government's Home Office. This was established in February 2014. Five Scottish local authorities were involved in this initial scheme. These were Glasgow City Council, Edinburgh City Council, Renfrewshire Council, Perth and Kinross Council and East Dunbartonshire Council. The new UK Syrian Refugee programme (see Appendix 1) known as the Syrian Vulnerable Person Scheme is based on the existing scheme. The Scheme prioritises those refugees who cannot be supported effectively in their region of origin: women and children at risk, people in severe need of medical care and survivors of torture and violence.

3.5   The UK Government sets the criteria and the United Nations High Commission for Refugees (UNHCR) identifies and submits potential cases for Home Office (HO) consideration. Cases are screened and considered and the HO retains the right to reject on security, war crimes or other grounds. Once the screening process has been completed a full medical assessment is conducted by the International Organisation for Migration (IOM) in the host country. Full details of the case and medical history are sent to the local authority and partners for assessment of need, including whether suitable accommodation and care are available locally. Local authorities are asked to accept or reject cases.

3.6   Eligibility is then confirmed and IOM start the visa application process. UK Visas and Immigration International issue UK visas (3 months Leave

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Outside of the Rules) and on arrival, arrangements are made for Biometric Residence Permits to be issued with 5 years' humanitarian protection.

3.7 A financial package has been put together for local authorities and Health services taking refugees. (See Appendix 2). Further additions to this assistance are under discussion including multi-year funding. Also, the Home Office has acknowledged that given the specific requirements of this refugee group, the types of services required are not definitive. It is open to negotiation if local authorities consider there are other elements not covered that would require funding. The Scottish Government has also allocated £1 million for this financial year to support local refugee resettlement programmes and it will probably focus this assistance on high cost cases based on need.

3.8 Local authorities in Scotland are in different positions with respect to resettling Syrian refugees depending on their past experience in such matters. It is understood that up to 18 local authorities may take refugees before Christmas 2015. Scottish Borders Council has had no past experience in taking refugees or asylum seekers and would be one of the later authorities to take part in resettlement schemes.

4 RESPONSE BY SCOTTISH BORDERS COUNCIL AND ITS PARTNERS

4.1 In considering how the Scottish Borders can respond and play its part in the overall effort, a number of immediate issues have been raised that would need to be considered before we could formally begin accepting refugees. These are identified below:

- Is there housing available locally and where should refugees be located initially?

- What range of support services do we need to put in place to assist the refugees establish themselves both immediately and over the longer term in the Scottish Borders?

- What local support networks might there be for refugees?

- How do we harness and coordinate the community in supporting the refugees to successfully resettle and integrate into the local community?

- How to engage with the national programme of resettlement and to access the funding support available from this programme?

- What lessons can be learned from resettlement schemes in other areas?

4.2 Whilst there is an understandable desire to be responding immediately to the crisis, the resettlement of refugees needs to be done in a coordinated and resourced manner that enables vulnerable people who have already experienced significant trauma to be properly settled and supported. For this reason it is considered that a local programme should take a gradual approach and build on the lessons learned from resettling refugees. The aim is to take two families initially and increase this to 10 over a four year period.

5 KEY SERVICE REQUIREMENTS

Housing

5.1   There have been a significant number of offers from people and groups in communities to provide accommodation and other support for refugees. Discussions have taken place between the Council's Housing service and Registered Social Landlords (RSLs). These have stressed the importance of ensuring refugees are not placed in isolated communities but in settlements large enough to support a number of refugee households. It is considered that refugee families need to be settled in an area where there are good transport connections, effective access to local services and support networks, and in safe places. Taking account of these factors it is considered that the most appropriate location for the initial resettlement of refugees is in the Galashiels area.

Provision of Support Services

5.2   Bringing a refugee and their household into the UK is complicated and requires a significant degree of co-ordination between the Home Office and the receiving authority. There will be a range of immediate support services that will be required by refugee families resettled into the Borders. These are identified and discussed in the following paragraphs.

Welfare Benefits Assistance

5.3   Within the first 48 hours of entering the UK refugees will be required to obtain a Biometric Residence Permit (BRP). These are managed by the Post Office and it is our understanding there are currently only eight places in Scotland where these can be obtained, two in Edinburgh. Once the BRP has been obtained then the refugee will need to get a National Insurance number. This will enable them to access to the full range of benefits from the Department of Work and Pensions (DWP) that a UK resident would normally have. Work is going on nationally to streamline this process. Experience from other areas suggests there have been problems in refugees opening bank accounts together with delays in putting benefits in place. This means that it is likely that there will be a need to give some initial financial support for refugee families to provide time to deal with these problems. There will also be an ongoing requirement to work with the Job Centres to ensure adult refugees are helped to meet the employment tests that are important for accessing benefits on an ongoing basis.

Social Care

5.4   Each refugee family resettled to the Scottish Borders will have unique support needs. This necessitates an early assessment and provision of services to meet the immediate Social Care needs. Evidence from other refugee resettlement schemes indicates that it is likely that once the family

have settled and their basic needs met then the psychological process of dealing with trauma and resettling to a foreign country will begin to emerge and require support through the provision of psychological services. There will be a requirement to support care arrangements that deal exclusively with resettled families. This has been the experience elsewhere and there will be a need to provide a single point of contact for the refugee family for support and signposting as well as a focal point for engagement by the Council.

Health

5.5 As refugee families are resettled to the Scottish Borders they will be entitled to the full range of health service provision as any ordinarily resident UK citizen. There is also likely to be specific support required such as primary care including health checks and immunisations and secondary care in terms of surgical operations etc. Assistance will also be needed to support the resettled family in registering for the full range of NHS services available. NHS Borders has indicated it will support the local resettlement programme for refugees.

Education

5.6 Any child being resettled into the Scottish Borders will be expected to be enrolled into a local primary or secondary school. For children of pre-school age early years' education would need to be provided. Refugee children will come with a range of educational/social challenges not counting the issues that come from speaking a different language and having to adapt to a different culture.

Language Interpretation and Learning to Speak English

5.7 Refugee families will need access to professional interpretation services. Contact has been made with possible providers and a contract will be required with an interpretation service as part of the resettlement programme. Such services are expensive and it is hoped language support can be supplemented with other local provision. There will also be a need for English for Speakers of other Languages (ESOL) learning for refugees and Borders College are working up proposals to include them in the provision of classes.

Community Safety

5.8 It is important that wherever refugees are located that they are in a safe environment. Also refugees need to be aware of the role of the police and requirements in terms of law and order. A great deal of work is being undertaken by Police Scotland to ensure that an effective approach is taken to these matters within a local resettlement programme.

Employment/Training

5.9 To ensure the effective integration of refugees and a flow of household

income there will be a need to provide vocational educational opportunities, employability skills and training for young people who may not fit easily into the school system although technically they may be of school age. The same will apply to adults who require retraining, confidence building and employability skills. Borders College has indicated it would be able to design targeted bespoke programmes for either group based on an assessment of need. There will also be need to assist refugees in identifying job opportunities.

Community Support

5.10   There has been a significant amount of correspondence received by the Council from individuals and organisations across the Scottish Borders who want to assist in any resettlement programme. This support has been acknowledged and information is being logged. It is planned that the voluntary sector is approached to establish a Syrian Refugee Group that might look at providing additional support for refugees. Work is planned to engage with local communities to assist in the integration process of refugees. There will also be a need to provide refugees with some cultural integration induction opportunities.

6   A SCOTTISH BORDERS' SYRIAN REFUGEES PROGRAMME

6.1   An officer group involving the Council services with input from other organisations such as NHS Borders, Police Scotland, Borders College, and Registered Social Landlords has been established. This has been meeting on a weekly basis to scope out a resettlement scheme for the Scottish Borders. This group is also liaising with the voluntary sector and other partners.

6.2   The Group has been working through the service implications of receiving refugees (as set out in Section 5 above) and is developing a plan for the resettlement of up to 10 refugee families in the Scottish Borders over the next four years in line with the timescale of the UK Government's programme. It is proposed to begin with two families and then gradually increase this number by building on the learning process from resettling the Syrian refugees. This is line with the approach taken by other local authorities. The initial location for resettling the refugee families would be Galashiels because of its good transport connections, services and support structures. It is intended that other locations would be considered as part of the 'roll-out' of the scheme.

7   IMPLICATIONS

7.1   **Financial**

(a)   It is anticipated that the costs of the proposed resettlement programme would be met from financial assistance provided by the UK Government's Home Office (see Appendix 2). These costs would be measured as part of the initial resettlement of two refugee

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families.

7.2 **Risk and Mitigations**

(a) The key risks are likely to be in the area of service delivery and the provision of adequate funding to deliver any programme of resettlement into the Scottish Borders. Officers are currently working up a programme to deliver the necessary support and COSLA, on behalf of all Scottish local authorities are negotiating with the Home Office to ensure full cost recovery.

(b) It is important to ensure that the local resettlement scheme is well planned as there are reputational risks to the Council and its partners if issues are not properly anticipated.

7.3 **Equalities**

An equality impact assessment will form part of the planned local resettlement programme.

7.4 **Acting Sustainably**

There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

7.5 **Carbon Management**

There are no significant effects on carbon emissions arising from the proposals contained in this report.

7.6 **Rural Proofing**

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

7.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

8 **CONSULTATION**

8.1 Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and any comments will be tabled at the meeting.

8.2 The Council's Corporate Management Team has been consulted on the report.

Approved by

Chief Executive   Signature …………………………………

Author(s)

Name	Designation and Contact Number
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Background Papers: N/A
Previous Minute Reference: N/A

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Douglas Scott can also give information on other language translations as well as providing additional copies.

Contact us at Douglas Scott, Chief Executive's Department, Scottish Borders Council, tel. 01835 825155 dscott@scotborders.gov.uk

Syrian Resettlement Programme

How many additional people will you resettle?

- The Government will expand the existing Syrian Vulnerable Person Scheme and intends to resettle 20,000 Syrians in need of protection during this Parliament.

- The UK is at the forefront of the response to the crisis in Syria and this expansion is part of our comprehensive approach designed as far as possible to help refugees in the region but recognising that for some vulnerable people the only solution is to bring them to countries like the UK.

How will the arrival of 20,000 be spread out?

- It will take several months to reach full capacity but when we do we would expect to bring in roughly several hundred refugees each month over the course of the Parliament, subject to continuing need and capacity.

How else is the Government supporting Syrians in need of protection?

- Our priorities are on continuing to provide humanitarian aid to those most in need in the region and actively seeking an end to the crisis. We believe this approach is the best way to ensure that the UK's help has the greatest impact for the majority of refugees who remain in the region and their host countries.

- As the brutal conflict continues in Syria, millions of people continue to be in need. Hundreds of thousands have been killed in the conflict between the Assad regime, extremist groups and moderate opposition groups. In response to the crisis, the UK has allocated over £1.1 billion since 2012 to meet the immediate needs of vulnerable people in Syria and of refugees in the region – more than any other country in the world except the United States. The UK is the only major country in the world that has kept its promise of spending 0.7% of our national income on aid and we should be proud of this. By the end of March 2015, UK support had delivered over 18 million food rations, each of which feeds one person for one month, provided access to clean water for 1.6 million people (peak month), and over 2.4 million medical consultations in Syria and the region.

How will the expansion of the programme operate?

- We already have significant experience of resettling vulnerable people and our existing domestic resettlement mechanisms provide a basis for a relatively quick increase in numbers. And we are already working with existing partners to ensure that we can begin to increase numbers as quickly as possible. Over the coming weeks and months, we will work with local authorities, the UNHCR and others to put in place the full structures to ensure we can scale up the current arrangements so that we can meet the aim of bringing up to 20,000 Syrians over the lifetime of this Parliament and deliver on the expansion that has been announced.

How long will the expansion take?

- Although we have simplified the process as much as we can the UNHCR must still assess each individual case before referring them to the Home Office. The Home Office must conduct visa checks and at the same time a place must be found in a local authority. We do all this already but it is important we get it right and scaling up a system like this in a way that protects the interests of all concerned, including local communities, will take a little bit of time.

How do you choose who comes to the UK?

- The Syrian VPR is based on need. It prioritises those who cannot be supported effectively in their region of origin: women and children at risk, people in severe need of medical care and survivors of torture and violence amongst others. We work closely with the UNHCR to identify cases that they deem in need of resettlement and we will continue this work to ensure we deliver our commitment to provided refuge to 20,000 Syrians.

- The UNHCR identifies people in need of resettlement based on the following criteria: women and girls at risk; survivors of violence and/or torture; refugees with legal and/or physical protection needs; refugees with medical needs or disabilities; children and adolescents at risk; persons at risk due to their sexual orientation or gender identity; and refugees with family links in resettlement countries.

How does the process work?

- UNHCR refer cases to the Home Office. We check they meet our eligibility criteria and carry out medical and security checks. We arrange exit visas from the host country and entry visas into the UK. At the same time, we pass the cases to a local authority who has asked to participate in the scheme. The Local Authority is asked to accept or reject cases. The referral forms give detail on family make up, age and specific needs. Further detail on any medical needs will follow shortly after via a full medical health assessment report. On accepting a case, local authorities then need to arrange housing, school places etc. In parallel we would agree an arrival date. We are working to make this process as quick as possible.

What if an area is new to resettlement?

- Local authorities will need to think carefully about whether they have the infrastructure and support networks needed to ensure the appropriate care and integration of these refugees. It would be worth speaking to existing resettlement areas to learn best practice. Regional Strategic Migration Partnerships can put you in touch.

How can local authorities find out more about the profiles and needs of the refugees they will be hosting?

- All cases will differ and it is very difficult to generalise. We do not have detail of the cases before UNHCR refer them to us. As soon as a local authority wants to participate, we will send these referrals that give detailed information on the individual cases. If authorities want a particular make up of cases, they should state this and we will do our best to match cases.

Will the 20,000 be on top of existing schemes?

- The Government will expand the existing Syrian VPR Scheme and we expect to resettle up to 20,000 Syrians in need of protection during this Parliament. This is in addition to those we resettle under Gateway and Mandate and the thousands who receive protection in the UK under normal asylum procedures.

How will these people be accommodated? Where will they go when they are here?

- The UK has been operating resettlement schemes for many years and we already have established and effective networks to accommodate and support resettled people. However, we recognise that the increase in numbers will require an expansion of current networks and the impact on local communities and infrastructure will need to be managed carefully. That is why we are working with a wide range of partners including local authorities and civil society organisations to ensure that people are integrated sensitively into local communities.

- Our existing dispersal policy is aimed at ensuring an equitable distribution of refugees across the country so that no individual local authority bears a disproportionate share of the burden. We are working closely with local authorities to ensure that this remains the case.

How will you ensure refugees are dispersed fairly and in a way that manages the impacts on local communities and services?

- We are determined to ensure that no local authority is asked to take more than the local structures are able to cope with. That is why we will talking to local authorities and other partners over the coming weeks to ensure that capacity can be identified and the impact on those taking new cases can be managed in a fair and controlled way.

How will schools be supported to provide language support for refugee children?

- Financial support for English as an Additional Language (EAL) pupils is a matter for local discretion. The funding arrangements enable local authorities to allocate a proportion of their funding to schools on the basis of the number of pupils in each school who have EAL and who have been in the school system for a maximum of three years. The pupil rate for this is also decided locally and can therefore reflect specific challenges in the area. Schools can also use the additional money they receive through the pupil premium to raise the attainment of disadvantaged EAL pupils.

- Local authorities have the freedom to take account of high migration in their local funding formula, to address the additional costs of having a large number (over 10%) of pupils arriving at unusual times in the school year.

- Schools can access information about good practice in meeting the needs of EAL pupils - Ofsted has published some case studies showing good practice at schools with high proportions of pupils with EAL. Resources are also available from the National Association for Language Development in the Curriculum, an organisation that seeks to promote effective teaching and learning for EAL pupils in UK schools.

How will you ensure that there are enough schools places in areas where refugees are resettled?

- We have committed to investing £7bn on new school places over the next six years, and in the last Parliament funding for school places doubled to £5bn to create 445,000 additional places. Local Authority's are allocated funding for school places based on their own local data on school capacity and pupil forecasts, in which they take account of factors including rising birth rates, housing development, trends in internal migration and migration to England from elsewhere in the United Kingdom and from overseas. We continue to work with LAs to make sure that every child has a school place.

How can I become a foster carer for a refugee child?

- We are not expecting the refugees arriving in the first months of the scheme to include unaccompanied children, but if you are interested in finding out more about fostering, you might wish to contact your local authority. They can provide you with details about applying to foster for them. You can also find out more about fostering by contacting Fosterline, a government funded service providing independent advice and support for people considering becoming foster carers. In addition, you might wish to look at information about applying to foster that Fostering Network give on their website at: http://www.couldyoufoster.org.uk/.

- Further information for foster carers is also available on GOV.UK : https://www.gov.uk/foster-carers. This page sets out the process people should follow and explains how much financial support and training foster carers can get.

I am interested in adopting an unaccompanied refugee child?

- We are not expecting the refugees arriving in the first months of the scheme to include unaccompanied children. Even if we do support unaccompanied children in the future it is unlikely that adoption will be an appropriate option for these children. The United Nations and other humanitarian charities advise that no new adoption applications should be considered in the period after a disaster or from a war zone before the authorities in that State are in a position to apply the necessary safeguards. This is especially true when civil authority breaks down or temporarily ceases to function.

- It is not uncommon in an emergency or unsettled situation for children to be temporarily separated from their parents or other family members who may be looking for them. Moreover, parents may send their children out of the area for their safety. Premature and unregulated attempts to organise the adoption of such a child abroad should be avoided and resisted with efforts to reunite children with relatives or extended family being given priority. So whilst some lone refugee children may come to the UK for temporary care, we would wish to support them to be reunited with their parents or other relatives where this is possible.

How can people help now?

- People can already make donations to charities and volunteer to help local refugee support groups. We would encourage that to continue but we will also be consulting partners on options to do more - including ways to sponsor refugees alongside those supported by the government.

- People can also refer to the Government release on the GOV.UK website https://www.gov.uk/government/news/syria-refugees-what-you-can-do-to-help--2

  The British Red Cross has created a Crisis Helpline on 0800 107 8727 to triage calls to appropriate organisations.

Key facts and statistics on resettlement

- The UK operates three resettlement routes, Gateway, Mandate and the Syrian Vulnerable Persons Relocation (VPR) Scheme, working closely with the UNHCR on each. The Gateway programme has run for 10 years and has resettled almost 6,400 people in that time, and aims to resettle around 750 people a year.

- On the VPR, we are working closely with the UN High Commissioner for Refugees to identify some of the most vulnerable displaced Syrians and bring them to the UK.

- The scheme is helping those in the greatest need who cannot be supported effectively in the region by giving them protection and support in the UK – the scheme prioritises people requiring urgent medical treatment, survivors of torture and violence, and women and children at risk. The current criteria for acceptance under the scheme will be expanded to ensure more of those in the greatest need are resettled in the UK.

- Since the first arrivals in March 2014 to the end of June 2015 (the last published figures), 216 people were relocated to the UK under the Syrian VPR scheme.

- Since the crisis began in 2011 we have granted asylum or other forms of leave to almost 5,000 Syrian nationals and dependants through normal asylum procedures.

- In response to the increase in asylum claims, the UK introduced a concession in October 2012 for Syrian nationals who are already legally present in the UK, allowing them to extend their leave or change immigration category without leaving the UK. This currently runs to 28 February 2016.

How does the current Syrian Vulnerable Persons Scheme work?

The UK sets the criteria and then UNHCR identifies and submits potential cases for our consideration. Cases are screened and considered on the papers and we retain the right to reject on security, war crimes or other grounds. Once the screening process has been completed a full medical assessment is conducted by the International Organisation for Migration (IOM) in the host country. Full details of the case and medical history are sent to the local authority for assessment of need, including whether suitable accommodation and care are available locally. The local authority then provides details of the estimated costs.

Eligibility is then confirmed and IOM start the visa application process. UK Visas and Immigration International issue UK visas (3 months Leave Outside of the Rules) and on arrival, arrangements are made for Biometric Residence Permits to be issued with 5 years' humanitarian protection.

Worldwide trends

How many refugees are there worldwide?

- The UNHCR reports that by the end of 2014, the number of forcibly displaced individuals worldwide stood at 59.5 million. There are 19.5 million refugees worldwide. 51% of refugees were under 18 years old.

Where do most refugees come from?

- Syria is the world's largest source country of both internally displaced people (7.6 million) and refugees (3.88 million at the end of 2014). Afghanistan (2.59 million) and Somalia (1.1 million) are the next biggest refugee source countries. This is followed by Sudan (648,900) and South Sudan (616,200).

What are the reasons for refugee flows?

- The humanitarian situation in **Syria** continues to deteriorate. The number of people in need of humanitarian assistance now stands at 12.2 million, and four in every five Syrians live in poverty. Flagrant human rights violations, indiscriminate attacks against densely populated areas and targeting of civilian infrastructure, in particular aerial bombardment by the Assad regime, continues in violation of international norms.

- **Afghanistan** remains one of the poorest countries in the world, with 1 in 3 people living below the poverty line and without access to basic services or opportunities to support their families. The ongoing insurgency across many parts of the country means people are facing violence as part of their daily lives and has given rise to a sharp increase in population displacement. As of December 2014, UNHCR listed over 2.5m Afghans as refugees and over 800,000 Afghans are internally displaced.

- **Somalis** are the third largest group, following Eritreans and Sudanese, arriving in Europe from the East African region. They make up 9% of migrants to Europe. The main causes of migration from Somalia are understood to be spikes in insecurity and humanitarian need (driven by conflict and Al-Shabaab activity). There are also likely to be a significant number of 'economic migrants' looking for better economic opportunity than exists in Somalia. Large diaspora communities in the UK (thought to be 3-500,000) and elsewhere in Europe create a pull factor.

- We believe that **Sudan** is primarily a country of transit, though there are refugees fleeing conflict in Darfur. Numbers of economic migrants from Sudan are unknown - if someone claims to be from Darfur it is difficult to prove otherwise. The security services have periodic clamp-downs on Eritreans in Sudan (usually in Khartoum) with some forcible returns for not having the correct paperwork.

General Asylum Statistics

- There were 25,771 asylum applications (main applicants) in the UK in the year ending June 2015. (Including dependants, there were 32,508).

- In recent quarters, we have seen fewer applications from some countries with traditionally higher refusal rates (Pakistan, Bangladesh and Nigeria), and more from countries with higher grant rates (Eritrea, Syria, Sudan).

- In the year ending June 2015, the highest numbers of applications came from Eritrean (3,568), Pakistani (2,302) and Syrian (2,204) nationals (main applicants only). Including dependants, the largest number of asylum applications came from Eritrea (3,624), Pakistan (3,276) and Iran (2,533).

- Compared to the year ending June 2014, the number of initial decisions on asylum applications (main applicants) increased by 107% in the year ending June 2015, to 28,538 from 13,795. (Including dependants, initial decisions increased by 117%, to 38,373 from 17,697).

- The total number of outstanding initial decisions has fallen in recent quarters (main applicants only – Q3 2014: 18,149, Q4 2014: 17,067; Q1 2015: 12,878, Q2 2015: 12,368; main applicants and dependants – Q3 2014: 24,369, Q4 2014: 22,898; Q1 2015: 16,879, Q2 2015: 16,163).

- We are certifying more cases, thus refusing clearly unfounded cases a right of appeal in the UK. In the year ending June 2015, 14% of all refusals for main applicants were certified, unchanged from the year ending June 2014. (Including dependants, 15% of refusals were certified, compared with 14% in the previous year).

Support

- We currently support a total of over 36,000 asylum seekers (main applicants and dependants; sections 95, 98 & 4). At the end of June 2015, 30,457 asylum seekers and their dependants were being supported under Section 95.

- There are over 26,000 asylum seekers in dispersed accommodation, in over 200 local authorities. Our dispersal policy ensures a reasonable spread amongst those local authorities.

UASCs

- There were 2,168 asylum applications from Unaccompanied Asylum-Seeking Children (UASCs) in the year ending June 2015, an increase of 46% from the year ending June 2014 (1,488). These applications represented 8% of all main applications for asylum.

- Despite the recent increase in UASC applications, they remain below the peak of 3,976 in 2008.

Resettlement

- In the year ending June 2015, 166 Syrians were relocated to the UK under the VPR scheme (216 since the scheme began in March 2014).This is in addition to almost 5,000 Syrians (including dependants) who have been granted protection under our normal asylum rules since the crisis began in April 2011.

- In the year ending June 2015, we resettled 640 refugees under the Gateway Resettlement Programme. Since 2004, we have resettled 6,380 refugees under the programme and we met our target in the last financial year (April 2014 to March 2015), resettling over 750 refugees.

Removals

- In the last two years (July 2013 to June 2015) there were over 8,500 enforced removals of people who had sought asylum at some stage (including dependants). In the same period there were over 5,500 voluntary departures of people who had sought asylum at some stage.

International comparisons

- The number of asylum applications to the EU in the year ending June 2015 was the highest it has been since 2002.

- There were an estimated 754,700 asylum applications by main applicants and dependants to the 28 EU countries in the year ending June 2015 (an increase of 65% on the previous year). Of these, the UK received 32,600 (4% of EU asylum intake) compared to 259,300 in Germany, 92,600 in Hungary and 78,400 in Sweden. In 2010, the EU received 241,100 applications for main applicants and dependants, and of this the UK received 22,600 (9% of EU asylum intake).

- The UK had the seventh highest number of asylum applications within the EU in the year ending June 2015 (fifth in year ending June 2014). In the year ending June 2015, Germany, Hungary, Sweden, Italy, France and Austria received more asylum applications than the UK.

- Asylum claims in Germany were eight times those in the UK (259,300 vs 32,600) in the year ending June 2015. Hungary had the second highest number of applications in the year ending June 2015 after being ranked ninth during the previous 12 months.

- When the relative size of resident populations of the 28 EU countries is taken into account, the UK ranked 16th in terms of asylum seekers per head of the population in the year ending June 2015 (it was also 16th in the previous year).

Appendix 2

Syrian Vulnerable Persons Relocation Scheme:

UNIT COST FOR SYRIA VPR SCHEME					
	Adult Benefit Claimant	**Other Adults**	**Children 5-18**	**Children 3-4**	**Children U-3**
	£	£	£	£	£
Local Authority Costs	8,520	8,520	8,520	8,520	8,520
Education	0	0	4,500	2,250	0
Special Educational Needs	0	0	1,000	1,000	0
DWP Benefits	12,700	0	0	0	0
Primary medical care	200	200	200	200	200
Secondary medical care	2,000	2,000	2,000	2,000	2,000
TOTALS	**23,420**	**10,720**	**16,220**	**13,970**	**10,720**

Local authorities will therefore receive the following unit costs:

Children under the age of 3   Unit cost = £8,520

Children aged 3-4   Unit cost = £11,770

Children aged 5-18   Unit cost = £14,020

Adults in receipt of mainstream benefits   Unit cost = £8,520

Other adults   Unit cost = £8,520

Other points

·   Local authority costs cover management of the scheme, housing, and cultural integration including English language provision as per the current scheme

1

- There is an element included in the local authority costs for social care also any cases where social care costs cannot be accommodated within this figure would need to be topped up separately

- For Special Educational Needs, the provision is expected to cover an assessment, and any specific needs identified would then need topping up separately per child

- Medical care costs are split into two the cost of registering a new arrival with a GP, which is minimal, and secondary medical costs for refugees with more serious medical needs, which are potentially more expensive. Legitimate costs above this would be covered

- Benefits are paid directly by us to the Department of Work and Pensions (DWP) and health costs are paid directly to Clinical Commissioning Groups.

Year 2 onwards

There is likely to additional funding to assist with costs incurred in future years. The detail of this is still being worked through.

MAKING THINGS LAST –CONSULTATION ON CREATING A MORE CIRCULAR ECONOMY IN SCOTLAND

Report by Service Director Neighbourhood Services

SCOTTISH BORDERS COUNCIL

12 November 2015

1   PURPOSE AND SUMMARY

1.1   **This report proposes that Scottish Borders Council respond to the Scottish Government's consultation entitled 'Making things last' as outlined in Appendix 1.**

1.2   The 'Circular Economy' and 'Resource Efficiency' is already playing an increasingly important role in the direction of European and National Waste Policy.

1.3   The European Commission has indicated that it is aiming to present an ambitious 'Circular Economy Package' in late 2015 with the aim of transforming Europe into a more competitive resource-efficient economy.

1.4   The Scottish Government's consultation entitled 'Making things last' (see appendix 1) explores the priorities for building a more circular economy, where products and materials are kept in high value use for as long as possible.

1.5   A number of the proposals outlined within the consultation have the potential to have significant operational and financial implications for Local Authorities in relation to the waste services they provide.

1.6   It is important that Scottish Borders Council outlines its position in relation these proposals and responds to the consultation. Thus ensuring the Council has done all that it can to influence future national policy, particularly in relation to its statutory waste management duties.

1.8   The proposed consultation response suggests that Scottish Borders Council is, in principle, supportive of the Scottish Governments aspirations for a circular economy in Scotland.

2   RECOMMENDATIONS

2.1   **The Waste Management Plan - Member Officer Reference Group (MORG) recommend that Scottish Borders Council approve the consultation response as outlined in Appendix 2 for subsequent submission to the Scottish Government.**

3 The Circular Economy and Resource Efficiency

3.1 The 'Circular Economy' and 'Resource Efficiency' is already playing an increasingly important role in the direction of European and National Waste Policy.

3.2 In October 2013 the Scottish Government issued its programme to reduce waste and create a more productive and circular economy entitled "Safeguarding Scotland's Resources: Blueprint for a more resource efficient and circular economy".

3.3 The Scottish Government's programme aims to make today's model of production and consumption more resource efficient (doing more with less, and minimise waste), while also laying the foundations for a more circular model of resource use: circular economy.

3.4 At a European level the European Commission's 'Circular Economy Package' was first proposed in July 2014 and included a proposed 70% recycling and reuse target for 2030, as well as a requirement for Member States to recycle 80% of packaging waste by 2030. However, by December 2014 it had been withdrawn to be replaced by a 'broader more ambitious' waste package.

3.5 The European Commission has indicated that it is aiming to present the more ambitious 'Circular Economy Package' in late 2015 with the aim of transforming Europe into a more competitive resource-efficient economy.

4 Making things last – Consultation on creating a more circular economy in Scotland

4.1 The Scottish Government's consultation entitled 'Making things last' (see appendix 1) explores the priorities for building a more circular economy, where products and materials are kept in high value use for as long as possible.

4.2 Scottish Government suggest that the consultation builds on Scotland's progress in the zero waste and resource efficiency agendas, with a new focus on a much broader set of business and industry opportunities through reduced reliance on virgin materials.

4.3 It is further suggested that this matters because of the significant potential benefits:

1. To the economy – improving productivity, opening up new markets and improving resilience;
2. To the environment – cutting waste and carbon emissions; and
3. To communities – more, lower cost options to access the goods we need.

4.4 A number of the proposals outlined within the consultation have the potential to have significant operational and financial implications for Local Authorities in relation to the waste services they provide including:

1. **Food waste services** – The Scottish Government want all households in Scotland to have access to a food waste service and are therefore proposing to review the rural exemption for food waste collection systems.
2. **Landfill** – The Scottish Government would like to see a managed retreat from landfill and improved management of landfill gas.
3. **Household Waste Charter** – Scottish Government would like to standardise household collection systems and this is to be achieved through the development of a Household Waste Charter and ultimately the commitment of Local Authorities to sign up to the 'Charter'.
4. **Waste Brokerage Service** – The development of a collaborative approach to procuring contracts for waste and recyclable materials
5. **Recyclate Quality** – The Scottish Government would like to improve recyclate quality which may involve separate collections of recyclables.
6. **Materials Recovery Facility (MRF) Code of Practice** – Scottish Government has introduced sampling procedures to improve quality of materials arriving for sorting.

The above list is not exhaustive and is purely a sample of the proposals outlined within the consultation document which have the potential to impact Local Authorities.

It is important that Scottish Borders Council outlines its position and responds to the consultation. Thus ensuring the Council has done all that it can to influence future national policy, particularly in relation to its statutory waste management duties.

In the broadest sense the Scottish Government aspirations to create a circular economy in Scotland where products and materials are kept in high value use for as long as possible makes sense.

It is for this reason that the proposed consultation response suggests that Scottish Borders Council is, in principle, supportive of the Scottish Governments aspirations for a circular economy in Scotland.

The Waste Management Plan – Member Officer Reference Group has reviewed and supports the proposed consultation response. However, they believe that achieving the Scottish Governments aspirations will be challenging particularly in relation to: -

1. The public's perceptions and attitudes towards remanufactured, reused or upcycled products.
2. The comparatively low cost of brand new products compared to remanufactured, reused or upcycled products.
3. The design, manufacture and retail of products.

Significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level to address current behaviours.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 Risk and Mitigations

Failing to respond to this consultation reduces Scottish Borders Council's ability to influence national policy development in relation to the circular economy and waste management.

5.3 Equalities

The consultation response is not relevant to the equalities duty and does not require an equality impact assessment (EIA).

5.4 Acting Sustainably

There are no economic, social or environmental effects attached to any of the recommendations contained in this report.

5.5 Carbon Management

There are no impacts on the Council's carbon emissions attached to any of the recommendations contained in this report.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

6 CONSULTATION

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

6.2 Others that have been consulted are listed below:

- Deput Chief Executive Place
- Service Director Regulatory Services
- Procurement Officer
- Chief Officer Economic Development

Approved by

Jenni Craig   Signature ....
Service Director Neighbourhood Services

Author(s)

Name	Designation and Contact Number
Ross Sharp-Dent	Waste Manager Ext 8857

Background Papers: Making things last – Scottish Government Consultation – August 2015
Previous Minute Reference: None

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitleaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitlelaw, Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel 01835 825431, Fax 01835825071, email eitransitionrequest@scotborders.gov.uk

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Making things last

Consultation on creating a more circular economy in Scotland

The Scottish Government
Riaghaltas na h-Alba

FOREWORD

I am delighted to be consulting on proposals for a more circular economy in Scotland.

In a world of finite resources, where global population and consumption growth are driving increased volatility and vulnerability in the supply of raw materials, the circular economy offers a new and exciting perspective.

It is an approach that shifts the focus from being efficient in the use of materials to the bigger gains from reusing those materials across the economy. It supports the aims of Scotland's Economic Strategy, particularly with regard to innovation and more efficient resource use, by offering new ways to create value, decoupled from the consumption of natural resources. Put simply, the circular economy is about keeping materials flowing in the economy at as high a value as possible for as long as possible.

For me, the attraction of a more circular approach to our economy is that it tackles a number of economic, environmental, social and moral imperatives.

And so I believe a more circular economy offers a compelling opportunity for Scotland. The options can seem endless, and the concept can be daunting. But at the end of the day it comes down to making things last. Whether that be designing complex products to enable remanufacture, or quite simply empowering people to repair household items instead of throwing them away, the concept makes sense for business, industry, the public sector and individuals.

This consultation paper is the first step in preparing a circular economy strategy for Scotland. It covers all the elements – or "loops" – of a circular economy, and focuses on the priorities for Scotland in the next decade. In some areas, we are extending our ambition further along an existing path; in others, thinking is at an earlier stage.

Throughout, this document is clear about the actions that we propose to take the opportunities, and the big ideas we want to explore further. It is aimed primarily at those who participate in the activities required for a more circular economy every day: business, local authorities, and the waste management industry. It is however the choices of the public that ultimately determine success.
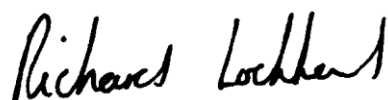
The Scottish Government and its partners are proud to be at the forefront of action in managing our resources more effectively.

- our Zero Waste Plan, published in 2010, recognised waste as a resource and set out some of the most ambitious national recycling targets globally, and was a forerunner in articulating an ambition for a zero waste society;

- our Safeguarding Scotland's Resources programme in 2013 sought to drive new levels of resource efficiency within our economy, and introduced our flagship Resource Efficient Scotland service, helping businesses be more competitive by using energy, water and materials more efficiently;

- and to reflect the integral role that material use plays in our economy, Scotland's Economic Strategy now recognises the potential benefits of a more circular approach to business, individuals and communities.

We have taken that ambition and turned it into real, tangible action. Our Scottish Institute for Remanufacture is the first of its kind in Europe and one of only four in the world. Our Scottish Materials Brokerage Service is an innovative approach to achieve better value for recyclable materials, and reduce risk from price volatility. Zero Waste Scotland was among the first in the world to develop a carbon metric for waste materials and explore the impacts of a more circular economy on carbon emissions, and Scotland's proposed household recycling charter is a unique approach within the UK to working with local government to improve recycling collections.

Our proposals have been informed by a period of debate in Scotland in the first half of 2015. Together with our partner agencies, we have published a number of reports for discussion, organised workshops and events with groups as diverse as biotechnology industry bodies and Young Scot, and most recently our social media campaign #makethingslast. I want our proposals to contribute to the EU's consideration of its own circular economy plans.

I would like your views to help us shape Scotland's steps towards a more circular economy. A circular economy is an economic, environmental and moral necessity. It will help conserve our finite resources, help support jobs in our communities, improve our quality of life, and it just makes good sense.

Richard Lochhead

RICHARD LOCHHEAD

EXECUTIVE SUMMARY

This consultation explores the priorities for building a more circular economy – where products and materials are kept in high value use for as long as possible. It builds on Scotland's progress in the zero waste and resource efficiency agendas, with a new focus on a much broader set of business and industry opportunities through reduced reliance on virgin materials.

This matters because of the significant potential benefits:
- to the economy – improving productivity, opening up new markets and improving resilience;
- to the environment – cutting waste and carbon emissions; and
- to communities – more, lower cost options to access the goods we need.

Realising these benefits will mean rethinking our approach to how goods are supplied, how they are used, and what happens at the end of products' lifetimes. Our consultation sets out our ambition, and seeks views on potential actions in key areas.

Design

Our ambition is for more products to be designed for longer lifetimes, ready to be disassembled, repaired and eventually recycled; with more companies keeping hold of valuable products and components through leasing, servicing, repair and re-sale.

We are seeking views on the scope for a Scottish centre of expertise on circular design, alongside proposed actions on education, packaging design and a support service to help businesses adopt circular economy approaches.

Reuse

Our ambition is for second hand goods to become a good value, mainstream, option - helping reuse-businesses and community organisations to thrive. And we want our major industrial sectors to learn from best practice to optimise the value of used equipment and infrastructure.

We are consulting on proposals to build on the *Revolve* standard for reuse organisations; clarify the regulation of reuse activities; improve the capture of items for reuse; and explore reuse opportunities in key industrial sectors, notably in the oil and gas industry.

Repair

We want to empower Scotland's repair sector to grow, both business and community organisations. For an increasing range of items, we want repair to be the first choice when they develop a fault on the basis of quality, reliability and value.

We are consulting on proposals for a comprehensive repair-finding service or network to make it easy to find where items can be repaired; alongside actions to expand repair skills in communities; increase the availability of technical manuals for products; and to engage more companies in offering repair services for the products they make or sell.

Remanufacture

We want Scotland's strategically important remanufacturing sector to fulfil its potential for growth. We are therefore proposing to enhance support to companies in

relation to remanufacturing; alongside actions around recognition of remanufactured products; improving the return of end of life products to remanufacturers; and the potential for remanufactured products to feature more in public procurement.

Recycling
We want recycling to be routine in every business and household; with more consistent local services; more packaging designed for recyclability, and every household having access to a food waste service. And we want to see higher quality recyclate, to maximise the economic benefits.

We are proposing a number of actions focused on improving recycling rates including collaboration with the waste and packaging industries; reviewing the exemption to the requirement for food waste collections in rural areas; and examining the issues raised in the call for evidence on a deposit return system for Scotland. On the issue of quality, we will examine how best to minimise contamination in recycling collections. On re-processing, we will look at mechanisms to support investment; and will investigate opportunities in the chemicals sector, construction and agricultural plastics.

We also intend to explore the potential for schemes to involve producers in increasing recycling and reuse of tyres, furniture and bed mattresses.

Recovering value from biological resources
We want Scotland to be an international leader in the efficient use of biological resources. We are proposing a number of actions to maximise the value from biological resources which would otherwise end up in lower value uses or as waste.

Communications
We want the behaviours that support a circular economy to be seen as commonplace in Scotland – ending our 'throwaway culture' and allowing people and businesses to see the true value in the products and materials they use. We are proposing actions to broaden understanding and encourage change. We also intend to build on engagement with businesses through a new 'Scottish Circular Economy Network', a network of SMEs and other businesses to help achieve a more circular economy, through collaboration and business-led initiatives.

Skills for a circular economy
We want to embed the development of new skills and thinking in the next generation of designers, business leaders and innovators. We are proposing actions to help make sure Scotland's workforce has the right skills to take advantage of opportunities from a more circular economy.

Measuring progress
We want to improve our range of indicators to better understand how products and materials flow through our economy, both to track progress and to identify opportunities for action. As part of this, we are proposing to make the use of the electronic 'edoc' system mandatory for movements of waste in Scotland.

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CHAPTER 1: INTRODUCTION

### 1.a - About this Document

1.   This consultation is a key milestone in the process of understanding the scale and nature of circular opportunities for Scotland, and re-aligning policy to establish the right conditions to enable businesses and communities to grasp the opportunities.

2.   It builds on the progress that has been made on the zero waste and resource efficiency agenda, but scopes out ambition and action into a much broader set of business and industry opportunities.

3.   At this stage, the document is not a strategy, but rather a set of proposals for consultation, discussion and debate. The conclusions from this process will be brought together with on-going actions from the Zero Waste Plan and Safeguarding Scotland's Resources to create Scotland's first circular economy strategy.

4.   A more circular economy is a long term ambition, given the complexity of existing supply chains, the changes in approach required by a range of players, and the as yet unknown technological and research developments that lie ahead. It is however important to take steps to lead the direction of travel and support the journey.

5.   The material in this document has been developed from a programme of evidence programme undertaken by the Scottish Government, Zero Waste Scotland, Scottish Enterprise, SEPA and Highland and Islands Enterprise. It also incorporates issues that have emerged through our on-going relationships with stakeholders and delivery partners.

6.   From January to June 2015 we worked to involve more people in discussions about a circular economy. We published reports with evidence relevant to particular industry sectors; we held workshops including with Industry Leadership Groups; we worked with Young Scot to develop a survey and weekend workshop; and we launched the #MakeThingsLast campaign.

7.   Further evidence will certainly be required, and any specific proposals would be subject to the usual range of impact assessments associated with policymaking. But for now we are identifying our priority areas for Scotland, articulating our aspirations and proposing a number of actions to take us towards those goals.

8.   We have structured Chapter 3 – 'Our areas for action' into the different elements of a more circular economy, for ease of navigation. The nature of the subject matter however, means that there is considerable interplay between each element. Likewise, we have not set out all the relevant background information such as rules, regulations and reports, with which most readers will be familiar.

9.   Throughout this document, we invite you consider a number of key questions:
- Do you agree with our aspirations for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

1.b - The case for a circular economy

10.   In our existing economy, we "*take, make and dispose*". We take resources from the ground, air and water; we make them into products and structures; then we dispose of them.

11.   In a circular economy, systems are designed to make better use of valuable products and materials - changing the way they are produced and managed to have less impact on finite natural resources, and create greater economic benefit. The following diagram from the Ellen MacArthur Foundation sets out the concept.

Figure 1 – Circular economy – An industrial system that is restorative by design
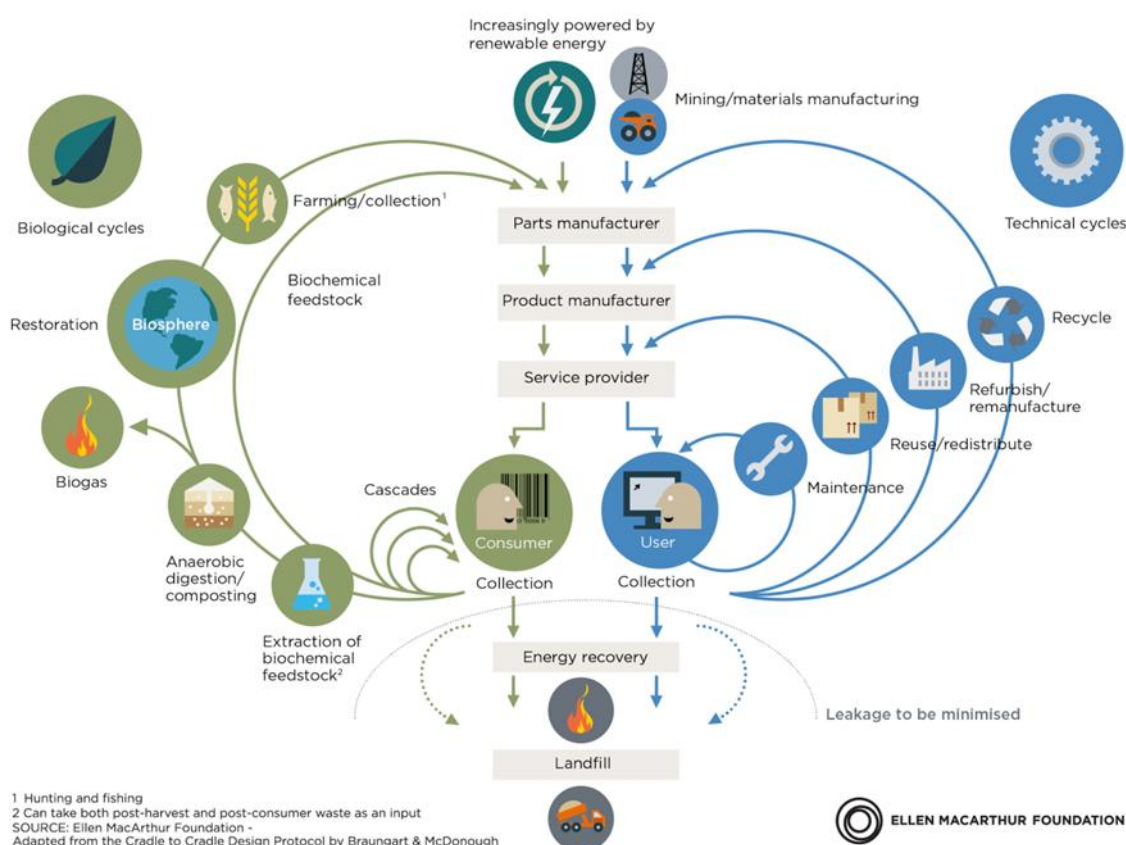
12.   The left hand side of the diagram represents the flow of biological materials in a circular economy. The right hand side represents the flow of materials and products such as metals, plastics etc. Similar principles apply to both sides of the diagram, and there are multiple interactions between them.

13.   The most desirable actions are in the smallest, inner loops, such as maintenance and reuse. Value is lost as the loops become larger and when materials "leak" from the system. A more circular economy aims to protect that value by keeping products and materials circulating at the highest value for the longest time; with a systematic approach to designing out negative impacts such as waste.

14.   In this context, landfill and energy recovered from waste by thermal treatment are referred to as ways to manage "leakage" of value from the economy. These are options to be minimised (in the case of thermal treatment) and avoided (in the case of landfill). The aim is to retain valuable materials in the "loops" and avoid losing those materials to the less valuable options of thermal treatment or landfill.

15.   The circular economy presents an exciting vision for how businesses and nations can operate in the 21st century. It is a vision increasingly supported by leading economies, global businesses and by the EU, World Economic Forum and UN agencies. The Scottish Government and our partners share this vision.

16.   There are many reasons why a more circular economy presents a compelling proposition:
- mitigating risk to business;
- retaining value in our economy;
- creating jobs and growth;
- tackling climate change and preserving natural capital; and
- building on Scotland's advantages.

Mitigating risk to business

17.   Analysis of global commodity price trends by McKinsey & Co[1] has shown that price reductions achieved for all commodities through the 20th Century due to improved efficiency and productivity were reversed in the first decade of the 21st Century. While commodity prices have fallen significantly in recent months, there is clear potential for much greater uncertainty and volatility of resource prices going forward – a significant issue for businesses, especially those which rely on the most 'at risk' materials.

18.   Several studies[2] have highlighted which materials are most critical within different economic contexts. For Scotland, they include phosphorus (important for agriculture) and several metals used in low carbon technologies, such as lithium, used in batteries, and neodymium, used in wind turbines. Having a greater ability to harvest these materials in Scotland, for instance from unwanted electrical goods, will help to mitigate supply risks.

Retaining value

19.   A circular economy redesigns systems so that the value of materials can be retained within cycles, maximising the economic benefits. This is illustrated through work carried out by the Green Alliance (see Figure 2), which shows that if items are reused rather than recycled, more of the manufactured value is maintained.

- An average car, when sold for reuse near the end of its life can be worth **£475**. When it is disassembled for spare parts, it is worth **£421**. When it is broken down and recycled for scrap, the value of the parts drops to **£134**.

- A modern smartphone, when reused, is worth **£290**, or **£170** for spare parts, compared to just **72p** if the materials within it were to be recycled.

- A tonne of T-shirts is worth over **£2,500** if sold, and **£410** if used for mixed rags, but the material value for recycling is only **£121**.

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[1] Towards the Circular Economy (Vol 1), Ellen Macarthur Foundation, 2012:
http://www.ellenmacarthurfoundation.org/business/reports/ce2012
[2] *Raw Materials Critical to the Scottish Economy*, Scottish Environment Protection Agency (SEPA) and SNIFFER 2011; *Priority Resource Streams - Identifying Opportunities to Develop the Recycling Infrastructure in Scotland*, Zero Waste Scotland, June 2012; and *Critical Materials, Examining the Materials that are Critical to our Sectors and Economy*, Scottish Enterprise 2014
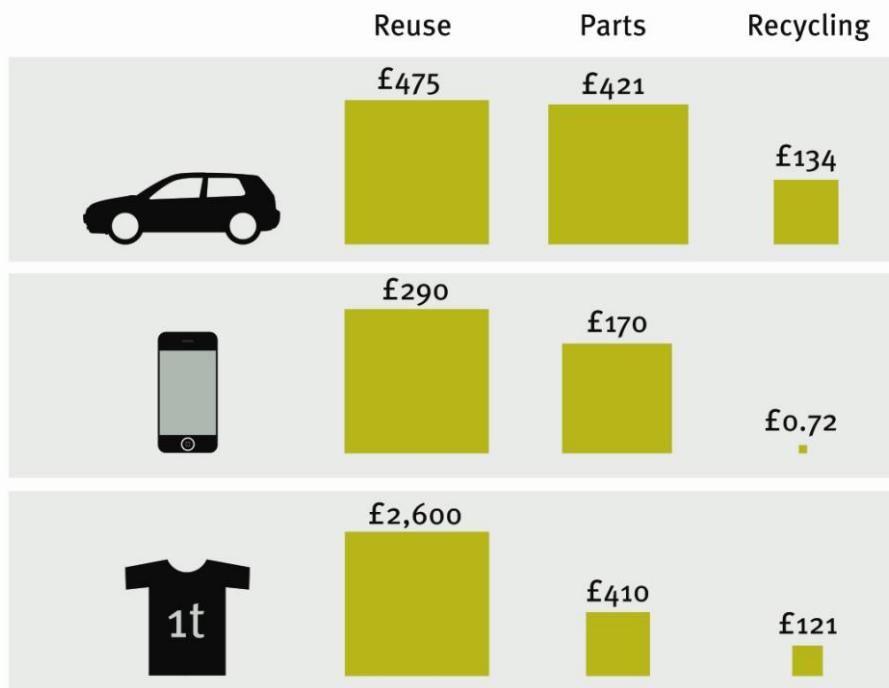
Figure 2 – *Value of reuse versus other approaches*

Jobs and growth

20.   There is a growing body of evidence on the scale of the economic opportunity from a more circular economy. Analysis by the Ellen MacArthur Foundation and McKinsey suggests there could be a trillion dollar opportunity globally, including:

- net savings of between £245-400 billion in the cost of materials (14-23% of total input costs) per year across the EU from a more circular approach to items such as motor vehicles, electrical machinery and furniture; and

- net savings of up to £450 billion in the cost of materials (around 20% of total input costs) per year globally from a more circular approach to items such as clothing, food, beverages and other consumer goods[3].

21.   Other nations are investigating the opportunities. Analysis in Wales[4] suggests potential material cost savings of up to £2 billion a year. In the Netherlands[5] an estimated 54,000 jobs could be created from adopting a more circular approach in a range of industry sectors.

22.   The nature of employment in a circular economy is also relevant; many key activities such as repair and maintenance are by their nature labour-intensive and closer to the point of consumption. Research carried out by WRAP and the Green Alliance (see Figure 3) suggests significant employment opportunities in the UK from the growth of these activities based on current trends, i.e. without accounting for any potential new policy interventions to stimulate their uptake[6].

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[3] Towards the Circular Economy (Vol 1 and 3), Ellen MacArthur Foundation, 2012 and 2014: http://www.ellenmacarthurfoundation.org/business/reports
[4] Wales and the Circular Economy, Favourable system conditions and economic opportunities, Ellen MacArthur Foundation, WRAP, 2014: http://www.wrap.org.uk/sites/files/wrap/Wales_and_the_Circular_Economy_Final_Report.pdf
[5] Opportunities for a circular economy in the Netherlands, Netherlands Organisation for Applied Scientific Research on behalf of the Netherlands Ministry of Infrastructure and the Environment http://www.institut-economie-circulaire.fr/attachment/447647/
[6] Employment and the circular economy, Infographic produced by the Green Alliance for the Waste & Resources Action Programme http://www.green-alliance.org.uk/resources/Employment%20and%20the%20circular%20economy_infographic.pdf

Figure 3 – Actual UK Employment in circular economy activity in 2008 and 2012 and potential employment to 2030, based on current path of development
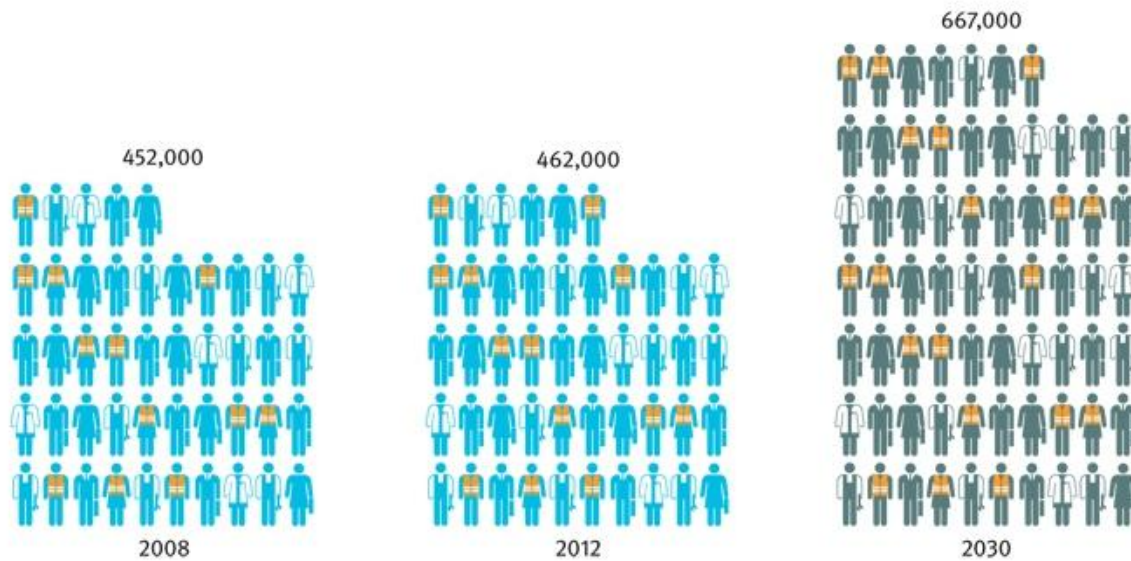
Tackling climate change and preserving natural capital

23.   As well as the economic drivers for a more circular approach, there are also significant environmental benefits, ranging from reducing greenhouse gas (GHG) emissions, relieving pressure on water resources, virgin materials and habitats, and limiting pollution of air, soils and watercourses.

24.   Since we import many of our goods and materials, benefits are most evident when we focus on the impact of what we consume, not just what we produce. Zero Waste Scotland has published research which suggests a potential greenhouse gas saving of around 11 million tonnes of Scottish territorial emissions per annum by 2050 from moving to a circular economy, compared to business as usual[7].

Building on Scotland's advantages

25.   The evidence we have accumulated on specific opportunities to develop a more circular economy in Scotland identifies suggest we are in a strong position to move quickly. There are advantages in the make-up of our industries, in our scale and in our connectedness.

26.   The *Circular Economy Scotland* report, commissioned by Zero Waste Scotland and produced by the Green Alliance in partnership with the Scottish Council for Development and Industry (SCDI) also highlights potential interventions in the oil and gas sector and the food and drink sector[8].

27.   This consultation includes proposals to address the opportunities identified in our research in areas such as design and remanufacturing.

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[7] The Carbon Impacts of the Circular Economy, Zero Waste Scotland (2015):
http://www.zerowastescotland.org.uk/CarbonImpactsOfTheCircularEconomy
[8] Circular Economy Scotland, Green Alliance (2015) http://www.zerowastescotland.org.uk/content/circular-economy-scotland-report-0

CHAPTER 2: MAKING THE TRANSITION

28.   Moving to a circular economy will be a long-term process. This consultation focuses on actions which can help Scotland make tangible progress over the short to medium term. It is however equally important to create conditions for longer-term change.

29.   We need to build on our existing zero waste and resource efficiency agendas and use the circular economy to create a framework to help our society and economy to become more innovative, inter-connected and resilient. Recycling and waste prevention are important and need to continue. But the next step is to start to redesign our products, supply chains and business models; and support the right type of innovation. We need to understand much more about the way that materials flow through our economy – going beyond the traditional streams of paper, plastic, metals and glass.

30.   To consider what a circular economy would look like, we first need to understand the specific changes required across society. Figure 4 illustrates the different ways in which the use of goods and physical assets can be increased, prolonging their life and shifting resource use from finite to renewable sources.

Figure 4 – Key changes in moving to a circular economy
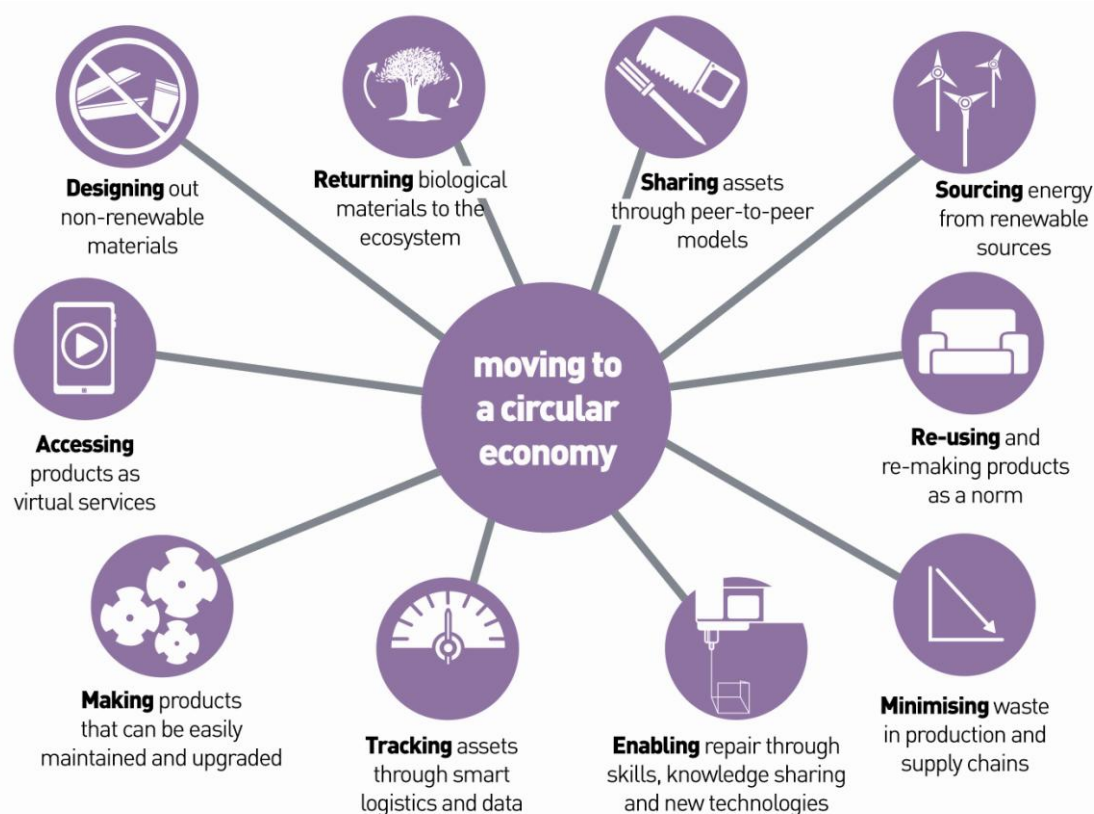
31.   Fully delivering these changes will take time, and the global economy is still at the early stages of this transition. This consultation process and the resulting strategy, along with the forthcoming EU package of action, will set the direction and pace of Scotland's journey on that path.

32.   Because realising a circular economy will require societal change, there are key roles for business leaders, for Government, its agencies and the wider public sector, and for people and communities across Scotland.

Making the transition – the role of businesses

33.   In making a shift to more circular practices we in Scotland can expect to see benefits for businesses and the economy:

- **Increased productivity and competitiveness**: reducing overheads by eliminating waste and optimising the value of products and materials;
- **Increased market share**: innovation in the supply chain and redesign of products, providing new market opportunities;
- **Stronger customer relationships**: through new opportunities for product maintenance, refurbishment, leasing, collaborative use and re-sale;
- **Greater resilience**: to supply constraints and price spikes in key materials;
- **Job creation**: associated with new market opportunities.

34.   For some industries supply chains are truly global while others have more local foundations. In some cases Scottish businesses can benefit from being part of a global supply chain that moves towards a circular approach. Other opportunities will come from innovations enabling more elements of a supply chain to be retained in Scotland with the associated economic benefits.

35.   Globally, many leading companies have joined the Ellen MacArthur Foundation's CE100 network to help accelerate the shift to a circular economy. A number of Scottish-based SMEs have also participated in knowledge exchange, and are developing new business opportunities through this network.

36.   A significant amount of change will be business-led. In particular, there is a role for business innovation in new technologies, products and business models. We welcome collaborative approaches from businesses to achieve this, so that they develop 'whole system' solutions and share innovation more readily.

37.   There is also an important transitional role for businesses currently involved in the 'outer loops' of recycling or the 'leakage' of landfill or thermal treatment. These businesses have capabilities in logistics, materials handling, and customer networks, etc. which could support the 'inner loop' activities.

Making the transition – the role of Government and the public sector

38.   Scotland's policy approach is ambitious, and we are recognised as a world leader in our aspirations for a circular economy. With Scotland's scale and connectedness, we have a strong partnership among industry bodies, public sector agencies and local government able to make change happen effectively.

39.   The Scottish Government's role is to create an enabling policy framework, underpinned by a clear and consistent direction of travel. The Scottish Government's Purpose is to make Scotland a more successful country, with opportunities for all to flourish, through increasing sustainable economic growth.

40.   Scotland's Economic Strategy supports this with two mutually supportive goals of increasing competitiveness and tackling inequality. Our approach to delivering this is underpinned by four priorities for sustainable economic growth:

- **Innovation**: fostering a culture of innovation and research and development;
- **Investment**: investing in our people and our infrastructure in a sustainable way;
- **Inclusive Growth**: promoting inclusive growth and creating opportunity through a fair and inclusive jobs market and regional cohesion; and

- **Internationalisation**: promoting Scotland on the international stage to boost our trade and investment, influence and networks.

41.   For the first time, our ambitions to create a more circular economy in Scotland have been explicitly recognised in the Government's overall economic strategy[9]:

"A more circular approach to our economy helps take us towards those goals: we are creating conditions for a more circular economy that helps companies embrace new business models and manufacturing processes, and which transforms used products into assets that support industries like remanufacturing, reuse, product disassembly and reprocessing. Remanufacturing is transforming how parts and products are produced. In doing so, it helps industries minimise their use of raw materials, while reducing energy and water use. Sectors as diverse as aerospace, energy, automotive, IT and medical equipment industries are already benefiting from this transformation".

42.   Much of the evidence that has led to this consultation has been developed collaboratively by Scottish Government, Zero Waste Scotland, the Enterprise Agencies, SEPA and others. And many of the existing and proposed actions in this consultation involve these and other public bodies – both as service providers and through the influence of public procurement.

43.   The Scottish Government also intends to lead by example and to collaborate with other nations and regions to address what will often be global or international challenges.

Making the transition – the role of Scotland's people and communities

44.   As individuals, moving to a circular economy may bring about profound changes in how we access goods and services.

45.   In the longer-term this could mean major shifts away from product ownership, to greater leasing or service-based models, for example paying a washing machine or dishwasher provider 'per wash' rather than actually owning the appliances. Service providers would have a clear incentive to maximise the lifetime of their products, making them more reliable, easier to repair and remanufacture.

46.   There are also a number things we can all do today. Most of us now recycle at home and work, but we can build on this and do more to re-use items or buy second-hand; to make things last longer by repairing them; or to purchase longer-lasting items in the first place. As 'active consumers', people can influence business by demanding more durable or better designed products.

47.   Some of these behaviours can be supported by communities and other networks, for example community-based sharing schemes, like tool or toy libraries, as well as online communities sharing expertise such as repair skills.

48.   Finally, the circular economy can also be useful in broadening understanding of the inherent value in the products and materials we use - helping more people to be enthused, empowered and have the knowledge and capabilities to support the transition at their work and at home.

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[9] Scotland's Economic Strategy (2015 - page 46): http://www.gov.scot/Publications/2015/03/5984

CHAPTER 3: OUR AREAS FOR ACTION

3.a - Area for action - Design

Our ambition and priorities for Scotland

We want Scotland to be recognised as a centre of excellence in design for a more circular economy. We want to see more Scottish products designed with their full life-cycle in mind: for long lifetimes, ready to be disassembled and repaired, and eventually recycled. And we want an increasing number of companies to find profitable ways to keep hold of valuable products and components: increasing revenue through leasing, servicing, repair and re-sale.

Context

49. Action starts with design: the design of products, the design of business models, the design of services, and the design of systems.

50. The design of products is key in determining how far their value can be retained in a more circular approach. Design for disassembly, using standard components, recyclable materials etc. are fundamental to enabling greater repair, reuse, remanufacturing and recycling. And the design of systems and business models shapes the scope for business to retain the value in the products and materials that flow through their operations.

51. Scotland has a strong history of innovation, and significant activity continues across academia and industry in innovative design.

52. In some sectors, such as aerospace, where high value manufactured components are used, circular economy principles have been applied for decades in product design and system design. In other industries, these models have been established more recently through technological innovation or in response to increasing resource costs. For example, Aggreko provides power and temperature control equipment on a rental basis - users operate the equipment while Aggreko retains ownership together with responsibility for servicing and maintenance.

53. On a smaller scale, "upcycling" provides creative opportunities for designers to create desirable new products (such as clothing and handbags) from materials that have already had one productive life.

54. The growing use of innovative techniques such as 3-D printing can support greater levels of repair or remanufacture of complex products. The technology requires a new way of designing products, involving a limited number of printed materials, making them easier to recycle. Previously obsolete parts can be printed, avoiding a product being discarded unnecessarily.

55. The use of asset tracking technology and the expansion of data management and internet capabilities will allow us to track our assets more closely. Products and materials could be separated more easily for recycling using unique identifiers; and replacing products through "trade in" or "take back" services if they fail could become easier. Service models are easier to apply if the use of the product can be measured.

What we're already doing

56. There is a range of academic art, design and engineering institutions playing a key role in developing the designers of the future. There is a wealth of design support available to industry through public agencies and academia: Interface Innovation Vouchers; Creative Scotland; MAKLab Incubator spaces; Design in Action activities; and Scottish Enterprise support including its new By Design programme.

57. We have undertaken research to identify evidence of where there are existing resource efficient and circular economy **business models** in Scotland; and the opportunities and barriers to the uptake of such business models. Circular economy business models involve hiring and leasing, performance/service systems, incentivised return, asset management, collaborative consumption and long life as set out in the diagram below.

Figure 5 – Circular economy business models

Hire & Leasing
Long-term hire or leasing of products as an alternative to purchasing.

Performance/Service System
Providing a service based on delivering the performance outputs of a product where the manufacturer retains ownership, has greater control over the production of a product, and therefore has more interest in producing a product that lasts.

Incentivised Return
Offering a financial incentive for the return of 'used' products. Products can be refurbished and re-sold.

Asset Management
Maximising product lifetime and minimising new purchase through tracking your assets, planning what can be re-used, repaired or redeployed at a different site.

Collaborative Consumption
Rental or sharing of products between members of the public or businesses, known as "peer-to-peer".

Long Life
Products designed for long life, supported by guarantees and trusted repair services.

58. The extent to which circular economy business models are currently applied varies by industry, and we are developing a number of case studies to showcase successful examples in Scotland. These include:
- **iSwapsy**: online children's clothing 'swapping' platform;
- **iPower**: lease/service models to access micro combined heat and power unit;
- **Norkram**: pipeline thread protector refurbishment in the oil and gas sector.
- **Save Juice** (formerly Market LED): developing a 'rent a light' model whereby their customers can effectively lease LED lighting
- **Kalopsia** : the development of a 'sharing' model to provide access to textiles manufacturing equipment and the recovery of used equipment

59.   We have been working with the Royal Society of the Arts, Manufacture and Commerce (RSA) and Innovate UK to explore the challenges and opportunities of product, business and system design for circularity. A range of disciplines were targeted in order to raise awareness amongst designers, engineers, technicians, and manufacturers. Zero Waste Scotland has also been working with The National Centre for Product Design and Development Research (PDR) and the Design Council to develop an action plan on design for a Circular Economy.

60.   We are managing a programme of action which, as well as supporting resource efficiency in Scottish SMEs, will support early adopter companies to pilot and introduce new circular economy technologies, models and services.

What we propose to do next

61.   To bring together action on design, and to stimulate and co-ordinate circular design thinking we want to explore the scope for a **Scottish centre of expertise on circular design, and the skills required**, with Zero Waste Scotland and through the Scottish Funding Council, academic partners and design organisations.

62.   We will explore scope for local or EU actions to drive the manufacture of goods to **last longer**, including minimum warranty requirements.

63.   Zero Waste Scotland and the Enterprise Agencies will build on existing support for business growth and innovation, to help businesses exploit circular economy opportunities. In particular, this will include a new **circular economy business development service** for developing technologies and business models.

64.   We intend to undertake further research, in partnership with the packaging industry, to determine where compostable or recyclable **packaging** (i.e. left or right side of Figure 1) could be the best option for Scotland's developing collection and reprocessing infrastructure – and scope to design out packaging creating the greatest leakage of materials.

65.   We will work with international networks to seek opportunities for innovations in circular design to be **trialled in Scotland**.

Question A – Design
We are looking for feedback on these ideas for influencing design of products, business models, services, and systems.
- Do you agree with our aspirations on design for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

3.b - Area for action - Reuse

> **Our ambition and priorities for Scotland**
>
> We want the sale and use of second hand goods to be seen as an attractive, mainstream, good value option for an increasing range of products. We want reuse businesses and community organisations to thrive, on the back of a growing reputation for quality and value for money for their goods.
>
> We want our major industrial sectors in Scotland to learn from best practice to optimise the value of used equipment and infrastructure.

Context - public

66.   Reuse is a key element of a more circular economy, and is as important for the public as it is for business and industry. The reuse economy in Scotland has a turnover of £244 million, supports over 6,000 jobs and reuses 89,000 tonnes of material annually[10], and provides opportunities for individuals to obtain high quality products at considerably lower cost than new.

67.   For the majority of day to day reuse transactions for the public, there are already established markets and practices which facilitate exchanges, such as eBay, Gumtree and car boot sales. Research however shows that while 72% of the population would like to shop second-hand, only 23% actually do so[11].

68.   Some activities to prepare discarded goods for reuse are regulated as waste activities. There is a balance to be struck in supporting reuse activities whilst ensuring that the collection, storage, and preparation of discarded goods for reuse do not cause environmental harm. The reuse sector has also expressed concern about the potential for criminal activity.

Context – business and industry

69.   A number of businesses are involved in the reuse of items. Space Solutions (Scotland) Ltd, office planning experts and commercial architects, promotes the reuse of unwanted office furniture and equipment from their clients through their Recycling Scotland division. Re–Tek (UK) Ltd reuse information technology equipment. John Lawrie Group reuse equipment from oil and gas platforms as building materials, highlighting the opportunity to increase levels of reuse, remanufacturing and higher value recycling in the oil and gas industry, when decommissioning end of life offshore equipment. The Green Alliance identified a range of interventions that could realise these opportunities[12].

70.   There is significant potential to add value to end of life North Sea assets due to be decommissioned over the next decade, depending on the level of higher value reuse that can be achieved over lower value recycling. Reuse options will have to take into account all the requirements of health and safety etc.

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[10] Scottish re-use mapping and sector analysis report, 2013 produced by Zero Waste Scotland: http://www.zerowastescotland.org.uk/content/scottish-re-use-mapping-and-sector-analysis-report-0
[11] Study into consumer second-hand shopping to identify re-use behaviour, WRAP 2013, http://www.wrap.org.uk/content/study-consumer-second-hand-shopping-identify-re-use-behaviour
[12] Circular Economy Scotland, a report by Green Alliance in partnership with the Scottish Council for Development and Industry (SCDI), January 2015: http://www.green-alliance.org.uk/circular-economy-scotland.php

71.   Over the period to 2023, it is estimated that almost 500,000 tonnes of end of life assets will be removed from the UK Continental Shelf[13]. Total decommissioning spend is forecast to reach £46 billion in real terms by 2040 and average £1.8 billion per year for the remainder of the decade[14]. Investment costs on topsides and substructure removal has been estimated to account for £280 million per year in the period to 2023. This offers significant potential for Scotland to capture a share of emerging reuse activity and there may be potential for this to contribute to the 40% cost saving target that the industry has set in the North Sea.

72.   Reuse of equipment and modules such as vessels, tanks, valves, cranes, helidecks and valuable metals and alloys offer greater potential than reuse of large steel structures. Markets are starting to emerge for these end of life and used assets.

What we're doing already

73.   Together with the Community Recycling Network Scotland, Zero Waste Scotland has developed the *Revolve* reuse quality standard, designed specifically to overcome issues of consumer confidence, and to establish a robust and recognisable reuse sector in Scotland. The *Revolve* standard aims to make it easier, more attractive and safer for the public to buy second hand items.

74.   Zero Waste Scotland's National Reuse Phoneline is receiving more than 1400 calls each month, making it easier for people to donate items for reuse.

75.   During 2015-16, local authority staff will receive training from Zero Waste Scotland on how to encourage reuse when people visit recycling centres.

76.   We are also trialling large scale reuse and repair hubs to encourage increased capture rates, to deliver economies of scale for the sector and create recognised reuse superstores for consumers. The first such hub opened recently in Dingwall, in partnership with Blythswood Care.

77.   Our forthcoming statutory guidance on the sustainable procurement duty under the Procurement Reform (Scotland) Act 2014 will create opportunities for public sector buyers to allow innovative solutions that increase the reuse of goods or allow options like leasing or buying performance rather than products, through public contracts. In support of the sustainable procurement duty, the Act also makes clear that contract award decisions can include an element of life cycle costs.

78.   Traceability systems for certain items in the offshore oil and gas sector (such as those in the aerospace sector) could encourage greater asset management, greater levels of component recovery and refurbishment, and lead to higher levels of confidence in reused items. Decom North Sea and Zero Waste Scotland are currently exploring the potential for this within the sector.

What we propose to do next

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[13] Oil and Gas UK, Decommissioning Insight, 2014
[14] Oil & Gas UK, Activity Survey 2015: http://www.oilandgasuk.co.uk/forecasts.cfm

79.   We propose to further **expand the availability of the Revolve standard** to include a wider range of reuse organisations, and to develop the standard to provide further confidence for consumers in the products they are purchasing.

80.   We will explore scope for **large scale, collaborative approaches to reuse** in specific sectors to maximise the capture of products for reuse. For example:

- work with Decom North Sea, DECC and Oil and Gas UK to help develop and **support protocols and standards for the reuse of key components**.

- raise awareness amongst key stakeholders in the offshore oil and gas sector through **further development of evidence** on potential and implemented savings; including typical business cases for key components and processes that champion the benefits of circular approaches.

81.   We will explore with the reuse sector how to improve the quality of **reuse data** to capture relevant impacts and help strengthen business cases for action.

82.   Linked to our Better Environmental Regulation programme we will consider what improvements can be made to the **regulatory and licencing framework** to provide greater clarity on where activities are subject to regulation, and to support and promote greater levels of reuse.

83.   We will explore the role of reuse as an aspect of relevant **producer responsibility schemes**.

84.   We will, building on the work of the Zero Waste Taskforce[15], **support local authorities and local reuse organisations** to improve reuse collection, storage, retail and communications, including at Household Waste Recycling Centres and through bulky waste services.

Question B – Reuse
We are looking for feedback on the ideas in this section on extending the life of goods through reuse.
- Do you agree with our aspirations on reuse for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

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[15] See section 3.e Recycling.

3.c - Area for action - Repair

Our ambition and priorities for Scotland

We want to empower Scotland's repair sector to grow, both business and community organisations. For an increasing range of items, we want repair to be the first choice when they develop a fault on the basis of quality, reliability and value – both for business and individuals.

Context

85.   Repair is an area that brings together the innovation of a more circular economy with the established repair and maintenance services that have been commonplace in communities across Scotland. In recent years a combination of pace of technological change, cheaper products, and a lack of information and confidence in how to repair complex products has led to a decrease in repair.

86.   Zero Waste Scotland and WRAP research[16] estimates that 32% of goods reaching local authority recycling centres and bulky uplift collections were reusable and that, with slight repairs, this could increase to 51%.

87.   New services are emerging such as *eSpares* and *iFixit*: online suppliers of spare parts, tools and tutorials for repairing common consumer goods. Community-based repair workshops like *Restart* and *Men's Sheds* provide access to knowledgeable volunteers to help householders to fix specific items. This is in addition to more traditional services provided by companies such as Midland Electrical Winding and Contracting (Scotland) Ltd who undertake rapid onsite repair of industrial equipment and engines.

88.   There is already a strong repair, refurbishment and remanufacturing base in sectors such as aerospace, defence, and oil & gas, since these sectors require the regular maintenance of a range of high value equipment.

89.   A variety of approaches can stimulate greater levels of repair and associated business opportunities, for example:

- business models based on hiring and leasing products incentivise extending the product life through repair;

- public procurement requirements and extended warranties can encourage repair, rather than replacement; and

- the availability of affordable spare parts and information on how to repair products.

What we're doing already

90.   We have a suite of measures already in place to support behaviour change in communities, including Zero Waste Scotland's Volunteer and Community Advocate Programme which aims to recruit a network of 1000 volunteers, and which encourages reuse and repair; grants to support training in repair to support reuse

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[16] Study into the re-use potential of household bulky waste, Waste & Resources Action programme (WRAP): http://www.wrap.org.uk/content/study-re-use-potential-household-bulky-waste

organisations build the skills to increase reuse; and a collaborative certified repair training module is being developed to increase the repair skills capacity in Scotland.

What we propose to do next

91.　　We want to explore the potential for a comprehensive **repair-finding service** or network to make it easy to find where items can be repaired.

92.　　We will continue to provide opportunities to increase the **repair skills** of the third sector and householders through training and self-repair workshops and infrastructure.

93.　　We will encourage manufacturers and retailers located in Scotland to trial and increase **repair services to their customers** to increase the lifetime of their products.

94.　　We will continue to support **repair infrastructure** for domestic and commercial products within the private, third and public sector, reducing the need for new purchases and saving money.

95.　　We will explore how to best support open access to **technical manuals** to help facilitate greater levels of repair by householders and organisations.

96.　　We will investigate relevant products commonly purchased by the public sector and identify the opportunities for **public contracts to support greater levels of repair**, e.g. by requiring technical manuals to be provided for some products.

97.　　We will continue to **work with the procurement professional community** and will draw on circular economy principles in building upon previous and current programmes of capability building, such as The Marrakech Approach to Sustainable Public Procurement.

98.　　SEPA will produce guidance to clarify the circumstances in which actions to prolong the life of goods, including repair are subject to **waste regulation**.

Question C – Repair

We would like feedback on extending the life of goods through stimulating greater levels of repair by businesses, community organisations and individuals.

- Do you agree with our aspirations on repair for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

3.d - Area for action - Remanufacture

Our ambition and priorities for Scotland

We want Scotland's strategically important remanufacturing sector to fulfil its potential for growth: to raise the profile of remanufacturing, develop new markets and strengthen Scotland's international reputation for quality remanufactured products.

Context

99. Remanufacturing can be defined as returning a used product to at least its original performance with a warranty that is equivalent or better than that of the new product. It involves the process of taking a product completely apart, cleaning, repairing, rebuilding and testing its functionality for reuse.

100. Remanufacturing can reduce material, water and energy costs meaning remanufactured products can cost less than the equivalent new products, and hence significantly boost productivity, competitiveness and profitability. It provides an excellent circular economy business model, especially if the remanufactured products are leased to the customer or have an incentivised return associated with the product.

101. Our remanufacturing study[17] identified that 17,000 people are employed in remanufacturing in Scotland, contributing £1.1 billion to annual economic activity. Across 16 sectors it has the potential to create an additional £620 million turnover and 5,700 new jobs by 2020. The study suggests that energy, automotive, ICT and medical equipment have the highest potential for remanufacturing growth in Scotland, followed by aerospace, rail, white goods, tyres and furniture.

102. Examples of remanufacturers in Scotland include Vector Aerospace who repair, overhaul, and modify aircraft components; and Cummins ReCon who specialise in the remanufacturing of diesel engines.

103. There are various barriers to the development of remanufacturing and progress depends on product type, sectors, perceptions and consumer behaviour. The return of core components and products is a particular challenge.

What we're doing already

104. The Scottish Institute for Remanufacture was launched in January 2015 with £1.3 million from Zero Waste Scotland and the Scottish Funding Council. Companies based in Scotland have already pledged over £800,000 of funding, or in-kind support, for potential collaborative research projects to explore technical solutions for remanufacturing with the Institute.

105. The Institute, based at University of Strathclyde and operated in partnership with Heriot Watt University, exploits the significant expertise in remanufacturing technologies and processes across universities in Scotland. The Institute is an industry demand-led centre of expertise, with industry and academic membership, also providing peer support to increase the knowledge base required for growth.

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[17] Circular Economy Evidence Building Programme – Remanufacturing Study, March 2015: http://www.zerowastescotland.org.uk/RemanufacturingReport

106.   The Scottish Manufacturing Advisory Service (SMAS) and Zero Waste Scotland are working with the Institute to refer businesses that could benefit from its services. SMAS is also independently advising and supporting businesses that could benefit from adopting remanufacturing practices, working with around 1,000 manufacturing companies.

What we propose to do next

107.   The Scottish Manufacturing Advisory Service will enhance its support to companies in relation to remanufacturing as part of the forthcoming **Manufacturing Action Plan**.

108.   We will work with relevant bodies such as British Standards Institute (BSI) to ensure that **remanufactured products are properly recognised** and distinguished from second hand or refurbished products.

109.   We will work with the EU and other partners to support the **promotion and recognition of remanufactured products** as comparable or equivalent to new products.

110.   We will explore evidence to identify areas in which remanufactured products should be an option in relevant markets for **public procurement**.

111.   We will work with the Scottish Institute for Remanufacture to develop efficient and cost effective **methods for returning end of life products** to remanufacturers.

112.   We will work with the EU to **identify legal issues** that act as a potential barrier to greater levels of remanufacturing and explore options to address these.

113.   We will explore the barriers and opportunities to greater use of **remanufactured medical devices** in the NHS.

Question D – Remanufacture

We are looking for feedback on the ideas proposed in this section to promote remanufacturing in Scotland.

- Do you agree with our aspirations on remanufacture for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

3.e - Area for action - Recycling

Our ambition and priorities for Scotland

We want businesses, councils and householders to work together so that recycling becomes routine in every business and household - with more consistent local services and more packaging designed for recyclability - and we want every household in Scotland to have access to a food waste service.

We also want to improve the quality of recyclate to enable more materials to be returned to the same use, and for greater benefit to be retained in Scotland.

Context

114.   Our action on recycling is driven by long term Scottish targets to recycle 70% of all waste and to send no more than 5% of all waste to landfill, both by 2025.

115.   The challenge is to increase the volume and quality of materials recycled to support a more circular economy; while tackling contamination and working to remove poor quality and illegal activity from the sector.

116.   There are clear and significant concerns in local government and in the waste management industry about the quality – and in particular contamination – of recyclate at the point of collection. The issues of greatest concern are food waste and glass. Even low levels of contamination can render materials unsuitable for reprocessing, losing value.

117.   The complex nature of many materials and the way in which they move through our economy can be a barrier to recycling of packaging and other consumer goods with a high turnover; for example the wide range of different types of plastic food packaging that are often a mixture of different materials which are good for storing food safely but not easily recycled. The supply chains for these materials can extend well beyond Scotland, and so collaboration is required to resolve these issues.

118.   The World Economic Forum and Ellen MacArthur Foundation's "Project Mainstream" aims to join up thinking between plastic packaging manufacturers, brands, retailers, and local plastic packaging collection. New packaging designs, combined with appropriate collection systems could dramatically increase circularity.

119.   A range of recycling businesses already operate in Scotland. For example, Mainetti UK Ltd reuse, refurbish and recycle over 200 million clothes hangers annually; and BPI Recycled Products manufacture furniture, construction membranes and refuse sacks from recycled plastic.

What we're doing already

120.   We have put in place a framework with local government and industry to deliver our aim of supporting a more circular economy through our recycling systems. There are four key elements to this framework.

121.   First, the Waste (Scotland) Regulations 2012 set out requirements for the separate collection of key materials, including food waste, and prohibit any separately collected material going to incineration or landfill.

Figure 6 – Framework for improving recycling
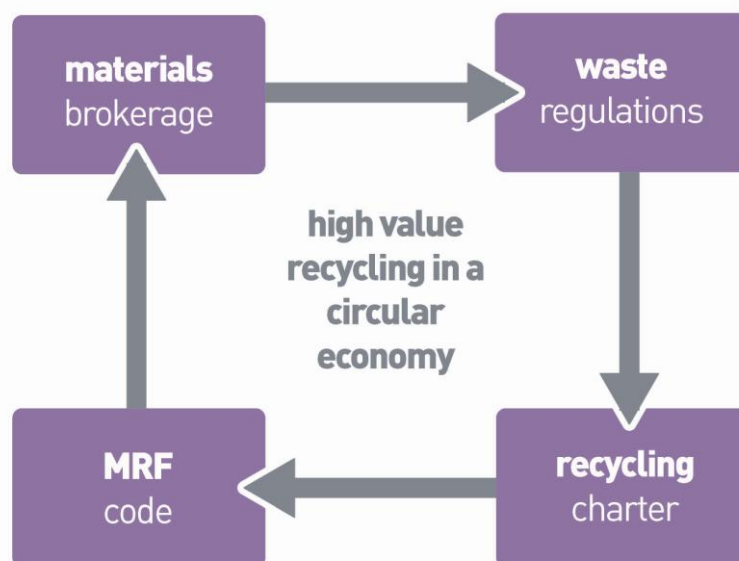
122. Second, the Zero Waste Taskforce, a joint initiative between the Scottish Government and COSLA to focus on local authority circular economy opportunities, has recommended the development of a charter for more consistent household recycling collection systems, supported by best practice, to:
- increase householder participation in recycling;
- improve the quality of recyclate; and
- provide greater economic benefits and opportunities for savings.

123. Third, the Scottish Materials Brokerage Service will deliver collaborative contracts for waste and recyclable materials from local authorities and other public bodies of sufficient scale to help local authorities and public bodies achieve a better deal, and reduce risk from price volatility. This will support the business conditions for investment in domestic reprocessing in Scotland by providing certainty in the volume and duration of supply of valuable materials.

124. Finally, the statutory Code of Practice for Materials Recovery Facilities will introduce a sampling procedure to improve transparency of waste moving through our economy, and importantly to improve the quality of materials arriving for sorting.

125. We commissioned Zero Waste Scotland to conduct a feasibility study into a Deposit Return System for single use drinks packaging in Scotland, which was published in May 2015 and followed by a call for evidence. That process identified a number of important points for further exploration on deposit return.

What we propose to do next

126. We intend to build on the collaborative approach to recycling service delivery successfully pioneered through the Zero Waste Taskforce. To complement that, we propose to **extend collaboration to the waste and packaging industry**, broadening the focus into markets, communication and packaging design.

127. We intend to **align Scottish Government and Zero Waste Scotland support for recycling activity with the new Household Recycling Charter**, if agreed by COSLA.

128.   We would also like to open up a discussion with local government on their view of how their duties are currently defined as **Waste Disposal and Collection Authorities**, rather than resource management or similar authorities.

129.   We would like to explore scope for early adopter councils of the proposed recycling charter to participate in pilots for the World Economic Forum and Ellen MacArthur Foundation's **Project Mainstream**.

130.   We intend to explore funding mechanisms to **support new re-processors where supply chains are not yet fully developed** to create an effective financing and support network.

131.   Because of the impact on quality of recyclate from contamination, we intend to review the specific circumstances in which **contamination arises in collection systems** - in particular mixed collections including glass; food waste collections; and contamination of dry recyclables by food - so that we can take appropriate action.

132.   We intend to **review the rural exemption for food waste** in the Waste (Scotland) Regulations 2012 in partnership with local government as part of the process to develop best practice to support the proposed Household Recycling Charter, as well as businesses and the waste management sector.

133.   Over the next year, we intend to focus attention and **support on small food businesses** that will come into the scope of our waste regulations in January.

134.   In parallel, **SEPA** will engage and support waste producers to ensure compliance with the Waste (Scotland) Regulations 2012 and use appropriate enforcement procedures, including fixed penalty powers, on waste producers that persistently fail to take all reasonable steps to segregate material for recycling.

135.   We intend to explore the potential for **regulations on recycled content of materials in public procurement**, initially to build on existing Scottish Government policy on recycled paper[18] – extending the requirement across the public sector.

136.   As part of our evidence work on opportunities for a more circular economy, the **chemicals, construction and agricultural** (with regard to plastics) sectors were identified as worthy of further consideration for the opportunities that could arise from recycling materials. We propose to do further work on these sectors during the period of this consultation.

137.   We intend to **explore the issues raised in the call for evidence on a deposit return system for Scotland**, in liaison with other parts of the UK.

Question E – Recycling
We are looking for feedback on the proposed approaches to expand recycling among households and businesses and improve the quality of recycled materials.
- Do you agree with our aspirations on recycling for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

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[18] Link to the Scottish Government's Scottish Sustainable Procurement Action Plan, Timber and Paper section: http://www.gov.scot/Topics/Government/Procurement/policy/corporate-responsibility/CSR/SSPAP/TimPap

3.f – Area for action – Producer Responsibility for reuse and recycling

Our ambition and priorities for Scotland

We believe that producer responsibility offers an opportunity to drive innovation and greater circularity for certain products – to influence product design as well as increasing recycling and reuse.

Context and what we're doing already

138.   There are four UK-wide Producer Responsibility schemes operating in Scotland (End of Life Vehicles, Batteries, Packaging, and Waste Electronic and Electrical Equipment). These schemes give producers and retailers greater responsibility for the collection and treatment of these products when they are discarded (primarily recycling or thermal treatment of the materials for energy recovery). They are operated to ensure compliance with European Directives.

139.   There is potential for Scotland to introduce additional schemes for other items, with the potential to deliver a number of outcomes:

- providing a solution for products with no suitable market or waste treatment at the end of their life - examples include tyres, plasterboard, mattresses and light bulbs;

- helping to retain much higher value, for example by encouraging repair or reuse of carpets and furniture; or greater levels recycling of agricultural plastics;

- providing an incentive for innovation in design.

What we propose to do next

140.   We intend to explore proposals for **extended producer responsibility schemes for tyres, furniture and bed mattresses**. These are potential candidate for the following reasons:

- **Tyres**: to address the negative environmental, health and safety impacts of inappropriate disposal; incentivise greater recycled content; and retain the value of materials.

- **Furniture, including mattresses**: for the social and economic benefits from greater levels of reuse including local employment opportunities.

141.   We also intend to examine the scope for extended producer responsibility schemes for other materials and products.

Question F – Producer Responsibility for reuse and recycling
- Do you agree with our aspirations on harnessing producer responsibility approaches for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

3.g – Area for action – Recovering value from biological resources

> **Our ambition and priorities for Scotland**
>
> We want Scotland to be recognised as an international leader in the efficient use of biological resources. We want production of high value materials and chemicals from biological resources to increase, replacing non-renewable chemical feedstocks. When high value uses have been exhausted, we want to see increased production of renewable fuels, heat, and fertilizer products.

Context

142.   Industrial Biotechnology is already viewed at a global and EU level as a key technology with real growth potential. By 2025 estimates of the value of the global market range from £150 billion to £360 billion[19].

143.   Scotland's vibrant food & drink sector is currently a major user of biological resources and produces significant quantities of biological waste and by-products which could potentially generate significant value. To support a more circular economy we need to retain the highest value in these biological resources, and reduce reliance on scarce raw materials.

144.   To realise the full value from biological resources that would otherwise end up as waste, we need to capture materials from households, businesses and the food and drink industry; develop new technologies; explore new markets and stimulate demand; and collaborate through supply chains and across sectors. Some companies are already leading the way, for example Cellucomp is developing new high value nano-fibre products made from food processing residues.

145.   The separate collection of food and organic waste enables extraction and recirculation of nutrients, through anaerobic digestion, composting or biorefining. It also avoids harmful greenhouse gas emissions by diverting the material from landfill and can generate energy in the process. For example, companies such as Keenans Recycling manufacture compost products for the agricultural market.

What we're already doing

146.   The Scottish Industrial Biotechnology Development Group works through Chemical Sciences Scotland, across industry and other partners, to deliver a National Plan for Industrial Biotechnology. The Plan aims to increase turnover from £190 million to £900 million by 2025 through Industry Engagement, a Biorefinery Roadmap, the use of the Industrial Biotechnology Innovation Centre (IBioIC), and the development of key skills.

147.   Scotland already has a great deal of biorefining expertise including research into brewing and fermentation; the future potential for marine biomass; and excellence in synthetic biology and molecular and micro-biology. The Biorefinery Roadmap aims to develop cost-effective technologies to convert sustainable feedstocks into high value chemicals, biofuels and other renewable products.

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[19] IB 2025, Maximising UK Opportunities from Industrial Biotechnology in a Low Carbon Economy, A report to government by the Industrial Biotechnology Innovation and Growth Team, May 2009

148.   The Biorefinery Roadmap for Scotland[20] recognises that developing biorefining must not compete with food & feed supply chains, and hence co-products, residues and wastes are priority feedstocks. Actions flowing from this consultation will maintain that principle and seek to complement existing work.

149.   Our study of the beer, whisky and fish sectors in Scotland[21] has identified strong growth potential that supports a more circular economy. Waste and by-products from these three sectors currently go to a range of destinations including local cattle feed; processing into fish feed; spreading to land; heat and power production; and discharge to sewer. While routes like cattle feed will continue to be important, in parallel, many of these materials could be used in much higher value applications.

150.   For example, Horizon Proteins has developed a process to extract protein from pot ale (a by-product from whisky production) for input to high value aquaculture feeds. Celtic Renewables has a process that converts by-products from distillation into animal feeds, commodity chemicals and industrial gases.

151.   The study estimates that if the opportunities identified for these sectors were realised, they could be worth between £500 million and £800 million per year to Scotland's economy.

152.   Scotland's collection and reprocessing infrastructure for food waste from households and businesses has developed substantially in recent years. Local authority household collections and commercial investment in in-vessel composting and anaerobic digestion facilities; have both been driven by the Waste (Scotland) Regulations 2012 and supported by Zero Waste Scotland.

153.   The Renewable Heat Incentive supports the creation of biogas and its use in the gas grid. Where biogas is used for purposes other than as a transport fuel, our preference is that it be used in heat-only or good quality combined heat and power schemes[22].

154.   Linked to the use of fertilizers and growing media, the Scottish Government has committed to supporting the phasing out of peat for horticultural use and the need for market led solutions. Peatlands are important for biodiversity, water quality and reducing carbon emissions – and need to be well managed and protected. The forthcoming National Peatland Plan will set out Scotland's ambitions for protecting, managing and restoring our peatlands. Given that peat used for horticulture is sourced from many countries this commitment recognises Scotland's responsibility to what is a global challenge.

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[20] Biorefinery Roadmap for Scotland, Chemical Sciences Scotland: http://www.scottish-enterprise.com/knowledge-hub/articles/comment/biorefinery-roadmap
[21] Sector Study – Beer, Whisky and Fish, Zero Waste Scotland, July 2015: http://www.zerowastescotland.org.uk/BeerWhiskyFish
[22] Chapter 5 of 'Heat Policy Statement: Towards Decarbonising Heat: Maximising the Opportunities for Scotland' - Scottish Government, 2015: http://www.gov.scot/Publications/2015/06/6679

What we propose to do next

155.   Zero Waste Scotland will investigate and pilot ways to help the economics and the environmental footprint of anaerobic digestion:

- **adding more value to digestate** from food waste recycling systems;
- **improving the quality of digestate and compost** in line with PAS standards, making these fertilizer products more acceptable for more markets;
- and to **utilise more of the heat** produced by the facilities.

156.   We will explore the scope to **phase out the purchasing of non-renewable biological materials, such as peat**, by the public sector in Scotland through changes to Public Procurement requirements. This will help to stimulate greater domestic demand for renewable based fertilizer products produced from the network of anaerobic digestion and in-vessel composting facilities in Scotland.

157.   To support cross-sector awareness of circular economy opportunities, we will work with the IBioIC to help deliver the industry-led National Plan. There are particular opportunities to explore, for example:

- how we can best support investment in research and development and innovation to **develop and commercialise processes** which address technical barriers for the use of biological waste;
- the potential for data collection systems for specific industry sectors to help **understand material flows** and the opportunities they present; and
- the potential for **"regional hubs" for biorefining** processes.

Question G – Recovering value from biological resources
We are looking for feedback on the proposed approaches to harnessing greater value from biological resources that would otherwise end up as waste.
- Do you agree with our aspirations on recovering biological resources for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

3.h – Area for action – Energy recovery

Our ambition and priorities for Scotland

Our ambition is to have an energy from waste infrastructure that effectively manages the "leakage" from a more circular approach to the economy in Scotland without creating demand for materials that could otherwise be kept in higher value use. We want to ensure that energy recovered from waste supports, directly, high quality heat and power schemes.

Context

158. Energy can be recovered from waste products in two key ways: through anaerobic digestion of organic materials which retains nutrients as part of a circular economy; and through the creation of heat and energy through thermal treatment of non-recyclable waste. (Anaerobic digestion, including its energy benefits are addressed in the previous section on biological resources). These approaches can provide valuable heat and energy to communities, business and industry.

159. In a circular economy it is important that thermal treatment (including incineration) of non-recyclable waste is recognised as having a role limited to recovering energy where materials cannot be retained in higher value use. However, materials used in this way have to be replaced. So while thermal treatment plays an important role in diverting non-recyclable materials from landfill, it is important to ensure that, in line with the waste hierarchy[23], we explore all options for retaining the value of those materials before concluding it is the best option.

160. Thermal treatment has a continuing role in addressing demand for energy, during transition to a more circular economy. In the longer term, there will be a more limited role, albeit with an appropriate level of capacity to reflect the success of a more circular economy.

161. We want to avoid the situation arising in some nations where overprovision of energy from waste infrastructure presents a barrier to a more circular economy by creating a demand for material as a feedstock that could otherwise be reused, remanufactured or recycled.

162. Where thermal treatment plants are required, we wish to see only good quality combined heat and power schemes developed. As with other thermal electricity generation plants these should be located where they can make best use of heat to make the most of our resources, while minimising environmental impacts including meeting Scotland's high standards on air quality. This is supported by a regulatory framework through planning, Pollution Prevention and Control regulations on the use of waste heat and by programmes such as district heating support for local authorities.

What we're doing already

163. SEPA produces annual figures of waste infrastructure capacity needs for a variety of technologies including thermal treatment infrastructure. This provides a

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[23] Guidance on applying the Waste Hierarchy - Scottish Government, 2013:
http://www.gov.scot/Publications/2013/04/7548

guide to the waste management industry, investors and local planning authorities as to the likely level of required infrastructure.

164.   The Waste (Scotland) Regulations 2012 also require the removal of non-ferrous metals and dense plastics, where practicable, before the thermal treatment of residual waste, and SEPA's Thermal Treatment of Waste Guidelines[24] provide further detail. The guidelines also drive appropriate levels of efficiency for these facilities to ensure heat benefits are recovered wherever possible.

What we propose to do next

165.   We want to ensure that long term decisions on waste infrastructure are as well informed as possible. We will explore, with SEPA and Zero Waste Scotland, how best to improve the way that we provide and present **information on the anticipated capacity requirements for future waste infrastructure**[25], for use by planning authorities and industry - helping ensure the capacity of waste infrastructure developed, such as thermal treatment facilities, is appropriate.

166.   Zero Waste Scotland will produce an **Economic Assessment Report**, modelling how the changing composition of residual waste, and other factors, will affect residual waste treatment options in Scotland in an international context, to 2025. This information will also be made available to guide infrastructure investment.

Question H – Energy recovery
- Do you agree with our approach on energy recovery in a more circular economy?
- Do you agree with the proposed actions for further exploration?
- What other actions would support this approach?

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[24] Thermal Treatment of Waste Guidelines – SEPA, 2014: http://www.sepa.org.uk/media/28983/thermal-treatment-of-waste-guidelines_2014.pdf
[25] Zero Waste Plan - Waste Management Infrastructure Capacity Requirements http://www.gov.scot/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy/annexb

3.i – Area for action - Landfill

Our ambition and priorities for Scotland

The Scottish Government is the only administration within the UK to introduce a statutory ban on municipal biodegradable waste going to landfill as part of our transition to a more circular economy. As landfilling decreases, we now want to manage the legacy of landfill sites around Scotland, minimising emissions from operational and closed sites.

Context

167.   There has been a significant and continuing decrease in the amount of waste being sent to landfill – falling from 7.4 million tonnes in 2007 to 4.5 million tonnes in 2012. However, we are still landfilling materials which would have been worth around £100 million per year had they been recycled[26].

168.   In a circular economy, landfill disposal is an option to be avoided. We have therefore already put a strong policy, regulatory and fiscal framework in place to reduce the amount of material sent to landfill. Municipal biodegradable waste will be banned from landfill from 2021, and we have a target to send no more than 5% of all waste to landfill by 2025. Our waste regulations require businesses and local authorities to collect both key recyclable materials and food waste separately, which cannot then be sent to landfill.

169.   As waste for landfilling continues to decrease, we would like to see a managed retreat from landfill with the number of active sites reducing and sites closing in accordance with permit requirements, ensuring necessary aftercare so that environmental protection remains a priority. There is also a potential climate change impact from the greenhouse gas emissions if landfill closure is not managed properly.

What we are doing and what we expect to do next

170.   The Scottish Landfill Tax provides a strong financial incentive to keep materials out of landfill and in higher value uses. It also provides a new deterrent to illegal dumping by bringing this activity under the scope of the tax.

171.   Scottish Landfill Tax rates are in line with UK Landfill Tax rates for 2015-16. We have also committed that Scottish Landfill Tax will be no lower than prevailing UK rates, meaning the standard rate will not fall below £80 a tonne before 2020. In setting these rates, Scottish Government is also acting to avoid any incentive to move waste between Scotland and England.

172.   SEPA already requires landfill operators to demonstrate that funds are available to cover environmental obligations including restoration and aftercare requirements when sites are closed. SEPA will shortly be consulting on an improved approach in this area to better ensure that funds are adequate, secure and available when needed.

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[26] Zero Waste Scotland estimate 2014: http://infogr8.com/infographics/zws/

173.   Former landfill sites are still a significant source of greenhouse gas emissions. Innovative flaring technology which removed the equivalent of more than 20,000 tonnes of carbon dioxide from two sites in the Borders - roughly equal to 14,000 passengers making return flights between Edinburgh and New York – is to be rolled out to two further sites in Glasgow and East Lothian, supported by £500,000 of Scottish Government funding. SEPA is identifying further sites across Scotland where the same technological approach could be applied.

Question I – Landfill
- Do you agree with our approach on landfill as we move towards a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would support this approach?

CHAPTER 4: DELIVERING THE VISION

4.a - Communications

Our ambition and priorities for Scotland

We want the behaviours and practices that will support a circular economy to be increasingly mainstream within Scottish society and our economy – ending our 'throwaway culture' and allowing people and businesses to see the inherent value in the products and materials they use. We want people to be motivated to make changes in their lives and for Scotland to be recognised as a global leader.

Context

174.   Making the transition to a circular economy will require some significant changes to how people and organisations operate. Engaging with people and highlighting both the need and opportunity for change will be important in achieving our aspirations.

175.   The circular economy can appear complex or abstract and there is a need to bring the concept to life for people so they can appreciate its potential.

176.   There is also a compelling argument for seeing this as a generational shift, with younger people being particularly important if circular economy models of production and consumption are to become the norm over time.

177.   Successfully moving to a circular economy in Scotland will also create opportunities to promote our achievements internationally and we want Scotland to be a beacon for others around the world on this agenda.

What we're doing already

178.   We have existing behaviour change campaigns covering recycling and food waste.

179.   Scotland's carrier bag charge sparked high levels of public engagement with ways to reduce waste and reuse items to retain their value. We subsequently sought to capture ideas from people through an online campaign called #MakeThingsLast which put forward five ideas as a starting point for debate:

- Tool sharing libraries – since it is estimated the average drill is only used for about 13 minutes of its life.

- Modular mobile phones – making phones easier to repair and upgrade could significantly extend their average lifespan, currently just two to three years.

- Leasing clothes – around 30 per cent of clothing in the UK (1.7 billion items) has not been worn for at least a year.

- Packaging from plants – a number of companies produce compostable packaging to replace non-degradable alternatives such as polystyrene.

- 3-D printing centres – To make things with less waste and produce spare parts.

180.   Zero Waste Scotland funds a number of local community organisations through its Volunteer and Community Advocate Programme, which trains and

supports volunteers to engage people directly and provide practical information or self-help activities to encourage more recycling, reuse and repair.

181.   Alongside the action on education mentioned in the Skills section of this document, we have also supported YoungScot (Scotland's national youth information and citizenship charity) to engage young people through its #YSFullCircle initiative.

182.   Scotland became the first national government to join the Ellen MacArthur Foundation's CE100 network and we have shared our experiences and ambition on international platforms.

What we propose to do next

183.   We want to work with local authorities and others in the recycling supply chain to deliver high profile, **national communications** to drive increased levels of recycling and re-use.

184.   We will build on the success of the **#MakeThingsLast** initiative and develop new ways to engage people in the benefits of a circular economy.

185.   We will further support **community-based initiatives** which facilitate sharing and the exchange of goods and services, and help to normalise alternative modes of consumption, such as leasing or performance-based models.

186.   Reflecting the priority given to addressing circular economy opportunities in Scotland's Economic Strategy we will work with the Enterprise Agencies, Business Gateway, local authorities, Innovation Centres and others to embed it within their mainstream **economic development functions**.

187.   By the end of 2015, we intend to launch a '**Scottish Circular Economy Network**', a network of businesses and supporting organisations to help achieve a more circular economy, through collaboration and business-led initiatives.

Question J – Communications
We would welcome views on the approaches to communication outlined in this section.
- Do you agree with our aspirations on communication for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

4.b – Skills for a circular economy

Our ambition and priorities for Scotland

We want to embed the development of new circular economy skills and thinking in the next generation of designers, business leaders and innovators. We want to make sure Scotland's workforce has the right skills to take advantage of opportunities from a more circular economy, to ensure our businesses can innovate and prosper, now and in the future.

Context

188.   As we move towards a more circular economy, we need to understand the trends which impact upon the skills required by our workforce to help realise business development opportunities.

189.   New, specific skills may be needed to develop different approaches to design, inspection and cleaning in remanufacturing and repair, as well as reskilling to allow people to move from one industry to another as opportunities develop.

190.   There is also considerable scope to broaden skills and improve the opportunities in the existing resource management sector. The sector has an ageing workforce profile with few young people and women. Health and Safety related skills and training are a particular priority given the nature of the work undertaken.

191.   Industry and employer needs are generally identified in industry Skill Investment Plans. These outline the key skill issues for a relevant industry sector and any skills shortages or reskilling needs.

192.   Developing the Young Workforce - Scotland's Youth Employment Strategy[27] focuses on reducing youth unemployment by improving training opportunities for young people and emphasises the importance of connecting education and training with the needs of employers and ensuring employers shape school and college curriculums to better prepare all young people for work.

193.   Our commitment to STEM (Science, Technology, Engineering and Mathematics) education, a particular focus of our actions to develop the young workforce, is relevant for a more circular economy. We are committed to on-going support for STEM education in schools, with particular emphasis on the primary sector, to ensure that STEM learning in schools is stimulating and relevant, with close links between industry, academia and schools.

194.   In addition, Learning for Sustainability is now integral to teaching standards in Scotland and we are working to support its development across all schools. It is a holistic set of values and approaches to teaching learning and leadership in schools that enables young people to build the values, attitudes, knowledge and skills they will need to engage in sustainable development and social justice locally and globally.

What we're doing already

195.   Through Zero Waste Scotland and Skills Development Scotland, we have been engaging with industry partners and academia across a number of sectors (including resource management, resource efficiency, reuse and repair, creative industries and design) to identify skill needs.

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[27] Developing the Young Workforce, Scottish Government (2014) http://www.gov.scot/Publications/2014/12/7750

196.   Education Scotland and Zero Waste Scotland supported the Ellen McArthur Foundation between 2013 and 2015 in increasing the engagement of Scottish schools in learning relating to the circular economy.

197.   There are a number of existing skills development initiatives that can support the transition to a circular economy, such as:

- the Scottish Institute for Remanufacture linking industry and academic groups and a network of hubs across the UK;
- the development of Modern Apprenticeships in Sustainable Resource Management;
- the energy efficiency skills programmes of the Sector Skills Council;
- the Innovation Centres e.g. the Industrial Biotechnology Innovation Centre and their support for PhD studentships;
- Community Resources Network Scotland and its support for repair and refurbishment skills;
- RSA (Royal Society for the encouragement of Arts, Manufactures and Commerce) engaging the design community in new thinking; and
- Decom North Sea – examining skills needed to repurpose offshore equipment

What we propose to do next

198.   We will **review existing Skills Investment Plans** (SIPs) to identify how circular economy training and skills development can be incorporated on a cross-sector basis. This information will also be used to build on existing engagement with stakeholders such as Industry Leadership Groups, Skills Groups and Employers.

199.   We will **assess the specific skills needs** for the growth opportunities identified by our evidence programme, initially in the Food & Drink sector, Oil & Gas sector, and Re-use organisations.

200.   We intend to explore how we can support education on the circular economy through the **embedding of sustainability** in Scottish design undergraduate degrees and the development of learning for sustainability across the school curriculum.

201.   We will also explore potential to integrate circular economy awareness and skills into a range of other training and education programmes including Business Studies qualifications.

202.   We will explore how to ensure circular economy skills are **mainstreamed** within wider skills development activity.

203.   We will consider if there are opportunities to support greater **transfer of skills between industries**, or to align skills with new technologies, to supplement the existing industry-led approaches.

Question K – Skills

- Do you agree with our aspirations on skills for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

4.c - Measuring progress

Our ambition and priorities for Scotland

We want to improve our understanding of how products and materials flow through our economy - to track progress, assess the scale of potential opportunities; and help identify future actions.

Context

204.   Progress towards a circular economy means a change in the way we do things – a change in process.

205.   For waste policy it has been appropriate to measure progress using indicators such as tonnage-based recycling rates, diversion from landfill and reductions in waste produced. All these measures are linked to the existing policy and regulatory framework for waste and so data is readily available. However, a focus on weight does not give us a full understanding of environmental impacts, and further improvement in data reliability and quality are required.

206.   The move to electronic waste transfer documentation through the electronic Duty of Care (edoc) system, managed jointly by the four governments in the UK, is assisting with data reliability and quality.

207.   As we move towards a more circular approach, we need to better understand the flow of materials through supply chains to consumers and onwards to other uses.

208.   We want to strengthen our evidence on the value and business impacts of circular economy opportunities, building on the research undertaken so far to help business and the public sector prioritise. For example, evaluating the extent to which better process and product design can keep material value in the economy. We need to measure processes (such as reuse and repair activity) as well as outputs and outcomes.

209.   The EU Circularity Indicators Methodology[28] can be used to measure how effectively a business is making the transition to a more circular approach, by analysing the material flows of its products and processes.

What we're doing already

210.   Scotland already has ambitious targets for waste and resource management, going beyond those set by the EU:

Target	Year	Set by
Reduce waste arising by 7% against the 2011 baseline of 13.2 million tonnes.	2017	Scottish Government
Recycling and preparing for re-use of 50% by weight of household waste and similar.	2020	EU
60% recycling/composting and preparing for re-use of waste from households.	2020	Scottish Government
No more than 1.26 million tonnes of biodegradable municipal waste to be sent to landfill.	2020	EU

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[28] Ellen MacArthur Foundation, Circularity Indicators: http://www.ellenmacarthurfoundation.org/circular-economy/metrics

70% recycling and reuse of construction & demolition waste.	2020	EU
Reduce waste arising by 15% against the 2011 baseline of 13.2 million tonnes.	2025	Scottish Government
No more than 5% of all waste to go to landfill. (Following ban on municipal biodegradable waste to landfill from 2021)	2025	Scottish Government
70% recycling/composting and preparing for re-use of all waste by 2025.	2025	Scottish Government

211. Scotland's household recycling rate was 42.2% in 2013, improved from approximately 32% for municipal waste in 2007. Total waste arisings have reduced significantly in recent years. We are also tracking key indicators, including:

- the total amount of waste produced by sectors - household; commerce and industry; and construction and demolition.
- the amount of waste produced by sectors per unit of GVA.
- the carbon impact of waste - the whole-life impacts of waste including the benefits of prevention and recycling.

212. Scotland's Carbon Metric[29] assesses and quantifyies the carbon impacts of material consumption and waste; and Zero Waste Scotland updates the Carbon Metric annually.

What we propose to do next

213. We will continue to build our **evidence base** to help identify specific circular economy opportunities.

214. We intend to refresh Scotland's suite of **targets and indicators**, incorporating **process measures** to reflect the development of a more circular economy. This will be developed in parallel with discussions on the EU Circular Economy package.

215. We will continue to promote the **carbon metric** as an alternative to the conventional weight-based waste measurements including in the context of the EU Circular Economy package. Zero Waste Scotland will use the carbon metric to highlight the significant difference in impacts between recycling and reuse.

216. We intend to develop a **long term data strategy** to support a more circular economy.

217. To help understand the flow of materials around our economy, we propose to make the use of the **electronic edoc system mandatory in Scotland**; and will continue working with the UK Government and other devolved governments to develop this system and consider inclusion of transfrontier shipment of waste and hazardous waste.

Question L – Measuring Progress
We are looking for feedback on the proposed approaches outlined in this section.

- Do you agree with our aspirations on measuring progress towards a more circular economy?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

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[29] Carbon Metric, Zero Waste Scotland: http://www.zerowastescotland.org.uk/our-work/carbon-metric

This publication is available at **www.gov.scot**

Appendix 2 – Proposed Consultation Response

Making Things Last – Consultation on creating a more circular economy in Scotland

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Scottish Borders Council

Title Mr ☒ **Ms** ☐ **Mrs** ☐ **Miss** ☐ **Dr** ☐   **Please tick as appropriate**

Surname

Sharp-Dent

Forename

Ross

2. Postal Address

| Scottish Borders Council |
| Head Quarters |
| Newtown St. Boswells |
| Melrose |

| **Postcode** TD6 0SA | **Phone** 03001001800 | **Email** enquiries@scotborders.gov.uk |

3. Permissions - I am responding as…

Individual	**/**	**Group/Organisation**
☐	**Please tick as appropriate**	☒

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

Please tick as appropriate
☐ Yes   ☐ No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

(c) 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 web site).

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

Please tick as appropriate
☐ Yes   ☒ No

Yes, make my response, name and address all available	☐	
or		
Yes, make my response available, but not my name and address	☐	
or		
Yes, make my response and name available, but not my address	☐	

(d) 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 Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate ☒ **Yes** ☐ **No**

General Comment

In principle Scottish Borders Council is supportive of the Scottish Government's aspirations to create a more circular economy in Scotland.

However it is clear that there will be significant challenges in achieving this particularly in relation to: -

- The public's perceptions and attitudes towards remanufactured, reused or upcycled products.
- The comparatively low cost of brand new products compared to remanufactured, reused or upcycled products.
- The design, manufacture and retail of products.

Scottish Borders Council believes that significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level, to address current behaviours.

Question A – Design
We are looking for feedback on the ideas discussed above on influencing design of products, business models, services, and systems.
- Do you agree with our aspirations on design for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

In principle Scottish Borders Council supports the Scottish Governments aspirations on the design of products, business models, services and systems.

Scottish Borders Council agrees that the design of products is key in determining how far their value can be retained. Clearly this will require action both at a local and EU level to drive product design (see paragraph 62) so that products last longer and that they are easy to; remanufacture, reuse and recycle.

From a Local Authority perspective it would be helpful to understand the outputs of the further research outlined in paragraph 64 as early as possible. This is particularly important given the financial implication this may have in the long term.

Question B – Reuse
We are looking for feedback on the ideas discussed in this section on extending the life of goods through reuse.
- Do you agree with our aspirations on reuse for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on reuse for a more circular economy.

Scottish Borders Council has recently set up a re-use store at one of its Community Recycling Centres (CRC's) and is working in partnership with a local reuse charity. We are keen to expand this service to other sites and are therefore very pleased to hear that the Scottish Government is looking to support local authorities and local reuse organisations to improve reuse collection, storage, retail and communications, including at Household Waste Recycling Centres.

One of the key challenges for Scottish Borders Council is the lack of suitable space at our CRC's. Developing facilities so that re-use is easily accessible would be a key area where Scottish Borders Council requires support.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards reuse. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level.

Question C – Repair
We are looking for feedback on extending the life of goods through stimulating greater levels of repair by businesses, community organisations and individuals.
- Do you agree with our aspirations on repair for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on repair for a more circular economy.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards using repaired items. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level.

As outlined in our response to question B Scottish Borders Council has recently set up a re-use store at one of its Community Recycling Centre's and is working in partnership with a local reuse charity. A number of the items received at the re-use store may require repair prior to re-use.

The Council is pleased that the Scottish Government is looking to continue to support repair infrastructure for domestic and commercial products within the private, third and public sector.

Question D – Remanufacture
We are looking for feedback on the ideas discussed in this section to promote remanufacturing in Scotland.
- Do you agree with our aspirations on remanufacture for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments aspirations on remanufacture for a more circular economy.

The transition to a circular economy is going to require significant changes to the public's perceptions and attitudes towards remanufactured items. In many cases consumers are able to purchase brand new products that are only slightly more expensive than remanufactured products. In this instance there is little incentive for the consumer to buy the remanufactured product.

The Scottish Government may wish to consider whether tax breaks could be awarded to remanufactured products to create a level playing field. Certainly the development of warranties would give one less reason for consumers to avoid purchasing new products over remanufactured products. In addition it may entice manufacturers to consider this in more detail both in terms of product design, take back schemes and remanufacture.

It is clear that significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level to combat current attitudes towards remanufactured items.

Question E – Recycling
We are looking for feedback on the proposed approaches to expand recycling among households and businesses and improve the quality of recycled materials.
- Do you agree with our aspirations on recycling for a more circular economy?

- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

General Comment

In principle Scottish Borders Council supports the Scottish Governments aspirations on recycling for a more circular economy. However this cannot be at any cost and serious consideration must be given to financially supporting Local Authorities in helping to achieve this aspiration.

It is important to recognise that although Councils have an important statutory role to play in managing waste they are well down the supply chain. It is therefore suggested that there should be a concerted effort to tackle waste production/creation upstream (i.e. producer responsibility) as outlined in section 3.f.

Enforcement Powers

Councils already provide a number of recycling services. In most cases waste producers use these systems effectively. However there is a minority that do not which results in contamination and/or increased waste to landfill. It is suggested that Scottish Government consider the measures available to Councils to help ensure current services are utilised correctly as outlined in paragraph 134. This should include fixed penalty notices.

Food Waste Exemption

Scottish Borders Council has introduced food waste collections to over 24,000 urban households in the Borders in line with the requirements of the Waste (Scotland) Regulations 2012.

The Council received partial capital funding from Zero Waste Scotland (ZWS) to assist in the introduction of this service. Although this financial support was gratefully received no funding was received to help cover the ongoing annual revenue cost associated with the delivery of this service, which represents the largest financial cost.

At the current time around 33,000 households in rural areas do not receive a kerbside collection of food waste. The Scottish Governments intention to review the rural exemption for food waste (para 132) in the Waste (Scotland) Regulations 2012 has the potential to have significant ongoing financial implications for the Council at a time when it is already facing significant financial pressures. The Council would therefore propose that the Scottish Government seriously consider providing Local Authorities with:

- Full capital funding for the introduction of this service
- Full revenue funding for the ongoing delivery of this service.

Voluntary Waste Charter

Scottish Borders Council is in the fortunate position that it has recently agreed to review its Waste Management Plan and this will include the kerbside services that it provides to householders and businesses. It is suggested that the Scottish Government seriously

consider the funding arrangements to support local authorities in delivering waste services that align with its own aspirations and this should include both capital and ongoing revenue support.

It is important to recognise that even if all Councils signed up to the delivery of the Waste Charter it will take 5 to 10 years to deliver. During this period stability will be required to ensure that the collection, transport and treatment investments can be delivered.

Business Waste

Scottish Borders Council currently provides the majority of waste services to businesses in the Borders including rural areas. The private sector tends to focus its waste collection services in the urban areas where they can achieve a higher return on investment.

In recent years private waste collectors have withdrawn trade glass collections from the Borders on the basis of financial viability.

It is suggested that the Scottish Government takes this into consideration when enforcing the requirements of the Waste (Scotland) Regulations 2012 in rural areas such as the Borders.

Question F – Producer Responsibility for reuse and recycling
- Do you agree with our aspirations on harnessing producer responsibility approaches for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

It is important to recognise that although Councils have an important statutory role to play in managing waste they are well down the supply chain. It is for this reason that Scottish Borders Council, in principle, supports the Scottish Government's aspirations on harnessing producer responsibility approaches for a more circular economy.

Scottish Borders Council has found the WEEE producer responsibility scheme to be extremely successful. However, having said that we feel that the recent change to the WEEE Regulations/Code of Practice has put Local Authorities in a weaker position in terms of providing the Designated Collection Facilities (DCFs) for the Producer Compliance Schemes (PCS's). In addition, the changes now put rural authorities such as ourselves at a disadvantage due to the nature of collection costs being greater for rural authorities than more densely populated areas.

It is worth noting that WEEE is currently accepted at our network of Community Recycling Centres. If we were to accept additional materials such as tyres and furniture, including mattresses (as proposed) we would require capital funding to increase the size of the sites. We would therefore suggest the Scottish Government consider this when developing producer compliance requirements in terms of start-up funding to local authorities.

Question G – Recovering value from biological resources
We are looking for feedback on the proposed approaches to harnessing greater value from biological resources that would otherwise end up as waste.

- Do you agree with our aspirations on recovering biological resources for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments proposed approaches to harnessing greater value from biological resources that would otherwise end up as waste.

Food Waste Reprocessing Infrastructure

In recent years a range of agricultural Anaerobic Digestion (AD) facilities have been developed in the Scottish Borders to manage agricultural waste and/or process crops.

At the current time the quantity of food waste collected in the Scottish Borders is not of a scale large enough to support the development of a specific treatment facility. This would be the case even if food waste was collected from all households and food waste generating businesses in the Borders. As a consequence food waste has to be transported out with the Borders for treatment which incurs additional cost.

It is suggested that the Scottish Government consider how it can generate interest or support for the development of food waste treatment facilities in rural locations, such as the Scottish Borders. This would assist in developing the business case to expand food waste collections, through reducing transport costs, and consequently assist the Scottish Government in achieving its aspirations to provide a food waste service to all households.

Digestate Quality Standards

It is our understanding that SEPA are considering the development of a new quality standard, to replace PAS110, for defining end of waste criteria for digestate generated by Anaerobic Digestion facilities.

Scottish Government must be mindful that the financial business case for the majority of food waste facilities is underpinned by Council contracts/waste. It is therefore likely that any additional costs incurred by re-processors to achieve any new standard will at some point be passed onto Councils. It is possible the Material Waste Brokerage Service may assist in minimising the impact. However we are some distance away from this being in place.

Question H – Energy recovery
- Do you agree with our aspirations on energy recovery in a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council supports the Scottish Governments proposed approaches on energy recovery in a more circular economy.

Thermal Treatment Infrastructure

Scottish Borders Council agrees that thermal treatment of waste will play an important role in addressing demand for energy, during transition to a more circular economy. We also understand and appreciate the Scottish Governments wish to avoid the overprovision of energy from waste infrastructure as this may present a barrier in a move towards a more circular economy. Achieving both will be challenging due to the levels of investment required from both Local Authorities, via long term contracts and the private sector to deliver the required infrastructure.

Both Local Authorities and the Private Sector will require stability/assurance in relation to policy/legislation in order to support the financial business case for new/required infrastructure and to achieve financial close. Scottish Borders Council would suggest that the information on infrastructure requirements as outlined in paragraph165 should be completed and made available as soon as is practically possible to reduce the risk of an under or over provision of required infrastructure.

Question I – Landfill
- Do you agree with our aspirations on landfill as we move towards a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Governments proposed approaches on landfill as we move towards a more circular economy.

Retreat from landfill

Scottish Borders Council recently agreed to close its landfill and develop a waste transfer station in its place, which will help us achieve the requirements of the municipal biodegradable waste bans in 2021 and future landfill diversion targets.

Management of Landfill Gas

Scottish Borders Council has recently invested significantly in the management of landfill gas at its sites in the Borders as highlighted in paragraph 173. This has reduced the environmental impacts of the sites associated with gas emissions.

Environmental Obligations

The outstanding life span of most operational landfill sites is such that waste operators are unlikely to be able to generate the income, prior to closure, to fully cover their environmental obligations. In order to avoid a similar situation occurring with current or new technologies it is suggested these are considered now so that operators have the time to adjust gate fees to cover any additional environmental obligations. The environmental obligation of managing landfill sites is not only the responsibility of the operator but also the producer and this requires further consideration.

Question J – Communications

We would welcome views on the approaches to communication discussed in this section.
- Do you agree with our aspirations on communication for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on communication for a more circular economy.

It is clear that a large part of this consultation relates to requirements on local authorities in achieving the Scottish Government's aspirations of a more circular economy i.e. expansion of food waste services, landfill gas management, waste charter, waste brokerage, recyclate quality, MRF code of practice etc. However as previously outlined it is important to recognise that although Councils have an important statutory role play in managing waste they are well down the supply chain. It is therefore suggested that there should be a concerted effort to tackle waste production/creation upstream (i.e. producer responsibility) as outlined in section 3.f.

Without doubt the transition to a circular economy is going to require significant changes to how people and organisations operate to reduce production in the first place. Therefore significant time, resource and investment will be required by the Scottish Government in the communication campaigns at a national and local level. Also, it will be important that the communications campaigns are consistent to avoid contradiction and to maintain public support/engagement.

It is suggested that Scottish Government or its representative engage with local authorities at an early stage in relation to the development of communications campaigns.

Question K – Skills
- Do you agree with our aspirations on skills for a more circular economy?
- What other opportunities are there for transformational change?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

Response

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on skills for a more circular economy.

Question L – Measuring Progress

We are looking for feedback on the proposed approaches discussed in this section.
- Do you agree with our aspirations on measuring progress towards a more circular economy?
- Do you agree with the proposed actions for further exploration?
- What other actions would help unlock opportunities?

In principle Scottish Borders Council agrees with the Scottish Government's aspirations on skills for a more circular economy.

Targets and indicators

As previously outlined Scottish Borders Council is reviewing its Waste Management Plan. The outputs of this plan are likely to be influenced by the current Scottish 'targets and indicators' along with the Waste Charter. Although we appreciate that targets will be impacted by external influences (i.e. EU Circular Economy Package) and that they will require review, it is important that there is a consistent direction of travel.

Scottish Borders Council wants to be sure that any future service changes are compliant and will not require short to medium term amendments/alterations due to changes of National Policy. Ultimately we wish to avoid disruption to householders and additional cost.

Electronic Duty of Care System

Scottish Borders Council is currently assessing the potential of using the EDOC system and is therefore supportive of making this mandatory. However we would suggest that this should not be made mandatory without providing an appropriate level of support to waste producers to assist in the transition – potentially a specific hotline to answer queries.

As a trade waste provider the Council finds that a number of customers require significant support in order to complete the current paper based Duty of Care Waste Transfer Notes and this is likely to increase when moving to an online system.

Question M – Equality
- Do you have any comments on the proposals in terms of how they may impact on any particular equalities group i.e. in respect of age, gender, race, religion, disability or sexuality?

Not reviewed.

Question N – Business and Regulatory Impact Assessment
- Do you have any comments on the draft partial Business and Regulatory Impact Assessment?

No comment.

Question O – Strategic and Environmental Assessment

No comment.

1. To what extent does the Environmental Report set out an accurate description of the current baseline and the business as usual scenario? (Please give details of additional relevant sources)

2. Do you agree with the predicted environmental effects as set out in the Environmental Report?

3. Do you agree with the recommendations and proposals for mitigation and enhancement of the environmental effects set out in the Environmental Report?

4. Are you aware of any further information that will help to inform the findings of the assessment? (Please give details of additional relevant sources)

5. Are you aware of other 'reasonable alternatives' to the proposed policies that should be considered as part of the Strategic Environmental Assessment (SEA) process conducted for the Consultation Document?

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