

**WASTE UPDATE**

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**1.0 INTRODUCTION**

- 1.1 This report provides an update on a number of waste related matters, which include meetings held with the Scottish Environment Protection Agency (SEPA) on 4 October 2023 and with Scottish Government (SG) Officials on 6 October 2023 regarding the Waste PPP contract.
- 1.2 Council officers have been planning for the introduction of the guidance relating to Persistent Organic Pollutants (POPs) which are found within Waste Upholstered Domestic Seating (WUDS). SEPA released their guidance relating to disposal of these items on 31 October 2023.
- 1.3 The Council has been successful in securing funding from the Recycling Improvement Fund to support improvements to recycling infrastructure on Council operated Civic Amenity/ Landfill sites.
- 1.4 Argyll and Bute Council's (ABC) Officers have engaged with Zero Waste Scotland (ZWS) which links directly to the Council's Waste Strategy and provides information on the Circular Economy Bill and high level implications to the authority, as well as the offer of officer support from Zero Waste Scotland to progress matters relating to the Biodegradable Municipal Waste Ban to Landfill, this is inclusive of an options appraisal and a composition analysis, detailed further in section 3.4.

**2.0 RECOMMENDATIONS**

- 2.1 It is recommended that Members of the Environment, Development and Infrastructure Committee:-
- i. Consider and note the update regarding meetings held with SEPA on the Waste PPP contract;
  - ii. Note that officers will conclude conversations which are ongoing regarding the derogation and will bring a further report to the next meeting of this Committee for a decision on the way forward for the Council;
  - iii. Consider the update regarding Persistent Organic Pollutants and note the date of implementation of compliance with SEPA mandatory guidance as 1 November 2023;

iv.



2022 waste domestic seating (containing POPs) could no longer be landfilled and instead would have to go to an Energy from Waste (EFW) plant for incineration;

In 2023, SEPA notified Councils that a similar landfill ban on Waste Upholstered Domestic Seating was likely to come into Scotland during 2023 with draft guidance issued to Councils;

SEPA notified Councils mid-October that they expected formal guidance to be issued on 31 October 2023 but that they expect Councils and landfill operators to already be in compliance and that the formal guidance will not differ much from the draft;

SEPA have also indicated that they will expect compliance of not landfilling the material on day 1 (i.e. 1 November 2023) of the formal guidance being issued and will also issue enforcement timescales for non-compliance;

SEPA formal guidance was issued on 31 October 2023;

Compliance will incur additional requirements on the Council and its waste disposal contractors which will result in additional costs to the Council. A report highlighting the issue was brought to the August EDI Committee which included a range of costing options;

At the moment, the mid-range costs estimates of circa revenue £173k per annum and one-off capital costs of £110k, appear to be a reasonable estimate;

One of the Councils waste disposal contractors is already asking that WUDS items are segregated ASAP to ensure SEPA compliance, this started from 1 November 2023.

### 3.2.3 Waste Upholstered Domestic Seating typical items containing POPs which have been historically disposed of in landfill and are likely to have to be transitioned to EFW include but are not limited to:-

Sofas;

Sofa beds;

Armchairs;

Kitchen and dining room chairs;

Stools and foot stools;

Home office chairs;

Futons, bean bags, floor and sofa cushions; and

Leather, synthetic leather, other fabric and foam.

### 3.2.4 SEPA wrote to the Council on 17 October 2023 to confirm that their intention was to publish their guidance on 31 October 2023 –



3.4.2 This resource is notwithstanding the offer of funding to conduct a waste composition analysis at Moleigh and to support a Council options appraisal once the requirements of the authority are determined. This will be funded by ZWS in this financial year. It should be noted that Moleigh is the only site where there is sufficient space to do this piece of work. ZWS will assist with data templates and other items.

### 3.5 **Circular Economy Bill (CEB)**

3.5.1 The Circular Economy Bill (CEB) was published on 14<sup>th</sup> assist ublish

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Councils are not resourced with the available staff to carry out the significant number of requirements in the Bill including enforcement staff in relation to



The Council have received funding from the Recycling Improvement Fund of £891,945.12 to support improvements to recycling infrastructure.

- 5.3 Legal – The existing PPP contract was not designed or written to accommodate the changes that the 2025 legislation will require. The contract allows variations to be made although the process is quite cumbersome. There will be legal implications, which will need to be resolved, relating to a contract variation

As in section 5.2 of this report, there are financial risks associated with POPs waste material.

There are potential financial risks associated with the CEB based on the information available. SG should be lobbied for financial support through COSLA.

5.8 Customer Service – None.

**Executive Director with responsibility for Road and Infrastructure Services,**  
Kirsty Flanagan

**Jim Smith, Head of Road and Infrastructure Services**

**Policy Lead for Climate Change and Environment Services,** Councillor Ross  
Moreland

November 2023

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**APPENDICES:**

Appendix 1 – SEPA Guidance on Persistent Organic Pollutants

Appendix 2 – Recycling Infrastructure Fund – breakdown of works and timescales