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**ARGYLL AND BUTE COUNCIL**

**CLIMATE CHANGE ENVIRONMENTAL  
ACTION GROUP**

**ROADS AND INFRASTRUCTURE  
SERVICES**

**16<sup>TH</sup> JANUARY 2020**

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## **2025 Landfill (Bio-degradable Municipal Waste) Ban**

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### **1.0 EXECUTIVE SUMMARY**

1.1 The aim of this report is to provide the Short Life Working Group on Climate Change with a high level summary of:

- The background of the 2025 Landfill ban,
- Recent policy changes,
- The environmental benefit of compliance.

1.2 Details of the financial impact of the ban and the technical solutions proposed can be found in the Waste Strategy Reports to the Environment, Development and Infrastructure committee in September 2019. The reports pack and minute of the meeting can be found using the following link:

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## **2025 Landfill (Bio-degradable Municipal Waste) Ban**

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### **2.0 INTRODUCTION AND BACKGROUND**

2.1 Argyll and Bute Council is both a waste collection and waste disposal authority.

Waste collection is carried out by Council staff with assistance from third sector organisations who have responsibility for some recycled materials. Waste disposal is carried out

2.4 The landfill ban is a measure brought in under the Waste Regulations (Scotland) 2012. By ending Landfill as a means of disposal and switching to disposal via Energy from Waste (EfW) the Scottish Government expect a significant reduction in CO<sub>2</sub>e generated from Waste. The ban was planned to comeoooo

## 4.0 POLICY POSITION

- 4.1 The Biodegradable Municipal Waste landfill ban is a measure brought in under the Waste Regulations (Scotland) 2012. The ban was planned to come into force across all of Scotland from January 2021.
- 4.2 Non-compliance with the Biodegradable Municipal Waste ban is not an option. Ministers expect local authorities and private sector suppliers to be working towards a solution at pace and that non-compliance may be subject to sanctions. Non-compliance with landfill licence requirements could become a criminal matter.
- 4.3 All local authorities in Scotland face significant cost challenges as result of transition to ban compliant methods of recovery such as EfW. In May of 2019 the Scottish Government published their analysis of the waste market and available Scottish EfW capacity for the period from the ban “go live date” of 2021 to 2025. The results of that study show that there is a likely shortfall in Scottish EfW capacity of around 1 million tonnes in year one of the ban falling to 0.5 million tonnes in year two and dropping further but remaining at a deficit until beyond 2025.
- 4.4 The large deficit in Scottish EfW capacity identified in the report highlighted that if the ban was to come into force in 2021 as planned; it force at least 50% of the local authority waste to be either exported to the EU (for recovery) or England (for landfill or EfW). The export of waste to be disposed of elsewhere was viewed by COSLA, the CIWM and the Waste Managers network as contrary to the aims and objectives of the ban. Already faced with significant for waste 15.066hat

Scottish local authority waste in England is viewed by the Scottish Government as being unacceptable both from an environmental and landfill tax perspective. In addition the costs of export to the EU of waste for recovery via EfW are uncertain due to Brexit.

- Pressure from COSLA, SOLACE, industry and local Authorities on the Scottish Government to reevaluate the 2021 implementation date to allow for development of EfW capacity and combined development and sourcing of ban solutions.
- 4.7 The CabSec's letter to stakeholders frames the landfill ban as a key part of the Scottish Governments drive towards a net zero Carbon economy. As is noted in the letter the Scottish Government have taken advice from the Committee for Climate change and have stepped up their commitment to achieved net zero Carbon economy by 2045. This along with other measures formed a key part of the Scottish Government's programme for Government announced by the First Minister in September.
- 4.8 The tone of the letter from the CabSec is clear that changing the terms of the landfill ban by delaying the implementation date is viewed by the Scottish Government as a necessity all be it one that poses political challenges. The letter does acknowledge some challenges faced by the sector in complying with the landfill ban as laid out in 2.1. However the CabSec also makes it very clear that the Scottish Government is disappointed in the "lack of progress made to date". The CabSec also goes on to say that she expects "local authorities and the commercial sector to make further progress at pace before the legislation needed to extend the deadline is made." However from a local authority perspective this request must be met with a strong commitment from the Scottish Government to work with local authorities to develop and resource solutions that will enable compliance with the ban and reduce its revenue cost impact.
- 4.9 The CabSec goes on to say she plans to implement a centrally coordinated intervention to *"to help the remaining local authorities procure solutions for the remaining tonnage of waste that provide the necessary contract length to support investment"*  
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4.11 The CabSec's letter makes no reference to regulatory change in relation to rural food waste exemptions. Currently to qualify for a food waste collection and disposal service settlements must reach a population count of 10k, the only area to meet this criteria in Argyll and Bute is Helensburgh and Lomond. The Scottish Government has made it clear that they are going to carry out a review of the rural exemption and will be seeking to create a more nuanced approach rather than a population count. The timescale of the review is currently unknown but is likely to take place in early 2020 with a view to make recommendations prior to the next Holyrood election. Changes in the status of food waste collections will have a significant impact on the PPP agreement and proposals for landfill ban  
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content to reinforce the waste reduction message. From feedback from the waste strategy consultation it is clear that the public value their waste disposal services and they strongly support all efforts made to promote waste reduction, reuse and recycling. To increase engagement and to support the public's desire to reduce, reuse and recycle we intend to make several improvements to our content:

- Clear unambiguous guidance on what can and cannot be recycled by the council;
- Cradle to grave information on all of our different waste streams, detailing the end destinations of our waste;
- Advice on how to reduce food waste;
- Active promotion of local reuse charities and groups;
- Guidance on beach cleans and marine litter;
- Publication of the council's annual waste performance information.

5.4 The Scottish Government recognised that imposing a ban on the disposal of Biodegradable Municipal Waste at landfill would effectively end landfill as a disposal method. In turn authorities would have to implement alternative arrangements for the disposal of their residual waste. Incineration via EfW that recovers heat for use in the generation alongside composting are viewed as the most viable alternatives.

5.5 The main environmental benefit of moving away from landfill is a drop in the amount of new CO2e generated. Using the 2018 waste performance figures, Table 1 below shows the CO2e levels generated in a year where landfill was the dominant methodology.

Table 1


5.6 Using the 2018 tonnage information but applied to the different compliance options (composting and EfW) open to the council when we run the same tonnage quantity through a mixture of IVC and Waste Transfer with the same conversion factors applied there is a significant drop in CO2e produced of around 17k tonnes. This is a drop of around 94% in the amount of CO2e produced. This would equate a reduction by almost 45% in the councils overa

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Table 2


5.7 Comparing the carbon cost of the composting/EfW solution with some waste transfer solution to system of EfW only indicates that there would be slight increase in the amount of CO<sub>2</sub>e generated. However, when compared to a Landfill solution there is still significant CO<sub>2</sub>e saving of around 17k tonnes per annum.

Table 3


5.8 It is important to note that the figures used to calculate the potential reduction are based on the councils' own metered data. The Carbon equivalent factor used in the calculations is not fixed as is set by the UK Government. As such the factor is subject to regular review and may change in future.

**6.0 CONCLUSION** ~~complete tddi~~

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7.2 Financial - The financial impact of the Biodegradable Municipal Waste ban present significant challenge to the council with a worst case scenario of an increase in revenue spending of around £6m per annum.

7.3 Legal