



# **Tonbridge & Malling Borough Council**

**An assessment of whether current  
collection arrangements meet the  
England & Wales Waste Regulations  
2011 (amended 2012)**

**Final Report**

**January 2014**

## Version control page

### Document description

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### Version control

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1.0	14/10/14	Paul Bridger/David Greenfield	Draft Interim Report
1.1	25/11/14	Paul Bridger/David Greenfield	Draft Interim Report
1.2	29/01/15	Paul Bridger/David Greenfield	Final Report

## Executive Summary

This report provides an assessment of the compliance of Tonbridge & Malling Borough Council’s collection service against the requirements of the England & Wales Waste Regulations 2011 (amended 2012) in accordance with the revised Waste Framework Directive (rWFD).

The regulations require actions to be taken to ensure waste undergoes recovery operations that comply with the ‘Waste Hierarchy’ and that all collectors should separately collect paper and card, glass, metals and plastics, unless it is not “necessary” or if it is technically, environmentally and economically impractical (TEEP Assessment) in order to promote ‘high quality’ recycling.

## Background

This report focuses on the Council’s current ability to promote high quality recycling and therefore determine whether it is necessary to actually undertake a TEEP Assessment.

The promotion of high quality recycling requires Councils to:

- a) Ensure their collection methodology provides an effective means of capturing the target recycle materials; and
- b) Ensure the paper (including card), glass, metals and plastics collected is utilised for high quality recycling (where high quality recycling is interpreted as recycling material into a product of similar quality to that of its original use – what is known as ‘closed loop’ recycling improve the quantity of material recycled as well as its end use quality). As a general guideline, local authorities should be aiming for 75% or more of their recycle to be used for “high quality” closed loop recycling.

The Environment Agency, as the regulatory body for the enforcement of the regulations, have provided waste collectors, including local authorities with examples of how they will be assessing compliance with the regulations. The table below provides a summary of the indicators and levels of intervention potentially required:

Level of Compliance	Indicator	Level of Intervention
High	<ul style="list-style-type: none"> <li>• Collections which are providing an on-site or doorstep separate collection, or kerbside sorting, of each paper, glass, plastic and cans.</li> <li>• Collectors who have rigorously applied the Necessity and TEEP tests and collection arrangements are based on well-evidenced, documented and justified decision-making</li> </ul>	Low

<p><b>Medium</b></p> <p><b>(Possibly failing the Necessity or TEEP test)</b></p>	<ul style="list-style-type: none"> <li>Collectors who send co-mingled collections to a MRF which is producing poor quality recyclates</li> <li>A collector advertising a new contract that is prescriptive about type of collection/sorting service unless it is clear it wants a multi-stream / separate collection</li> <li>A collection which has moved away from separate collection to co-mingling, or renewed to co-mingling since 2012</li> <li>If one or more of the four materials is only collected through a CA site or bring banks</li> </ul>	<p>Medium</p>
<p><b>Low / non compliant</b></p>	<ul style="list-style-type: none"> <li>Evidence that good quality recyclate collections deliberately sent for disposal or incineration or remixed with other waste.</li> <li>No or little attempt to apply the regulations. No response to requests for information</li> <li>Evidence from site inspections or audits where collections have led to poor management causing environmental harm, or illegal activity such as mis-description or illegal export</li> </ul>	<p>High</p>

This report utilises the methodology outlined in the Waste Network Chairs, LWARB & WRAP ‘routemap’<sup>1</sup> and provides:

- an assessment of the quantity of materials sent for recycling; and
- an assessment of the end use quality of T&M recycling.

## Results

Tonbridge & Malling currently provide:

- kerbside collection of paper and metals separately from other wastes
- bring bank facilities for glass and plastics
- kerbside collection of card co-mingled with food & garden waste

We have identified that 93% of all recyclate collected went to high quality recycling, and of the four rWFD materials (paper/card, metals, glass and plastics) 82% went to high quality destinations. The combined organic waste stream (garden waste, food waste & card) is all processed to generate a BSI PAS 100 certified compost, itself a high quality product. Only the cardboard stream, which is currently mixed with the garden & food waste, would not be classified as “high quality” as it is composted, rather than being used to make more cardboard. As this is not a “closed loop” process, the card element cannot be deemed to be “high quality” recycling.

<sup>1</sup> A detailed description of the Routemap commissioned by WNC, LWARB & WRAP and developed by *Eunomia* can be found at <http://www.wrap.org.uk/content/requirements-waste-regulations>.

However, it is our view that having assessed the quality and quantity of recyclate managed by TMBC, the Council currently demonstrates a high level of compliance with the Waste Regulations.

## Recommendations

In order for Tonbridge & Malling to demonstrate even higher levels of compliance with the objectives of the rWFD, the report also identifies a number of recommendations to further reduce the risk of future intervention from the Environment Agency.

These are detailed by routemap stage below:

- Stage 1: In assessing the 'quantity' of recycling, the report has had to rely upon compositional analysis undertaken by the Kent Resource Partnership (KRP) in 2008/9, but using recyclate tonnage figures from 2013/14. The use of the 2008/09 compositional analysis data was consistent throughout Kent. In order to more accurately monitor future performance against the routemap, another compositional analysis of both the residual and organics waste streams is recommended. This will allow a more accurate assessment of current capture rates and enable a more informed targeting of high quality materials.
- Stage 2: Work with the KRP to implement measures to improve capture rates of the high quality materials – paper, metals, glass & plastics, and investigate potential for future promotional funding.
- Stage 3: Work with the KRP and Kent County Council (KCC) to investigate future collection/processing options that enable cardboard to meet the high quality output criteria. This to include identifying possible improvements to existing IVC/MRF arrangements that would deliver high quality outputs and to ensure end market quality controls are included within future MRF specifications to ensure high quality recycling opportunities are maximised. However, it is recognised that by mixing card with other materials, such as paper, there may be a significant negative impact on both quality of material reprocessed and income received by TMBC, which is currently high due to the current separation of materials, especially paper. It is also recognised that current contractual, legal and financial arrangements are not likely to make any significant changes possible until the contract is retendered to commence in 2019.
- Stage 4: The proportions of material sent to high quality recycling should be assessed regularly to ensure over 75% of materials are sent to high quality recycling.

## Conclusion

Based on the necessity test undertaken by WCL we consider that TMBC can demonstrate a high level of compliance with the Waste Regulations 2011 (amended 2012).

By addressing the recommendations above, and by putting an action plan in place to reflect their implementation, the Council will be able to maintain a high level of compliance and have even stronger evidence that it is not necessary for them to undertake separate collections of paper, card, metals, glass & plastics in order to demonstrate high quality recycling in the short term.

However, when there is an opportunity to review the existing collection and processing arrangements in the future (current contract ends 2019), the Council should investigate the TEEP viability of differing collection methodologies that enable the card element to achieve a high quality output.