



LINCOLNSHIRE WASTE PARTNERSHIP

17 OCTOBER 2013

SUBJECT:	DEFRA VIEWS ON CO-MINGLED COLLECTIONS AND TECHNICAL, ENVIRONMENTAL AND ECONOMIC PRACTICABILITY (TEEP)
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BACKGROUND INFORMATION

A paper was presented to the Lincolnshire Waste Partnership at the last meeting on 25th July detailing the recent outcome of the Judicial Review against the way in which UK Regulations transposed provisions of the EU Waste Framework Directive related to the separate collection of paper, metal, plastic and glass.

The report referred to discussions taking place within Government concerning the interpretation of TEEP, the Technical, Environmental, Economic Practicability of separate collections as outlined in the regulation above.

Defra made a detailed presentation on TEEP to a subsequent meeting of the National Association of Waste Disposal Officers and a copy of that is attached to this report.

Whilst Defra did repeatedly say that local authorities should seek their own legal guidance on TEEP the underlying message seemed clear that the four specified types of recyclables (paper, plastic, metals and glass) must be collected separately from January 2015 unless it can be demonstrated, if necessary to the satisfaction of a court of law, that this is either unnecessary or not possible.

To do this authorities must prove that collecting co-mingled is justified because either:

- It is not necessary for the production of quality recyclables because the output of the MRF is of high quality; or
- It is not technically, environmentally and economically practicable (TEEP) to provide separate collections.

Defra were clear that proving TEEP would not just be a simple tick-box exercise, and

neither would the argument that "it is what the public want us to do" be sufficient for an Authority to continue to collect comingled recyclables.

Defra stated that whilst glass was specifically referred to in the Judicial Review it cannot be assumed that it will be sufficient simply to collect glass separately and continue to mix everything else.

Defra are preparing guidance on the requirements of TEEP but the release of this has been delayed. It is also not clear if this guidance will be statutory.

The meeting also heard that the Campaign for Real Recycling, who raised the initial Judicial Review, is considering taking to a further Judicial Review any authorities who continue to operate comingled collections after 1 January 2015.

A view was expressed that it might be beneficial for WDAs and WCAs to work together when considering TEEP, as additional collection costs might be offset by savings in disposal costs.

RECOMMENDATIONS

1. The Lincolnshire Waste Partnership is recommended to note the contents of this report;
2. WCA members are recommended to consider the implications of TEEP in respect of their recycling collection methodology.