
HOUSEHOLD WASTE CHARTER

Report by Service Director Neighbourhood Services

SCOTTISH BORDERS COUNCIL

29 JUNE 2016

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes that Scottish Borders Council sign-up to the voluntary Household Waste Charter and associated Code of Practice.**
- 1.2 In 2014 the Scottish Government and COSLA agreed to convene a Zero Waste Task Force to identify recommendations for the transformation of the management of public sector waste into an effective feedstock for the circular economy.
- 1.3 A key recommendation from the Taskforce was that Local Authorities should be empowered and enabled to move towards more consistent recycling collection systems whilst allowing Councils to design services in accordance with local needs and issues.
- 1.4 This approach has now been articulated into the Household Recycling Charter and associated Code of Practice, which have been scrutinised and approved by COSLA Leaders.
- 1.5 The 'Charter' is entirely voluntary and it is at the discretion of each individual Local Authority whether to sign-up or not.
- 1.6 A review of the Code of Practice indicates that the majority of Scottish Borders Council's current kerbside collection services are not compliant with the requirements of the Code.
- 1.7 The most significant changes that would need to be made if Scottish Borders Council was to deliver a Code of Practice compliant service are:
1. Cease providing a comingled collection of Paper, Card, Cans and Plastics (i.e. blue lidded bin) and replace it with two containers. One for Paper and Card and another for Metals and Plastics.
 2. Either increase the number of bottle banks or provide a kerbside glass collection service.

3. Consider reducing the volume of non-recyclable waste (i.e. general waste – Grey Bin) collections.
- 1.8 In a joint letter from Councillor Stephen Hagan, COSLA Spokesperson for Development, Economy and Sustainability and Richard Lochhead, Cabinet Secretary for Rural Affairs, Food and Environment have asked that Councils sign up to the Charter.
- 1.9 Formally signing up to the 'Charter' does not commit Local Authorities to designing and implementing services that will result in higher costs than currently budgeted for.
- 1.10 The implication of this is that if achieving Charter compliance is affordable (either with or without funding) and efficient this would require the Council to deliver the service changes.
- 1.11 Where there is a funding shortfall, compared to existing budgets, an application will be made to the Scottish Government for financial support. If the application is rejected, no service changes will be required or enforced.
- 1.12 The Waste Management Plan Member Officer Reference Group supports the recommendation to sign up to the Charter as outlined in section 2.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Council signs-up to the Household Recycling Charter on the basis that:**
 - a) **Zero Waste Scotland continues to provide support to complete the options appraisal/transition plan.**
 - b) **Following completion of the options appraisal and stakeholder engagement a report is presented at a future Council meeting for consideration prior to implementation.**
 - c) **Scottish Borders Council reserves the right to opt out of the Charter if it is not considered to be in the best interests of the Council.**

3 BACKGROUND

- 3.1 In 2014 the Scottish Government and COSLA agreed to convene a Zero Waste Task Force to identify recommendations for the transformation of the management of public sector waste into an effective feedstock for the circular economy.
- 3.2 Following a series of workshops the Zero Waste Taskforce concluded that, where benefit was proven, Councils should;
- work together to share services
 - implement common ways of working; and
 - reduce variation in collection systems across the country

The objective being to improve the efficiency and effectiveness of these systems.

- 3.3 One of the outputs of the task force was the development of a **voluntary** 'Household Waste Charter' supported by a 'Code of Practice'.
- 3.4 Development of the Charter and the Code of Practice has involved input from SOLACE, Zero Waste Scotland (ZWS), the Waste Managers Network (WMN), COSLA and the Scottish Government.

4 HOUSEHOLD RECYCLING CHARTER

- 4.1 The Household Recycling Charter is a high level document outlining the principles and operational practices of a **common approach** to delivering Local Authority waste services.
- 4.2 The 'Charter' sets out 21 commitments from Local Government that will achieve the following outcomes:
- To improve household waste and recycling services to maximise the capture, and improve the quality, of resources from the waste stream, recognising the variations in household types and geography to endeavour that our services meet the needs of all our citizens.
 - To encourage citizens to participate in our recycling and reuse services to ensure that they are fully utilised.
 - To operate services so that our staff are safe, competent and treated fairly with the skills required to deliver effective and efficient resource management on behalf of our communities.
- 4.3 The Household Recycling Charter was approved by COSLA Leaders on 28 August 2015.
- 4.4 The full text of the 'Charter' can be seen at:
<http://www.zerowastescotland.org.uk/content/charter-household-recycling>

5 CODE OF PRACTICE

5.1 The 'Charter' is underpinned by the Code of Practice (the 'Code') which sets out the specifics of how services should be delivered in order to achieve the desired outcomes of the 'Charter'.

5.2 The outcomes that the Code aims to deliver are:

5.2.1 OUTCOME ONE: ACHIEVE HIGH QUANTITIES OF RECYCLING AND MINIMISE NON-RECYCLABLE WASTE

Recycling more and wasting less is good for the economy and for the environment. This Code of Practice seeks to increase quantities of materials recycled and reduce the amount of waste that cannot be recycled.

5.2.2 OUTCOME TWO: MAXIMISE HIGH-QUALITY MATERIALS

High-quality recycling, typically defined as 'closed loop' recycling, generally achieves higher value in global, European and UK markets. There is also greater opportunity for investment in the reprocessing industry when there is a ready supply of high-quality materials available to the market in consistent formats and standards. This Code of Practice seeks to provide consistent, high-quality materials for the market, supporting the work of the Scottish Materials Brokerage Service.

5.2.3 OUTCOME THREE: COST EFFECTIVE SERVICES FOR LOCAL GOVERNMENT

This Code of Practice will support Scottish Councils in delivering cost-effective services in the medium to long term.

5.2.4 OUTCOME FOUR: SERVICES THAT ENCOURAGE PARTICIPATION FROM CITIZENS

This Code of Practice seeks to ensure that the waste and recycling services being delivered to citizens are easily understood and communicated in language and formats to allow them the ability to participate fully.

5.2.5 OUTCOME FIVE: KEEP CITIZENS, STAFF AND CONTRACTORS SAFE

This Code of Practice seeks to ensure that services being delivered recognise and manage any hazards to the safety and health of these groups.

5.2.6 OUTCOME SIX: SERVICES THAT SUPPORT EMPLOYMENT

This Code of Practice will support the delivery of services that support employment in Scotland and within local areas either through collection services or from the onward sorting or sale of

materials.

- 5.3 The Code sets out the basis for a consistent approach to the provision of recycling services by Local Authorities. Throughout the Code reference is made to 'Essential' and 'Desirable' requirements, which are defined as follows:

Essential - These requirements are vital in the effort to achieve consistency across waste and recycling services in Scotland. The adoption of these requirements is considered to be the minimum expectation placed on Councils signing up to the Household Recycling Charter.

Desirable - These requirements are important in the effort to achieve consistency across waste and recycling services in Scotland. The adoption of these requirements is something that Councils shall consider after they have met the essential requirements.

- 5.4 The 'Code of Practice' was approved by COSLA Leaders on 27 November 2015.

- 5.5 The full text of the Code can be seen at:
<http://www.zerowastescotland.org.uk/content/charter-household-recycling>

6 KEY REQUIREMENTS OF THE CODE OF PRACTICE

- 6.1 The following section outlines the **key** points of the common collection system defined in the Code of Practice.

6.2 Essential Requirements

1. Separate containers shall be provided to each property for the following:
 - a. Paper and card
 - b. Metals, plastic and cartons
 - c. Food waste in all areas where the Waste (Scotland) Regulations 2012 require a collection.
2. Separate containers for glass shall be provided to each property or alternatively within the community for communal use (e.g. bottle banks).
3. The weekly volume of recycling to be provided to each property for each material where kerbside collection takes place should exceed the following:

Material	Code of Practice Minimum Requirements
Paper & Cardboard	40 Litres per week
Metals, Plastics & Cartons	70 Litres per week
Glass	20 Litres per week

Food Waste	20 Litres per week
Total Volume	150 Litres

4. Consider reducing the capacity for non-recyclable waste (General Waste).

6.3 Desirable Requirements

1. The collection of each recycling stream, in particular food waste is carried out on a weekly basis.
2. Separate food collections are provided to all areas not required to have a collection under the Waste (Scotland) Regulations 2012.
3. Introduce a common colour system for each material (i.e. bin colour) in accordance with a future national standard.
4. Reduce the capacity for non-recyclable waste (General Waste) as follows:
 - a. **Households with kerbside access:** A maximum of 80 Litres per week per property. To be achieved by reducing the bin size or frequency of collection.
 - b. **Flats:** A maximum of 70 Litres per week per property. To be achieved by reducing the bin size or frequency of collection.

- 6.4 Additional information on the **key** points of the common collection system defined in the Code of Practice can be found in Appendix 1.

7 PROPOSED GOVERNANCE AND FUNDING APPROACH

- 7.1 The Charter is entirely voluntary and it is at the discretion of each individual Local Authority whether to sign up or not.
- 7.2 Signing up to the Charter does not commit Local Authorities to designing and implementing services that will result in higher costs than currently budgeted for.
- 7.3 Where there is a funding shortfall, compared to existing budgets, an application will be made to the Scottish Government for financial support. If the application is rejected, no service changes will be required or enforced.
- 7.4 The Scottish Government is yet to confirm the amount and type of funding that will be made available to Council's to help deliver the Charter.
- 7.5 At the current time the indication is that funding will be in the form of Capital only, similar to food waste funding, with no ongoing Revenue support. Also, it is unlikely that the Scottish Government would have funds to support all Councils in implementing service changes at the same time. It is more likely to be a phased release over a period of time.

- 7.6 In a joint letter (Appendix 2) from Councillor Stephen Hagan, COSLA Spokesperson for Development, Economy and Sustainability and Richard Lochhead, Cabinet Secretary for Rural Affairs, Food and Environment have asked that Councils sign up to the Charter.
- 7.7 Following signature of the Charter, Local Authorities will be able to access support from Zero Waste Scotland to develop a Transition Plan that will scope out the cost-effective changes needed to move to a compliant collection system.
- 7.8 Local Authorities will then be further supported to develop an Implementation Plan which will detail the timescales and scope of the necessary changes, together with an expected cost profile.
- 7.9 A Working Group will scrutinise each implementation plan, checking its compliance with the Code of Practice and ensuring that cross-council issues and opportunities are identified.
- 7.10 At this point Councils will be given an In-Principle Offer, subject to final ratification of the implementation plan.
- 7.11 Following development of the implementation plan, and the in-principle offer of funding, the plans will be scrutinised by a high-level, Strategic Oversight Panel.
- 7.12 Following scrutiny by the strategic panel, and assuming their approval, the specific funding required will be released and councils can begin implementation.
- 7.13 The governance and funding approach is outlined in more detail in a process flow diagram at Appendix 3.
- 7.14 It is important to note that whilst signing the Charter does not commit the Council to implementing change that is more than currently budgeted for, any future funding support provided by Zero Waste Scotland will be dependent on the Council implementing services in line with the Code of Practice.

Note: Services recently supported by Zero Waste Scotland funding include 'Recycling on the Go' and Food Waste Collections.

8 IMPLICATIONS FOR SCOTTISH BORDERS COUNCIL

- 8.1 Appendix 4 outlines the **key** requirements of the Code of Practice and compares them with Scottish Borders Council's current service provision.
- 8.2 It can be seen from this assessment that the majority of Scottish Borders Council's current service provision is not compliant with the requirements of the Code of Practice.

8.3 The most significant changes that would need to be made if Scottish Borders Council was to deliver a Code of Practice compliant service are:

1. Cease providing a comingled collection of Paper, Card, Cans and Plastics (i.e. blue lidded bin) and replace it with two containers. One for Paper and Card and another for Metals and Plastics.
2. Either increase the number of bottle banks or provide a kerbside glass collection service.
3. Consider reducing the volume of non-recyclable waste (i.e. general waste – Grey Bin) collections.

9 OTHER LOCAL AUTHORITY COMMITMENT

- 9.1 Officers are in regular contact with other Councils via the COSLA Waste Manager Network.
- 9.2 Over the last 6 months Officers have noticed a change in attitude from Councils from 'sitting on the fence' to a gradual leaning towards sign-up.
- 9.3 To date only Falkirk Council has committed to the Waste Charter. However as of 25th May, 10 Councils have committee approval to sign up to the Charter and a further 8 have reports going to their directorate proposing sign up which they may take to Council.
- 9.4 The Scottish Government's Policy position is clear and it is suggested that if Local Authorities do not commit to the Charter this will be followed by some sort of legislation or system that delivers the same thing. The likelihood of this occurring increases if Scotland's recycling rate, currently 42.8% (2014), does not look like it will hit the EU 2020 recycling target of 50%, which is a requirement for member states.

10 WASTE POLICY AND LEGISLATION – DIRECTION OF TRAVEL

- 10.1 Over the last 9 months there have been a number of legislative and policy developments at a National and European level. All have the potential to impact the Council's future kerbside collection services and new Waste Management Plan, see below:
- 10.2 **EU Circular Economy Package**
- 10.2.1 The European Commission published the long awaited redrafted Circular Economy Package on 2 December 2015.
- 10.2.2 The proposal includes new binding recycling targets for household waste that go beyond the current 2020 target of 50% as outlined below:
- 2025 60%
 - 2030 65%
- 10.2.3 Adoption of the proposal by the EU Parliament and Council is not expected until the middle of 2017. However the direction of travel towards increasing household recycling rates is clear.

10.2.4 In 2014 Scottish Borders Council achieved a recycling rate of 36.7%.

10.3 **Circular Economy Strategy for Scotland**

10.3.1 The Scottish Government released its Circular Economy Strategy on the 23 February 2016.

10.3.2 This strategy sets out the Scottish Governments priorities for moving towards a more circular economy, where products and materials are kept in high value use for as long as possible.

10.3.3 Amongst other things the strategy outlines that the Scottish Government wants all households in Scotland to have access to a food waste service and they are therefore intending to review the rural exemption for food waste collection systems.

10.3.4 Scottish Borders Council currently provides food waste collections to 6 towns across in accordance with its statutory requirements.

10.4 The European and National Policy and Legislation outlined above combined with those already in place outline a clear direction of travel towards increased recycling performance and the provision of separate kerbside collections.

11 KERBSIDE COLLECTION OPTIONS APPRAISAL

11.1 Zero Waste Scotland have been commissioned to undertake an appraisal of future kerbside collection options for the Council's new Waste Management Plan.

11.2 Similar support has been provided to other local authorities including Falkirk Council who have recently made alterations to their kerbside collection services.

11.3 The options appraisal is being undertaken over two phases:

- Phase 1 – High Level Modelling of Scenarios
- Phase 2 – Detailed Modelling of Short Listed Scenarios

11.4 It is envisaged that Phase 1 modelling will be completed during Summer 2016 following which scenarios will be shortlisted.

11.5 The scenarios being modelled by Zero Waste Scotland include Waste Charter Compliant and Non-Compliant options.

11.6 The aim of evaluating Charter compliant and Non-Compliant options has been to enable the Council to make an informed decision as to the implications of signing-up to the Charter prior to sign-up.

- 11.7 Zero Waste Scotland is providing the support free of charge, and it was this, along with the benefits of having an independent review of the services provided by the Council that led to their commissioning.
- 11.8 On 11 March 2016 Zero Waste Scotland confirmed that:
- They will be prioritising funding on the Household Recycling Charter.
 - Support will only be made available to local authority's that have signed the Charter and are examining options to move towards the principles set out in the Code of Practice.
 - From 1 April 2016, they will be prioritising their transition support towards signatories to the Charter and from 1 June 2016 we will only progress transition modelling/planning with Councils who have signed the Charter.
- 11.9 The consequence of the above is that unless Scottish Borders Council commits to the Charter it will be unable to complete the kerbside collection modelling exercise with Zero Waste Scotland.
- 11.10 In order to finalise the Options Appraisal without the support of Zero Waste Scotland will require alternative technical experts to be commissioned incurring additional cost and delays.

12 CONCLUSION & RECOMMENDATION

- 12.1 The **key** issues that the Council must consider in deciding whether it should sign-up to the Charter are as follows:
1. The implications for delivering waste services that meet the needs of the Borders public.
 2. The implications to delivering a waste service that is 'fit for purpose' and financially sustainable in the long term.
 3. The implications for delivering Corporate Transformation Savings associated with the Waste Management Plan.
 4. The European and National drive to increase recycling performance and provide separate collection systems.
 5. Any future funding support provided by Zero Waste Scotland will be dependent on the Council implementing services in line with the Code of Practice.
 6. The type and amount of funding being made available by Scottish Government to support service alterations.
- 12.2 The aim of commissioning Zero Waste Scotland to undertake the kerbside collections options appraisal was to answer a number of the challenges outlined above.
- 12.3 Given that Zero Waste Scotland have now outlined that they will be focusing their attention on Councils that have signed up to the Charter, it is clear the Council will be unable to complete its kerbside collections options appraisal which will provide these answers without either:

- Signing up to the Charter;
 - or
 - Commissioning alternative technical adviser to complete this work incurring additional cost and delays.
- 12.4 Although the Charter and Code are specific about the type of services that Council's must provide it provides some flexibility in how this is achieved including:
- Container type
 - Frequency of collection
 - Type of vehicles used
- 12.5 Signing up to the Charter does not commit Local Authorities to designing and implementing services that will be inefficient or result in higher costs than currently budgeted for.
- 12.6 The implication of this is that if achieving Charter compliance is affordable (either with or without funding) and efficient this would require the Council to deliver the service changes.
- 12.7 This is a critical point as cost and efficiency may not be the only consideration for the Council in making a decision to deliver the Charter. For example public opinion will play a key role.
- 12.8 The Waste Management Plan Member Officer Reference Group have been briefed on the Waste Charter and support the recommendation to sign up to the Waste Charter as detailed in section 12.9.
- 12.9 On balance it is recommended that the Council signs-up to the Charter on the basis that:
1. Zero Waste Scotland continues to provide support to complete the options appraisal.
 2. Following completion of the options appraisal and stakeholder engagement a report is presented at a future Council meeting for consideration prior to implementation.
 3. Scottish Borders Council reserves the right to opt out of the Charter if it is not considered to be in the best interests of the Council.

13 IMPLICATIONS

13.1 Financial

The full financial implications of signing up to the Charter are not known at the current time. These will be better understood once the transition plan has been developed with support from Zero Waste Scotland, should the Council sign up to the Charter. The Council's financial position should not be negatively impacted by signing as there is no commitment to implement new processes which cost more than current processes. The

Council will be able to apply for additional funding which can only be accessed if signed up to the Charter.

13.2 **Risk and Mitigations**

Risk and Mitigations are outlined in Appendix 5.

13.3 **Equalities**

The equality implications of the Waste Charter and Code of Practice are not known at the current time. Equality Impact Assessments (EIA) will be undertaken and considered throughout the development of the Transition and Implementation Plan.

13.4 **Acting Sustainably**

The economic, social and environmental effects of the Waste Charter and Code of Practice are not known at the current time. These will be assessed and considered throughout the development of the Transition and Implementation Plan.

13.5 **Rural Proofing**

The impact of the Waste Charter and Code of Practice on the Council's Rural Proofing Policy is not known at the current time. This will be assessed and considered throughout the development of the Transition Plan and Implementation Plan.

13.6 **Carbon Management**

The impact of the Waste Charter and Code of Practice on the Council's carbon emissions are not known at the current time. This will be assessed and considered throughout the development of the Transition and Implementation Plan.

13.7 **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.

14 CONSULTATION

14.1 The Chief Financial Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council are being consulted and any comments received will be incorporated into the final report.

14.2 Others that have been consulted are listed below:

- Chief Executive
- Depute Chief Executive Place
- Corporate Transformation Services Director
- Service Director Regulatory Services
- Service Director Assets & Infrastructure
- Procurement Officer

- Communications & Marketing

Approved by

Jenni Craig
Service Director Neighbourhood Services

Signature

Author(s)

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Background Papers: NA

Previous Minute Reference: NA

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 01835825071, email

Appendix 1 – Key Requirements of the Code of Practice

1 Essential

1.1 Separate containers shall be provided to each property for the following:

- Paper and card;
- Metals, plastic and cartons

Note:

At the point of collection, the contents of each container will either be sorted into constituent materials (i.e. kerbside sort) or placed into separate compartments of a single vehicle or into separate vehicles for primary sorting at a site (i.e. transfer station or Materials Recovery Facility –MRF).

1.2 Separate containers for glass shall be provided to each property or alternatively within the community for communal use. These containers shall facilitate the colour separation of glass to occur.

Note:

Where the Council is not providing a glass collection from each property, the Council is required to:

- Demonstrate that the alternative provision (i.e. from recycling points) is achieving the same quality and quantity of glass that would otherwise be collected from kerbside collection.
- Provide a minimum capacity outlined of 10 litres per week for each property within the community. In urban areas these should be no further than 1km from each property.

Colour separation of glass can occur at a glass sorting facility if the Council can demonstrate through benchmarking with other Councils that the same quantity of glass will be available to enter high-quality recycling processes (i.e. remelt to glass containers) after sorting has taken place .

1.3 Separate containers shall be provided for food waste collection in all areas where the Waste (Scotland) Regulations 2012 require a collection.

1.4 The weekly volume of recycling to be provided to each property for each material where kerbside collection takes place should exceed the following:

Material	Code of Practice Minimum Requirements
Paper & Cardboard	40 Litres per week
Metals, Plastics & Cartons	70 Litres per week
Glass	20 Litres per week
Food Waste	20 Litres per week
Total Volume	150 Litres

- 1.5 Consider reducing the capacity for non-recyclable waste (General Waste).
- 1.6 **Desirable**
- 1.7 The collection of each recycling stream, in particular food waste is carried out on a weekly basis.
- 1.8 Separate food waste collections are provided to all areas.
- 1.9 Introduce a common colour system for each material (i.e. bin colour) in accordance with a future national standard.
- 1.10 Reduce the capacity for non-recyclable waste (General Waste) as follows:
 - 1. Households with kerbside access: A maximum of 80 Litres per week per property. To be achieved by reducing the bin size or frequency of collection.
 - 2. Flats: A maximum of 70 Litres per week per property. To be achieved by reducing the bin size or frequency of collection.

Appendix 2 – Joint Scottish Government and COSLA letter

Cabinet Secretary for Rural Affairs, Food and the Environment
Richard Lochhead MSP

F/T: 0300 244 4000
E: scottish.ministers@gov.scot



4 February 2016

Dear Leader and Chief Executive

As you know, we jointly convened the SG/COSLA Zero Waste Taskforce in 2014 in order to identify recommendations for the transformation of the management of public sector waste into an effective feedstock for the circular economy. A key recommendation from this Taskforce was that local authorities should be empowered and enabled to move towards more consistent recycling collection systems. This approach has now been articulated by the Household Recycling Charter and associated Code of Practice, which have been scrutinised and approved by COSLA Leaders.

Development of the Charter and of the Code of Practice has brought together input from SOLACE, Zero Waste Scotland (ZWS), the Waste Managers Network (WMON), COSLA and the Scottish Government. The Code of Practice therefore reflects the combined expertise and experience of waste professionals across Scotland and the collection strategies and systems outlined in the document represent those which are considered to best meet the overall objectives of the Taskforce, improve recycling performance and fulfil the aim of developing a consistent national system whilst leaving room for councils to design the specific services that reflect local needs and issues.

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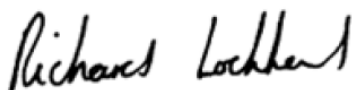
We believe that by signing the Charter and subsequently implementing the systems described in the Code of Practice local authorities will be able to:

- Stimulate inward investment and subsequent job creation in recycling and reprocessing industries
- Retain and enhance existing jobs in waste collection
- Generate and retain the best collective value from waste streams whilst increasing recycling rates
- Provide councils with a strong voice in the procurement market and enable them to manage market conditions to their collective advantage
- Demonstrate the innovative thinking resulting from empowering local government to develop solutions
- Work together to communicate to the public the value in recycling, and the benefits that good recycling practice can bring to communities

This is an exceptional opportunity to turn a required service provision into something that generates jobs, stimulates economic development and can deliver genuine efficiencies and cost savings to both individual councils and to local government as a whole. The Scottish Government is firmly committed to assisting local authorities in the implementation of this more consistent approach to recycling collections and will be aligning the support delivered through ZWS with the systems detailed in the Code of Practice.

Following signature of the Charter, councils will be offered support from ZWS to develop a transition plan that scopes out the cost-effective changes required to move towards the consistent system and to develop an implementation plan complete with timescales and financial considerations. Oversight and scrutiny of this process will be carried out through a high-level strategic group to ensure that the overall aims and objectives of the Charter are being met and to maintain focus on the over-arching circular economy goals and benefits.

Signing the Charter is voluntary, but we would very much like to urge councils to do so, and thereby to unlock the benefits of a more consistent approach to recycling across Scotland; an approach which has been developed by councils themselves and which is considered by practitioners across the country to represent good practice with regards to recycling collections. We are keen that together we maintain the momentum generated so far and continue to drive forward Scotland's efforts to realise the benefits of the circular economy. In light of this, we would appreciate it if you could give careful consideration to signing the Charter and look forward to supporting you in its implementation.



RICHARD LOCHHEAD

Cabinet Secretary for Rural Affairs, Food and Environment



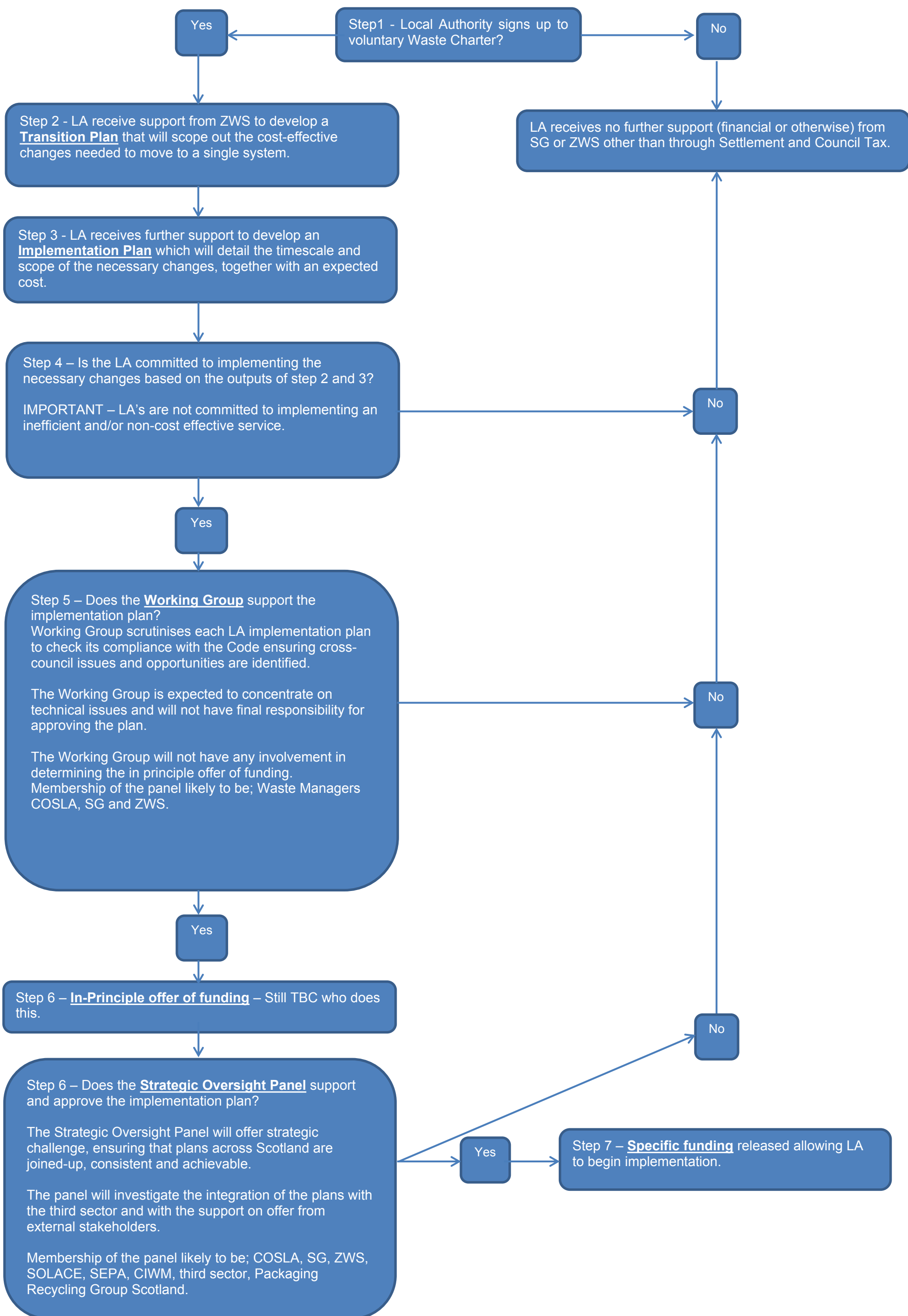
CLLR STEPHEN HAGAN

COSLA Spokesperson for Development, Economy and Sustainability

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Appendix 3 – Waste Charter – Governance and Funding Approach



Appendix 4 –Scottish Borders Council’s current provision vs key requirements of the Code of Practice

Essential Requirements

Key Requirement of ‘Code of Practice	Is SBC compliant?	Potential Implications for Scottish Borders Council								
Separate container for Paper and Card.	No	<ul style="list-style-type: none"> • Commingled blue bin for recycle to be replaced with two containers. • New vehicles and containers required. • Upgrade Waste Transfer Stations to store additional recycle streams. 								
Separate container for Metals, Plastic and Cartons.	No	As above								
Separate container for Glass at kerbside or ‘same quality and quantity via recycling point’.	No	Either; <ul style="list-style-type: none"> • Individual glass containers for households • New vehicles and containers required. Or; <ul style="list-style-type: none"> • Increase number of banks per site • Increase number of sites 								
Where no kerbside glass provided, minimum 10 litres per household and within 1km of each property.	No	<ul style="list-style-type: none"> • Increase number of banks per site • Increase number of sites 								
Food waste shall be provided to all Waste (Scotland) Regulation areas.	Yes	None.								
Weekly minimum volume to be provided at kerbside per property: <ul style="list-style-type: none"> • Paper/Card – 40L • Metal/plastic/cartons – 70L • Glass – 20L • Food waste – 20L 	<table border="1"> <tbody> <tr> <td>Paper/Card – 40L</td> <td>No</td> </tr> <tr> <td>Metal/plastic/cartons – 70L</td> <td>No</td> </tr> <tr> <td>Glass – 20L</td> <td>No</td> </tr> <tr> <td>Food waste – 20L</td> <td>Yes</td> </tr> </tbody> </table>	Paper/Card – 40L	No	Metal/plastic/cartons – 70L	No	Glass – 20L	No	Food waste – 20L	Yes	Would need to provide different containers for all materials to comply with requirements bar food waste.
Paper/Card – 40L	No									
Metal/plastic/cartons – 70L	No									
Glass – 20L	No									
Food waste – 20L	Yes									
Where Councils have adopted all of the requirements regarding food and dry recycling they shall consider reducing the capacity of non-recyclable waste collections.	No	Consider reducing the capacity of non-recyclable waste collections.								

Desirable Requirements

Collection of recycling materials to take place weekly	No	Only food waste is collected weekly. All others would need to be increased.
Separate food collections are provided to all areas not required to have a collection under the Waste (Scotland) Regulations 2012.	No	<ul style="list-style-type: none"> • Would need to expand our food waste collections to rural areas. • More bins and vehicles required. • Would need to upgrade food waste transfer station.
Containers to have specific colours (colours to be agreed)	Unknown	May need to change colours. Unclear if requires new containers or if a sticker would suffice.
Where Councils have adopted all of the requirements regarding food and dry recycling they shall reduce the capacity for non-recyclable waste to 80 litres per week to each property and 70 litres for flats.	No	The Council currently provides 90 litres per week so provide more than is currently required. Would only need to consider reducing the volume if we provide all of the food and dry recycling requirements outlined in the code.

Appendix 5 – Risk and Mitigations

No.	Risk	Mitigation
1	<p>Legal Services have confirmed that the Waste Charter is not designed to be a legally binding document/contract. However there is a small risk that the Council could be bound to the undertakings made should the Council sign up.</p> <p>This risk only becomes active if following sign up the Council decides not to deliver on the commitments outlined in the Charter. The implications are not known at the current time.</p>	<p>The options are:</p> <ol style="list-style-type: none"> 1. Accept the risk 2. Request that the Scottish Government moderate the terms of the Charter to clarify that the Council is not making a binding commitment. 3. Caveat sign up to the Charter as detailed below: <p>“Scottish Borders Council reserves the right to opt out of the Charter if it is not considered to be in the best interests of the Council.”</p> <p>It is recommended that the Council caveat sign up to the Charter as per option 3.</p>
2	<p>Efficiency and affordability may not be the only reasons why the Council would not be prepared commit to implementing a service following sign up to the Charter.</p>	<p>It is recommended that the Council’s sign up to the Charter is caveated as follows:</p> <p>“Scottish Borders Council reserves the right to opt out of the Charter if it is not considered to be in the best interests of the Council.”</p>
3	<p>The funding available from Scottish Government to support implementation is not known.</p>	<p>Formally signing up to the ‘Charter’ does not commit local authorities to designing and implementing services that will result in higher costs than currently budgeted for.</p> <p>Where there is a funding shortfall, compared to existing budgets, an application will be made to the Scottish Government for financial support. If the application is rejected, no service changes will be required or enforced.</p>
4	<p>Householders may feel that a decision has been taken on service provision prior to stakeholder engagement and consultation. This may cause reputational damage and adverse publicity.</p>	<p>Stakeholder engagement has commenced including a survey and dialogue tool.</p> <p>Communications plan to be developed.</p>
5	<p>If following sign up the Council decides not to deliver on the commitments outlined in the Charter there may be political consequences. These are unknown at the current time.</p>	<p>It is recommended that the Council’s sign up to the Charter is caveated as follows:</p> <p>“Scottish Borders Council reserves the right to opt out of the Charter if it is not considered to be in the best interests of the Council.”</p>
6	<p>If following sign up the Council decides not to deliver on the commitments outlined in the Charter there may be reputational damage.</p>	<p>If this situation arises it is suggested a communications plan is developed prior to making the decision public. This should refer to the reasons as to why the decision has been made.</p>

