



# Technical, Economic and Environmental Services Scrutiny Panel

## Maximising Recycling and Minimising Waste

September 2006

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# Technical, Economic And Environmental Services Scrutiny Panel

## Maximising Recycling And Minimising Waste

### 1. Introduction By The Chair



I am delighted to present the Technical, Economic and Environmental Services Scrutiny Panel's report on maximising recycling and most importantly minimising all our waste in Tameside.

I am also very pleased to be presenting good news as Tameside is now much further along this challenging, long and winding road to reducing what we all throw away and send to landfill. Landfill tax is rising year on year and this is what your Council pays when we tip in excess of our allocated tonnage.

Tameside is currently achieving its 2006/2007 Public Service Agreement 2 targets for recycling, which is a significant success for the Council. The job is however, far from complete and if we don't master this issue we will all pay a much higher price for waste disposal and leave this burden to future generations. It is vital that we make much more progress for the sake of our great grandchildren. Because of the pace of change in the recycling world, this report can only represent a snapshot of the information at the time of the review. There is no doubt that things will change as the Council pursues the governments targets to increase recycling, minimise waste and improve the environment. We also need to press the Government to encourage supermarkets and other manufacturers to stop creating excess packaging on our purchases. Consequently we then end up paying for this packaging twice, once when we buy the product and again when we dispose of it as rubbish.

In completing this Scrutiny Review, I would like to take this opportunity to thank all the Members of the Panel both past and present and Mr Tony Moss of the Citizens' Panel for their contributions to this Review, together with the officers of the Council for their co-operation and assistance.

Please read this report and make the necessary changes to your lifestyle and start recycling on a bigger scale.

A handwritten signature in black ink that reads "P J Robinson". The signature is written in a cursive, slightly slanted style.

Councillor P J Robinson  
Chair

## 2. Summary

Article 1(a) of the Waste Framework Directive provides that:-

***“Waste” is “... any substance or object ... which the holder discards or intends or is required to discard.”<sup>1</sup>***

In 2000 the Government set a vision for sustainable waste management in its national waste strategy document entitled “Waste Strategy 2000”, in order to reduce the large amount of waste to be landfilled, which is increasing every year.

A series of targets and indicators were established to ensure the necessary changes in waste management and each local authority was issued with Statutory Performance Standards (recycling targets) for recycling and composting. These were based on the recycling rates for each authority calculated from returns to the 1998/99 Municipal Waste Management Survey. Although different standards were set for different groups of authorities in recognition of their differing standards, generally they were asked to double their rate of recycling by 2003/2004, and triple it by 2005/2006.

In 2002/2003, it was apparent that England had one of the lowest recycling rates in Europe and recycled or composted just 14.5% of its household waste, but, in 2003/2004, England had successfully achieved the national recycling target of 17%. Tameside however, was not performing very well compared with other local authorities.

The municipal waste data released by the Office of the Deputy Prime Minister in January 2005, (Best Value Performance Indicators) for the period 1<sup>st</sup> April 2003 to 31<sup>st</sup> March 2004 displayed Tameside Metropolitan Borough Council as being ranked 367<sup>th</sup> out of 393 English Councils for recycling and composting rates. The league table was compiled from information on the Councils’ targets for 2003/04 and the change in their performances from the 2002/03 period. From the figures displayed, Tameside obviously had a lot of work to complete in order to improve its performance in this area.

In line with European and national policies however, Tameside has been working hard to improve this situation, and has produced a Local Waste Plan which commits Tameside to increasing its recycling to 20% by 2005/2006.

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<sup>1</sup> Source: [www.defra.gov.uk/environment/waste/topics/index.htm](http://www.defra.gov.uk/environment/waste/topics/index.htm)

### 3. Membership Of The Panel

#### **Municipal Year 2005-2006**

Councillor P Robinson (Chair), Councillor Welsby (Deputy Chair), Councillors Bailey, Downs, Grundy, Meredith, S Quinn, Seabourne and S Smith.

The Panel were assisted by Mr T Moss representing the Citizens' Panel.

#### **Municipal Year 2006-2007**

Councillor P Robinson (Chair), Councillor R Welsh (Deputy Chair), Councillors Carter, Downs, Meredith, G Roberts, S Quinn, S Smith and P Wright.

The Panel were assisted by Mr T Moss representing the Citizens' Panel.

### 4. Terms Of Reference

The following Terms of Reference and Objectives for the Review were approved by the Panel at its meeting held on 27<sup>th</sup> June 2005 (Minute 9 refers).

#### **Terms of Reference**

*The Panel agreed the following Terms of Reference:-*

*"To review the Council's current policies and performance relating to:*

- a) Waste Minimisation*
- b) Recycling*

*and to make a judgment as to whether or not the PSA2 targets will be met and the effects of the Landfill Allowance Trading Scheme. The Panel will report any significant findings".*

#### **Aim of the Scrutiny Review Exercise**

#### **Objectives**

1. To produce accurate information on
  - i) Frequency of Collections
  - ii) Quantity Sent To Landfill
  - iii) Comparisons with other Local Authorities
2. To assess the Councils' existing Waste Minimisation and Recycling policies and the development of those policies, to include if/how they link to other policies and Council priorities.
3. To assess the existing processes, including consultation with Key Groups, views from the Cabinet Deputies and any best practise from other authorities.

## 5. Methodology

- 5.1 The Panel received background information, together with a presentation from Mr Robin Monk, Head of Environmental Operations.
- 5.2 Panel Members visited the following sites in Tameside, operated by Greater Manchester Waste Disposal Authority, in order to ascertain local waste disposal and recycling procedures:-
- Ash Road, Droylsden
  - Bayley Street, Stalybridge
- 5.3 Panel Members also visited the Glass Crusher and Education facility at Ash Road Droylsden.
- 5.4 In order to make accurate comparisons with other Local Authorities, desk top research was presented to the Panel on the work undertaken by Bolton, Stockport and Preston Borough Councils.
- 5.5 Panel Members visited Blackburn with Darwen Borough Council, and met with a Member of the Executive and officers to learn about the refuse collection and waste minimisation and recycling strategies and operations, that had resulted in the authority being in the top quartile for the delivery of such services in the country.
- 5.6 The Panel Members undertook a site visit to Abitibi Consolidated Recycling Europe based in Ellesmere Port, who purchases the waste paper from this authority to process and recycle, in order to learn about the recycling of waste paper. They were taken on a tour of the factory, in order to learn about the various processes involved.
- 5.7 The Panel Members visited Centriforce Products Limited in Liverpool, which has a contract with the Council to purchase its waste plastic. They undertook a site visit of the factory and received information about the ways in which plastic waste was recycled into commodities such as fencing, decking and plastic trunking for highways.
- 5.8 The Chair, together with the Designated Research Officer visited Houghton's Waste Paper Ltd, a local (Audenshaw) company that is involved in cardboard recycling and shredding of confidential waste paper.
- 5.9 The Panel concluded its Review by interviewing Councillor Piddington Cabinet Deputy for Environmental Services and Mr Robin Monk Head of Environmental Operations.

## 6. Review Findings

### 6.1 National Policy

#### Background Information

- 6.1.1 The United Kingdom produces around 330 millions tonnes of waste annually, a quarter of which is from households and businesses. The rest comes from construction and demolition, sewage sludge, farm waste and spoils from mines and dredging of rivers. Domestic waste is a small proportion of the total – around 30 million.<sup>2</sup>
- 6.1.2 The Governments Waste Strategy 2000, is the national waste strategy which covers aspects such as the government's vision, time-related targets, the provision of waste data, the role of key organisations, issues relating to specific waste streams such as hazardous waste, and key principles which are applicable to developing a system for sustainable waste management, such as the "waste hierarchy". Furthermore, this document sets challenging national targets for better waste management and states that municipal waste management strategies are mandatory.
- 6.1.3 Municipal waste (ie. household waste, municipal parks and gardens waste, and other waste collected by local authorities from shops and offices) has been increasing at around 3% per annum which is slightly above the Gross Domestic Product. If municipal waste continues to increase at this rate it will have doubled from the 1995 level by 2020.
- 6.1.4 England recycled or composted just 14.5% of its household waste in 2002/03 - one of the lowest rates in Europe - and our target is to increase this to 25% by 2005/2006. We are also committed to reducing the amount of biodegradable municipal waste sent to landfill, in accordance with European Directives.
- 6.1.5 The majority of waste currently ends up in landfill sites, but around 35% of industrial and commercial waste, along with just over 17% of household waste, is recycled or composted.
- 6.1.6 Most UK legislation which impacts on waste management has been implemented as a result of European Directives, and under these directives, we must dramatically reduce, over the next 20 years, the amount of biodegradable municipal waste sent to landfill. Meanwhile, municipal waste has been increasing at around 3% per annum which is slightly above the Gross Domestic Product. If municipal waste continues to increase at this rate it will have doubled from the 1995 level by 2020.

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<sup>2</sup> Source: <http://www.environment-agency.gov.uk/subjects/waste/?lang=e>

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- 6.1.7 The legislation and directives involved in Waste Management in the main, are:

### **The Environmental Protection Act 1990**

- 6.1.8 This Act charges the Council with the responsibility to collect and arrange the disposal of Domestic Waste. It also gives the Council the right to stipulate that the residents use a particular receptacle for the collection of such waste, be it recyclable or not. Section 45 of the Act deals with the collection of domestic waste and Section 46 of the Act deals with domestic waste containers.

### **Waste Strategy 2000**

- 6.1.9 The Waste Strategy 2000 introduced national targets to:-

- recycle or compost 25% of Household Waste by 2005
- recycle or compost 30% of Household Waste by 2010
- recycle or compost 30% of Household Waste by 2015

These percentages relate to all Household Waste.

### **Household Waste Recycling Act 2003**

- 6.1.10 This Act aims to increase the recycling rate of household waste (which nationally, was 14.5% in 2002/03). This is the Act that introduced the target whereby Waste Collection Authorities must collect at least two types of recyclable materials from domestic premises by the end of 2010.

### **European Union Landfill Directive**

- 6.1.11 This Directive introduced the Landfill Allowance Trading Scheme (LATS). Furthermore, the Directive on the Landfill of Waste (1999/31/EC) aims to improve standards of landfilling across Europe, by setting specific requirements for the design, operation and aftercare of landfills, and for the types of waste that can be accepted at landfill sites.

The Directive sets out successive targets for reducing biodegradable municipal waste and stipulates that Waste Disposal Authorities have to:

- by 2010 to reduce the amount of Biodegradable Municipal Waste (BMW) going to landfill to 75% of that produced in 1995;
- by 2013 to reduce the amount of BMW going to landfill to 50% of that produced in 1995;
- by 2020 to reduce the amount of BMW going to landfill to 35% of that produced in 1995.

We now know that **Tameside** must recycle:

- 18,216 tonnes of biodegradable waste by 2010
- 36,432 tonnes of biodegradable waste by 2013
- 47,362 tonnes of biodegradable waste by 2020

### Statutory Performance Standards

6.1.12 In order to promote an improvement in waste management throughout the country, in 2000 the Government set Statutory Performance Standards for recycling and composting in each local authority<sup>3</sup>.

6.1.13 These statutory performance standards are set at levels which should ensure that each Council is able to contribute proportionately to the achievement of the national target.

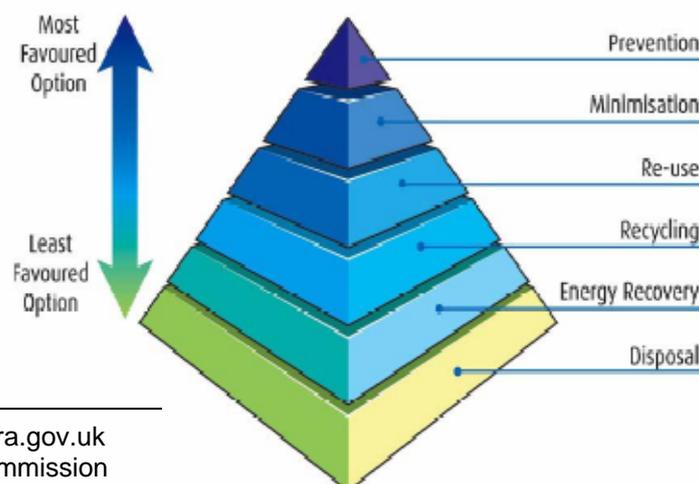
6.1.14 Government expectations of local Councils are to<sup>4</sup> (please refer to 6.3.21 – 6.3.28 for Tameside's responses to these expectations):

- Make effective local arrangements to reduce waste, maximise recycling, composting and recovery of value;
- Raise local awareness of the cost of dealing with waste and the role of individuals in minimising waste;
- Involve local people in decisions on waste and work with community based schemes to promote re-use and recycling; and
- Form consortia to obtain better arrangements and find other outlets for materials, which can be recycled.

6.1.15 In order to do this, Councils are expected to follow an accepted hierarchy of waste management actions which includes:-

Reduce, Re-use, Recycle or Recover and finally Dispose.

The Waste Hierarchy



<sup>3</sup> Source: [www.defra.gov.uk](http://www.defra.gov.uk)

<sup>4</sup> Source: Audit Commission

## **Landfill Tax**

- 6.1.16 The Landfill Tax was introduced to stimulate reductions in the levels of waste going to landfill and encourage the development of more sustainable waste management practices.
- 6.1.17 The standard rate of landfill tax at 1<sup>st</sup> April 2005 was £18 per tonne, and will increase by at least £3 per tonne in the following years to reach a medium to long-term rate of £35 per tonne.

## **Landfill Allowance Trading Scheme**

- 6.1.18 As well as setting recycling and composting targets, local authorities across England have been set limits (allowances) on the amount of biodegradable municipal waste they can dispose of in landfill sites.
- 6.1.19 By 2010, biodegradable waste going to landfill must be reduced to 75% of the amount disposed of in 1995; by 2013, the amount must reduce to 50% and by 2020, to 35% of that produced in 1995.
- 6.1.20 These landfill allowances are tradable, and Waste Disposal authorities can buy more allowances if they expect to landfill more than is permitted by the number of allowances they hold.
- 6.1.21 Authorities with low landfill rates can sell their surplus allowances.
- 6.1.22 Waste disposal authorities will also be able to save unused allowances (banking) or bring forward part of their future allocation (borrowing).
- 6.1.23 Disposal authorities that exceed the limit set by the allowances they hold may be fined £150 for every tonne they exceed the limit.
- 6.1.24 The landfill allowance for Greater Manchester Waste Disposal Authority for 2005/2006 is 820,739 tonnes.
- 6.1.25 Although at the time of writing this report, no agreement had been reached on how any penalties or surpluses incurred would be allocated to the Waste Collection Authorities (one of which is Tameside MBC), Greater Manchester Waste Disposal Authority, (using a desk top model for the calculation) has estimated that Tameside Metropolitan Borough Council will have the following surplus allowances, which could be traded under the conditions of the Trading Scheme Allowance:-
  - 2007/2008 16,558 tonnes = £496,000
  - 2009/2010 16,398 tonnes = £491,000
  - 2012/2013 23,429 tonnes = £702,000
  - 2019/2020 12,922 tonnes = £387,000

This estimate is dependant on a number of factors:

- a. All households having access to all recycling bins
- b. Recycling of food waste via an In Vessel Composting System (IVC) after 2009 (to be provided by the Waste Disposal Contractor)
- c. Full Cardboard Recycling
- d. Managed Collections

6.1.26 In the past, Tameside has placed greater emphasis on the recycling of glass bottles and plastics, which unfortunately do not count towards the targets specified in the Landfill Allowance Trading Scheme.

6.1.27 More recently however, Tameside has concentrated on increasing the recycling of biodegradable municipal waste and composting rates, which should have a significant effect in the composting and recycling figures.

## 6.2 Regional Policy

### The North West Region

6.2.1 The North West Region produces more household waste per person than any other region in England. *“If we carry on at this rate we’ll run out of landfill space in five years’ time.”*<sup>5</sup>

### Greater Manchester Waste Disposal Authority

6.2.2. The Greater Manchester Waste Disposal Authority was one of seven statutory authorities created under the Local Government Act 1985 to **dispose** of the waste collected by the collection authorities, and to carry out the waste management functions and duties of the Metropolitan County Councils after their abolition in 1986.<sup>6</sup>

6.2.3 The areas covered by the Authority comprise the Districts of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside and Trafford, who are all **collection** authorities. Wigan is a statutory waste disposal authority in its own right and is represented on the Authority for administrative purposes.

6.2.4 Greater Manchester Waste Disposal Authority are currently carrying out a procurement exercise for the Waste Disposal contract. Current

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<sup>5</sup> Source: [http://www.environment-agency.gov.uk/regions/northwest/346910/346940/520017/594172/?version=1&lang=\\_e](http://www.environment-agency.gov.uk/regions/northwest/346910/346940/520017/594172/?version=1&lang=_e)  
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<sup>6</sup> Source: <http://www.gmwda.gov.uk/index.html>

arrangements with Greater Manchester Waste Limited will end in 2007. At present the exercise is at a best and final offer stage with two private companies.

- 6.2.5 The new arrangements will be based on the future needs of the partner authorities, which is outlined in the Greater Manchester Municipal Waste Management Strategy. Tameside MBC is currently working with its partners in Greater Manchester, and an Inter-Authority Agreement is to be drawn up in the near future.
- 6.2.6 As approximately 5% of the nation's waste is collected in Greater Manchester, the new contract will be worth in excess of £3 billion. The new contract will be in force for a 25 year period, and will be the largest waste disposal contract in Europe.
- 6.2.7 All tenderers have been requested to include in their bids their allocation for Waste Management Initiatives. Initiatives which will support waste management projects and will be a benefit to Tameside could include:-
- Education Centres similar to the provision at Ash Road, Droylsden
  - Provision of staff
  - Provision of budget

#### **Greater Manchester Waste Limited**

- 6.2.8 It is anticipated that a new contract will be in force in March/April 2007, and in the interim period, the disposal of residual waste would be undertaken by Greater Manchester Waste Limited, which is an organisation owned and controlled by the Greater Manchester Waste Disposal Authority.
- 6.2.9 Legislation prevents Greater Manchester Waste Limited from submitting a bid for the new contract.

#### **Greater Manchester Municipal Waste Management Strategy**

- 6.2.10 As any new arrangements need to take account of future needs, Tameside Metropolitan Borough Council has committed itself to a regional strategy called the "Greater Manchester Municipal Waste Management Strategy".
- 6.2.11 Although legislation provides the basis from which sustainable waste management is controlled, this regional strategy, demonstrates that Tameside, along with the other local authorities who have signed up, in Greater Manchester, are totally committed to the government's plans in this matter.

6.2.12 This Strategy specifies a number of key elements including:-

- Stop Waste Growth;
- Reduce non-household waste;
- Recycle and Compost;
- Set Targets for Recycling;
- Use New Technologies;
- Meet Landfill Permit Allowances;
- Analyse our Waste Streams;
- Work in Partnership with other Councils in Greater Manchester;
- Develop and integrate Waste Collection, Processing, Treatment and Disposal.

6.2.13 By signing up to the Greater Manchester Municipal Waste Management Strategy, the local authorities have agreed to meet a recycling rate of 33% by 2009/10.

### **Comparative Information Regarding Recycling Provision throughout Greater Manchester**

6.2.14 The Local Authorities of Greater Manchester work together within Greater Manchester Waste Disposal Authority to provide rubbish collection and recycling services in their areas.

6.2.15 In addition, there are a range of charities and voluntary initiatives which are involved in reuse and recycling. The types of scheme vary from area to area.

6.2.16 The following charts show the types of general household rubbish that are recycled in each area by the associated local authority<sup>7</sup>, in conjunction with Greater Manchester Waste and local charities.

	<b>Glass</b>	<b>Cans</b>	<b>Plastic bottles</b>	<b>Paper</b>	<b>Cardboard</b>
<b>Bolton</b>	✓	✓	✓	✓	✓
<b>Bury</b>	✓	✓	✓	✓	✓
<b>Manchester</b>	✓	✓	✓	✓	*
<b>Oldham</b>	✓	✓	✓	✓	*
<b>Rochdale</b>	✓	✓	✓	✓	*
<b>Salford</b>	✓	✓	*	✓	✓
<b>Stockport</b>	✓	✓	✓	✓	✓
<b>Tameside</b>	✓	✓	✓	✓	✓
<b>Trafford</b>	✓	✓	✓	✓	*

<sup>7</sup> Source: <http://www.sort-it.net/Council/links.php>

	Mobile Phones	Carrier Bags	Textiles	Books	Garden Waste
Bolton	✓	✓	✓	✓	✓
Bury	✓	✓	✓	✓	✓
Manchester	✓	✓	✓	✓	✓
Oldham	✓	✓	✓	✓	✓
Rochdale	✓	✓	✓	✓	✓
Salford	✓	✓	✓	✓	✓
Stockport	✓	✓	✓	✓	✓
Tameside	✓	✓	✓	✓	✓
Trafford	✓	✓	✓	✓	✓

	Scrap metal	Fridge / Freezers	Car batteries	Engine Oils
Bolton	✓	✓	✓	✓
Bury	✓	✓	✓	✓
Manchester	✓	✓	✓	✓
Oldham	✓	✓	✓	✓
Rochdale	✓	✓	✓	✓
Salford	✓	✓	✓	✓
Stockport	✓	✓	✓	✓
Tameside	✓	✓	✓	✓
Trafford	✓	✓	✓	✓

	Furniture	Rubble	Wood
Bolton	✓	*	✓
Bury	✓	✓	✓
Manchester	✓	✓	*
Oldham	✓	✓	✓
Rochdale	✓	✓	✓
Salford	✓	✓	*
Stockport	✓	✓	✓
Tameside	✓	✓	✓
Trafford	✓	✓	*

6.2.17 The following chart shows comparative information for Tameside and some near neighbours who operate either managed or weekly collections of non-recyclable refuse.

2004-05	TAMESIDE*	BLACKBURN WITH DARWEN	BOLTON**	STOCKPORT*	PRESTON
<b>REFUSE</b>					
Total Number of Households	96,000	59,600	116,000	123,472	58,488
Bins Emptied per week	86,400	59,600	115,000	108,000	Approx half
Bulky Collections per Year	6,000	28,957	11,000	3972	16, 120
Rates for Bulky Collections	£15 – for up to 5 items	Free	£10 per visit	N/A	N/A
Households with wheelie bins	86,400 (90%)	56,620 (95)	115,000 (99%)	350	57,903 (99%)
No of missed bins per 100,000	75	37	85	N/A	Approx 60
Tonnage of Rubbish produced per year	83,020	70,000	114,726	117,348	55,384
% sent to landfill (tonnage)	87.5% (72,600)	77% (53,900)	87% (99,812) to Incinerator	69.12% (81,111)	80.5% (44,584)
<b>RECYCLING</b>					
Household waste recycled in 2004/05	12.52%	23%	13.09%	30.88% (Includes Composted)	20.5%
Target for Recycling 2005/06	20%	24%	20%	31.6%	25%
Target for Recycling 2006/07	22%	25%	30%	31.6%	28%
Govt target for 2010	30%	35%	30%	30%	50%
No of Recycling sites in Borough	60	10	27	120	60

2004-05	TAMESIDE*	BLACKBURN WITH DARWEN	BOLTON°°	STOCKPORT*	PRESTON
<b>Collection Scheme</b>	Blue Bin Scheme	Sacks	White Bag	Reusable Sack	55 litre box
<b>Households Involved</b>	76,000 (79%)	59,000 (99%)	115,000(99%)	108,000	100%
<b>Amount Collected - tonnage</b>	4,619	3,508	11,000(proj. 005/06))	7012	
<b>Frequency of Collection</b>	Eight weekly	Weekly	Weekly	Fortnightly	fortnightly
<b>GLASS</b>					
<b>Collection Scheme</b>	Green Bin	Green Box	Green box	55 litre box	55 litre box
<b>Households Involved</b>	55,000 (57%)	59,000 (99%)	115,000 (99%)	108,000	100%
<b>Amount Collected (tonnage)</b>	1398.13	2,672	See below	3662	1522.020 (+234.318 for sites)
<b>Frequency of Collection</b>	Four weekly	Weekly	Fortnightly	Fortnightly	Fortnightly Remainder of houses received plastic collections in May 2005
<b>PLASTIC</b>					
<b>Collection Scheme</b>	Red Sack	Green Box	Green box	No Scheme	55 litre box
<b>Households Involved</b>	55,000 (57%)	as for glass	115,000 (99%)	-	100%
<b>Amount Collected (tonnage)</b>	164.48	inc in glass	4371(proj. 05/06 combined with glass)	-	167.720 (+sites 12.92)
<b>Frequency of Collection</b>	Four weekly	Weekly	Fortnightly	-	Fortnightly

2004-2005	TAMESIDE*	BLACKBURN WITH DARWEN	BOLTON <sup>oo</sup>	STOCKPORT*	PRESTON
<b>GARDEN WASTE</b>	Scheme started Aug. 04				Remainder of houses received brown bin in May 2005
<b>Collection Scheme</b>	Brown Bin	Brown Bin	Green bin	Brown Bin	Brown bin
<b>Households Involved</b>	20,000 (21%)	18,000 (30%)	60,000 (52%)	88,000 (71%)	100% with gardens (which is approx ½ of city)
<b>Amount Collected (tonnage)</b>	919.10	2,661	8521(proj. 05/06)	18815	4976.815
<b>Frequency of Collection</b>	Fortnightly	Fortnightly	Fortnightly	Fortnightly	Fortnightly (6 week no collection in winter)
<b>% Household waste composted</b>	1.11%	3.71%	2.78%	16.27%	-
<b>Supply of Home Compost Bins</b>	Standard Package £14 Deluxe Package £79	Free	£5	£10.95 for 220 litre or £15.95 for 330 litre	Free through Lancashire County Council
<b>Nappies - Authority Initiative</b>	No	Yes	No	Promotion Only	Lancashire County Trial, free 3 month laundry service or free re-usable nappies

\* Tameside and Stockport Councils still collect Non-Recyclable (Black Bin) Waste on a weekly basis.

<sup>oo</sup> Bolton Council have reverted to a weekly collection of non recyclable waste as a result of public opinion.

6.2.18 The majority of collection authorities shown above operate a “managed collection”, in other words a fortnightly collection of residual waste.

6.2.19 The Chair of the Panel has expressed concerns regarding the lack of a cardboard collection in Tameside, particularly over the Christmas period, when he considers that a garden waste collection could be replaced by a collection of cardboard.

- 6.2.20 These concerns have arisen as a result of information received from other authorities, ie. Blackburn with Darwen, High Peak and Wigan:
- Blackburn with Darwen – substitute a cardboard collection for the green waste collection during the winter months;
  - High Peak – fortnightly collection of cardboard mixed with green waste and then composted by a local farmer – all types of cardboard are accepted as long as they have not been in contact with food;
  - Wigan – similar to High Peak but collection is restricted to corrugated cardboard. This scheme involves collecting from 40,000 properties and last year just under 5,000 tonnes of mixed green waste and cardboard were diverted from Landfill. Wigan pay the contractor £27 per tonne for the disposal of mixed green waste and cardboard. There is no income from this scheme.
- 6.2.21 Paragraph 6.1.25 above refers to factors which will influence this Council's attainment of the Landfill Allowance Trading targets. One of those factors is a full cardboard recycling scheme. In Greater Manchester the outlet for cardboard, for composting, is a major facility which has to make compost to a standard set by the Department for Environment, Food and Rural Affairs (DEFRA).
- 6.2.22 Because of the above factor, cardboard collection is currently under review and there are 3 options being considered by the Council;
- Collect and recycle cardboard into new cardboard. The contractor currently pays the Council £35 per tonne for the cardboard delivered for recycling. This method would also save the tipping fees of £60 per tonne for the weight of cardboard diverted from the residual waste. There would be an additional cost of collection.
  - Brown Bin Scheme – if the cardboard was collected with the green waste, £60 per tonne residual waste tipping fees would be saved but there is currently a processing fee of £32 per tonne levied by Greater Manchester Waste Authority. There would not be additional collection costs incurred using this option as the Brown Bin is already collected.
  - Blue bin scheme – if the cardboard is collected with the Newspapers and magazines, i.e. "pulpable waste", the Council could presently obtain £25 per tonne from a paper recycling company, as against £38 per tonne for the existing paper/magazine scheme. Tipping Fees of £60 per tonne would be saved. Collection costs would rise using this method if experience showed that the frequency of collection needed to be more than the current 8 weekly collection for blue bins.

## **6.3. Tameside Metropolitan Borough Council - Local Policies**

### **Local Public Service Agreements<sup>8</sup>**

- 6.3.1 Local Public Service Agreements provide a focus for local and central government to encourage the commitment to specific improvements and identify and tackle obstacles to their achievement.
- 6.3.2 Of the authorities who signed local public service agreements, the majority have opted to include one or more waste related targets. Tameside Metropolitan Borough Council is included in the local public service agreement scheme, and has recognised the need to improve its performance in this area. It is included with those local authorities who have incorporated one or more waste related targets.
- 6.3.3 Furthermore, Tameside Metropolitan Borough Council was the first Council in England to sign a second Local Public Service Agreement (LPSA2) with the Government. There are 12 wide ranging targets contained in this Agreement, e.g. Improving GCSE attainment in lowest performing schools; Reducing burglaries in Tameside; Improve the level of Street Cleanliness, as well as Increasing Recycling in Tameside. Tameside MBC Corporate Plan 2006/2009 highlights the achievement of the Local Public Service Agreement 2 (LPSA2) targets for recycling, as a future priority. (See section 6.3.4 for more information on the Council's Corporate Plan).
- 6.3.4 The Council's Local Public Service Agreement 2 target for 2006/2007 was to recycle 14,000 tonnes of waste. The Panel is pleased to note that Tameside had achieved the recycling rate of 14,056 tonnes for the year ended 31<sup>st</sup> March 2006.
- 6.3.5 The government gave the Council a total of £963,410 in 'pump-priming' money to help achieve all the targets involved in LPSA2. £127,000 of this money was allocated to the recycling target and used to purchase 4,000 wheeled bins for the collection of green waste and associated promotion. If all the PSA2 targets are met, the Council will receive a grant totalling just over £6 million. The grant will be divided equally among the targets, i.e. £507,885 per target. The Council will receive a proportion of the grant should they fail to meet the target but improve achievement, i.e. if the enhancement of performance with the LPSA2 is 75% then the Council will receive 75% of the grant for that target. However, if the enhancement falls below 60% a proportion is not payable. The target date for all PSA2 targets is the end of the year 2006/07 and the grants will be paid after 31<sup>st</sup> March 2007. Any grants received as a result of achieving these targets will be included in the Council's normal budget and will not be ring-fenced for the Service Area that has achieved the target.

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<sup>8</sup> Source: [www.defra.gov.uk/environment.waste.localauth.perf\\_mgmt.htm#beacons](http://www.defra.gov.uk/environment.waste.localauth.perf_mgmt.htm#beacons)

## Best Value Statutory Performance Standards

6.3.7 The government document on Best Value Statutory Performance Standards, identifies the recycling rates it requires from each Waste Collection Authority.

6.3.8 In 2003/2004 the amount of waste which was recycled or composted by Tameside Metropolitan Borough Council was 8659 tonnes. The amount of waste which was recycled or composted by the Council in 2004/2005 was 10395 tonnes, which represented an increase of 20%. The Panel were pleased to note this increase.

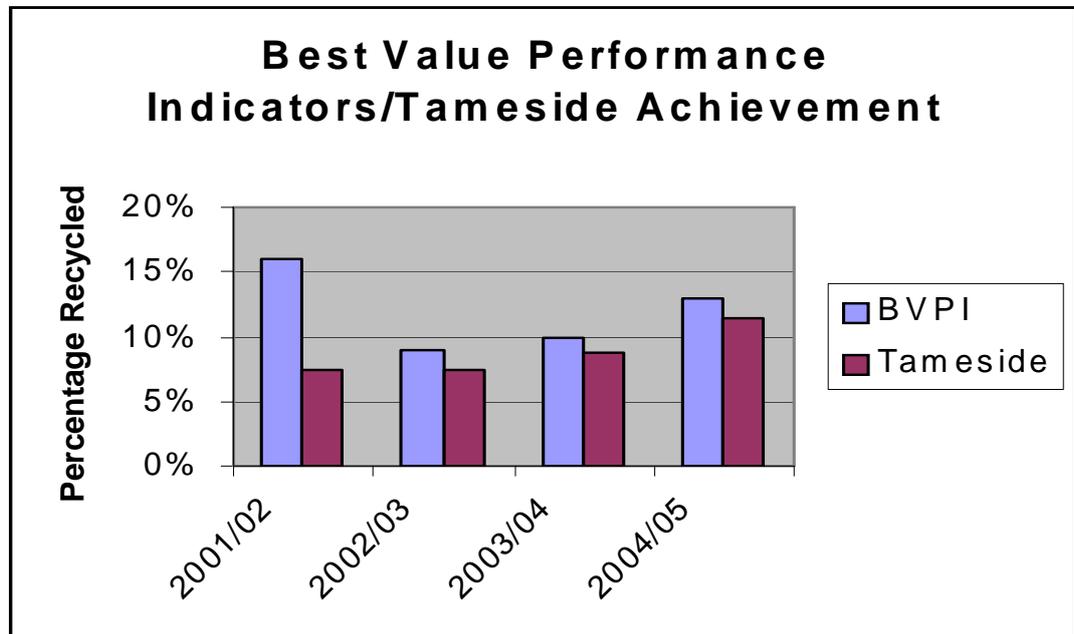
6.3.9 The performance standards for recycling and composting, which were achieved by Tameside Metropolitan Borough Council in 2004/2005 were as follows<sup>9</sup> (For comparative purposes the figures achieved during 2003/04<sup>10</sup> are detailed in bold brown):-

BVPI 82a (i)	% household waste recycled – <b>11.41% (2003/04 – 8.83%)</b>
BVPI 82a (ii)	Tonnage household waste recycled – new for 2005/06
BVPI 82b (i)	% household waste composted – <b>1.11% (2003/04 – 4%)</b>
BVPI 82b (ii)	Tonnage household waste composted – new for 2005/06
BVPI 84a	Number of kilograms household waste collected per head – <b>389.02 kg (2003/04 – 439 kg)</b>
BVPI 84b	Number of kilograms household waste collected per head - % change previous year – new for 2005/06
BVPI 86	Cost of household waste collection per household – <b>£28.38 (2003/04 - £27.46)</b>
BVPI 91	% of residents served by kerbside recycling – <b>98% (2003/04 – 98%)</b>
BVPI 91a	% of residents (household) served by kerbside recycling – one recyclable – new for 2005/06
BVPI 91b	% of residents (household) served by kerbside recycling – two recyclable – new for 2005/06
(F)BVPI 88	Number of collections missed per 100,000 collections of household waste – <b>74</b>

<sup>9</sup> Source: <http://www.tameside.gov.uk/tmbc8/corpplan2.pdf#page=17>

<sup>10</sup> Source: A Strategy for the Management of Waste in Tameside 2005-2010

6.3.10 For comparative purposes, the Government's Best Value Performance Indicators for Recycling from 2001-02 to 2004-05, together with the Council's performance against these figures is detailed below:-



The chart above represents the following figures:

#### Percentage of Waste Recycled

Year	Best Value Performance Indicator	Tameside's Achievement
2001/02	16%	7.47%
2002/03	9%	7.50%
2003/04	10%	8.83%
2004/05	13%	11.41%

(Composting was introduced as a Best Value Performance Indicator in 2004/05, and in Tameside, the Best Value Performance Indicator was 2%, whilst the actual percentage of waste composted was 1.11%).

#### The Local Waste Strategy

6.3.11 The Local Waste Strategy has been produced in response to the government's call for all local authorities to address the challenging national and European targets for better waste management.

6.3.12 The Strategy outlines the issues that affect the Council and the ways in which the Council will deliver the changes, in order to meet the targets.

- 6.3.13 In doing so, the Strategy sets out the Council's approach in planning waste management for the next 25 years, and the document outlines the ways in which this process will be undertaken during the first phase which covers the period 2005–2010.
- 6.3.14 This Strategy also takes into consideration the objectives and expected outcomes which are detailed in the Corporate Plan, and therefore provides an interface with the Council's top priorities.
- 6.3.15 Tameside Metropolitan Borough Council has also been instrumental in the development of the Greater Manchester Municipal Waste Management Strategy, and remains committed to the policies detailed therein. (See 6.2.3 for further details on this strategy)

### **Corporate Plan<sup>11</sup>**

- 6.3.16 The Council's Corporate Plan sets out the Council's top priorities by drawing together its responsibilities from the Community Strategy, the Council's four priorities (Cutting Crime and Disorder; Improving the Environment; Improving Lifelong Learning; Creating Good quality Jobs), the Comprehensive Performance Assessment Improvement Plan, and key regional and national priorities.
- 6.3.17 Within the Corporate Plan, maximising recycling and minimising waste is comprehensively addressed with the identification of the following objectives and expected outcomes within the stated timescales.

#### **Description of Objective:**

- To increase the levels of households participating in recycling.
- To increase the overall levels of recycling.
- To introduce a recycling service to rural properties within the Borough.
- To reduce the overall levels of residual waste.
- Delivery of air quality objectives.
- To reduce the amount of contaminated land in the Borough.

#### **Outcomes expected:**

- To agree an Inter-Authority Agreement for delivery of the Waste Disposal Service. (2005/2006).
- To produce a Local Waste Plan for delivery of waste management services in Tameside. (2005/2006).
- To complete the coverage of the Borough with a kerbside waste paper collection service. (2005/2006).
- To increase the overall level of recycling to exceed 20%. (2005/2006).

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<sup>11</sup> Source: <http://www.tameside.gov.uk/tmbc8/corpplan.pdf#page=55> (page 70)

- To increase the overall level of recycling to exceed 14,000T. (2006/2007).
- To introduce a recycling service to rural properties. (2005/06).
- A reduction in residual waste collected.
- Improved air quality.
- Reduce area of contaminated land.

#### **Key Milestones:**

- To agree an Inter-Authority Agreement for delivery of the Waste Disposal Service. (August 2005).
- To produce a local Waste Plan for delivery of waste management services in Tameside. (Published May 2005).
- To complete the coverage of the Borough with a kerbside waste paper collection service. (October 2005).
- Increased number of sites remediated.

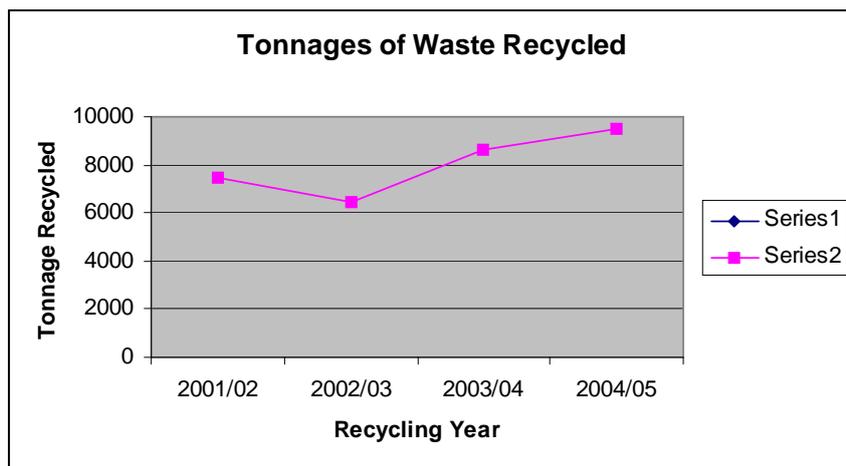
#### **Resources:**

- TMBC Revenue Support.
- DEFRA Funding.
- Waste Resource Action Plan (WRAP) Funding.
- Waste Performance and Efficiency Grant.
- Local Public Service Agreement (LPSA) Funding.
- Planning Delivery Grant (PDG) Funding.

#### **Key Performance Indicators:**

- % Households covered by kerbside recycling scheme.
- Agree an Inter-Authority Agreement within Greater Manchester.
- Produce a Local Waste Plan.
- Number of rural properties covered by recycling scheme.
- Tonnage of residual waste collected.
- Recycling rate.
- Kg of household waste collected.
- BVPI (proposed 05/06) contaminated land.

## Tonnages of Waste Recycled in Tameside

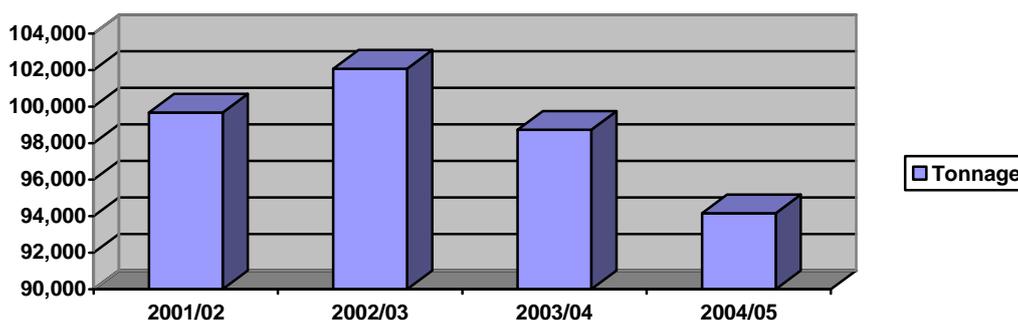


6.3.18 The chart above shows the actual tonnage figures in Tameside from the period 2001 – 2005, and can be summarised as follows:-

2001/02	7485 tonnes
2002/03	6416 tonnes
2003/04	8659 tonnes
2004/05	9476 tonnes

6.3.19 The Panel is pleased to note that with the exception of 2002/03, Tameside's tonnage figures for waste which is recycled is steadily increasing. The reduction for 2002/03 was due to a soil former that Greater Manchester Waste Limited was producing for landcover. The Environment Agency decreed that the product was not of an acceptable standard and therefore was no longer produced.

6.3.20 Quantity Sent to Landfill from 2001-2005:-



## Tameside's Response to Government Expectations

6.3.21 In response to some of the Government's expectations for local Councils (6.1.14 refers), Tameside Metropolitan Borough Council has developed an effective working relationship with Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport and Trafford, and is working with Greater Manchester Waste Disposal Authority, to provide rubbish and recycling services in the area.

- 6.3.22 The Council is attempting to make effective local arrangements to reduce waste, maximise recycling, composting and recovery of value, by the provision of a blue bin service, a green bin/red sack scheme and the introduction of a brown bin collection scheme by the end of March 2006, to all properties with gardens in the borough.
- 6.3.23 With regard to raising local awareness of the cost of dealing with waste and the role of individuals in minimising waste, the Panel feels that although work has been undertaken to educate and engage the public this is an area which still requires additional work. The recycling website is not particularly easy to navigate especially when trying to request a recycling container.
- 6.3.24 The Panel feels that there is a real need to involve local people in decisions on waste and that much more work needs to be completed by the service with community based schemes to promote re-use and recycling.
- 6.3.25 Furthermore, the Panel believes that more regular communication and close working with Registered Social Landlords in the borough, would be an extremely positive way in which local residents could have their say and feel involved in this scheme.
- 6.3.26 Although the draft document entitled "A Strategy for the Management of Waste in Tameside 2005-2010" states that an inter-authority agreement with our partners should have been agreed in August 2005, the Panel was informed that this is still in progress.
- 6.3.27 Tameside will enter into a contract with partner authorities for waste disposal and have signed up to that through the Waste Disposal Authority. There is to be an Inter Authority Agreement to formalise the arrangement for handing over our waste and which waste is handed over to the Waste Disposal Authority. The Waste Disposal Authority currently wants, through an Inter Authority Agreement, to take all residual waste and all recyclates. Tameside has not agreed to this and cannot until the business case has been examined, i.e. what income we would receive for handing over our paper, glass, plastic, etc.
- A draft Inter Authority Agreement has been considered by the Waste Disposal Authority, but was rejected recently. It is being redrafted to allow districts to decide which materials they hand over.
- 6.3.28 As the government expects local Councils to form consortia to obtain better arrangements and find other outlets for materials, which can be recycled, the Panel agrees that the provision of an inter-authority agreement is an ideal place in which such contracts could be considered, and would like to have sight of this agreement as soon as possible.

## **6.4. Tameside Metropolitan Borough Council Initiatives Regarding Waste Management**

### **Waste Collection in Tameside**

#### **Household Waste**

6.4.1 By working in partnership with the community and the private sector, Tameside Metropolitan Borough Council has a number of initiatives to encourage household waste recycling.

#### 6.4.2 Kerbside Collections

- Black Bin Scheme – This is the Council's general waste collection scheme. The waste is not recyclable and is sent to one of 3 sites for transfer to landfill. The sites are at Bredbury, Stalybridge or North Manchester. The black bins are collected weekly.
- Blue Bin Scheme – This is the Council's waste paper collection scheme, with approximately 76,000 households, in all areas of the Borough participating.
- Green Bin/Red Sack Scheme – This is a monthly collection for mixed glass in the green bin and cans and plastics in the red sacks.
- Brown Bin Scheme – This is a fortnightly collection for Green Waste e.g. grass cuttings, leaves, hedge trimmings, dead plants etc. but excludes such items as kitchen waste and thicker branches.
- Cardboard – There is a partnership arrangement in place with St. Peter's Partnership for a trial collection, centred on Ashton-under-Lyne. Environmental Services have been instrumental in helping to negotiate a contract with a local cardboard recycling company to enable St. Peter's Partnership to deliver cardboard to the company for recycling, without the need for baling prior to transportation. The weight of the cardboard is included in the total recycling figures.
- The Council also encourages the use of garden composters for recycling garden waste.
- Trial Managed Collection – A trial scheme in the borough encompassing 1600 properties has recently commenced. The residual waste is collected from the properties fortnightly with collections for recyclables occurring on the weeks that the residual waste is not collected. This trial includes a cardboard collection,

using a blue plastic bag. The first cardboard collection has resulted in 3 tonnes of card board being diverted from Landfill.

#### 6.4.3 Household Waste Recycling Sites

- Ash Road, Droylsden;
- Bayley Street, Stalybridge.

These sites are operated by Greater Manchester Waste Disposal Authority and residents of Tameside are encouraged to use the facilities to dispose of:

Ash Road, Droylsden		Bayley Street, Stalybridge	
Batteries	Glass	Aluminium	Glass
Books and Music	Metal	Books and Music	Green Waste
Cans	Oil	Batteries	Metal
Card	Paper	Brass	Oil
Fridges	Rubble	Cans	Paper
Gas	Tyres	Card	Rubble
Green Waste	Wood	Copper	Shoes
		Fridges	Textiles
		Gas	Tyres
			Wood

#### 6.4.4 Bring Sites

As well as the Household Waste Recycling Sites, there are also 62 “bring” sites around the Borough. Residents can dispose of:-

- Textiles;
- Plastics;
- Batteries;
- Oil;
- Paper;
- Shoes;
- Cans;
- Glass;
- Books;
- Furniture;
- Mobile Phones;
- Provision of advice for disposable nappies
- Water Recycling information.

#### Trade Waste

6.4.5 As well as collecting household waste, the Council collects trade waste as follows:-

- Paper – 140 businesses involved;
- Plastic – 7 businesses involved;

- Cans – 15 businesses plus the hospital which has 5 locations;
- Glass – 200 businesses approximately involved.

6.4.6 ***Notably, trade waste does not count towards the Council's targets.***

6.4.7 In the main, the Trade Waste Section concentrates on glass from Public Houses, and they don't actively encourage other trades to recycle.

6.4.8 The Recycling Section deals with enquiries for businesses for paper and plastic recycling, however the queries referred to the Trade Waste Section relate mainly to cardboard, and the officers refer people to the cardboard recycling companies.

6.4.9 Unfortunately, the more recycling done by local businesses means a corresponding reduction in profit for the Trade Waste Section.

## **Waste Disposal in Tameside**

### **Residual Waste - Greater Manchester Waste Disposal Authority<sup>12</sup>**

6.4.10 Tameside Metropolitan Borough Council sends its residual waste (ie. waste which cannot be recycled and is disposed of in black bins) to the Greater Manchester Waste Disposal Authority in Bredbury. The Council pays a levy of approximately £8million to Greater Manchester waste Disposal Authority for the Waste Disposal service

### **Paper Waste – Abitibi Consolidated**

6.4.11 Tameside Metropolitan Borough Council has a contract with Abitibi Consolidated Recycling Europe Limited (ACRE) in Ellesmere Port, who purchase the waste paper from this local authority to process and recycle in order to resell to other organisations, for example the newspaper industry. The Council received £192,000 in payments from ACRE in respect of Waste Paper.

6.4.12 ACRE currently processes over 400,000 tonnes of recovered paper for recycling. The company also operates a kerbside collection from approximately 1,700,000 households.

6.4.13 The recovered paper is pulped then cleaned and recycled back into newsprint quality paper

### **Plastic Waste – Centriforce Products Limited**

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<sup>12</sup> Source: [http://www.gmwda.gov.uk/publications/GMWDA\\_BVPP\\_2003-04-ah.pdf](http://www.gmwda.gov.uk/publications/GMWDA_BVPP_2003-04-ah.pdf)

- 6.4.14 With regard to plastic waste, Tameside Metropolitan Borough Council has a contract with Centriforce Products Limited, who are the largest plastic recycling company in the United Kingdom.
- 6.4.15 Centriforce currently pays the Council £110 per tonne, for bottles and £90 per tonne for plastic film. The Council received £64,000 in respect of materials from the Green Bin/Red Sack Scheme.
- 6.4.16 The plastic collected in Tameside is recycled into Cable Protection Products, Solid and Hollow profiles (planks etc.)
- 6.4.17 The process involves the shredding of the recovered plastic into small pieces. They then undergo heat treatment to melt them down, prior to colouring and reforming them into the finished product.



**Cable Protection**



**Hollow Profile Ducting**



**Stokboard**

- 6.4.18 Examples of recycled products produced for the Council using plastic that has been collected within the Borough include benches, planters and fence panels.

**Bench with back**



**Bench without back**



**Fence Panels**



**Rectangular Planter**

## 7. Comments By The Head Of Environmental Operations

- 7.1 The comments of the Head of Environmental Operations have been incorporated within the report.

## **8. Borough Solicitor's Comments**

### **8.1 Key Issues**

- 8.1.1 The definition of Municipal Waste is conditioned by both who controls it and the nature of the waste itself;
- 8.1.2 Municipal Waste is best defined by comparison to other types of waste such as agricultural waste rather than a minute deconstruction of its potential components;
- 8.1.3 The Government's clear intent is to prevent municipal waste going to landfill;
- 8.1.4 The definition has important consequences for councils' marginal activities, such as commercial waste;
- 8.1.5 GMWL's new controlled status not only no longer provides a potential avoidance route but, in the short-term, intensifies the potential problem; because the regime will tend to place a quasi regulatory obligation on GMWDA which will lead it to need to ascertain from districts far more information about waste flows than previously;
- 8.1.6 All of the above will tend to mean that more and more waste arisings are categorised as Municipal Waste and, in turn, charged against the conurbation's LATS allowance;
- 8.1.7 Without measured and concerted responses from GMWDA and the districts' LATS, the pressures on the allowances will tend to cause GMWDA to pay penalties which, in turn, will flow by the Levy through to the districts.
- 8.1.8 More fundamentally, it is also important that waste collection authorities and waste disposal authorities work together in ensuring that legal responsibilities are met in the most effective way possible.
- 8.1.9 Running in parallel to the main procurement exercise is the need for there to be an "Inter-Authority Agreement" between the Waste Disposal Authority and the nine collection authorities. The Inter-Authority Agreement is an essential component in the relationship between GMWDA and the successful contractor because, amongst other things, it sets out the responsibilities of each waste collection authority to deliver waste to the PFI contractor. It therefore provides a vital degree of certainty for the Disposal Authority, the collection authorities and the PFI contractor.

8.1.10 The Council is now part of joint Greater Manchester Committee developing a Joint Waste Development Plan Document to provide a cost effective strategic, sub-regional planning framework to deliver the full range of anticipated waste management facilities required by the municipal, commercial & industrial, hazardous and construction & demolition waste streams.

8.1.11 The Council also needs to consider what enforcement action it intends to take against residents who persistently and deliberately fail to recycle will receive warnings and formal notices. As a last resort the Council may prosecute the most persistent offenders and the magistrates court can fine them up to a maximum of £1000. In those few cases where a formal notice needs to be served, and the householder is clearly still making no effort to recycle, will it then be necessary to go through their refuse bin to obtain evidence to support a prosecution.

## 8.2 **The Meaning Of “Waste” In The Environmental Protection Act 1990 And The Waste And Emissions Trading Act 2003**

8.2.1 The 1990 Act provides a definition of waste generally and also provides a number of subsidiary definitions in relation to, for example, household waste and commercial waste. Additionally, the 1990 Act allocates statutory responsibilities between waste collection authorities and waste disposal authorities.

8.2.2 An equally important statute is the Waste and Emissions Trading Act 2003 (“the 2003 Act”), which is part of the U.K. Government’s response to Council Directive 1999/31/EC on the Landfill of Waste (“the Landfill Directive”). Part I of the 2003 Act is intended to give legal effect to the obligations imposed by Articles 5(1) and (2) of the Landfill Directive and a commitment in the White Paper “Waste Strategy 2000: England and Wales ”to *introduce tradeable allowances for local authorities and to restrict the amount of biodegradable waste sent to landfill*”.

8.2.3 It is useful and important to bear in mind that the way “waste” is defined in the 1990 Act is different from the approach taken by the Landfill Directive. The definition provided in the Landfill Directive is imported directly into the 2003 Act.

8.2.4 Section 75(2) of the Environmental Protection Act 1990- (“The 1990 Act”) provides a basic definition of waste as follows:-

### **“Waste includes:-**

- (a) ***Any substance which constitutes scrap metal, or an effluent or other unwanted surplus substance arising from the application of any process; and***
- (b) Any substance or article which requires to be disposed of as being broken, worn out, contaminated or otherwise spoiled;.....”

This basic definition is enhanced by Section 75(4) which sets out a definition of “controlled waste” as **“household, industrial and commercial waste or any such waste”**.

8.2.5 Further definitions of “household waste”, “industrial waste”, and “commercial waste” are also given in Section 75(5), Section 75(6), and Section 75(7) respectively.

8.2.6 It should be noted that the Secretary of State is given the power by Section 75(8) of the 1990 Act to make Regulations to provide that certain types of waste do or do not fall within the categories of the Act otherwise sets out. That power has been exercised in the Controlled Waste Regulations 1992 SI 1992 Number 588. For example, Article 3 of those Regulations excludes “Clinical Waste” from Section 75(5) definition of household waste. In terms of Section 75(5) alone “Clinical Waste” such as swabs or dressings could quite readily be seen as “household waste” in that it could arise from a domestic property. The Regulations, therefore, negate the categorisation which would otherwise arise from the Act itself.

8.2.7 Furthermore, litter and refuse from highways is positively classified as household waste under the Controlled Waste Regulations 1992 (see Schedule 1 of the Controlled Waste Regulations 1992).

8.2.8 In addition to defining waste, the 1990 Act sets out the responsibilities of bodies such as waste collection authorities and waste disposal authorities towards waste using the definitions which have their source in Section 75. For example, Section 45(1) of the 1990 Act states that **“It shall be the duty of each collection authority....to arrange for the collection of household waste in its area”**. To develop the theme, a separate and distinct duty is placed on collection authorities in respect of the collection of commercial waste. The circumstances in which the duty arises in respect of household waste are different from those in respect of commercial waste. Whereas there is a wide duty to arrange for the collection of household waste, and virtually always free of charge, there is a more restricted duty in terms of the collection of commercial waste. Section 45(4) confirms that waste collection authorities may make a reasonable charge for the collection of commercial waste when such collection is made at the request of the occupier of premises.

### **8.3. Allocation Of Functions**

8.3.1 In allocating functions, the 1990 Act contains a reasonably detailed regime which distinguishes between waste collection authorities and waste disposal authorities.

8.3.2 The fundamental balance between the two types of authority can be found in Section 48 of the 1990 Act. Under Section 48(1), it is the duty of each waste collection authority to deliver for disposal all waste which is collected by that authority under Section 45 to such places as the waste disposal authority directs. The delivery duty on waste collection authorities applies to household, commercial and industrial waste. The

delivery duty is diluted to a limited extent by Section 48(2) of the 1990 Act. In circumstances where the collection authority decides to make recycling arrangements (in respect of household and commercial waste only) the delivery duty does not apply. However, a collection authority which decides to make its own recycling arrangements must give written notice of its proposed arrangements to the relevant waste disposal authority. Furthermore, where a disposal authority has made arrangements for recycling, it may serve notice on the collection authority objecting to its proposals. Where such an objection is made, the collection authority cannot take advantage of the powers which would otherwise have been available to it under Section 48(2).

#### **8.4 The Waste And Emissions Trading Act 2003("The 2003 Act")**

8.4.1 Council Directive 1991/31/EC ("the Landfill Directive") uses the concept of "municipal waste" which Article 2 defines as "**Waste from households as well as other waste which, because of its nature of composition, is similar to waste from households**" (sic).

8.4.2 It can immediately be seen that there is not a neat fit between the Directive definition of waste and the 1990 Act definition. It is clear that the Directive concept of "municipal waste" is wider than "household" waste, although there is a strong link between municipal waste and household waste. The reason why this issue is important is because Section 21 of the 2003 Act uses the Directive definition of municipal waste. Given that the 2003 Act has the potential to impose substantial financial penalties upon waste disposal authorities (and ultimately by application of the levy on waste collection authorities), an understanding of the fundamental definition is important. In this connection, it is important to refer to Section 9 of the 2003 Act under which it is a duty of each waste disposal authority towards the allocation authority (i.e. the Environment Agency) to secure that the amount of biodegradable municipal waste sent to landfills does not exceed the amount authorised.

8.4.3 The practical consequences of a waste disposal authority applying a too-narrow definition of municipal waste are significant. If, for example, the view were taken that municipal waste did not include commercial waste collected by waste collection authorities, then there is a real risk that the waste disposal authority could make inaccurate returns to the Environment Agency under Section 12 of the 2003 Act or exceed the Landfill Allowances granted to it by the Environment Agency. The disconnection between the definition of waste between the 1990 Act and the 2003 Act has already been noted. However, in seeking an understanding of the meaning of waste, reference should also be made to the Landfill Allowances and Trading Scheme (England) Regulations 2004, SI 2004 Number 3212, Article 2 of which defines "collected municipal waste" as "**Municipal waste which comes into the possession or under the control of:- (a) a waste disposal authority, or (b) a waste collection authority within the area of the disposal authority, whether or not the waste comes into the possession or under the control of that authority under or by virtue of the Environmental Protection Act 1990**".

- 8.4.4 It will be noted that the definition provided by the Regulations contains a “possession and control” test and seeks to detach the meaning of waste from the basic position established in the 1990 Act. It is important to note in this connection that the Guidance published by Defra in August 2004 stated that ***The Government’s view is that the definition of municipal waste in the Landfill Directive encompasses all waste under the control of the local authorities be they waste disposal, waste collection or unitary authorities***”.
- 8.4.5 It is recognised that an exercise could be undertaken in terms of analysing the relevant statutory materials, to produce a much narrower definition of municipal waste. For example, it is quite clear that the 2003 Act and the Regulations made under it (taken with Defra advice) would clearly bring commercial waste (as defined by the 1990 Act) within the definition of municipal waste (as defined in the 2003 Act).
- 8.4.6 It is perhaps understandable why a more restrictive interpretation of municipal waste might be sought. However, given the clear purpose of the Landfill Directive, namely to reduce the amount of biodegradable waste sent to landfill, and clearly there would be a financial risk in a Council a more restrictive interpretation, especially given the way in which the Landfill Directive has been applied in terms of the 2003 Act and the 2004 Regulations.

## 8.5 **Joint Waste Development Plan For Greater Manchester**

- 8.5.1 A Joint Waste Development Plan Document in accordance with legal requirements has been adopted across the Greater Manchester Councils to provide a cost effective strategic, sub-regional planning framework for the full range of anticipated waste management facilities required by the municipal, commercial & industrial, hazardous and construction & demolition waste streams. This is especially appropriate within the current spirit of National Guidance, as set out in Planning Policy Statement 10 (Waste Management), which seeks to achieve greater integration of waste management with other spatial planning issues.
- 8.5.2 Such a document is not only a legal requirement but its early adoption was necessary to assist the Waste Disposal Authorities and give confidence to the market place in advance of letting the GMWDA’s new Municipal Waste Management contract. Specifically, a robust site specific Joint Waste Development Plan Document will reduce the risk of planning appeals on applications for new waste management facilities with the inherent delays and costs. As such it should be recognised that the Joint Waste Development Plan Document is a separate, but complementary, statutory planning document to the Municipal Waste Strategies produced by the two Waste Disposal Authorities (Wigan and Greater Manchester WDAs).
- 8.5.3 A Joint Committee has also been established, with representation from each district and responsibility for production of the Plan. The Joint Committee would have an Executive function with Council approval from each district required only for submission and adoption drafts of the Plan.

This approach provided most opportunity to ensure the Plan was recognised as an integral part of each authority's Local Development Framework, whilst streamlining the decision-making processes.

8.5.4 Council on the 21<sup>st</sup> February 2006 approved the following:

- Production of a Joint Waste Development Plan document;
- Establishment of a Joint Committee in principle;
- The appointment of Councillor Piddington as this Council's representative on the Joint Committee with Councillor M H Oldham being her named deputy

## **9. Borough Treasurer's Comments**

- 9.1 Actions must be taken to minimise the Council's waste and thereby reduce waste disposal costs and exposure to Landfill Tax. This will be achieved by a combination of increasing the amount recycled and reducing the overall levels of residual waste.
- 9.2 A report needs to be prepared, in the near future to review and update the position concerning the future of the Council's commercial waste service (i.e. whether to retain or sell the operation). The potential impact of reduced waste disposal charges and exposure to Landfill Tax and LATS penalties should be fully detailed within the report so an informed decision can be made on the operation's future. An early decision would assist in maximising the potential capital receipt (if the decision is to sell) before other authorities place their commercial waste services on the market.
- 9.3 Any proposed extension to the existing recycling initiatives e.g. for cardboard or increasing the numbers of households participating should only be undertaken after a detailed business case has been produced. This will need to include details of capital expenditure and funding streams, as well as the full revenue consequences both in the short term (which in the past have often been part funded externally) and also how the longer term revenue implications will be funded. Every effort must be made to ensure the initiatives are at least self-financing.
- 9.4 Similarly, a business case needs to be presented before a decision is taken to undertake managed collections. This should demonstrate an overall financial saving.
- 9.5 The Council generates its own waste and significant amounts are disposed by District Assemblies and Engineering Services. In 2006/07 this has increased. It is important that steps are taken to reverse this trend.

## 10. Conclusions

1. The Scrutiny Panel concludes that the Council are responding positively and successfully to the challenging targets for recycling which are set by the European and English governments, Regional and local policies. This is evidenced by the local initiatives, e.g. Blue, Green and Brown Bins and Red Sack recycling schemes and the trial of a “managed collection” scheme that includes the collection of cardboard. This latter initiative has been strongly advocated by the Chair and Members of this Panel during the course of this review.
2. It is also accepted that the Council has addressed the more challenging areas of recycling first, e.g. glass and plastic and that recycling figures will increase significantly when the recycling schemes for garden waste and cardboard are further developed.
3. There is now clear indication that Tameside is well on course to meet its Local Public Service Agreement Round 2 targets for recycling and if this is achieved the service should be congratulated.
4. Councils that operate a “managed collection”, i.e. a fortnightly collection of non-recyclable waste interspersed with frequent collections of recyclable material are reporting a significant increase in the percentage of waste diverted from Landfill
5. There is a need to ensure that all of the Council's waste streams are effectively managed and that recycling and waste minimization is high on the agenda of all service areas. Furthermore, the Panel believes that this is best undertaken by the auditing of the Councils' waste streams, and recommendations being made to the appropriate service area.
6. Public awareness of the necessity to reduce the level of residual waste does not appear to have been measured effectively.
7. Publicity relating to Recycling has in the main been directed to those areas receiving a recycling service, e.g. introduction of trial schemes, introduction of the Brown Bin Scheme. The Panel is strongly of the view that in the long term successful recycling will require a clear and unambiguous information programme to ensure that the community is clearly aware of the need to maximise recycling and minimise waste sent to landfill and other disposals.
8. The current budget in Environmental Services is insufficient to enable the type of innovative and powerful information campaign that is required to be undertaken. The cost of publicity and facilities for recycling should be regarded as whole life costs and treated as an investment to facilitate value for money and reduce the environmental costs and benefits of the schemes.

9. As the recycling targets relate to household waste, commercial properties, with the exception of Public Houses for recyclable glass, are not actively targeted to reduce the amount of waste sent to landfill.
10. A significant proportion of households in Tameside are unable to store several wheeled bins for recycling and therefore, a flexible approach to the type of recycling collection container utilised should be considered.
11. The working relationship, in respect of Recycling/Minimising Waste between the Council and Registered Social Landlords in Tameside, although promising, requires development. This should result in more recycling schemes within or adjacent to Housing estates and incorporate the Council's recycling policies into tenancy agreements.
12. Recycling facilities are not discussed when Planning Applications for new developments are considered.

## **11. Recommendations**

1. If the trial "managed collection" scheme is considered successful, it should be introduced borough wide as soon as this is practical.
2. To facilitate the successful introduction of a "managed collection" scheme throughout the borough, the budget for information on, and promotion of, recycling should be reviewed and if possible increased to try to increase public awareness of the very powerful reasons for recycling and minimising waste.
3. That consideration be given to adopting some of the innovative information and incentive schemes successfully used by other authorities to promote recycling.
4. That the Council provides all residents with sufficient information, and support, including appropriate facilities to enable them to participate in recycling and the associated reduction in the amount of waste sent to Landfill.
5. That the Council provide information and support to businesses in Tameside to encourage recycling and reduction of waste sent to Landfill.
6. That ongoing consideration be given to providing residents with the most appropriate type of container to enable them to maximise their collection of recyclable materials.
7. The working relationship with Registered Social Landlords should be further developed to encourage recycling for tenants.

8. That consideration be give to the possibility of Section 106 developer contributions in relation to Planning Applications should include an element to provide facilities for recycling on new developments.
9. In order to achieve a reduction of this Council's waste it is recommended that staff under the control of the Head of Environmental Operations undertake the role of auditing the Councils' waste streams and make recommendations to the appropriate service area.
10. That the Council's pilot cardboard collection project be welcomed and strongly supported as a key enabler to the success of "managed collections" and that the most economically and environmentally efficient system of recycling be pursued.

**TECHNICAL ECONOMIC AND ENVIRONMENTAL SERVICES SCRUTINY PANEL**  
**Review Of Waste Minimisation And Recycling (Policies And Performances)**

**Scope June 2005**

**Aim Of The Scrutiny Review Exercise**

To review the Council's current policies and performance relating to:

- A) Waste Minimisation
- B) Recycling

to make a judgment as to whether or not the PSA2 targets will be met and the effects of the Landfill Allowance Trading Scheme. The Panel will report any significant findings.

**Objectives**

1. To produce accurate information on
  - Frequency of Collections
  - Quantity Sent To Landfill
  - iii) Comparisons with other Local Authorities
2. To assess the Council's existing Waste Minimisation and Recycling policies and the development of those policies, to include if/how they link to other policies and Council priorities.
  - i)
  - ii)
  - iii) To assess the existing processes, including consultation with Key Groups, views from the Cabinet Deputies and any best practice from other authorities

**Timescale: It is anticipated that this review will be completed by January 2006**

## Detailed Action Plan

Action		Objective met	Timescale	Lead Scrutiny Panel member(s) and/or Scrutiny Support Officer(s)	Monthly update
1	Site visits to Ash Road, Droylsden, Bayley Street, Stalybridge and Bredbury Waste Disposal Depot to view waste disposal and recycling procedures	2 & 3	To enable visits to be carried out by 25 <sup>th</sup> July 2005	David Nicholson / Muna Clough	
2	Briefing Paper outlining current policy and procedures	1; 2 & 3	Briefing Paper for Panel meeting 25 <sup>th</sup> July 2005	David Nicholson	
3	Site Visits to other Local Authorities, e.g. Blackburn with Darwen; Stockport and sites which are in the top quartile for recycling	2 & 3	Discussion relating to visits at Panel meeting 22 <sup>nd</sup> August 2005	Panel members	
4	Briefing Paper outlining the information obtained to date, to include details of Income/Expenditure associated with Recycling and minimisation of waste.	1; 2 & 3	Briefing Paper for Panel meeting 22 <sup>nd</sup> August 2005	David Nicholson	
5	Meet with Major Retailers, e.g. Marks and Spencer, Kwiksave, Next, Asda etc., to discuss their current policies relating to packaging	3	Scrutiny Panel meeting 26 <sup>th</sup> September 2005	Panel members	
6	Meet with Robin Monk, Service Unit Manager, Operations and Waste Management	1; 2 & 3	Scrutiny Panel meeting 26 <sup>th</sup> September 2005	Panel Members	
7	Meet with Cabinet Deputies for Environmental Services and Co-ordination Services	1 ; 2 & 3	Scrutiny Panel Meeting 24 <sup>th</sup> October 2005	Panel Members	
8	Draft Report		Scrutiny Panel Meeting 21 <sup>st</sup> November 2005	Panel Members	

Action		Objective met	Timescale	Lead Scrutiny Panel member(s) and/or Scrutiny Support Officer(s)	Monthly update
9	Final Report		Scrutiny Panel 9 <sup>th</sup> January 2006	Panel Members	