



CONSULTATION ON CONSISTENCY IN HOUSEHOLD AND BUSINESS RECYCLING COLLECTIONS IN ENGLAND

BRC RESPONSE

We share Government's objectives of increasing recycling rates and tackling packaging litter through a comprehensive and coherent Resources and Waste Strategy with a long-term vision that builds infrastructure for all common materials and allows flexibility to incorporate future changes to our use of materials and provides consistency across all parts of the UK.

The BRC is supportive of the policy proposals for increasing consistency in recycling collected from households, businesses and other organisations in England. This is a crucial intervention needed to complement the wider packaging reforms. Many retailers have been and are still dealing with unparalleled uncertainty and challenges caused by the pandemic. It is therefore important that the Government fully appreciates the cumulative cost-effect of different policy measures (packaging EPR, consistency in recycling collections and plastic packaging tax) and does not underestimate the wider pressures on the retail industry from other business taxation such as business rates. Over the next decade, the costs of "Collection and Packaging" reforms are projected to £20.8bn for businesses, this substantial figure must reflect value for money and overall system efficiency of recycling in the UK.

Given the UK-wide scale of investment from businesses under packaging EPR reform, it is imperative that Government strive to ensure a coherent framework for consistent recycling collections across the entire country. More importantly, many businesses understand that the consistency in recycling collections is the 'flip coin' of packaging EPR rules and that both go hand-in-hand. Hence why, we encourage the Government to seek an aligned implementation timeline for both reforms as businesses who will be paying for their packaging's end-of life management from 2023-24 (TBC) expect it to be collected from households in the same timeframe.

A differentiated timeline to the collection of plastic films and flexibles from households and businesses is not ideal. In fact, Government should not encourage one sector (private sector) investing heavily in these collections and another (municipal) having a seven-year period to conversion. We would prefer to see Government encouraging plastic films and flexibles being collected as early as possible from local authorities, so that a high percentage of households has access to this service as early as possible. 2026/27 should really be the backstop date for a limited number of local authorities.

The system should also drive high-quality material capture and recycling. Retailers have a strong track record for campaigning for consistent kerbside collection, as without it, pack recycling labelling is limited. It is important to ensure recycling collections are not only easy and fast but also engaging for the public, with clear consistent labelling that will guide their recycling habits.

We strongly encourage Government to ensure that separate collection of dry materials remains the core principle and that exemptions (co-collection) and exceptions (TEEP) do not undermine the desired recycling outcomes. Too often TEEP has been used to justify



configuration of services rather than as a tool to deliver environmental benefits. As we are to reform a system for decades ahead to deliver better recycling collections, high-quality recyclates and high-quality recycled content, the application the TEE principle should be strictly limited. Industry, with its expertise in design and recycling, should have a meaningful role to assist councils with determining any issues related to TEEP.

The billions of pounds injected into the system must deliver substantial performance based on a coherent plan owned by all. It is therefore essential that the principle of 'pay by result' applies to producers and local authorities if we are to build a transparent and fair 'Collection and Packaging' reform. Local authorities should also have mandated performance targets to collect materials and their progress should be transparent and rewarded via packaging EPR payments.

The overall system should be transparent as how the money is being invested in improving the UK recycling and reprocessing infrastructure.



Introduction

1. What is your name?

Nadiya Catel-Arutyunova

2. What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

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3. Which best describes you?

- Academic or researcher
- Business representative organisation or trade body
- Charity or social enterprise
- Community group
- Consultancy
- Distributor
- Exporter
- Individual
- Local government
- Non-governmental organisation
- Product designer/ manufacturer/ pack filler
- Packaging designer/ manufacturer/ converter
- Operator/ Reprocessor
- Retailer including online marketplace
- Waste management company
- Other

If other, please specify.



4. What is your organisation?

British Retail Consortium

5. Would you like your response to be confidential?

If you answered 'yes' please provide your reason.

Yes

No

Part 1: Measures to improve the quantity and quality of household recycling, pp. 17 to 72

Proposal 1: Separate collection of dry recyclable waste from households

6. Do you agree or disagree that local authorities should be required to collect the following dry materials from all households, including flats, by the end of the financial year in which payments to local authorities under Extended Producer Responsibility for packaging commences (currently proposed to be 2023/4 subject to consultation)?

Aluminium foil

Agree – this material can be collected in this timeframe

Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

Aluminium food trays

Agree – this material can be collected in this timeframe

Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

Steel and aluminium aerosols

Agree – this material can be collected in this timeframe

Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

Aluminium tubes (e.g. tomato puree tubes)

Agree – this material can be collected in this timeframe



Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

Metal jar lids

Agree – this material can be collected in this timeframe

Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

Food and drink cartons (e.g. TetraPak)

Agree – this material can be collected in this timeframe

Disagree – this material can't be collected in this timeframe

Not sure / don't have an opinion / not applicable

7. If you have disagreed with the inclusion of any of the additional materials above in the timeframe set out, please state why this would not be feasible, indicating which dry recyclable material you are referring to in your response.

We agree that LAs should be required to collect the listed dry materials from all households, including flats. It is important to ensure recycling collections are not only easy and fast but also engaging for the public. We wish to reiterate our call for a long-term strategy that builds infrastructure for all common materials and allows flexibility to incorporate future changes to our use of materials, and that builds consistency across all parts of the UK.

Our first concern is around the discrepancy of packaging EPR reform being UK-wide and consistency reform only focusing on England. We are aware that resources and waste management are a devolved matter – however with the significant costs on businesses in the Collection and Packaging reforms, one cannot ignore that have a UK-wide EPR scheme and only England-focused consistency rules simply creates a distortion from the beginning and will ultimately make it harder to achieve consistent recycling collections in the UK. Businesses would prefer to see a coherent system for packaging and collections across the UK.

Secondly, we also believe that the timeline for the new rules under EPR and consistency should be sequential if alignment is not possible. If the timeline for the consistency reform is pushed back, and EPR is delivered from 2023/24, this will result in recyclable material (that would be designed for recyclability, as incentivised by eco-modulation) not being collected for recycling, and ultimately leading to an expensive and ineffective system for businesses.

More importantly, businesses will be at risk of paying for a system that is not being used. Therefore, it is very important that the implementation deadline for consistent collections is not delayed. It is something industry has been calling for over a number of years and essential to driving up the recycling rate within the UK.

Thirdly, we wish to see the proposed approach for consistency in recycling collections in England (from households and businesses) delivering higher and better-quality recycling. Retailers have a clear responsibility in this and are investing millions in reducing plastic waste. Many of them have a strong track record on recycling, reducing the environmental impact of their packaging, and supporting improvements throughout



the supply chain. These industry efforts need to be complemented and facilitated by the LAs to enable consumers to effectively recycle their waste at home, on the go and at work.

Many of the proposed materials are already collected by councils on a regular basis. However, we are aware that around 35 out of 320 LAs in England are still collecting glass in bring banks, ie not at kerbside. This represents more than 10% which means that shifting to consistency for glass will be important for many. Equally important to highlight that Government needs to make it clear for everyone as early as possible how future DRS material will be collected and treated through kerbside. We understand that there are councils in Scotland that are stopping kerbside in favour of bring banks because of DRS.

It is also important to highlight an important discrepancy in the Packaging and Collection package reforms related to wood packaging. The material will be included under packaging EPR rules but is not part of the core materials covered under consistent recycling collections. The concern here is the fact that businesses will be paying for a material that is not being collected.

Finally, we also wish to underline that list of dry materials to be collected is primarily and mostly food-driven. It should not be omitted that there are other non-food glass packaging in the household stream that would be collected through kerbside, like glass fragrance bottles for example. The focus in the three consultations has been mostly on food packaging. As this is a system reform, we believe there should be a holistic approach in the Regulations as to what food/non-food packaging is considered in scope.

8. Some local authorities may not be able to collect all these items from all households at kerbside by 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date?

[Respondents are asked to tick all those where a delay to the proposed 2023/24 implementation date may be appropriate. No tick = 2023/24 remains appropriate].

NO TICK FROM THE BRC

- Collection contracts**
- Sorting contracts**
- Materials Recovery Facility (MRF) infrastructure capacity**
- Cost burden**
- Reprocessing**
- End markets**
- Other (please specify)**

Please provide the reason for your response and indicate how long local authorities require before they can collect all of these materials, following the date that funding is available from Extended Producer Responsibility.

The BRC has not ticked any of the issues listed as being. It is very important that the implementation deadline for consistent collections is not delayed.

With packaging EPR coming in 2023 and the plastic packaging tax in 2022 consistent collection needs to be implemented in line with these. We appreciate that there will be some difficulties meeting the deadline, but



local authorities need to be supported by Central Government to help them to overcome these rather than look to extend the deadline.

The billions of pounds injected into the system must deliver substantial performance based on a coherent plan owned by all and on the same timeline. It is therefore essential that the principle of 'pay by result' applies to producers and local authorities if we are to build a transparent and fair EPR funding framework for packaging. As such, we do not believe that any of the circumstances listed below are valid reasons for allowing LAs not to deliver their performance uplifts.

Performance uplifts are expected from all stakeholders involved in this reform, and we believe Government should not be encouraging any delays or cherry picking for LAs as the whole objective of this reform is to improve municipal recycling. We also note that none of these circumstances was offered to businesses in the packaging EPR consultation.

Furthermore, the timeline for the new rules under EPR and consistency should be sequential if alignment is not possible. If the timeline for the consistency reform is pushed back for any reasons, and EPR is delivered from 2023/24, this will result in recyclable material (that would be designed for recyclability, as incentivised by eco-modulation) not being collected for recycling, and ultimately leading to an expensive and ineffective system for businesses.

More importantly, businesses will be at risk of paying for a system that is not being used. As the new packaging EPR scheme is expected to start in 2023/24 for businesses, it would be inequitable to have LAs delaying the necessary adjustments in their operations (ie collection services) – this would simply undermine the overall effort of this reform.

Q9. Do you agree or disagree that food and drink cartons should be included in the plastic recyclable waste stream in regulations, to reduce contamination of fibres (paper and card)?

- Agree – cartons should be included in the plastic recyclable waste stream.
- Disagree – cartons should be included the paper and card recyclable waste stream.
- Not sure / don't have an opinion / not applicable.**

The BRC supports a long-term strategy that builds infrastructure for all common materials and allows flexibility to incorporate future changes to our use of materials, and that builds consistency across all parts of the UK.

As such, we agree that Regulations should indicate that cartons must be a collected material under consistency in recycling collections. However, we believe that it would be for the EPR Scheme Administrator to advise on the best method of collection of this material, upon further research and discussion within the material industry.

We would encourage the Government to clarify the terminology and scope of what is understood as cardboard/cartons and food & drink cartons. It is equally important to ensure that the collection of this material is clear and not confusing to consumers/householders (consumer convenience).



10. Assuming food and drink cartons are included by the date that Extended Producer Responsibility commences, what would be the financial impact on gate fees and processing costs from sending mixed material streams containing cartons into a Materials Recovery Facility?

- No increase
- 0-9% increase
- 10-20% increase
- 21-100% increase

Not sure / don't have an opinion / not applicable

Please provide the reason for your response. *We understand that the gate fee would increase*

Proposal 2: Collection of plastic films from households

We propose that local authorities already providing a collection service for plastic films should continue to do so. We propose that local authorities without a collection service for plastic films as soon as possible and by no later than the end of the financial year 2026/27.

11. Do you agree or disagree that local authorities should adopt the collection of this material from all households, including flats, no later than 2026/27?

- Agree**
- Disagree
- Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

We understand that Government proposes a differentiated implementation timeline to the collection of plastic films from households and businesses. From our perspective, this approach is not ideal as we believe Government should not encourage one sector (private sector) investing heavily and another (municipal) having a seven-year period to conversion. This is a fairly inconsistent approach in an overall 'effort' to have consistency of collections. Moreover, a fragmented approach adds a layer of confusion in terms of communication to consumers and complexity labelling requirements.

We believe that private and municipal sectors should work hand-in-hand to deliver consistent collections of plastic films across England. Businesses, especially retailers, have a great level of experience and learnings to share with LAs in relation to these materials.

The Government should not assume that front of store collections is THE solution that will suffice to accommodate consumers in the proposed timeframe. Businesses are on a journey to fill a gap but not to provide full material collection at their stores. Retailers front of store collections are a service that our members provide to help their customers to do the right thing. It is by no means easy, simple, and inexpensive, and should not be seen as an alternative to the service that is expected to be delivered through kerbside by LAs.



Moreover, we wish to emphasise that businesses will be paying under EPR from 2023/24 for the collection of plastic films and flexibles, it would be inequitable to set up a system where businesses are paying full money for collection and not having the material consistently collected throughout England, and the entire UK.

We would prefer to see plastic films and flexibles being collected as early as possible from households. Plastic films are the dominant packaging material in terms of sales volumes, it is vital that they are capture and that collection and recycling are widely enabled to guarantee the supply of recycled content.

The Government may wish to consider having milestones for LAs in terms of roll-out of the collection service for plastic films and flexibles, so that a high percentage of households has access to this service as early as possible. 2026/27 should be the backstop date for the limited 'outliers' LAs to introduce the material in their kerbside collections.

It is essential that plastic films and flexibles collections are introduced without further delay as this is the dominant packaging material in terms of sales. Any delay to the implementation of plastic films and flexibles collection could undermine the achievement of Government targets but will impede other parts of the Resources and Waste Strategy, especially the Plastic Packaging Tax, as there will not be enough recycled material to achieve 30% recycled content.

The consultation document sets out that initially widely recyclable plastic film would be collected. We would welcome clarity of what is included within this definition. All plastic films could be collected for recycling as soon as possible.

12. Which of the following reasons might prevent plastic film collections being offered to all households by the end of the financial year 2026/27?

[Respondents are asked to tick all those where a delay to the implementation end date of 2026/27 may be appropriate.

NO TICK FROM THE BRC

No tick = no reason why this issue should prevent collections by end of 2026/27].

- Collection contracts
- Sorting contracts
- Materials Recovery Facility (MRF) infrastructure capacity
- Cost burden
- Reprocessing
- End markets
- Other (please specify)

If you have selected other, please specify

Please provide the reason for your response and provide evidence to support your answer.



The BRC has not ticked any of the issues listed as being.

We would prefer to see plastic films and flexibles being collected as early as possible from households. It is very important that the implementation of plastic films is not delayed as it is essential to drive up the recycling rate within the UK and is long-awaited by the public.

Any delay in the collection and recycling of plastic films/flexibles will impede other parts of the Resources and Waste Strategy, especially the Plastic Packaging Tax, as there will not be enough recycled material to achieve 30% recycled content.

Consumers can already recycle flexible plastics with some councils, and we would not want this to be removed and subsequently reintroduced in 2026/27. Instead, LAs should be encouraged to introduce the collection of plastic films/flexibles sooner than 2026/27

Proposal 3: Definition of food waste

We propose that the following should be included in regulations to describe the materials to be included within the food waste stream:

All food material that has become a waste, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be consumed by humans and including any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. This includes the following:

- Food scraps
- Tea bags
- Coffee grounds

We propose that the above describes the materials to be collected as food waste from households, businesses and non-domestic premises.

Food waste can be collected in caddy liners and we will set out further detail on collection arrangements for food waste and other waste streams in statutory/non-statutory guidance.

13. Do you agree or disagree that the above should be collected for recycling within the food waste stream?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition

We agree with the proposal to have the same definition/description of food waste to be collected from households, businesses and non-domestic premises. We suggest that local authorities make specifications around food waste recycling as clear as possible for consumers. For instance, clearly outlining whether cooked food can be included, or if food needs to be fully removed from packaging.



In addition, domestic pet food has been highlighted as a material that could be collected in the food waste stream but is excluded from the current definition. It is likely that pet food would be suitable for treatment through AD or IVC.

Proposal 4: Separate collection of food waste from households for recycling

The Environment Bill will require local authorities in England to arrange for the separate collection of food waste for recycling at least weekly. We propose that local authorities already collecting food waste separately must, as required under the Environment Bill duties, continue to collect this for recycling from all household properties, including flats, at least weekly, in the 2023/24 financial year. There may be local authorities that require longer to implement a separate food waste collection service, and these are detailed below.

Local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service, should have a separate weekly food waste collection service in place by the 2024/25 financial year at the latest. This reflects the additional time required to procure the necessary capital goods and implement separate food waste collections effectively.

For local authorities with existing long term mixed food/garden waste collection or disposal contracts in place (e.g. In Vessel Composting contracts), we propose that they should transition to a separate, weekly food waste collection service for all household properties including flats, as quickly as contracts allow. We are seeking views on the latest this should be done by – we anticipate setting a date between 2024/25 and 2030/31 subject to further evidence on the associated costs and benefits.

Local authorities with long term residual waste disposal contracts affected by introducing a separate food waste collection service (e.g. some Energy from Waste or Mechanical Biological Treatment contracts) should introduce a separate, weekly food waste collection service to all households including flats as soon as contracts allow. We are seeking views on the latest this should be done by – we anticipate setting a date between 2024/25 and 2030/31 subject to further evidence on the associated costs and benefits. For these local authorities, there may be some barriers to implementing a separate food waste collection service and we will be exploring the transitional barriers including costs (arising from, for example, amending or breaking existing contracts where necessary) with those local authorities.

In all the cases above, the collection service introduced should be a separate food waste collection, unless an exception applies that would allow the collection of food waste with garden waste, as per Proposal 11 below.

14. Which parts of Proposal 4 do you agree or disagree with?

Local authorities already collecting food waste separately must continue to collect this material for recycling at least weekly from the 2023/24 financial year

Agree



- Disagree
- Not sure / don't have an opinion / not applicable

Local authorities should have a separate food waste collection service (at least weekly) in place for all household properties including flats as quickly as contracts allow

Agree

- Disagree
- Not sure / don't have an opinion / not applicable

Local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service should have a separate food waste collection service in place (at least weekly), for all households including flats, by the 2024/25 financial year at the latest

- Agree
- Disagree
- Not sure / don't have an opinion / not applicable

Local authorities with long term existing mixed food/garden waste collection or disposal contracts in place should have a separate food waste collection service in place (at least weekly) for all household properties including flats as soon as soon as contracts allow, with an end date to meet this requirement between 2024/25 and 2030/31

Agree

- Disagree
- Not sure / don't have an opinion / not applicable

Local authorities with long term residual waste disposal contracts affected by introducing a separate food waste collection service (e.g. some Energy from Waste or Mechanical Biological Treatment contracts) should introduce a separate food waste collection service (at least weekly) to all households including flats as soon as contracts allow, with an end date to meet this requirement to be set between 2024/25 and 2030/31

Agree

- Disagree
- Not sure / don't have an opinion / not applicable



Please provide any views on the end date for these obligations and any evidence on associated costs and benefits

We agree with the principle that all households, including flats, should be given access to kerbside food waste collections.

If the Government wishes to introduce a collection of food waste from households, we recommend having a clear requirement to have a separate service in place from 2023/24, with an interim solution for the long-term existing mixed food/garden waste collection or disposal contracts. A regular collection is vital to ensure that waste does not cause issues for consumers, such as pests or smells, which may limit public enthusiasm for and engagement with food waste recycling. Linked to this, local authorities should keep schemes flexible, allowing for collections to increase in frequency around peak times, such as warm weather or festive periods.

Local authorities with mixed food/ garden waste collections should put in place a separate collection service as soon as possible. We also wish to point out that:

- Not only can debris in garden waste can cause damage to food waste processing plants and machinery*
- Need to align with policy regarding mandatory reporting of food waste, which is due to be introduced.*
- Without separate collections, reporting will be impossible or inaccurate.*

As this proposal is part of the consistency reform, we would believe that Government wishes to introduce a consistent measure from the start rather than having service mandated yet sporadically delivered throughout England, due to contractual complexities. We strongly oppose any additional costs of food waste collections being included or passed on to businesses through any EPR. This should be fully covered by the central government through the new burdens doctrine.

15. Some local authorities may experience greater barriers to introducing a separate food waste collection service to all household properties, including flats, by the dates proposed above. For what reasons might it be appropriate for these collection services to begin after this date?

NO TICK FROM THE BRC

- Collection contracts
- Treatment contracts
- Cost burden
- Reprocessing
- End markets
- Other

If you have selected other, please specify

If you have disagreed with any of the proposed implementation dates above, please provide examples of circumstances where it would be appropriate for this collection service to begin after these proposed dates and any supporting evidence where possible



The BRC has not ticked any of the issues listed as being

It is important that the implementation of food waste collection is not delayed. This will help drive up recycling rates as well as the environmental benefits.

It is appreciated that there will be some difficulties meeting the deadline, but local authorities need to be supported to help them to overcome these rather than look to extend the deadline.

Proposal 5: Caddy liners

We propose that the provision of caddy liners in the collection of separately collected food waste should be promoted as good practice and that guidance should be provided on caddy liners, including on caddy liner material types.

16. Do you agree or disagree with this proposal? Please provide any other comments on the use of caddy liners in separate food waste collections, including on any preferences for caddy liner material types.

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any other comments on the use of caddy liners in separate food waste collections

We understand that caddy liners increase rate participation from householders and enable a hygienic collection of food waste.

As the Government is to introduce and fund a 'new' stream of waste to be consistently collected across England, it is important that there is consistency for all LAs in relation to the provision of caddy liners. Clarity is also needed on who will provide caddies to consumers, and the cost. Consistency in the specifications of caddies across local authorities would enable retailers to stock spares to assist consumers and authorities during peak periods.

The risk with have caddy liners provision promoted as 'good practice' is that it will perpetuate disparity amongst councils in the provision of the service, undermining the overall 'consistency' effort that this reform seeks to achieve.

We believe everyone would benefit from clearer specifications around the provision of caddy liners and wish to emphasise that it is equally important to have clear and consistent messaging/communication on caddy liners to consumers/households from the start.

The BRC does not have a preference for caddy liner material types but recognises that compostable caddy liners should meet relevant standards such as BS 13434/BS13432. Material types for caddy liners should be discussed and agreed with the wider value chain so that there is high-quality digestate and no risk of environmental pollution.

Proposal 6: Compostable and biodegradable materials



We propose to provide further guidance to local authorities and other waste collectors on the collection and disposal of compostable and biodegradable materials in kerbside waste streams.

17. Do you have any comments on how the collection and disposal of compostable and biodegradable materials should be treated under recycling consistency reforms? For example, this could include examples of what should be provided in guidance on the collection and disposal of these materials.

We understand from the consultation document that biodegradable and compostable plastic packaging materials are not included as separate recyclable waste stream. We also understand that these packaging materials would be considered as not recyclable and therefore attracting higher producers fee rates, and possibly labelled as 'do not recycle'.

WRAP's 'Compostable plastic packaging' guidance (February 2020) is a useful guidance to refer to, until further advanced research is done in this field. It highlights the necessity of clear and correct labelling, design, communications and treatment of compostable/biodegradable materials.

The overall effort of this reform is to introduce more ease and consistency for consumers. There is a danger if LAs can provide separate collections for these materials that there will be inconsistent collection systems in the UK.

If there is even a perceived risk of biodegradable or compostable being in the recycling stream this can prevent recycled content being used in long life applications such as in the construction industry.

At the moment, the challenge is around the identification of these materials and their distinction by the consumers/householders from the conventional materials. It could cause more confusion for the public on whether these materials can be recycled or not. This also gives a danger that material could end up in the recycling stream.

From a general perspective, we understand that to be treated under recycling consistency reforms, materials need to be considered as recyclable in the current recycling streams. This is not the case for some compostable plastics where there is potential for them to contaminate conventional plastics recycling. However, we note that it is recognised there are some niche applications where biodegradable and compostable material would be appropriate, and separate contained systems for this material would help support their use.

18. Do you agree or disagree that anaerobic digestion plants treating food waste should be required to include a composting phase in the treatment process?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any evidence where possible and explain any advantages and disadvantages



Proposal 7: Definition of garden waste

We propose that the following should be included in the description of garden waste included in regulations.

Unwanted organic material arising from a garden, including:

- Grass cuttings
- Garden weeds
- Plants and flowers
- Hedge Clippings
- Leaves
- Twigs and small branches

This excludes:

- Waste products of animal origin
- Bulky waste (including but not limited to garden furniture and fencing)
- Plant pots
- Garden tools or other gardening equipment
- Soil, stone, gravel or bricks

19. Do you agree or disagree with the materials included in and excluded from this description of garden waste?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and specify which materials should be included or excluded in this definition

We agree with the description of the materials included in and excluded from the definition of garden waste.

Proposal 8: Separate collection of garden waste from households

In response to the first consultation, there was mixed support that, if a free minimum collection service for garden waste is introduced for households with a garden, this should be a minimum fortnightly collection service, equivalent to a maximum capacity of 240-litre (either bin or sacks) and local authorities would be able to charge for more frequent collections and/or additional capacity. We are seeking further views on the updated costs and carbon benefits of this proposal as detailed in the table below, subject to securing funding for the policy.



Please note that any new additional burdens to local authorities incurred through this policy would be covered by the Government.

20. Given the above costs, recycling benefits and carbon emissions reductions, do you agree or disagree that local authorities should be required to introduce a free minimum standard garden waste collection (240 litre containers, fortnightly collection frequency and throughout the growing season), if this is fully funded by Government, and if authorities remain free to charge for more frequent collections and/or additional capacity?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide any comments or evidence on the costs and benefits presented above

It is not expected that any costs of garden waste collections would be transferred to businesses under EPR. We understand that this separate collection of garden waste from households will be fully covered and funded by the central government, under the new burdens doctrine.

We do however question whether this proposal is fair insofar as citizens without gardens will be subsidising the costs of those with gardens.

Proposal 9: Further options to increase the recycling of garden waste

We are seeking views on options, either alongside or instead of a free, minimum collection service for garden waste, and the extent to which they would achieve the aim of increasing the recycling of garden waste and decreasing the quantity of garden waste in residual waste streams.

21. How likely are the following options to support the above policy aims?

Provide updated guidance on reasonable charged for garden waste

Very likely

Likely

Unlikely

Issue clear communications to non-participating households

Very likely

Likely

Unlikely

Support on increasing home composting (e.g. subsidised bin provision)

Very likely

Likely

Unlikely

22. Do you have any further comments on the above options, or any other alternatives that could help to increase the recycling of garden waste and/or reduce the quantity of garden waste in the residual waste stream? Please provide supporting evidence where possible

We support Government's ambition to recover the value from organic material. However, we do question whether this proposal is fair insofar as citizens without gardens will be subsidising the costs of those with gardens.

Proposal 10: Exemptions for the separate collection of two recyclable waste streams from households

For certain waste streams collected from households, exemptions to separate collection may be appropriate in cases where collection of recyclable waste streams together does not significantly reduce the potential for these recyclable waste streams to be recycled or composted.

23. Could the following recyclable waste streams be collected together from households, without significantly reducing the potential for those streams to be recycled?

Plastic and metal

Agree

Disagree

Not sure / don't have an opinion / not applicable

Glass and metal

Agree

Disagree

Not sure / don't have an opinion / not applicable



If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.

The BRC supports a system that works effectively, especially as businesses will be paying significant fees under EPR. The system needs to be reformed to deliver high-quality recyclates and high-quality recycled content. It should not be undermined by having co-collection that would not deliver the desired recycling outcomes.

Co-collection of materials has to be careful thought-through so that recyclates quality is not contaminated or deteriorated at the collection stage.

24. What, if any, other exemptions would you propose to the requirement to collect the recyclable waste in each waste stream separately, where it would not significantly reduce the potential for recycling or composting?

No comment

Proposal 11: Conditions where an exception may apply and two or more recyclable waste streams may be collected together from households

Technically practicable

By technically practicable we mean that the separate collection may be implemented through a system which has been technically developed and proven to function in practice.

In order to make the case that separate collection is not technically practicable, local authorities will need to demonstrate that their local circumstances mean that it is not technically practicable to have separate collection of the recyclable waste streams. This could apply to one or more areas within a collection service area, rather than the authority area as a whole.

Examples of this could include, but are not limited to:

- Type of housing stock and accessibility – e.g. flats, houses of multiple occupation, student accommodation, historic buildings, dwellings with communal recycling points
- Rurality and geography of property location
- Availability of suitable containers
- Storage of containers at properties
- Storage in existing waste transfer infrastructure

Economically practicable

Economically practicable refers to separate collection which does not cause excessive costs in comparison with the treatment of a non-separated waste stream, considering the added value



of recovery and recycling and the principle of proportionality. If the additional cost of collecting a recyclable waste stream separately outweighs its value once collected it may not be economically practicable to collect the waste streams separately.

In order to make the case that separate collection is not economically practicable, local authorities will need to demonstrate that their specific financial costs (caused by their local circumstances) makes it significantly more expensive to have separate collection. Examples of this could include, but are not limited to:

- Type of housing stock and accessibility – e.g. flats; houses of multiple occupation, student accommodation, historic buildings, dwellings with communal recycling points
- Rurality and geography of property location
- Available recycling and treatment infrastructure

No significant environmental benefit

In order to make the case that separate collection is of no significant environment benefit compared to collecting recyclable waste streams together, local authorities will need to demonstrate that this is the case in their circumstances and that separate collection does not provide a significant environmental benefit over other systems. Local authorities should consider the overall impact of the management of the household waste stream from collection through to reprocessing. Examples of this could include, but are not limited to:

- Greenhouse gas emissions – for example from vehicles or Materials Facilities
- Lifts per vehicle and journey length
- Availability of recycling facilities
- Reject tonnages

25. Do you have any views on the proposed definition for 'technically practicable'?

The BRC supports a system that works effectively, especially as businesses will be paying significant fees under EPR. The system needs to be reformed to deliver a high level of captures, high-quality recyclates and high-quality recycled content. It should not be undermined by a wide application the TEE principle (TEEP).

Too often TEEP has been used by councils to justify the configuration of services rather than as a tool to deliver environmental benefits. We believe that where the separate collection is not 'technically practicable', this should be assessed on an initial area rather than being applied to a whole local authority area.

It is important that industry, with its expertise in design and recycling, plays a role in helping to overcome obstacles councils may face with recycling. As businesses will be paying full net costs of packaging under EPR, businesses must have a meaningful role in statute to assist councils with determining any issues related to TEEP. Councils alone cannot be the sole deciders of TEEP issues.

26. Do you agree or disagree that the proposed examples cover areas where it may not be 'technically practicable' to deliver separate collection?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

All listed issues are challenges that need to be overcome in order to achieve the government's environmental goals, higher performance, and cost-efficiency required by EPR. Innovation should be explored to try to overcome any technically practicable issues.

27. What other examples of areas that may mean it is not 'technically practicable' should be considered in this proposal? Please be as specific as possible .

Innovation should be explored to try to overcome any technically practicable issues. For example, developing new types of containers and sharing best practices on how to overcome issues of storage of containers.

28. Do you agree or disagree that the proposed examples cover areas that may not be 'economically practicable' to deliver separate collection?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

Local authorities should be supported to ensure they are providing services that maximise capture rates while keeping high quality. The focus should be on developing infrastructure to handle this material rather than it being a barrier to it being collected.

29. What other examples of 'economically practicable' should be considered in this proposal? Please be as specific as possible.

No comment

30. Do you have any views on what might constitute 'excessive costs' in terms of economic practicability?

It is important that industry, with its expertise in design and recycling, plays a role in helping to overcome obstacles councils may face with recycling. As businesses will be paying full net costs of



packaging under EPR, businesses must have a meaningful role in statute to assist councils with determining any issues related to TEEP. Councils alone cannot be the sole deciders of TEEP issues.

31. Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together?

It is important the quality of the material is also considered as well as the end markets which are available and whether these are limited due to the collection method.

32. Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree with any of the above, please provide the reason for your response and indicate which example you are referring to

As businesses will be paying full net costs of packaging under EPR, businesses must have a meaningful role in statute to assist councils with determining any issues related to TEEP, including on what is understood as 'no significant environmental benefit'.

33. What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible.

We believe that environmental criteria need to be applied in a way that does not prevent the evolution of future innovations, recycling and sorting infrastructure and the requirement to offer a comprehensive collection service offering to as many members of the business community as possible. The proposed criteria seem to be based on existing infrastructure capabilities and do not provide for future much-needed evolution of collecting, sorting and recycling of materials.

Proposal 12: Compliance and enforcement

In circumstances where it is not technically or economically practicable, or where there is no significant environmental benefit to collecting two or more waste streams separately, obligated parties are required to complete a written assessment.

We want to avoid unnecessary burden on local authorities. We therefore propose that local authorities should only be required to complete a single written assessment for their service area, which will take account of the different exceptions, rather than multiple assessments for

the same service area. It may be appropriate for a single assessment to be completed across more than one authority. For example, for two-tier authorities, partnerships, or authorities that share treatment infrastructure.

34. Do you agree or disagree that local authorities should only be required to submit a single written assessment for their service area?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

35. What other ways to reduce the burden on local authorities should we consider for the written assessment?

In order to reach a truly circular economy for material and increase recycling rates, and deliver consistency across England, it is important that opportunities for exemptions are minimised.

36. What factors should be taken into consideration including in the written assessment? For example, different housing stock in a service area, costs of breaking existing contractual arrangements and/or access to treatment facilities

In order to reach a truly circular economy for material and increase recycling rates, and deliver consistency across England, it is important that opportunities for exemptions are minimised.

37. Do you agree or disagree that reference to standard default values and data, which could be used to support a written assessment, would be useful?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

38. Do you agree or disagree that a template for a written assessment would be useful to include in guidance?

Agree

Disagree

Not sure / don't have an opinion / not applicable



If you disagree, please provide the reason for your response

Proposal 13: Minimum service standards for the separate collection of dry recyclable materials from households

We propose to include guidance on how different types of recyclable waste should be collected separately from each other.

39. Do you agree or disagree with Proposal 13, particularly on the separation of fibres from other recyclable waste streams and the collection of plastic films?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

As the consultation does not offer the opportunity to comment on the details of the contents of statutory guidance nor on the non-binding performance indicators, the BRC wishes to outline its view below. Whilst we appreciate that central government are historically reluctant to place binding measurement metrics and targets on local government, it should be recognised in this context that changes to the packaging EPR system will place full cost recovery onto obligated business and as such the collection costs will no longer fall on council taxpayers and central government. Therefore, the Government should ensure that the system outputs combine such that local authorities are required to provide a system that meets the requirements of the combined legislation as efficiently as possible within each local authority area. It is difficult to envisage how this can be achieved or assessed without binding, mandated and consistent performance metrics, coupled with a revised EPR system that precludes open-ended costs incurred by local authorities being placed back onto obligated businesses without control. If binding targets are not possible then we would like to see a 'pay by results' approach taken in the statutory guidance.

Proposal 14: Non-statutory guidance

We propose to work with WRAP, to develop and publish non-statutory guidance on good practice around collection. This may include guidance around the collection of waste streams not included in the Environment Bill (for example, sanitary products and hazardous waste), and may also include guidance on areas such as bring sites and litter collection.

The aim of the guidance will be to demonstrate current good practice in service delivery from across the country and help inform scheme design in light of any future changes needed under New Burdens and Extended Producer Responsibility.

40. Which service areas or materials would be helpful to include in non- statutory guidance?

No comment

Proposal 15: Review of Part 2 of Schedule 9 of the Environmental Permitting Regulations 2016

Under packaging Extended Producer Responsibility proposals, all Materials Facilities that receive waste containing packaging would be considered evidence points. It is proposed that these facilities would be required to undertake sampling and compositional analysis to identify the tonnages and composition of packaging waste.

We are currently reviewing the requirements under Part 2 of Schedule 9 of the Environmental Permitting Regulations 2016 for Materials Facilities, which regulate how Materials Facilities of a certain size must sample, test and report the quality of input and output recycling streams they receive and process. Through this review, we have assessed the effectiveness of Part 2 of Schedule 9, to ensure the regulations are fit for purpose and in line with future Extended Producer Responsibility requirements and support their intended objectives to improve material quality.

The review recommended that Government should consider amending Part 2 of Schedule 9 on the Environmental Permitting Regulations 2016, and provided the following specific recommendations to consider:

- Review the stance on Materials Facilities that are required to report and sample their target material, particularly reviewing small Materials Facilities and whether there should be moves to include them in the reporting requirements.
- Consider more frequent and robust audit of the results and procedures.
- Consider publishing the Environment Agency reporting compliance and inspection efforts.
- Consider more accountability in naming suppliers who input materials to Materials Facilities to increase transparency and waste tracking via the WRAP portal.
- Consider amending regulations to require waste transferred between Materials Facilities to be reported.
- Consider amending the 2016 Environment Agency guidance to provide clearer guidance on 'target' materials and how to sample and report 'target' materials for consistency across the system.
- Explore connections between Materials Facility data reporting and Extended Producer Responsibility data requirements.

The Extended Producer Responsibility consultation explores how proposed sampling and compositional analysis requirements for packaging materials might be incorporated within current regulations, and whether this could be achieved by amending Part 2 of Schedule 9, or whether the specific Extended Producer Responsibility requirements should be set out in separate regulations.



We are minded to amend Part 2 of Schedule 9 of the Environmental Permitting Regulations 2016, taking into account the proposals in the Extended Producer Responsibility consultation and any responses to them, together with any other relevant considerations. As part of this, we are seeking views on whether it is necessary to continue to retain requirements to sample non-packaging dry recyclable materials (e.g. newspapers, kitchen foil etc.) at Materials Facilities.

41. Do you have any comments on the recommendations from the review of the Part 2 of Schedule 9 of the Environmental Permitting Regulations?

No comment

42. If amendments are made to Part 2 of Schedule 9, do you agree or disagree that it is necessary to continue to retain requirements to sample non-packaging dry recyclable materials?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Please provide the reason for your response where possible

[Proposal 16: Recycling credits](#)

There is further consultation needed on this area, but we think that with the introduction of Extended Producer Responsibility for packaging waste there will no longer be the necessity for payment of recycling credits to include packaging waste subject to full net cost payments.

With respect to the payment of recycling credits in relation to non-packaging waste, such as newspapers, magazines or food waste, we are interested in views on whether the option to pay recycling credits should be retained in this longer term. An alternative would be to require local authorities in two tier areas to make local arrangements as necessary for sharing costs and/or savings arising from management of waste other than packaging. However, where agreement cannot be arrived at it may still be necessary to have some legally based backstop for payments. Any substantive change to the current system is likely to require primary legislation.

43. Do you agree or disagree that provision for exchange of recycling credits should not relate to packaging material subject to Extended Producer Responsibility payments?

Agree

Disagree



Not sure / don't have an opinion / not applicable

Please provide a reason for your response

44. In relation to recycled waste streams not affected by Extended Producer Responsibility or are not new burdens we are seeking views on two options. For each option, please state whether you agree or disagree with the proposal

Option 1: Should we retain requirements for Waste Disposal Authorities to make payment of recycling credits or another levy arrangement with Waste Collection Authorities in respect of non-packaging waste?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Option 2: Should we discontinue recycling credits and require all two-tier authorities to agree local arrangements?

Agree

Disagree

Not sure / don't have an opinion / not applicable

45. Where local agreement cannot be arrived at what are your suggestions for resolving these? For example, should a binding formula be applied as currently and if so, please provide examples of what this could look like.

No comment

Part 2: Measures to improve the recycling of non-household municipal waste from businesses and non-domestic premises, pp. 73 to 97

Proposal 17: Dry materials to be collected from non-household municipal premises for recycling

The four dry recyclable waste streams are to be collected from non-household municipal premises (glass, metal, plastic, paper and card).

The types of materials to be included in each recyclable waste stream will be specified in regulations. Our intention is to include the following materials in regulations, so that they are required to be collected by all waste collectors:

- glass bottles and containers – including drinks bottles, condiment bottles, jars
- paper and card – including newspaper, cardboard packaging, office paper
- plastic bottles – including clear drinks containers, HDPE (milk containers), detergent, shampoo and cleaning products
- plastic pots tubs and trays
- steel and aluminium tins and cans

In addition to the above items, we propose that the recyclable waste streams will also include the following items:

- Aluminium foil
- Aluminium food trays
- Steel and aluminium aerosols
- Aluminium tubes, e.g. tomato puree tubes
- Metal jar/bottle lids
- Food and drink cartons, e.g. TetraPak
- Plastic films, e.g. bread bags, carrier bags

We propose that these additional items, with the exception of plastic film (see Proposal 18), should be collected from non-household municipal premises in the financial year 2023/24.

46. Do you agree or disagree that waste collectors should be required to collect the following dry materials from all non-household premises for recycling, in 2023/24?

Aluminium foil

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

Aluminium food trays

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

Steel and aluminium aerosols

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

Aluminium tubes e.g. tomato puree tubes

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

Metal jar lids

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

Food and drink cartons e.g. TetraPak

- Agree** – this material can be collected in this timeframe
- Disagree – this material can't be collected in this timeframe
- Not sure / don't have an opinion / not applicable

If you disagree with the inclusion of any of the materials above in the timeframe set out, please provide the reason for your response and indicate which dry recyclable material you are referring to.

We agree that waste collectors should be required to collect the listed dry materials from all non-households, premises for recycling. We wish to reiterate our call for a long-term strategy that builds



infrastructure for all common materials and allows flexibility to incorporate future changes to our use of materials, and that builds consistency across all parts of the UK.

In terms of the timeframe, we believe that the timeline for the new rules under EPR and consistency should be sequential if alignment is not possible. If the timeline for the consistency reform is pushed back, and EPR is delivered from 2023/24, this will result in recyclable material (that would be designed for recyclability, as incentivised by eco-modulation) not being collected for recycling, and ultimately leading to an expensive and ineffective system for businesses.

Therefore, it is very important that the implementation deadline for consistent collections is not delayed. It is something the industry has been calling for over a number of years and essential to driving up the recycling rate within the UK.

We wish to see the proposed approach for consistency in recycling collections in England delivering higher and better-quality recycling. Retailers have a clear responsibility in this and are investing millions in reducing plastic waste and improving their recycling. Many of them have a strong track record on recycling, reducing the environmental impact of their packaging, and supporting improvements throughout the supply chain, including investing in front of store collections.

Retailers are committed to enabling consumers to effectively recycle their packaging waste at home, on the go and at work.

47. Some waste collectors may not be able to collect all the items in the dry recyclable waste streams from all non-household municipal premises in 2023/24. Under what circumstances might it be appropriate for these collection services to begin after this date?

NO TICK FOR THE BRC

- Collection contracts
- Sorting contracts
- Materials Recovery Facility (MRF) infrastructure capacity
- Cost burden
- Reprocessing
- End markets
- Other

If you have selected other, please specify

Please provide the reason for your response and indicate how long waste collectors require before they can collect all these materials..

The BRC has not ticked any of the issues listed as being. This is because those issues are not unique to councils or waste mgmt. companies – the issues identified are commonplace across the WHOLE packaging value chain including packaging manufacturers, retailers and brands too. So, whilst they



may be everyday challenges, they must not be allowed to become obstacles to (or delay) achieving the Government's 'consistency' ambitions for citizens and the environment in 2024.

It is not clear in the current consultations on Collection and Packaging reforms how commercial industrial (C&I) waste will be dealt with and whether businesses will carry on with their own waste management contracts and still be compliant. We urge the Government to clarify what falls in the scope of the household-like commercial waste that the Government wishes to bring under packaging EPR and how it would be accounted for/treated/differentiated from the other C&I waste stream.

In the recent packaging EPR consultation, we have disagreed with the proposal to make producers responsible for the costs of managing packaging waste produced by businesses. The rationale for government intervention in this specific waste stream (C&I waste) remains unclear to us, and we wish to better understand how payments for household-like packaging waste would work if brought under the new EPR rules. We believe that further discussions on how best to address household-like packaging waste are needed, in the light of the significant costs at stake (up to £1.5bn) and the high levels of unclarity, ambiguity and risk of double payments/double counting. This needs to be urgently addressed and is very important especially for businesses who are handling food waste and have already invested in on-site bespoke treatment processes (AD on-site).

Businesses are currently paying for the overall management of the packaging they generate, and large retailers are already dealing with their packaging waste in the most optional and cost-efficient way, through their waste management contracts. These are contractual relationships that are negotiated on a B2B basis with waste collectors. The non-household waste services are provided on a competitive basis which helps driving recycling rates up. As such we do not believe that waste collectors should be encouraged to deflect from the 2023/34 timeline.

Proposal 18: Collection of plastic films from non-household municipal premises

We propose that waste collectors should be required to collect all recyclable plastic films from non-household municipal premises no later than the end of the financial year 2024/25. We are seeking views from businesses and waste collectors on whether this timing is appropriate, or if more time is required. We are also seeking to understand any major differences in collection methods between household and non-household municipal collections.

48. Do you agree or disagree that collections of plastic films could be introduced by the end of 2024/25 from non-household municipal premises?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response and any evidence as to why this would not be feasible



We understand that Government proposes a differentiated implementation timeline to the collection of plastic films from households and businesses. From our perspective, this approach is not ideal as we believe Government should not encourage one sector (private sector) to invest heavily and another (municipal) to have a seven-year period to conversion. This is a fairly inconsistent approach in an overall 'effort' to have consistent collections. Moreover, a fragmented approach adds a layer of confusion in terms of communication to consumers and complexity labelling requirements.

Retailers are committed to enabling consumers to effectively recycle their packaging waste at home, on the go and at work – this includes plastic films and flexibles. The paradox in having a differentiated implementation timeline for collection of plastic films/flexibles, means that the reform would enable someone's plastic film to be collected from its workplace but not from its household. We believe that this should not be the pursued outcome of this reform.

Rather, we support that private and municipal sectors work hand-in-hand to deliver consistent collections of plastic films across England as early as possible. Businesses, especially retailers, have a great level of experience and learnings to share with LAs in relation to the collection of these materials whilst recognising that the collection systems will be inherently different.

The Government should not assume that front of store collections is THE solution that will suffice to accommodate consumers in the proposed timeframe. Businesses are on a journey to fill a gap but not to provide full material collection at their stores. Retailers' "front of store" collections is a service that our members provide to help their customers to do the right thing. It is by no means easy, simple, and inexpensive, and should not be seen as an alternative to the service that is expected to be delivered through kerbside by LAs.

Moreover, we wish to emphasise that businesses will be paying under EPR from 2023/24 for the collection of plastic films and flexibles, it would be inequitable to set up a system where businesses are paying full money for collection and not having the material consistently collected throughout England, and the entire UK. We would prefer to see plastic films and flexibles being collected as early as possible from households. Plastic films are the dominant packaging material in terms of sales volumes, it is vital that they are captured and that collection and recycling are widely enabled to guarantee the supply of recycled content.

It is essential that plastic films and flexibles collections are introduced without further delay as this is the dominant packaging material in terms of sales. Any delay to the implementation of plastic films and flexibles collection could undermine the achievement of Government targets but will impede other parts of the Resources and Waste Strategy, especially the Plastic Packaging Tax, as there will not be enough recycled material to achieve 30% recycled content.

The consultation document sets out that initially widely recyclable plastic film would be collected. We would welcome clarity of what is included within this definition. All plastic films could be collected for recycling as soon as possible.

49. Do you have any other comments on this proposal? For example, please specify any barriers that may prevent collectors delivering these services

Please see our response to Q48.



It is very important that the implementation of plastic films is not delayed as it is essential to drive up the recycling rate within the UK and is long-awaited by the public.

Proposal 19: On-site food waste treatment technologies

Food waste that is not properly recycled or fully recovered on the site of production, should be separately collected for recycling or recovery elsewhere.

Food waste treatment technologies can be used to pre-treat waste prior to being separately collected for these purposes. Disposal of food waste by landfill or into the sewer system (even if pre-treated) should only be carried out as a last resort in accordance with the waste hierarchy.

Where food waste treatment technologies are used, they should be operated in line with relevant guidelines on environmental and wastewater management and should be compliant with Animal By-Product (ABP) regulations and other appropriate regulatory requirements.

50. Do you agree or disagree with Proposal 19?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Many of our members operate in respect of the food & drink waste hierarchy. For those who have AD contracts in place, we understand that it is preferable to keep food and green waste separate

51. Do you have any other comments on the use of these technologies and the impact on costs to businesses and recycling performance?

It is not clear in the current consultations on Collection and Packaging reforms how commercial industrial (C&I) food waste will be dealt with and whether businesses will carry on with their own waste management contracts and still be compliant. We urge the Government to clarify what falls in the scope of the household-like commercial waste that the Government wishes to bring under packaging EPR. This is very important especially for businesses who are handling food waste and have already invested in on-site bespoke treatment processes (AD on site).



Proposal 20: Reducing barriers to recycling for non-household municipal waste producers

We propose to continue to support businesses and small and micro-firms (i.e. those employing fewer than 50 and 10 Full Time Equivalent employees respectively) to recycle and overcome any barriers associated with increasing recycling.

52. What are the main barriers that businesses (and micro-firms in particular) face to recycle more?

Communication

- Large barrier
- Some barrier**
- Low / no barrier

Financial

- Large barrier**
- Some barrier
- Low / no barrier

Space

- Large barrier**
- Some barrier
- Low / no barrier

Engagement

- Large barrier**
- Some barrier
- Low / no barrier

Drivers to segregate waste

- Large barrier

Some barrier

Low / no barrier

Location

Large barrier

Some barrier

Low / no barrier

Enforcement

Large barrier

Some barrier

Low / no barrier

Variation in bin colours and signage

Large barrier

Some barrier

Low / no barrier

Contractual

Large barrier

Some barrier

Low / no barrier

Staff / training

Large barrier

Some barrier

Low / no barrier

Other (please specify): consistency of collections across the UK



Large barrier

Some barrier

Low / no barrier

If you have selected other, please specify

Please provide any comments on how these barriers can be overcome

Proposal 21: Exemptions and phasing for micro-firms

We propose that micro-sized producers of non-household municipal waste should have special arrangements in place to reflect the higher barriers to recycling that they often face.

We are consulting on two options:

Option 1: Micro-firm producers of non-household municipal waste should be exempt from the requirement to arrange for the collection of five recyclable waste streams (glass, metal, plastic, paper and card, food waste) for recycling and to present this waste in accordance with the arrangements.

Option 2: Micro-firm producers of non-household municipal waste are phased into the new recycling consistency requirements in the Environment Bill, two years after the recycling consistency go live date

53. Should micro-firms (including businesses, other organisations and non-domestic premises that employ fewer than 10 FTEs) be exempt from the requirement to present the five recyclable waste streams (paper & card, glass, metal, plastic, food waste) for recycling? Please select the option below that most closely represents your view.

Yes – all micro-firms should be exempt from the requirement – Option 1

No – but all micro-firms should be given two additional years to comply with the new requirements in the Environment Bill (i.e. compliant in 2025/6) – Option 2

No – all micro-firms should be required to present these waste streams for recycling, from the 'go live' date in 2023/4

Please provide any evidence to support your comments

From our perspective, separate collection of food waste from non-household municipal premises should be considered per facility/building/office rather than on a UK business.



54. Should any non-household municipal premises other than micro-sized firms be exempt from the requirement? Please provide evidence to support your comments

Yes

No

From our perspective, separate collection of food waste from non-household municipal premises should be considered per facility/building/office rather than on a UK business

Proposal 22: Other cost reduction options

We propose to continue to explore cost reduction options to reduce the cost burden for non-household municipal waste producers and are seeking further views on waste zoning/franchising and collaborative procurement options. We continue to develop these and other cost reduction options that we consulted on previously.

55. Which recyclable waste streams should be included under a potential zoning scheme?

Dry recyclable waste streams (glass, metal, plastic, paper and card)

Agree

Disagree

Not sure / don't have an opinion / not applicable

Food waste

Agree

Disagree

Not sure / don't have an opinion / not applicable

Other items e.g. bulky office waste (please specify)

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have selected other items, please specify



The BRC would welcome more discussion with Government on zoning/collaborative procurement. We believe that at this stage more work is needed to present feasible options that are cost-efficient, embed high-performance and are owned by all.

We also wish to understand how this would be applicable to large businesses bearing in mind competition rules.

56. Which of the below options, if any, is your preferred option for zoning/collaborative procurement? Please select the option that most closely aligns with your preference

- Encouraging two neighbouring businesses to share the same containers under contract
- Encouraging businesses to use shared facilities on a site/estate
- Business Improvement Districts/partnerships tendering to offer a preferential rate (opt-in)
- Co-collection – the contractor for household services also deliver the non-household municipal services
- Framework zoning – shortlist of suppliers licensed to offer services in the zone
- Material specific zoning – one contractor delivers food, one for packaging, one for refuse collection services
- Exclusive service zoning – one contractor delivers the core recycling and waste services for the zone
- None of the above**

The BRC would welcome more discussion with Government on zoning/collaborative procurement. We believe that at this stage more work is needed to present feasible options that are cost-efficient, embed high-performance and are owned by all. We also wish to understand how this would be applicable to large businesses bearing in mind competition rules.

57. Do you have any views on the roles of stakeholders (for example Defra, the Environment Agency, WRAP, local authorities, business improvement districts, businesses and other organisations and chambers of commerce in implementing a potential zoning or franchising scheme? For example, do you think there could be roles for one or more of these organisations in each of the following activities:

Defra

- Procurement**
- Scheme design**
- Administration and day to day management
- Enforcement

- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

Environment Agency

- Procurement
- Scheme design
- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

WRAP

- Procurement
- Scheme design
- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

Local authorities

- Procurement
- Scheme design

- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

Business Improvement Districts (BIDs)

- Procurement
- Scheme design
- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

Businesses and other organisations

- Procurement
- Scheme design
- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

Chamber of commerce

- Procurement
- Scheme design
- Administration and day to day management
- Enforcement
- Business support
- Development of tools and guidance
- Delivery of communications campaigns
- Any other activities (please specify)

If you think that there is a role for any other stakeholders, please specify

Please provide explanations where possible to support your above response

58. Do you have any further views on how a potential waste collection franchising / zoning scheme could be implemented?

The BRC would welcome more discussion with Government on zoning/collaborative procurement. We believe that at this stage more work is needed to present feasible options that are cost-efficient, embed high-performance and are owned by all. We also wish to understand how this would be applicable to large businesses bearing in mind competition rules.

Any potential waste collection franchising / zoning scheme should be outcome focused taking into consideration Greenhouse Gas Emission, cost efficiency etc.

59. Do you have any views on how Government can support non-household municipal waste producers to procure waste management services collaboratively? This could include working with other stakeholders

No comment

60. Which type(s) of business support would be helpful? (Select any number of responses)

- 1:1 support
- National /regional campaigns
- National guidance and good practice case studies
- Online business support tools (e.g. online calculators and good practice guidance)



Other – please specify

If you have selected other, please specify

61. Are there any barriers to setting up commercial waste bring sites and do you find these sites useful?

Are there any barriers to setting up commercial waste bring sites and do you find these sites useful?

Contamination of bring sites

Proposal 23: Exemptions to the separate collection of two waste streams from non-household municipal premises

For certain waste streams collected from non-household municipal premises, exemptions to separate collection may be appropriate in cases where collection of recyclable waste streams together does not significantly reduce the potential for these recyclable waste streams to be recycled.

62. Could the following recyclable waste streams be collected together from non-household municipal premises, without significantly reducing the potential for those streams to be recycled?

Plastic and Metal

Agree

Disagree

Not sure / don't have an opinion / not applicable

Glass and Metal

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have agreed with either of the above, please provide evidence to justify why any proposed exemption would be compatible with the general requirement for separate collection of each recyclable waste stream.



The BRC supports a system that works effectively, especially as businesses will be paying significant fees under EPR. The system needs to be reformed to deliver high-quality recyclates and high-quality recycled content. It should not be undermined by having co-collection that would not deliver the desired recycling outcomes.

Co-collection of materials has to be careful thought-through so that recyclates quality is not contaminated or deteriorated at the collection stage.

63. What, if any, other exemptions would you propose to the requirement to collect the recyclable waste stream in each waste stream separately where it would not significantly reduce the potential for recycling or composting?

We understand that certain businesses will not be able to segregate waste for recycling in all circumstances.

For some businesses, there will be space considerations to take into account as there may not be enough room in their premises to have multi-stream segregation. With this in mind, it is likely that there is going to be a need for mixed collections from a practical perspective.

Proposal 24: Proposals on conditions where an exemption may apply and two or more recyclable waste streams may be collected together from non-household municipal premises

Technically practicable

By technically practicable we mean that the separate collection may be implemented through a system which has been technically developed and proven to function in practice.

In order to make the case that separate collection is not technically practicable, waste collectors will need to demonstrate that their local/specific circumstances mean that it is not economically practicable to have separate collection. Examples of this could include, but are not limited to:

- Type of premises and accessibility
- Rurality and geography of premises
- Availability of containers
- Storage of containers at premises
- Storage in existing waste transfer infrastructure

Economically practicable

Economically practicable refers to separate collection which does not cause excessive costs in comparison with the treatment of a non-separated waste stream, considering the added value of recovery and recycling and the principle of proportionality. If the cost of collecting the



material individually separated outweighs its value once collected it may not be economically practicable to collect the waste streams separately.

In order make the case that separate collection is not economically practicable, waste collectors will need to demonstrate that their local circumstances economic costs means that is not practicable to have separate collection. Examples of this could include, but are not limited to:

- Type of premises and accessibility
- Rurality and geography of premises

No significant environmental benefit

In order make the case that separate collection is of no significant environment benefit compared to collection recyclable waste streams together, waste collectors will need to demonstrate that this is the case in their circumstances and that separate collection does not provide a significant environmental benefit over other systems. Waste collectors should take into account the overall impact of the management of the non-household municipal waste stream. Examples of this could include, but are not limited to:

- Greenhouse gas emissions – for example from vehicles or Materials Facilities
- Lifts per vehicle and journey length
- Availability of recycling facilities
- Reject tonnages

64. Do you have any views on the proposed definition for ‘technically practicable’?

The BRC supports a system that works effectively, especially as businesses will be paying significant fees under EPR. The system needs to be reformed to deliver a high level of captures, high-quality recyclates and high-quality recycled content. It should not be undermined by a wide application of the TEE principle (TEEP).

Where the separate collection is not ‘technically practicable’ this should be assessed on an initial area rather than being applied to a whole sector of businesses.

For some businesses, there will be space consideration to take into account as there may not be enough room in their premises to have multi-stream segregation. It is likely that there is going to be a need for mixed collections from a practical perspective.

65. Do you agree or disagree that the proposed examples cover areas where it may not be ‘technically practicable’ to deliver separate collection?

Agree

Disagree

Not sure / don’t have an opinion / not applicable



If you have disagreed with any of the above, please say why and indicate which example you are referring to.

All listed issues are challenges that need to be overcome in order to achieve the government's environmental goals, higher performance, and cost-efficiency required by EPR. Innovation should be explored to try to overcome any technically practicable issues.

66. What other examples of areas that are not 'technically practicable' should be considered in this proposal? Please be as specific as possible

Innovation should be explored to try to overcome any technically practicable issues. For example developing new types of containers and sharing best practices on how to overcome issues of storage of containers.

67. Do you agree or disagree that the proposed examples cover areas that may not be 'economically practicable' to deliver separate collection are appropriate?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

Businesses should be supported to ensure they are providing services that maximise capture rates while keeping a high-quality material.

The focus should be on developing infrastructure to handle this material rather than it being a barrier to it being collected.

68. What other examples of 'economically practicable' should be considered in this proposal? Please be as specific as possible

No comment

69. Do you have any views on what might constitute 'excessive costs' in terms of economic practicability?

No comment



70. Do you have any views on what should be considered 'significant,' in terms of cases where separate collection provides no significant environmental benefit over the collection of recyclable waste streams together?

It is important the quality of the material is also considered as well as the end markets which are available and whether these are limited due to the collection method.

71. Do you agree or disagree that the proposed examples for 'no significant environmental benefit' are appropriate?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you have disagreed with any of the above, please say why and indicate which example you are referring to.

72. What other examples of 'no significant environmental benefit' should be included in this proposal? Please be as specific as possible.

No comment

Proposal 25: Compliance and enforcement

In circumstances where it is not technically or economically practicable, or where there is no significant environmental benefit to collecting two or more waste streams separately, we want to avoid unnecessary burdens on waste collectors and waste producers.

73. What ways to reduce the burden on waste collectors and producers should we consider for the written assessment?

It is important to keep in mind that these written assessments will determine whether TEEP is invocable or not. As such, it is essential that it is a transparent, harmonised and streamlined process for waste collectors and producers. Written assessments should be examined on a case-by-case basis and carefully granted as they would essentially allow having an exception to the general rule, and possibly undermine the main goal which is consistency.

74. We are proposing to include factors in the written assessment which take account of the different collection requirements, for example, different premises within a service area. What other factors should we consider including in the written assessment?

No comment

75. Would reference to standard default values and data, that could be used to support a written assessment, be useful?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

It is important that any decisions on exemptions are made on an individual basis using local information

76. Do you agree or disagree that a template for a written assessment would be useful to include in guidance?

Agree

Disagree

Not sure / don't have an opinion / not applicable

If you disagree, please provide the reason for your response

This would help with streamlining the process with everyone using the same format/answering the same questions.

77. Do you agree or disagree that the proposed approach to written assessments and non-household municipal collections will deliver the overall objectives of encouraging greater separation and assessing where the three exceptions (technical and economical practicability and environmental benefit) apply?

Agree

Disagree

Not sure / don't have an opinion / not applicable

Proposal 26: Costs and benefits

In the impact assessment, we have specified a few areas on which we would like stakeholder views and additional evidence. These include the following:

- Familiarisation costs to households and businesses have not be accounted for. Nor are the ongoing costs to households and businesses of sorting waste for new collection requirements.
- We would like to improve our approach to accounting for uncertainty in LA and business-related costs.
- Wider impacts on the recycling and waste industry have not been monetised either.

Familiarisation costs include costs to businesses and consumers in adapting to and implementing the proposals and maintaining the requirements outlined over time.

Ongoing costs are recurring costs to deliver the services following implementation. Ongoing costs include capital and operating costs in service delivery as well as fees for the treatment of recyclables and residual waste.

Uncertainty refers to the level of confidence that can be placed in data sets or assumptions and the relative impact it may have on the results.

Monetised refers to the outputs from the analysis that can be expressed in economic terms such as capital and operating costs.

Unmonetised refers to outputs that cannot easily be expressed in monetised terms, such as wider environmental impacts, financial costs not directly related to the core services, any burden on consumers or local disamenity.

It is important to note that the impact assessment is designed to identify potential benefits from preferred options listed and in doing so generates indicative results at a national level. Further refinements to national analyses will be undertaken according to the objective of the outputs. Respondents are encouraged to provide further evidence to help refine estimates by submitting supporting documents or references to this consultation, referencing this question.

78. Do you have any comments and/or evidence on familiarisation costs (e.g. time of FTE(s) spent on understanding and implementing new requirements) and ongoing costs (e.g. sorting costs) to households and businesses?

No comment



79. Do you have any comments on our impact assessment assumptions and identified impacts (including both monetised and unmonetised)?

It is important that the Government fully appreciates the cumulative cost-effect of different policy measures (DRS, consistency in recycling collections and plastic packaging tax) and does not underestimate the wider pressures on the retail industry from other business taxation such as business rates. Over the next decade, the costs of “Collection and Packaging” reforms are projected to be £20.8bn for businesses.

This substantial figure must reflect value for money and the overall system efficiency of recycling in the UK.

Consultee feedback on the online survey

80. Overall, how satisfied are you with our online consultation tool?

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied**
- Dissatisfied
- Very dissatisfied
- Don't know

Please give us any comments you have on the tool, including suggestions on how we could improve it.