



Rethinking Our Resources:

Measures for Climate Action
and a Circular Economy in NI

March 2024



Department of
**Agriculture, Environment
and Rural Affairs**

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Ministerial Foreword

Our landmark Climate Change (NI) Act 2022 has set the direction and ambition for environmental protection and tackling the ever-increasing impacts of the climate crisis we now face. We are committed to achieving Net Zero by 2050. It is now imperative that all the people of Northern Ireland come together and actively contribute to reaching this crucial goal.



Our current linear economy, where we **take, make, use and waste**, means that [92.1% or 33.6 million tonnes](#) of material is not cycled back into the economy in NI. While some of these materials are used for buildings and infrastructure which last for a long time, unfortunately, most of these precious resources end up as waste rather than being reused, refurbished, re-manufactured or recycled.

We need to change this.

Reducing the amount of waste we generate, the amount we send to landfill together with managing our resources more sustainably by increasing the quality and quantity of our recycling will allow a move to more closed-loop, local recycling systems. This move will not only have benefits in the reduction of greenhouse gases from the waste sector but will also provide significant economic benefits to NI, helping drive a transition to a low carbon, Circular Economy and aligning with the NI Executive's over-arching draft Green Growth Strategy.

My vision for Northern Ireland is a strong, green economy which values its resources and actively closes the loop by putting as many of those resources back into the system as possible.

We have made great strides in dealing with our waste and reducing our reliance on landfill in Northern Ireland over the past two decades. We have achieved 50% household recycling by 2020 and reduced the quantity of municipal waste to landfill by three quarters since 2007.

We now need to go further.

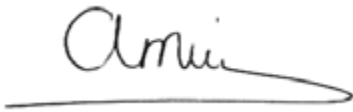
I fully recognise the importance of recycling as part of tackling our waste problem, which is why I proposed the amendment to the Climate Change Act, laying down a requirement for at least 70% of waste to be recycled by 2030. This consultation is an important step in delivering on that ambition.

This means not only making improvements to the way we recycle at home, but also looking at how we manage our resources at work, at school or in other settings. Recycling is the right thing

to do and shouldn't be difficult. With that in mind, I am proposing, through this consultation, to introduce recycling to those organisations and businesses that produce waste which is similar in nature to that produced by households and propose to implement collection systems which mirror those in households to make dealing with our recycling easy and consistent no matter where we are in NI or what we are doing.

This consultation seeks responses to twenty-six proposals focused on household recycling and 'non-household municipal' recycling or business recycling. Parts of this document are complex and technical; it is therefore not necessary for every respondent to answer every question. Please only answer the questions you feel are relevant to you, your business, or your organisation.

Responses to this consultation will be used, along with expert advice and evidence, to develop new policy and legislation with the goal of improving resource and waste management in Northern Ireland, aiding the transition to a low carbon, Circular Economy and tackling climate change.

A handwritten signature in black ink, appearing to read 'A. Muir', with a long horizontal flourish extending to the right.

Andrew Muir MLA

Minister of Agriculture, Environment and Rural Affairs.

Executive Summary

The Climate Change Act incorporates several actions for the decarbonisation of the waste sector and in particular sets out a clear requirement of achieving at least **70% of waste recycled by 2030**. In addition to this requirement, amendments made in 2020 to the Waste and Contaminated Land (NI) Order 1997 (WCLO) introduced new municipal recycling targets - for households and businesses who produce waste like households. The WCLO requires NI to **achieve a 65% recycling rate for municipal waste by 2035 and a 10% cap on the amount of waste going to landfill** by the same year.

Reducing the amount of waste we send to landfill and managing our resources more sustainably, by increasing the quality and quantity of our recycling will allow a move to more closed-loop, local recycling systems. This move will not only have benefits in the reduction of greenhouse gases from the waste sector but will also provide significant economic benefits to NI, helping drive a transition to a low carbon, Circular Economy and aligning with the NI Executive's over-arching Green Growth Strategy.

In June 2020, a discussion document '*Future Recycling & Separate Collection of Waste of a Household Nature in Northern Ireland*' was consulted on to inform options for the way forward. A summary of responses was published in 2021 and an overview of short-, medium- and long-term options to improve recycling was published in September 2022. In the interim period, between the publication of the Discussion Document and the launch of this consultation, ongoing and fruitful engagement with stakeholders provided useful feedback used to help inform the development of the proposals in this document.

We have made great strides in dealing with our waste and reducing our reliance on landfill in Northern Ireland over the past two decades. We have achieved 50% recycling by 2020 and reduced the quantity of municipal waste to landfill by three quarters since 2007. However, there is no greater challenge facing us today than climate change, and there is an urgent need to reduce our greenhouse gas emissions across all sectors including waste. Increasing our recycling and reducing landfill can contribute to this and the proposals in this consultation can assist in achieving this.

The consultation is split into 10 parts with 26 proposals.

1. Introduction
2. All call to action
3. Support for change, building on success and our legislative framework
4. Policy rationale

5. Funding
6. Stakeholder engagement
7. Audience
8. Part 1 - Proposals 1 to 12 - to improve commonality in collections from households
9. Part 2 - Proposals 13 to 26 - to improve recycling of Non-Household Municipal Waste
10. Responding to the Consultation

We have included a [glossary](#) of terms and acronyms plus a [table showing all the legislation](#) underpinning this consultation.

DAERA would now like to hear your views on how Northern Ireland can take steps towards improving the quality and quantity of household and non-household municipal recycling, how to improve reductions in food waste, how to cut landfill rates and how to get businesses on board to increase recycling rates. The aim of this consultation is to bring forward new policy options for our Minister and questions focus on issues such as how new measures might best be implemented, considering views on practicality, economic barriers and how the future of recycling in Northern Ireland might look.

You can find a copy of the questions associated with this consultation at Annex A. It is **not** essential for everyone to answer every question, rather, we would prefer you to **only** answer the questions you feel are relevant to you or the organisation you are responding on behalf of.

We are encouraging everyone to respond to this consultation through our Citizen Space website as this makes analysing the responses and any future decision making more consistent and provides better data outputs. However, if you cannot respond using the website and would like to submit your response using a different format, please contact wastepolicyteam@daera-ni.gov.uk to discuss this.

For more information on responding to this consultation and a link to the Citizen Space website please see Section 10 of this document.

We look forward to hearing your views on these important issues.

1. Introduction

The Department for Agriculture, Environment and Rural Affairs (DAERA) is consulting on how the future of our resources and recycling in Northern Ireland (NI) might look. We want to improve the quality and quantity of household and non-household municipal recycling, reduce food waste, decrease the amount of waste we send to landfill and help enhance the services offered to households and businesses.

Resource and waste management has a key role to play in helping to tackle climate change and the transition to a low carbon, Circular Economy. We have ambition for change and key targets to meet, set out in legislation. We believe that the proposals set out in this consultation will help empower the waste sector to lead the way for other sectors through innovation and change, tackling emissions and improving our resource efficiency.

Previous engagement with stakeholders in 2020 provided positive responses to options that could change the way we manage our resources. Engagement with stakeholders has been ongoing since then, and in this formal consultation we are seeking to build on and further improve NI's successful track record on recycling over the last 20 years.

The [International Solid Waste Association](#) estimates that transitioning to a Circular Economy, improving waste management practices and adopting a more resourceful approach has potential to cut around 20% of global GHG emissions. This consultation builds on our previous successes and addresses how changes to help futureproof the waste and resources sector can help us achieve the necessary reductions.

The aim of this consultation is to gather your views on the proposals so that we can make changes in a practical, cost effective and environmentally sustainable way.

2. A Call to Action

The prospect is stark. If we do not change the way we manage our resources, by 2050 our existing natural resources will be depleted, and irreparable damage will have been done to the planet, which in turn will have a devastating impact on humanity and nature.

Our current, linear economic approach has resulted in an unsustainable growth model that is having an irreversible effect on Earth's ability to provide for us and threatens the way we live. We are already seeing early signs of the impact, with the cost of oil, gas, and electricity rising at unprecedented rates due to dwindling resources and disruption to supply chains.^{1 2 3}

¹ [WEF_ENV_TowardsCircularEconomy_Report_2014.pdf \(weforum.org\)](#)

² [The circular economy in detail \(ellenmacarthurfoundation.org\)](#)

³ [How Climate Change Is Disrupting the Global Supply Chain - Yale E360](#)

The [Circularity Gap report](#) found that NI imports and extracts around 31.5 million tonnes of materials annually. That is the equivalent weight of nearly 16 million cars or around 17 tonnes of material for every person living in NI.

For a country the size and population of NI, we are consuming, and wasting, a disproportionate amount of the earth's precious natural resources.

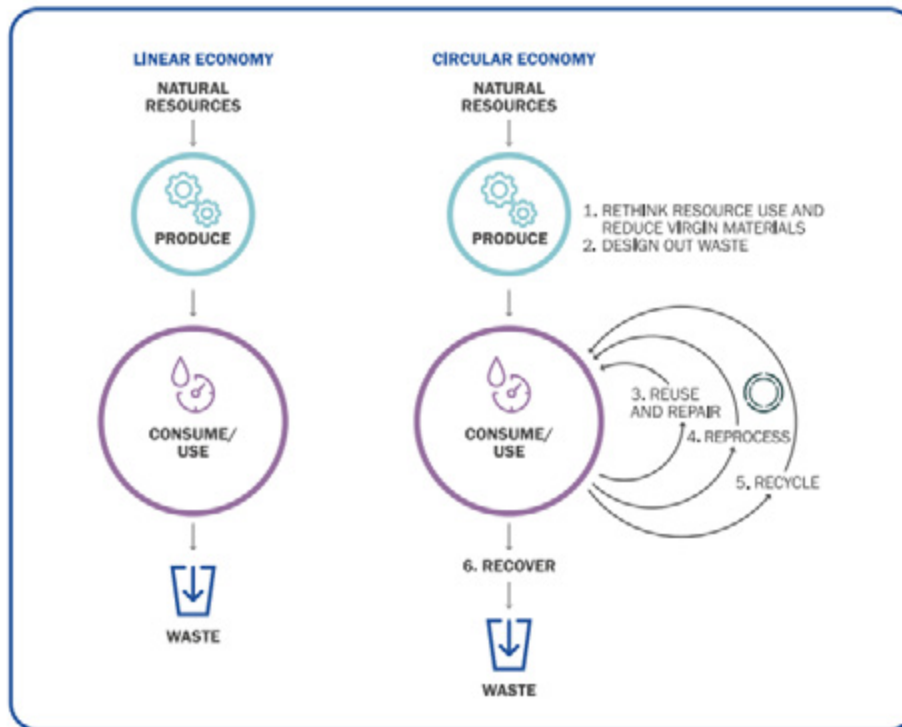


Figure 1: Linear vs Circular - Taken from the Draft Circular Economy Strategy for Northern Ireland.

It will require ambitious and innovative actions to tackle the Climate Crisis. The [Climate Risk report](#) for Northern Ireland details impacts on health and wellbeing, agriculture, infrastructure, business, terrestrial and marine species, and forestry because of climate extremes such as flooding, and temperature rises. We've already experienced some of these extremes in [2023](#) with July as the hottest month globally ever recorded, January as the third wettest January ever in the USA, the second warmest winter in Europe and this June being the [hottest on record](#) in NI.

Climate change is an issue that affects everyone living on our planet. It requires action from everyone. Although NI is the smallest region of the UK with a population of just 1.9 million people, we have an opportunity to lead the way in changing the way we live, the way we consume and the way we waste. Implementing a low carbon Circular Economy is a part of the solution.

But a move to a Circular Economy is not just an environmental imperative, it also has far-reaching economic and societal potential. It will give us the capacity to grow and thrive, by creating green jobs, upskilling our workforce, becoming more self-sufficient and improving our infrastructure and will allow future generations to thrive.

3. Support for Change, Building on Success, and Our Legislative Framework

The level of public concern in NI about environmental issues was high in [2022/23, with 80 percent very or fairly concerned about the environment](#), and this concern was equal across gender, age and race.

[The 'Future Recycling & Separate Collection of Waste of a Household Nature in Northern Ireland' Discussion Document from 2020](#) (hereafter, Discussion Document) on future recycling options showed that there was support for many the proposals on which DAERA sought views. These included options to maximise participation in services and ensure a core set of recyclable materials collected from all households, businesses and other organisations to minimise environmental impact. The Discussion Document set out the current position of recycling in NI, and the current and new regulatory, climate change and market drivers that will influence policy in the future. Support was also given to the proposal to introduce a set of minimum service standards for collections.

Moving forward with this support, DAERA published an [overview on a range of options](#) based on responses to the Discussion Document. These are aimed at increasing the quality and quantity of recycling in NI while also meeting our obligations and targets (described in [Section 3.1](#) below), following Ministerial approval, in September 2022.

Progress over the past twenty years in managing waste and resources has seen a shift away from a reliance on landfill and an increase in the proportion of waste sent for recycling. The recycling rate for household waste in Northern Ireland has increased from [10% in 2002 to a high of 51.9% in 2019/20](#). In 2022/23, 50.7% of household waste was sent for recycling. The trajectory of NI household recycling rates is shown in Figure 2.

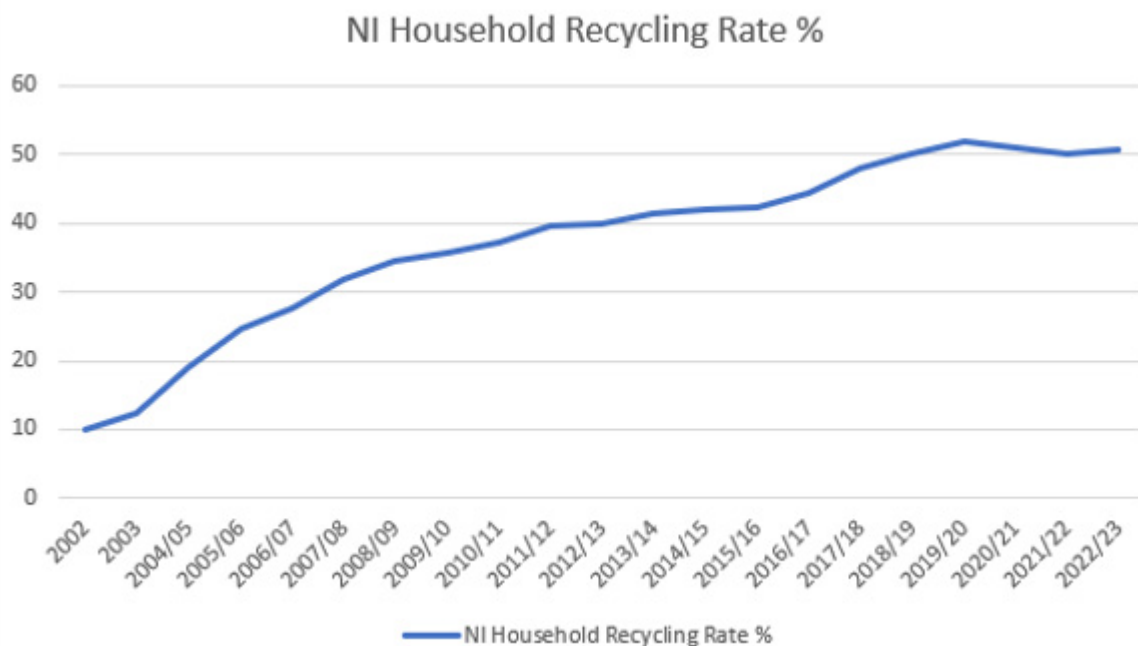


Figure 2: Northern Ireland Household Waste Recycling Rate 2002 - 2022/23 ([2002-2005/06](#), [2006/07 - 2022/23](#)).

As Figure 2 shows, great advances have been made in recycling since 2002 and we should be proud of our progress to date.

But we need to do more.

Since the publication of the Discussion Document, the Climate Change Act (Northern Ireland) 2022 has been introduced. This Act commits NI to achieving Net Zero by 2050 and sets out the requirement for at least 70% of waste to be recycled by 2030.

Despite this significant increase in performance, driven by council efforts and the public, there remains untapped potential for further gains in the recycling rate assuming that there is appropriate support and policy measures can be implemented.

Published statistics suggest that the onset of the Covid-19 pandemic in 2020 halted the upward trend in recycling rates evident in the preceding years, indicating that the rate of increase in recycling rates seen between 2001/02 and 2019/20 (Figures 3a and 3b) will not be maintained and that recycling rates may stagnate, or even begin to decrease, without new drivers and support. With council recycling rates hovering around 50% and business recycling rates [estimated by WRAP](#) to be 40.6%, reaching the **70% recycling requirement will not be possible without new forms of cross sector intervention.**

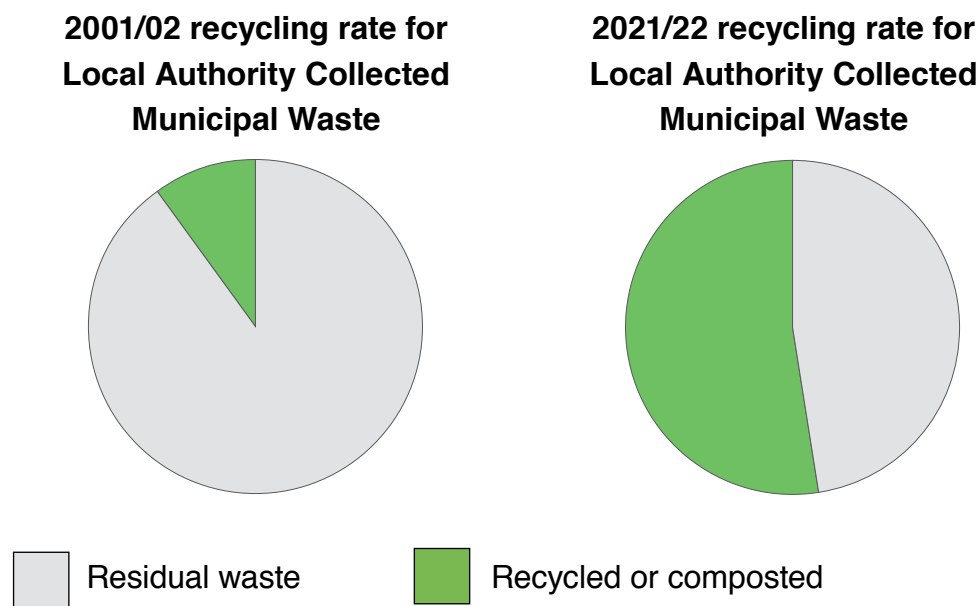


Figure 3a and 3b: Proportion of Local Authority Collected Municipal Waste recycled in 2001/2 and 2021/22.

3.1 At a Glance: The New NI Waste and Recycling Targets and What They Mean

We have listed all the relevant legislation to this consultation document in [Appendix 1](#). Hyperlinks to each piece of legislation are included in the main report text.

Climate Change Act (Northern Ireland) 2022

The NI Assembly passed this [landmark legislation in 2022](#). The Act contains several significant commitments to tackle climate change, set NI on a trajectory to Net Zero and improve our environment as well as building and growing our green economy. The Act sets a target for at least 70% of waste to be recycled by 2030.

The Waste and Contaminated Land (Northern Ireland) Order 1997 (WCLO)

The EU Circular Economy Package (CEP), to which the UK had committed prior to EU Exit, was transposed into domestic legislation in December 2020 by [The Waste \(Circular Economy\) \(Amendment\) Regulations \(Northern Ireland\) 2020](#). This amended the content of the [Waste and Contaminated Land \(Northern Ireland\) Order 1997](#) and introduced the following targets:

- 65% of municipal waste prepared for re-use and recycled by 2035 (with interim targets of 55% by 2025 and 60% by 2030); and
- The amount of municipal waste sent to landfill to be reduced to 10% or less of the total amount of municipal waste generated (by weight) by 2035.

Municipal Waste

The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 amended the Waste and Contaminated Land (Northern Ireland) Order 1997 and extended the definition of “municipal waste”, to include waste collected from sources other than households where this waste is similar in nature and composition. This means that most businesses, public sector and third sector organisations are now in scope of this revised definition and can therefore play an important role in contributing to reducing national environmental emissions and achieving our recycling rates. It is [estimated that around 57,920](#) businesses/premises are producing this type of municipal waste and we anticipate this will require considerable resource to raise awareness of the issues, provide support and oversee compliance to realise the potential contributions from these sectors.

Why is there more than one target?

The scope of the at least 70% waste recycled requirement set out in the Climate Change Act (Northern Ireland) 2022 is yet to be specifically defined but is likely to be broader than the definition of municipal waste above, and could extend to all commercial and industrial wastes and construction, demolition and excavation wastes as well as the municipal waste streams covered by the WCLO. This will encourage recycling in sectors that have not previously been obligated to recycle. The WCLO target extends exclusively to municipal waste.

It is hoped that one outcome from this consultation will be clarification of the NHM sectors within scope of future regulations on recycling. Careful consideration will be given to measuring recycling performance and the development of new indicators which will complement and enhance existing data. By including NHM waste within the recycling targets, NI has new opportunities to improve its waste management activities and include more resources in a Circular Economy.

3.2 At a Glance: NI's Strategies for Environmental Sustainability

Where previous strategies have focused on household waste, the new targets outlined above require broader scope and ambition. Bold strategy documents provide context for this consultation document, all of which will be ready for formal publication once agreed by an incoming NI Executive:

- the [Draft Green Growth Strategy](#) which went to consultation in 2021 and was approved by [former] Minister Poots. A summary of this is shown in Figure 4;
- the Draft [Environment Strategy](#) approved by former Minister Poots in 2022. A summary of this is shown in Figure 5; and
- the [Draft Circular Economy Strategy](#) which was published in 2023 by the Department for the Economy. A summary of this is shown in Figure 6.

In addition, there will be a consultation on NI's first draft Climate Action Plan. This will set out proposals for DAERA's first carbon budget which is to maximise impact on emissions. The waste management chapter of the plan will set out how what policies and proposals will need to be implemented for the waste sector to decarbonise effectively and contribute to Net Zero.

Draft Green Growth Strategy (consulted on in 2021)






-  Long term, multi-decade action balancing economic and environmental benefit to all.
-  Green Growth is central to decision making.
-  Fairness principles to work with all people including the young.
-  Introduce laws and targets to reduce Greenhouse Gases and develop a Climate Action Plan and Carbon Budgets.
-  Joint working with UK, Republic of Ireland - leading by example.

Figure 4: Draft Green Growth Strategy.

Draft Environment Strategy (consulted on in 2022)


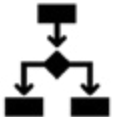

-  Six Strategic Environmental Outcomes defined, including air & water quality, nature, climate resilience. Underpins the NI Green Growth agenda.
-  Outcome Four focuses on Sustainable Production and includes Producer Responsibility.
-  Outcome Five focuses on Zero Waste and a commitment to a highly developed Circular Economy.

Figure 5: Draft Environment Strategy.

Draft Circular Economy Strategy (consulted on in 2023)

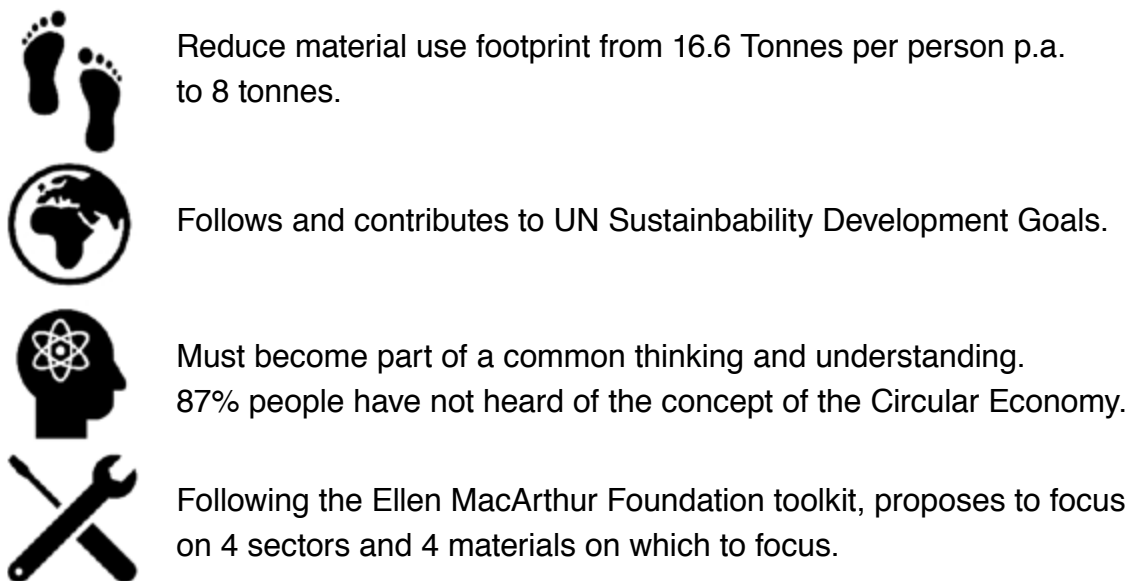


Figure 6: Draft Circular Economy Strategy.

A series of strategies for Waste Management in NI have been published on a 6-year cycle to fulfil domestic and EU legal obligations. The intention is to now begin planning and engaging on a new Waste Management Strategy so this can be finalised and published expeditiously. Councils are obliged to publish Waste Management Plans that take account of the NI Waste Management Strategy. Their latest plans were based on [Delivering Resource Efficiency](#), the closure report for which was published in 2022. Councils are currently reviewing their Plans and will therefore take a keen interest in the new Strategy as it is developed and consulted on in 2024.

3.3 Extended Producer Responsibility for Packaging (pEPR)

Extended Producer Responsibility for Packaging (pEPR) is a powerful policy lever through which a producer's responsibility for a product is extended to the post-use stage using the 'polluter pays principle' and recuperation of full net costs of collection, treatment, and disposal of packaging from products placed on the market.

A core principle of pEPR is to financially incentivise the design of products to make it easier for them to be reused, dismantled and/or recycled at end of life and to minimise the amount of virgin materials used in their production. It also means that the cost of collection and treatment of packaging is paid for by the producer and not funded, as now, through council spending.

The current UK-wide packaging producer responsibility system has been in place since 1997 and operates under Great Britain (GB) and parallel NI statutory regulations. We now achieve over 60% overall recycling for packaging. Under the revised pEPR proposals, the UK recycling packaging rate is expected to reach 76% by 2030.

Following two consultations, the four UK nations are currently working on drafting the necessary legislation for the implementation date of 2025. A consultation on the main pEPR regulations launched in July 2023 and specifically sought views on the clarity with which the draft regulations define the responsibilities of stakeholders.

Coupled with [The Plastic Packaging Tax \(General\) Regulations 2022](#), which incentivises producers of plastic packaging to source at least 30% of input material from recycled sources, the introduction of pEPR is expected to enhance Circular Economy practices and the quality and quantity of materials collected for recycling. Producers will be funding the cost of dealing with household packaging waste. They will be required to attain higher targets for material recycling, so it is essential that collection and reprocessing systems are transparent and can demonstrate that services are 'efficient and effective'. The costs of collection and treatment will need to be proportionate so that all stakeholders have confidence fully embedded in the supply chain. Payments to councils for dealing with packaging waste will be based on 'efficient and effective' services.

The UK government is also considering Extended Producer Responsibility measures for other materials for example, Waste Electrical and Electronic Equipment (WEEE). A UK wide [consultation](#) to reform the producer responsibility scheme for WEEE was recently published, along with a [call for evidence](#), seeking views on longer-term reforms to the WEEE Regulations 2013. These will be open for comment, until 7 March 2024.

3.4 Deposit Return Scheme

The planned introduction of a Deposit Return Scheme (DRS) for single use drinks containers in NI is part of wider UK reforms of EPR for packaging (drinks containers being a form of packaging). As with pEPR, the DRS aims to make businesses take financial responsibility for packaging right through the value chain to disposal. The scheme is designed to contribute to wider Circular Economy reforms, by keeping materials in circulation as long as possible, minimising waste and litter. DAERA is working with other UK jurisdictions to optimise and harmonise DRS with implementation currently planned across the UK from 2025.

The [outcome of two consultations](#) has determined that single-use drinks containers containing at least 50ml and up to 3l of liquid will be in-scope of the DRS. The containers include Polyethylene terephthalate (PET) bottles, steel, and aluminium cans. In NI and England there are no plans to include glass containers in a DRS.

4. Policy Rationale

DAERA supports comprehensive and regular waste collections that help management of our resources as far up the waste hierarchy as possible, prioritising waste prevention followed by reuse and recycling. A diagram setting out the stages of the waste hierarchy⁴ is shown in Figure 7 below, together with brief information on what each stage includes.

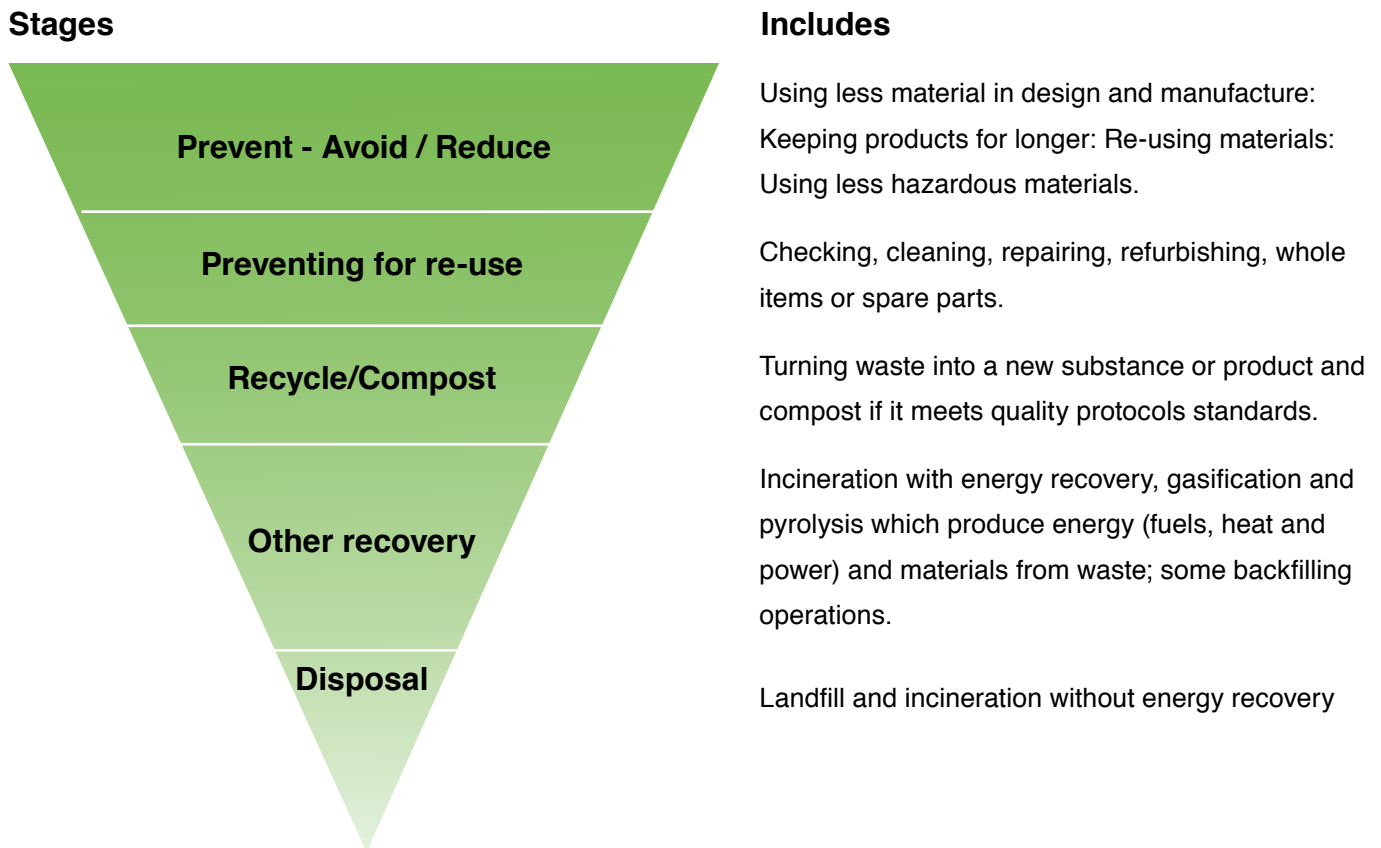


Figure 7: Stages and details of the Waste Hierarchy.

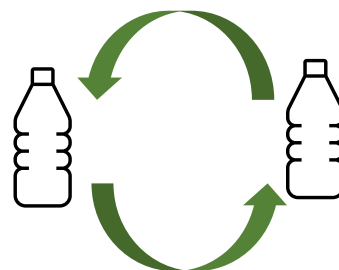
Accordingly, following the waste hierarchy, our Waste Prevention Programme sets out a plan to enable a more sustainable approach to the use of resources, delivering environmental benefits and supporting economic growth in NI. It will prioritise efforts to prevent waste and also promote a range of measures to encourage reuse and recycling.

⁴ The waste hierarchy is set out at Article 4 of the revised Waste Framework (Directive 2008/98/EC). The definitions of each of the stages can be found in Article 3 of the Directive. Non-exhaustive lists of disposal and recovery operations can be found in Annexes I and II of the Directive, respectively.

This consultation focuses on the recycling stage of the waste hierarchy and, following its conclusion, the Department will seek to implement new policy and legislation to:

- Futureproof our collection services;
- Meet our challenging targets;
- Facilitate tackling climate change; and
- Support the transition to a Circular Economy.

‘Closed-loop’ recycling is defined as recycled material substituting the equivalent virgin material to produce another product in the same product category. For example, HDPE milk bottles converted back to milk bottles and cullet (secondary glass) to make new glass bottles.



‘Open-loop’ recycling is defined as recycled material being used for a different application, for example HDPE bottles to make fencing panels.

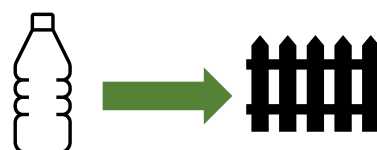


Figure 8: Closed-loop and open-loop recycling.

Of equal importance, and to ensure green growth and circular ambitions are realised, is keeping as much of this resource as possible within the local economy for reprocessing. Information on where our recycling ends up is gathered in [WasteDataFlow](#) (WDF) by Councils for reporting and clearly displayed in the [My Recycling NI website](#). WRAP have analysed WDF data on specified end destinations for paper and card collected by councils in NI. Where data on the details of a reprocessor was not provided, such that only information on broker or merchant was provided, this was not included in WRAP’s analysis.

WRAP’s analysis of end destination data and the type of recycling service offered to households indicates a link between the type of collection and the end destination. For those Councils offering 100% commingled collections including glass, between 52% and 86% of paper and card is sent to destinations outside the UK and outside the EU. For the councils operating two stream and multi-stream collections, with some commingled schemes that do not include glass, the proportion is lower; between 5% and 44% depending on the Council.

This evidence from WDF and My Recycling NI indicates that we could change the way we collect and process materials to make the proportion recycled locally far higher by minimising mixing and subsequent contamination of materials. This will maximise the value of resources and reduce reliance on the export of materials, boost our economy, create green jobs, enable businesses to meet their current and forthcoming climate obligations and reduce carbon emissions by avoiding landfill and the use of new virgin materials. The well-known [Operation Green Fence](#) implemented by China in 2013, its [National Sword policy in 2017](#) requiring higher levels of inspection and quality and a tightening of quality of [fibre](#) and [plastic](#) imports by Indonesia in 2019, show that export markets cannot be guaranteed in the short or long-term. Similar changes have been made by Malaysia, Turkey and in other countries.

4.1 Overview of Proposals in this Consultation

The proposals outlined in this consultation, if implemented, will give greater opportunity for the capture of higher quality and an increased quantity of recyclable materials. The types of materials to be collected within each recyclable waste stream, sometimes referred to as the 'core set', would be specified in regulations. As [set out in legislation](#)⁵ and shown in the box below, these recyclable waste streams must, **without exception**, be collected separately from other waste and they must be collected for recycling or composting. As far as possible, in line with proposals in this consultation, we set out our plans for recyclable materials to be collected separately from each other, to increase the quality of what we collect. Other ambitious proposals for policy intervention outlined above, such as EPR for packaging and the implementation of a DRS for drinks containers (see Section 3), could also have a significant impact on recycling performance in NI.

To achieve high-quality recycling, these recyclable waste streams should be collected separately from each other as far as possible, except where this is not technically feasible, would entail disproportionate economic costs or does not deliver the best environmental outcome (commonly referred to as TEEP). The regulations also require any collection system deviation from a separate collection to be able to produce **comparable quality** materials to ensure that environmental benefits are maximised.

The NI Assembly has devolved powers in the matter of waste and this consultation includes a review of and an update to the TEEP process as well as renaming the test to reflect the uniqueness of comparable quality in NI legislation. If a waste collection authority relies on one or more of the exceptions to separate material collections, we will propose that a written assessment must be carried out (digitally) and that compliance would be assessed by the regulator in NI, the Northern Ireland Environment Agency (NIEA).

⁵ As amended by [The Waste \(Circular Economy\) \(Amendment Regulations \(Northern Ireland\) 2020](#).

Unique Legislation in Northern Ireland on Separate Collections

Section 18 of the Waste Regulations (Northern Ireland) 2011 sets out duties in relation to collection of waste.

- (1) A district council, when collecting waste paper, metal, plastic or glass shall take all such measures to ensure separate collection of that waste as are available to it.**
- (2) A district council, when making arrangements for the collection of waste paper, metal, plastic or glass, shall take measures to ensure that those arrangements are by way of separate collection.**
- (3) The duties in this regulation apply where separate collection is necessary to ensure that waste undergoes preparing for re-use, recycling or other recovery operations in accordance with the waste hierarchy and the protection of human health and the environment and to facilitate or improve preparing for re-use, recycling or recovery, unless one of the following conditions is met -**
 - (a) collecting the waste paper, metal, plastic or glass together results in output from those operations which is of comparable quality to that achieved through separate collection;**
 - (b) separate collection of the waste does not deliver the best environmental outcome when considering the overall environmental impacts of the management of the relevant waste streams;**
 - (c) separate collection of the waste is not technically feasible taking into consideration good practices in waste collection; or**
 - (d) separate collection of the waste would entail disproportionate economic costs taking into account the costs of adverse environmental and health impacts of mixed waste collection and treatment, the potential for efficiency improvements in waste collection and treatment, revenues from sales of secondary raw materials as well as the application of the polluter-pays principle and extended producer responsibility.**

Food and garden waste is already collected separately from other waste streams, to ensure this biodegradable waste is treated more sustainably than in landfill. We propose that this will continue, with proposed enhancements to the existing service. DAERA is interested in views on maximising food waste capture further, such as through a transition to weekly separate food waste collection systems over a longer time period.

DAERA recognises that these new duties may impose additional cost burdens on councils. Section 5 on funding covers how this will be addressed.

This consultation explores proposals for improving recycling from businesses and other producers of NHM waste. Typically, this waste is collected from premises or brought directly to bring banks or Household Waste Recycling Centres (HWRCs) and separated into different streams.

The Discussion Document identified options for improving recycling from businesses and showed support for introducing new recycling measures for obligated sectors producing NHM waste. These sectors have the greatest potential to increase our recycling rates in the future. Modelling completed to date shows that we will not meet our recycling targets or necessary GHG reductions without improving recycling from these sectors. This consultation will refine the proposals around this area of recycling further.

5. Funding

5.1 Household Waste Recycling Collaborative Change Programme (HWRCCP)

DAERA has made financial assistance available to local councils to transform their recycling infrastructure and services. The Household Waste Recycling Collaborative Change Programme is a £23 million fund established to transform kerbside recycling and HWRC infrastructure and services. The programme emphasises increasing the quality of recycling and evidencing this quality, as well as increasing the quantity of recyclate collected to realise the economic potential of recycling to the economy and reduce landfill.

Following a review of the Programme applications from councils are now being accepted with grant support of up to 50% of eligible capital costs available (previously 100%) and the time frame for making awards has been extended to 31st March 2026.

5.2 Transitional Costs for Changes to Household Collections

As well as on-going cost differences to Council baseline budgets, DAERA recognises that one-off transitioning of services also requires resource and associated funding. DAERA has delivered a recent programme of work to understand the scale of change and what Councils may need support with, depending on the scenario and extent of change.

5.3 Funding for NHM Collections

Support for implementation and making changes is proposed for businesses or collectors. It is expected that the transition to new services, where necessary, for NHM waste will be quicker and less expensive than for municipal waste and in fact, modelling has shown that implementing comprehensive and complimentary services could save businesses money. Direct funding support will therefore not be provided on the same basis as outlined above for councils. DAERA is developing a range of support measures, including toolkits, to support businesses implement cost efficient services.

6. Stakeholder Engagement

Since the Discussion Document, DAERA has engaged extensively with stakeholders who could be impacted by these proposals. Following a stagnation in recycling rates, the Department established a post-Covid Task and Finish group with all 11 councils to identify ways to maintain and improve household recycling rates. Councils have played a proactive role in this process enabling us to co-design options and proposals for changes to household collections.

Wider stakeholder engagement to discuss the specific details of this consultation has taken place through a series of meetings and facilitated workshops with some of those likely to be affected by the proposals. With support from the Waste and Resources Action Programme (WRAP), DAERA has actively engaged to date with a wide range of stakeholders including collectors, reprocessors, local authorities, business organisations and trade bodies.

Further engagement with key stakeholders, in particular with the public and those businesses in scope of the new definition of municipal waste will take place whilst this consultation is open for responses.

7. Audience

DAERA welcomes views from all interested stakeholders including councils, waste collectors, representatives from the waste and recycling industry, trade bodies, businesses, non-governmental organisations, third sector organisations, the public and others.

In this consultation, DAERA is seeking to build on responses to the proposals outlined in the Discussion Document and the range of published short, medium, and long-term options for recycling policy in NI. However, unlike the previous Discussion Document which did not introduce any new policy, this consultation seeks to gather views on the detail of these proposals and how these new policies should be implemented.

We are seeking views on the following areas:

- Part 1: Proposals to improve commonality in collections from households; and
- Part 2: Proposals to improve recycling of Non-Household Municipal waste.

You can respond to this consultation online by accessing the consultation at the following link:
<https://consultations2.nidirect.gov.uk/daera/rethinking-our-resources>

Annex A presents all the consultation questions provided in the online survey tool.

8. Part 1: Proposals to Improve Commonality in Collections from Households

In this consultation, 12 proposals are presented to seek views on improvements to collections from households, with an intention to improve commonality, drive up recycling rates and improve the quality of materials collected. These proposals are set out in sections 8.2 to 8.11. To determine the cost effectiveness of these proposals, we have conducted a cost modelling exercise outlined in section 8.1, below.

8.1 Economic Impact Assessment/Regulatory Impact Assessment

Through our engagement with all eleven councils, extensive modelling has been carried out on household waste and recycling to help support these proposals. As a result, a Regulatory Impact Assessment been produced to inform policy development.

The three options outlined in the [Regulatory Impact Assessment](#) (RIA) were consolidated from a long list of scenarios. The underlying assumptions were tested with Councils and the top ranking, in terms of cost savings and performance, have been written up as part of the RIA. These options were considered in the Discussion Document and are based on the potential impact on recycling rate, reduced landfill tax, greenhouse gas avoidance, as well as giving indicative capital, operational and transition kerbside recycling and waste collection costs for NI overall.

Table 1 below summarises the net costs and savings of each scenario. All results are shown with constant prices and, where relevant, applying an annual discount rate of 3.5% per year⁶. The analysis follows the Aqua book principles throughout⁷.

⁶ HM Treasury, 2022, [The Green Book: central government guidance on appraisal and evaluation](#).

⁷ HM Treasury, 2015, [The Aqua Book: guidance on producing quality analysis for government](#).

Summary of impacts of considered policy options (discounted, against baseline) Costs (+) savings (-)	Option 1 HH: Restricted or 3 weekly residual, multi-stream recycling and separate food NHM: DMR + separate food waste + separate glass	Option 2 HH: 3 weekly residual, multi-stream recycling and mixed food and garden waste NHM: DMR + separate food waste + separate glass	Option 3 HH: 3 weekly residual, two-stream recycling and separate food NHM: DMR + separate food waste + separate glass
Municipal recycling rate achievable	74% ** (61% HH, 84% NHM)	74% ** (62% HH, 84% NHM)	72% ** (57% HH, 84% NHM)
Additional LAs net waste management costs(+)/savings(-) from changes in dry recycling and food waste collections for all HHs	£60-80m: £76-101m capital and transition costs, -£16-21m savings on ongoing costs (one year) *	£49m: £66m capital and transition costs, -£17m savings on ongoing costs (one year)*	£72m: £75m capital and transition costs, -£3m savings on ongoing costs (one year)*
Net waste management costs (+)/savings(-) to NHM businesses under increased recycling collections	-£13.5m	-£13.5m	-£13.5m
Monetised benefit of avoided carbon emissions ⁸	-£82-87m	-£84m	-£81m
Reduction in government landfill tax receipts (benefits to municipal)	£40-41m	£38m	£43m

Key: * Cumulative savings would be seen over the life span of a vehicle (assumed 7 years) in options 1 and 2 that could offset the capital and transition costs. ** Contamination removed. + Costs. -Savings.

Table 1: Summary of impacts of considered policy options (discounted, against baseline).

⁸ HM Treasury, 2021, Valuation of greenhouse gas emissions: for policy appraisal and evaluation - GOV.UK (www.gov.uk).

Following analysis of responses to the Discussion Document and supporting analysis in the Impact Assessment the options on which we are now consulting include:

- Restriction to residual waste capacity in household collections.
- Enhancements to household recycling capacity; and
- The development of a set of minimum service standards for local councils on delivering household recycling collections.

8.2 Restriction of Residual Waste Capacity in Household Collections

Proposal 1: To restrict the residual waste capacity for households in Northern Ireland to a maximum of 90 litres per week, delivered either via a 180 litre wheeled bin collected fortnightly or a 240 litre wheeled bin collected every three weeks. Councils would decide on the most appropriate methodology for their own circumstances.

Around 55% of what people put in their residual waste bins is potentially recyclable material. A [waste composition analysis](#) of kerbside collected household waste conducted in 2017, suggests that although there is separate kerbside food waste collection provided by Councils to all households, just under 25% of the residual waste bin is food waste. Just over 15% of our residual waste is paper and cardboard and 7% is glass, shown in Figure 9.



Figure 9: Summary diagram of the composition of residual waste in Northern Ireland in 2017.

These figures indicate the real opportunities to further reduce waste to landfill and increase recycling in Northern Ireland.

We are now consulting on restricting residual waste capacity in household collections. Councils across the UK (including in NI) who have already implemented restrictions on residual waste have typically achieved this through lower frequency collections or by reducing the volume of the residual waste container. [Research shows](#) that where a well communicated, high quality complementary recycling service is provided, restrictions to residual waste can deliver overall financial savings to the council, increase the capture of key, quality recyclable materials, and promote upward movement of resources within the waste hierarchy whilst maintaining high levels of public satisfaction.

Most councils in the UK that have already restricted residual waste capacity have done so by reducing the frequency of collections, shown in Table 2, as this does not require a wholesale purchase and distribution of replacement, smaller containers (and potentially the retrieval of spent containers) where wheeled bins are in operation.

	2009/10 - number of UK LA's	2021/22 - number of UK LA's
Weekly residual collections	245	158
Fortnightly residual collections	219	219
Three or four weekly residual collections	0	32

Table 2: Frequency of residual waste collections operated by UK local authorities in 2009-10 and 2021/22. Source WRAP.

WRAP's [2020 Recycling Tracker survey](#) found that there is a strong correlation with good recycling performance and restricted residual capacity. Almost three quarters (74%) of those with a 3-4 weekly collection of residual waste use a food waste recycling service, as do 62% of those with an effective residual waste capacity of 90L or less per week.

Many councils have enhanced their recycling collections at the same time as the restriction to residual waste is implemented. Such enhancements include increasing the range of materials collected, increasing the frequency of the recycling collections, or increasing the available recycling capacity to ensure that it is proportionate with the material now sought.

Currently in NI, most councils collect the equivalent of 120 litres of residual waste per week (normally 240 litre wheeled bins collected fortnightly). Average residual waste capacity provided by Councils in Wales, the highest performing recycling nation in the UK, shows that households have less than 100 litres per week for residual waste⁹. An image of standard wheeled bin sizes (180 litre and 240 litre) is shown in Figure 10.

⁹ Swansea Council provides 60 litres per week.



Four factors, set out below are expected to further reduce the residual waste presented for collection by households across NI over the next decade:

- proposals in this consultation focused on commonality in collections;
- pEPR;
- DRS; and
- clear and consistent communication and engagement with people.

Figure 10: 180 litre wheeled bin (left) and 240 litre wheeled bin (right).

The Core Set

We are consulting on a comprehensive “core” set of recyclable materials to be collected from all households across all council areas in NI, which will mean that people have fewer materials to dispose of in their residual waste - key to growing the Circular Economy. The benefits of a core set are:

- standardised communications to people and businesses/ organisations;
- opportunities for higher recycling and lower contamination rates;
- environmental benefits; and
- economic benefits to NI.

Proposal 6 in the Discussion Document set out that all Councils in NI should be required to restrict capacity for residual waste from households to help divert more materials from disposal and into the recyclable waste streams. The overall response was extremely positive, with 88% of those who answered agreeing that residual waste capacity should be restricted. Most respondents also believed the restriction of residual capacity should be accompanied by enhanced recycling services.

We are also consulting on the circumstances which may delay the roll out of restricted residual collections and whether the requirement should extend to all residential properties.

8.3 Options to Ensure Consistency in the Range of Dry Recyclables Collected from Households

Proposal 2: To require local Councils to collect a core set of dry recyclables from households to help avoid confusion and improve consistency and the quality of recyclable material.

DAERA considers it is now time to implement changes so that the same range, or “core set,” of materials is collected for recycling from every household in NI. Ensuring a common set of materials will help avoid confusion, enable harmonious communications to be promoted, improve consistency and quality in recycling which in turn supports more local reprocessing of material and the transition to circularity.

Proposal 9 in the [Discussion Document](#) set out that the core set of materials should be glass bottles and containers, paper and card, plastic bottles, plastic pots, tubs and trays, and steel and aluminium tins and cans. Respondents demonstrated a strong belief that the following materials should be included in the core set but phased in over time:

- glass bottles and containers (92%);
- paper and card (94%);
- plastic bottles (96%);
- plastic pots, tubs, and trays (96%); and
- steel and aluminium tins and cans (94%)

Given the strong support shown in responses to the 2020 discussion document DAERA proposes to legislate that local authorities in NI be required to collect a ‘core set’ of dry recyclable materials from the kerbside of all households, including flats. This core set shall include the materials set out in Table 3.

Material type	Examples of items by material type
Glass bottles and containers	Drinks bottles, condiment bottles, jars etc. and their metal lids, which can easily be extracted.
Paper and card	Newspaper, cardboard packaging, writing paper etc.
Plastics	Bottles including drinks bottles, detergent, shampoo and cleaning products containers, and plastic pots, tubs and trays etc., plus cartons (such as Tetrapak®) which are treated as plastics in recycling collections, due to the plastic layer in the laminate.
Metal packaging	Aluminium cans, foil, aerosol and aluminium tubes such as those used for tomato purée, steel cans/ tins and aerosols.

Table 3: Materials to be included in the core set for household recycling collections.

Table 4 shows that in 2021/22, most councils in NI are already collecting the majority of these materials at the kerbside.

Material	Aerosols	Cartons	Card	Foil	Glass	Metal lids	Metals (cans/tins)	Mixed plastic film (all)	Paper	Plastics: bottles, pots, tubs & trays
Percentage of households provided with recycling collections of certain materials										
2021/22	100%	100%	97%	93%	75%	65%	100%	0%	100%	100%

Table 4: Households in NI receive collections for recyclable material in 2021-22. Source: WRAP.

Recognising that there may need to be some changes to kerbside collection services, we would expect all councils to be able to provide a kerbside collection of the core dry recyclables within two years (24 months) of notification of a statutory requirement by which time implementation is expected to be complete.

In the [Discussion Document](#), there was agreement that the core set of materials collected at the kerbside should be regularly reviewed and possibly expanded, provided certain conditions are met.

The range of materials would only be added to the core set when supported by evidence that materials can reasonably be collected for recycling and can reasonably be recycled. By this, we mean that there is capacity locally in NI, GB and Ireland or if necessary, further afield into Europe, that it can technically be recycled and that the cost of reprocessing is not prohibitive.

8.3.1 Flexible Plastic Packaging (Plastic Films)

Proposal 3: That additional materials are added to the core set over time when feasible, with flexible plastic packaging set to be collected from households by the end of the financial year 2026/2027

The UK nations have previously consulted on the introduction of films and flexible packaging to kerbside recycling collections by 1st April 2027 in all nations as part of the pEPR scheme, (published in the [consultation response](#) March 2022). This obligation will be set in forthcoming regulations which will be applicable in NI, with the cost being met by packaging producers.

The core set would be reviewed at this juncture and flexible plastic packaging added. Flexible plastic packaging is defined as “plastic film and plastic packaging which is not rigid”.

On this basis all local councils should provide a kerbside collection service of flexible plastic packaging as soon as possible and no later than two years (24 months) of notification of a statutory requirement to collect. We are also consulting on the circumstances which may delay implementation of changes to collections.

8.4 Enhancements to Improve Commonality in Recycling Services - Options for Collections from Households

Proposal 4: To highlight NI's unique legislation on the quality of dry recyclable materials, the proposed term QualiTEE should be adopted to describe the exceptions to collecting dry recyclable materials separately.

[Research](#) on glass and [plastic](#) recycling¹⁰ shows that greater separation of materials increases the likelihood of these resources being used in closed-loop recycling processes which significantly enhances the environmental and economic benefits. Furthermore, [WRAP's analysis](#) of [WDF](#) shows that separately collected paper and card is much less likely to be exported beyond the EU for reprocessing but retained closer to its point of production, as also evidenced in 2020 by the [Confederation of Paper Industries](#). This provides vital raw materials for businesses, creates green jobs and infrastructure improvements and supports change by businesses to meet the ambitious 70% recycling requirement set out in the [Climate Change Act](#).

Shorter material supply chains, end destination visibility and reporting, and higher quality outputs are all conducive to the emerging requirements of producers and these will only become more of a priority as pEPR evolves. The [existing legislation](#) asserts that to achieve the high-quality recycling necessary for a Circular Economy and ensure we can reprocess as much of it as locally as is possible, the core recyclable waste streams must be collected separately from each other. The exceptions to this default position are where separate collection is not **Technically feasible**, would entail disproportionate **Economic costs**, or would not deliver the best **Environmental outcome** with the threshold set at meeting just one of these requirements for an exemption to be applicable.

Amendments to the WCLO sets out that any exceptions to the default separate collection position must produce recyclables of a **comparable Quality**. This is unique to NI. No other devolved administration in the UK has material quality enshrined in legislation. This presents an opportunity for NI to set a higher standard for the UK in terms of recycling and reprocessing as well as leading the way in transitioning to a Circular Economy.

As a combined concept, DAERA is interested in your views on naming these exceptions **QualiTEE**, with the notion of comparable quality being fundamental to this new test whilst retaining the technical, economic and environmental aspects of the assessment.

With the legislation set out as it is, Councils that already operate fully separate collections would not need to conduct a QualiTEE assessment.

¹⁰ See also [A closed-loop system for recycled plastic bottles saves materials and CO2](#) • [Plastics Europe](#).

8.5 Establishing the Default Position on Dry Recyclable Collections

Proposal 5: The default position for collection of dry recyclables from households is in four separate streams.

DAERA would like your view on whether all councils should be required to introduce a 'multi-stream' collection of the core materials in the dry recycling stream to comply with the separate collection legislation.



From left, Figures 11a, b and c: stacker boxes, wheeled bin with inserts for separate streams inserts within a wheeled bin.

'Multi-stream' here means the separate collection of, as a minimum, (i) paper/card, (ii) plastics, (iii) metals, and (iv) glass at the kerbside, in appropriate containers **which need not be a separate container for each material**. Innovation in collection systems means that new containers have been developed to minimise the number of recycling containers that people use and the footprint that they occupy for households. Examples include 240l bins with inserts for the separate streams or stacker boxes, shown in Figures 11a, 11b and 11c. The bin with inserts empties directly into one vehicle with multiple compartments.

Please note that Proposal 9 outlines a proposed exemption for separate collection of metals and plastics, where we also are seeking your views.

8.6 Justifying Why Collections of Dry Recyclables Cannot Be Separated, While Ensuring Quality and Environmental Benefits

Proposal 6: Standardised written assessments are prepared by councils where two or more dry recyclables are mixed during the collection process, evidencing why separate collections are not practicable and that Commingled recycling delivers recyclable material of comparable quality.

There is an existing requirement in [The Waste Regulations \(Northern Ireland\) 2011](#)¹¹, in Section 18 part (2) on local councils, when collecting waste paper, metal, plastic or glass [to] take all such measures to ensure separate collection of that waste as are available to it. At present however, there is no standardised template, nor a legislative requirement for waste collectors to assess TEEP compliance, nor to provide details in a written document. The Northern Ireland Environment Agency (NIEA) is responsible for ensuring compliance with the duties set out in The Waste Regulations (Northern Ireland) 2011.

DAERA wants to ensure that written assessments are consistent and avoid unnecessary financial and resource burdens on Councils and NIEA. Additional guidance could be provided on what criteria may be included in the written assessments based on the regulations, using a standardised approach. The aim is to improve the consistency of written assessments and the circumstances in which the exceptions apply as well as making them easier and less time consuming to complete. Where collection circumstances change, we would expect written assessments to be reviewed.

Please note that Proposal 9 outlines a proposed exemption for separate collection of metals and plastics, where we are also seeking your views.

8.7 Details on the Exceptions to the Separate Collection of Dry Recyclables (QualiTEE) for Household Recycling

Proposal 7: A set of conditions should be set out that define comparable quality, best environmental outcome, technical feasibility and disproportionate economic cost- “QualiTEE”. Where conditions are met, an exception may apply, and two or more recyclable waste streams may be collected together from households.

Proposal 7a: Similar guidance on MRF sampling, to that used in England and Wales, should be introduced in NI to ensure that the quality of input and outputs for MRFs can be quantified.

There are clear trends for a requirement for higher quality secondary materials in the global market such as in [Indonesia](#) and [Turkey](#), which followed the earlier tighter import restrictions in [China](#). To reduce NI’s reliance on overseas markets and to maximise the capture of high-

¹¹ Which was amended by the [2020 Regulations](#).

quality recyclables to grow the NI Circular Economy further, the highest value possible must be extracted from these materials. In order to achieve this the materials need to be of the highest quality.

DAERA wishes to see materials reprocessed as close to their place of production and collection as possible. The details of where there may be exceptions to the separate collections of dry recyclables (QualiTEE) are included in legislation and are set out below.

Disproportionate Economic Costs

This refers to separate collection which does not cause excessive costs in comparison with the holistic cost of collecting and sorting of a co-collected recyclable streams, taking into account the cost of dealing with contamination and the added recyclate value likely to be observed for separately collection fractions.

Financial impacts could be evaluated in wider economic terms, taking into account the costs of adverse environmental and health impacts of mixed recycling collection and treatment, the potential for efficiency improvements in waste collection and treatment, the economic merits of closed and open-loop recycling processes, the opportunities for local businesses to source collected material for reprocessing, revenues from sales of secondary raw materials as well as the application of the polluter-pays principle and Extended Producer Responsibility. In addition, the creation of green jobs and upskilling of the workforce could also be considered.

The economic impact assessment linked to this consultation has incorporated real life values provided by councils and calculated average costs ([see Annex C](#)), categorised according to principal recycling collection methodology. A similar meticulous modelling approach could be used to compare the costs of different types of collections and determined on a per household basis, or at an individual council level.

To determine and quantify, we need to understand from stakeholders what they consider a reasonable cost differential to be, and this may differ according to their context.

For the purposes of agreeing a standard definition in QualiTEE that takes account of average council service costs, it is proposed that a percentage deviation from an average cost per household is used to calculate an excessive cost threshold. For this assessment, we would expect councils to take into consideration the costs of the following as a minimum:

- Gate fees and material income;
- Salaries and staff numbers, including supervision;
- Annualised container costs, numbers, and replacements;

- Vehicle types, annualised costs, finance, depreciation, hire, running costs;
- Quantities of materials collected;
- Frequency of collection; and
- Contract length, penalties associated with any variations.

Technically Feasible

By **technically feasible** we mean that the separate collection may be implemented through a system which has been proven to function in practice. Some factors may present technical issues in the short term, for instance depot space or availability of suitable containers. These issues could be resolved however through investment and time, in which case the factor is then economic. Where this is the case, consideration of factors in economic terms should be addressed in the relevant economic section of the written assessment, rather than technical.

Examples where local circumstances mean that it is not technically feasible to have separate collection could include, but are not limited to factors such as:

- Storage of containers at premises, outside of individual dwellings.

Note that the following issues are not considered by DAERA as within the scope of 'technically feasible' for the separate collection of recyclable materials:

- People or historical preferences; and
- Rurality - this should be considered in terms of the comparable quality, economic or environmental factors where relevant.

Best Environmental Outcome

To make the case that separate collection of recyclables does not deliver the **best environmental outcome** compared to the collection of recyclable waste streams together, evidence should include, but not be limited to, the following:

- Quantities of materials collected;
- Quantities of materials classed as contamination and not recycled. (This information would be collected in due course once quality sampling protocols are adopted for MRFs in NI, similar to the requirements in place in England and Wales since 2014, which will be [updated to meet the needs of EPR](#). We are also seeking your views on sampling protocols);

- Quantities of materials lost from sorting processes at a MRF;
- Vehicle emissions from collection rounds;
- Vehicle emissions from bulk transportation to sorting and reprocessing both in NI and overseas;
- Emissions from disposal/ treatment including savings arising from landfill diversion; and
- Carbon savings from using recycled materials rather than virgin materials.

Various sources of [information](#) demonstrate that greater separation of materials promotes closed-loop recycling processes, which significantly increases the overall environmental benefits gained. Producers who, through [pEPR](#), will be funding a higher proportion of collection and reprocessing costs of packaging material, and with packaging recycling targets to attain, will require evidence that the recycling of packaging material is optimised. Evidence factors should be provided, to demonstrate the difference in environmental outcomes from mixed collections versus separate. Standard default values and data with clearly referenced sources would be provided by DAERA, for council use, for instances where a Council cannot access information.

Comparable Quality

It is proposed that two of the evidence factors outlined above are used to determine whether collecting paper, metal, plastic, or glass together results in output from those operations which is of **comparable quality** to that achieved through separate collection. Standard default values and data with clearly referenced sources could be provided by DAERA in conjunction with Industry, for Council use, for instances where a council cannot access information. The factors could be:

1. Comparable quantities (+/-2%) of each material stream sent for closed loop recycling;
2. Comparable quantities (+/- 5%) of each material stream sent for open loop recycling.

8.8 Establishing Common Service Standards to Ensure Recycling Quality

Proposal 8: The quality of recyclate for reprocessing is important and needs to be improved through changes to collections and clear measures should be set to describe quality.

The co-mingling of some materials may result in environmental benefits similar to those observed for separate collection of the four recyclable streams (Proposal 5). Potential costs and technical feasibility notwithstanding, views are sought on material streams that could be co-collected and effectively still generate output material for recycling of a quality comparable with separate collection.

Four options are set out for consideration:

- Three stream (i.e., paper/card; plastics and metals; glass);
- Two stream: fibres separate; (i.e., paper/card as one stream; plastics and metals and glass as another stream);
- Two Stream: glass separate (i.e., glass as one stream; paper/card, plastics and metals as another stream); and
- Fully commingled (i.e., all four streams collected in one container).

Expanding the core set of materials collected for recycling will make more secondary material available for local reprocessors. This expansion cannot be to the detriment of recyclate quality, and it is essential to improve the quality of recyclate collected for reprocessing, ensuring that contamination levels from non-target materials are reduced as far as practicable. More restrictive [export](#) markets for dry recyclables in recent years have highlighted the need to improve the quality of recyclable materials collected to ensure access to suitable outlets. Higher quality secondary materials enable more closed-loop recycling, as part of our transition to a more Circular Economy.

When considering comparable quality, the use of the resulting recyclate collected i.e., percentage of material entering closed or open-loop recycling, percentage process loss from sorting and percentage contamination levels should all be considered as evidence factors, with the thresholds set being included in this consultation.

See [Figure 8](#) for a representation of these concepts.

8.9 Other Forms of Partially Separate Collections of Recycling

Proposal 9: Commingled collection of plastics and metals should be exempt from requirements to collect these materials as separate fractions.

Most UK Local Authorities that operate multi-stream recycling collections mix the metal and plastic streams in one compartment on the collection vehicle. These materials can be sold to reprocessors as one commodity or can be separated at a depot/transfer station or at a Materials Recovery Facility (MRF). Magnets and eddy current separators can be used to efficiently separate the metal fraction from the mixed plastic containers (bottles, pots, tubs, trays) and reduce contamination and rejection rates. Commingled collection of plastics and metals in this manner is accepted by reprocessors as not having a significant impact on the quality of output material.

DAERA proposes to allow an exemption from the regulations where only plastic and metal is co-collected. In these circumstances, councils would not be required to prepare a written assessment to seek an exception from the regulations. Councils may still opt to collect these recyclable waste streams as separate fractions.

8.10 Food and Garden Waste Collections from Households

Proposal 10: Revisions to household food waste collections to increase capture rates and improve the diversion of food waste from disposal should be introduced, ensuring all householders, including those living in flats, can recycle more and in time have access to separate, weekly food waste recycling collections.

Annual waste statistics indicate that a significant amount of food and garden waste from households continues to end up in landfill, despite a comprehensive organics collection service being in place to approximately 98% of households in NI. This percentage is based on council's data supplied to WRAP.

[Data](#) shows that 121,925 tonnes of biodegradable waste were sent to landfill in 2022/23, accounting for 54.2% of the total waste landfilled. When sent to landfill, food and garden waste releases methane, amongst other harmful greenhouse gases, into the atmosphere which contributes to climate change. Indeed, methane from landfill sites is the [biggest source of greenhouse gas emissions within the waste sector](#) in NI.

If collected separately from residual waste, food and garden waste can be sent for in-vessel composting (IVC) or anaerobic digestion (AD). When treated at an AD plant, food waste breaks down in a controlled way and the methane can be converted into gas (biomethane) that can be fed into the national gas grid, used to generate electricity and/or heat, or used as a vehicle fuel. The AD process also produces a nutrient-rich fertiliser (called digestate) that farmers can use in place of chemical fertilisers. IVC can be used to treat food and garden waste mixtures where the organic matter breaks down into a material suitable for use as a soil conditioner for use in agriculture and horticulture. DAERA regards the move to AD for the treatment of separately collected food waste as an integral part of growing NI's Circular Economy and contributing to the greening of NI's energy infrastructure, however, we remain cognisant of the environmental disbenefits of both AD and IVC processes and will seek to mitigate these as far as possible through effective policy and legislation.

Improvements to food and garden waste collections and the diversion of more of this type of waste from landfill represents one of the biggest opportunities for decarbonising the waste sector and contributing to NI's net zero by 2050 target.

Currently, all councils in NI offer a collection of food and garden waste separately from residual waste. According to data provided by Councils to WRAP, 12.7% of households receive a separate food waste collection on a weekly basis and 85.6% of households receive a collection of food waste mixed with garden waste, usually on a fortnightly basis. [UK research](#) shows that collecting food waste mixed with garden waste fortnightly can lead to lower yields compared to a weekly separate food waste collection when accounting for comparable residual waste collection systems and comparable levels of deprivation.

The cost of treating mixed food and garden waste via IVC, however, is usually more expensive than treating the separately collected food and garden waste fractions via AD and open windrow composting (OWC) respectively. The [WRAP Gate Fees Survey 2022/23](#) reveals a mean average UK cost of £63 per tonne for the treatment of mixed food and garden waste via IVC compared to a cost of £16 per tonne for the treatment of food waste via AD. Where food and garden waste are collected separately, it is not necessary for garden waste to be treated at an IVC plant and in most cases, it is treated via OWC, a lower cost form¹² of treatment compared to IVC. DAERA is keen to build upon the existing infrastructure and well-established consumer behaviours for dealing with food and other organic wastes from households.

A key challenge for many NI councils is the range of pre-existing long-term contracts that may preclude a change in the short term to separate food waste collections. Taking account of these factors and the current starting point, DAERA is keen to hear views on a range of scenarios for separate food waste and other organic waste collections. Proposals for food waste collections could include short-term options such as fortnightly or mixed organic collections with a view to requiring change once further evidence becomes available on the merits of weekly separate food collections in NI. Further waste composition analysis is being undertaken to check total quantities and capture rates of food waste.

DAERA is also seeking views on whether collections should be from all properties or only those with kerbside collections (i.e., households with waste and recycling containers specific to their property).

Finally, research by WRAP indicates the positive impact that the provision of caddy liners, information and stickers on residual bins can have on food waste collection participation and capture. We are interested in opinions on caddy liner supply and communications to households to improve services provided by each council. Research, further education and awareness around food waste will also be required.

8.11 Mechanisms to Ensure Recycling is Undertaken Correctly by Households

Proposal 11: Through collaboration with Councils, we will set out proportionate and robust guidelines for compliance and enforcement that enable Councils to enhance their waste and recycling services.

Most of us want to do the right thing when we recycle. Even with greater consistency of what can and cannot be recycled, sometimes people will make mistakes. Feedback on when wrong items have been placed in containers is vital to improve the quality of recycling and to reduce contamination. Effective communication with people when they're not recycling correctly will ultimately lead to more interventions from, and potentially more resource requirements for, Councils. Therefore, DAERA wishes to understand more on what appropriate enforcement mechanisms might look like.

¹² WRAP's Gate Fee survey does not collate prices for OWC which remain relatively stable at £25-£30 per tonne as quoted in letsrecycle.com.

Through dialogue with DAERA, Councils have highlighted potential challenges with [current regulations](#) and sought further clarification concerning how proportionate and robust enforcement can support them with service improvements. We are proposing to amend these regulations to set out clear circumstances in which councils can take action against people who continually fail to recycle correctly. We are keen to hear both of actions/processes currently in place to deal with persistent contamination, and those that could potentially be explored for future use. We realise that enforcement is one side of improving recycling quality and to support people, we propose measures around communications, guidance and training that could help build knowledge and recycling habits to cement understanding of the importance of the Circular Economy.

8.12 Tools to Expand the Opportunities to Recycle More Materials with the Aim of Standardising Services

Proposal 12: Non-Statutory Guidance will be provided to councils to expand the opportunities to recycle more materials and to embed best practice in existing services.

DAERA wishes to provide Councils with a framework on good practice for collections from kerbside and communal dwellings, HWRCs and bring sites as Statutory rules and Non-Statutory Guidance. It is intended that the Non-Statutory Guidance would cover a broad range of waste streams which may include hazardous waste, textiles, batteries, Waste Electrical and Electronic Equipment (WEEE), cooking and engine oils and AHPs (absorbent hygiene products such as nappies and incontinence pads). The guidance could also provide information on standardised arrangements for the following services, including pricing where appropriate for:

- assisted collections;
- bulky waste collections;
- presentation of excess recycling;
- additional waste and recycling capacity for larger households; and
- issuing replacement waste and recycling containers.

9. Part 2: Proposals to Improve Recycling of Non-Household Municipal Waste

9.1 Municipal Waste - the New Definition

Municipal waste is defined as waste from households and waste from other sources, such as retail, administration, education, health services, accommodation and food services, and other services and activities, which is similar in nature and composition to waste from households.

9.2 Non-Household Municipal Recycling

Proposal 13: The scope of the revised definition of municipal waste would include mixed waste and separately collected waste from other sources, where such waste is similar in nature and composition to waste from households. Specifically, wastes from production, agriculture, forestry, fishing, septic tanks and sewage network and treatment, including sewage sludge, end-of-life vehicles or waste generated by construction and demolition activities, are excluded.

Although many businesses already recycle a lot of their waste, there are a large proportion of business and industries and other non-profit making organisations (hereafter, NHM sector) which generate municipal waste that have the potential to significantly increase the quality and quantity of recycling by utilising recycling collection services, as found in the [Municipal Recycling Potential in NI](#) report. While household waste and recycling data is reported by councils through [WasteDataFlow](#) and audited by the NIEA, there is no similar current requirement to report non-household waste and recycling data, although plans for [future UK-wide digital waste tracking](#) set out to address this.

To grow the Circular Economy, it will be necessary to increase the collection for recycling of dry recyclables and food waste from the NHM sector. As well as delivering the desired step change in resource management and carbon emissions reductions, it will also ensure we keep pace with other exemplar countries on recycling and crucially, will allow us to meet our ambitious, new recycling targets.

In the absence of reliable NHM sector data, WRAP carried out extensive research in 2019 to estimate the quantity of NHM sector waste in NI. The subsequent report [Municipal Recycling Potential in NI](#) accompanied the Discussion Document. WRAP have updated the key data findings from the report, which are highlighted in the box below.

Updated data gathered by WRAP on the [Municipal Recycling Potential in NI](#) report

- A wide range of private and public sector organisations were identified as generating municipal waste and would, in future, fall within the scope of the revised definition of municipal waste. Within the proposed definition of NHM obligated organisations are various sectors and we are focusing on the sectors producing waste most similar in nature to that produced by households. The sectors in focus are:
 - Hospitality
 - Retail & Wholesale
 - Transport & Storage
 - Food Manufacturing (micro and small businesses in some instances)
 - Education
 - Healthcare (not including clinical waste)
 - Offices and other services (cinemas, libraries, sports centres, tourist information, etc)
- Indicative assumptions from analysing business survey data with nationally recognised statistical datasets suggests 57,920 businesses appear to be generating waste as defined. Around 767,044 tonnes of waste is estimated to be generated each year from the obligated NHM sectors.
- From these 767,044 tonnes, it is estimated that 341,529 tonnes could be collected as dry material recyclates (including glass), c.176,898 tonnes represent total food waste available for recycling with an estimated 124,308 tonnes of non-recyclable materials.
- While some large businesses are already collecting a significant proportion of their waste for recycling, the majority of small business are either recycling small quantities of waste or none at all, with a calculated average NHM recycling rate of 40.6% across all NHM sectors.
- We are also aware that some small businesses take home their waste for recycling or waste disposal, which contravenes [Duty of Care requirements](#) that apply to businesses.

9.3 Options to Increase the Amount of Recycling from the Wider NHM Sector

Proposal 14: Businesses and the wider non-household municipal (NHM) sector will be required to segregate from residual waste a core set of dry recyclables, to improve recycling behaviour and activity and ensure consistency between what people can recycle at home, at school and at work.

Alongside the separate collection of food waste from all businesses, DAERA is proposing that all businesses, public bodies, and other organisations that generate municipal waste be required to segregate a core set of dry recyclables from residual waste for collection. This core set of dry recyclables will include glass, paper and card, metals, and plastics as set out for household dry recycling. It mirrors that which we propose to collect from households, ensuring commonality between what people can recycle at home, at school and at work.

[Responses to the Discussion Document](#) found that 95% of respondents agreed that all businesses, public bodies and others that produce municipal waste should be required to segregate dry recyclable material from residual waste so that it can be collected and recycled. 64% of respondents to the Discussion Document indicated that it should be practicable for businesses to segregate waste for recycling in all circumstances.

Additional responses showed that 89% of respondents agreed with the proposal for the core set of materials collected at the kerbside to be regularly reviewed and possibly expanded, provided certain conditions are met.¹³

9.4 Flexible Plastic Packaging Recycling from Businesses and the NHM Sector

Proposal 15: Subject to the costs being covered by packaging EPR (pEPR) and confirmation that the material can reasonably be collected for recycling, additional materials will be added to the core set over time, with businesses and NHM producing premises to be required by legislation to segregate flexible plastic packaging for recycling no later than March 31st 2027.

Changes for business and NHM sectors are required as a result of agreed and emerging EPR policies for packaging materials. The addition of new materials to the core set of recyclables should only be made when supported by evidence which demonstrates that the material can reasonably be collected for recycling and can reasonably be recycled. By this, we mean that there is capacity in NI/UK/Europe (EU), that it can technically be recycled, that the cost of reprocessing is not prohibitive.

For flexible plastic packaging to be added to the core set of recyclables, the costs of collection and sorting will need to be covered by producer payments under pEPR, which is required from 31st March 2027.

¹³ No respondents disagreed with the proposal, 1 respondent was not sure and 5 respondents didn't not answer this question. Thus in total, across all respondents to the question, 98% answered "yes".

We are seeking views on timelines, practical solutions, and barriers to segregating flexible plastic packaging from residual waste for recycling from business and NHM sectors.

Flexible plastic packaging, more commonly known as plastic film, refers to the lightweight material used mostly in food packaging to extend the life of fresh food products, reducing food waste.

9.5 Non-Household Municipal Waste - Food Waste Collections

Proposal 16: The Food Waste Regulations (Northern Ireland) 2015 will be revised to require all NHM premises which generate food waste, to be required to segregate food waste from their residual waste for recycling. An additional two years to implement such changes will be granted for small and micro sized businesses.

In the Discussion Document, DAERA sought views on a range of proposals designed to increase recycling in the NHM sector. This included a proposal to review [The Food Waste Regulations \(Northern Ireland\) 2015](#) to ensure obligated businesses segregate food waste for separate collection. The proposal also sought views on extending the Regulations to all business categories, not just food businesses. [88% of respondents](#) agreed that The Food Waste Regulations (Northern Ireland) 2015 should be reviewed to ensure that obligated businesses segregate their food waste for collection. 81% of respondents agreed with the proposal that all business categories should be included for further investigation. Currently, the Regulations only place an obligation on food businesses producing more than 5kg of food waste per week to present it for separate collection. DAERA is now proposing that the Regulations be extended to include all businesses, regardless of size and amount of food waste generated.

DAERA proposes to provide any newly obligated businesses with a notification of at least two years for the statutory requirement to segregate their food waste for recycling and are consulting on whether micro-firms and small firms (defined below) should be exempt from such requirement or phased into the requirements a further two years later, providing them with four years to implement the required changes. DAERA wishes to receive your views on the following options:

Option 1: All obligated small businesses, public bodies and other organisations that employ between 10-50 full time equivalent (FTE) staff and micro-firms (businesses, public bodies and other organisations that employ up to 9 FTEs) should be exempt from the requirement to segregate food waste from other waste streams.

Option 2: All obligated small businesses, public bodies and other organisations that employ between 10-50 FTEs and micro-firms (businesses, public bodies and other organisations that employ up to 9 FTEs) should be given two additional years to comply with the new requirements (i.e., they must be compliant within four years of the notification of a statutory requirement).

DAERA is seeking your views on whether the size of business, measured in terms of numbers of employees, should determine if the Regulations apply. Alternatively, the quantity of food waste produced by a business could be used to determine if the Regulations apply and we are also seeking views on this approach.

Anaerobic Digestion as the Preferred Method of Food Waste Treatment

Proposal 17: For separately collected food waste from businesses and the wider NHM sector, anaerobic digestion is our preferred method of treatment.

If collected separately from residual waste, food waste can be sent for in-vessel composting (IVC) or anaerobic digestion (AD) as described in section 9.8. As food waste will be collected separately from businesses and the wider NHM sector, we propose that AD is the preferred good practice treatment for food waste from the NHM sector to provide NI with the benefits of both an energy source and a digestate. In some circumstances where AD is not suitable (i.e., where food and garden waste has been co-collected) composting may be a more appropriate method of treatment and so would be permitted. Your views on this proposal are welcomed.

9.6 Justifying Why Collections of Dry Recyclables from Businesses and the NHM Sector Cannot be Separated While Ensuring Good Quality and Positive Environmental Outcomes

Proposal 18: Recyclables produced by businesses and the NHM sector should be collected separately from residual waste, and separately from each other, unless comparable quality is achieved through commingled collection of materials beyond plastics and metals only, and separate collection is not technically feasible, incurs disproportion economic costs or does not deliver the best environmental outcome; or if a permitted exemption to this requirement is set out in legislation.

Requirements set out on separate collections for household waste in The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 apply equally to carriers of controlled waste¹⁴ as they apply to district Councils as set out in section 20 of [The Waste Regulations \(Northern Ireland\) 2011](#).

As we [set out in our proposals for household recycling](#), to achieve the high-quality recycling necessary for a Circular Economy and to ensure we can reprocess as much of it as locally as possible, the core set of dry recyclables must be collected separately from each other, except where comparable quality is achieved through co-mingled collection of materials beyond plastics and metals only and separate collection is not technically feasible, would entail disproportionate economic costs or does not deliver the best environmental outcome.

¹⁴ Controlled waste includes NHM waste, but is a broader term encompassing agricultural waste and construction and demolition wastes, for example.

9.7 Details on the Exceptions to the Separate Collection of Dry Recyclables (QualiTEE) from Businesses and the NHM Sector

Proposal 19: Proposals on conditions where an exception may apply, and two or more recyclable waste streams may be collected together from businesses and the wider NHM sector, which would be required two years following a requirement in legislation to collect NHM recycling separately. In the interim, waste carriers would be encouraged to have regard to the principle of QualiTEE.

As set out for household recycling collections in sections 8.6 and 8.7, DAERA wishes to see materials reprocessed as close to their place of production and collection as possible. The details of where there may be exceptions to the separate collections of dry recyclables (QualiTEE) are included in The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020, which amends the Waste Regulations (Northern Ireland) 2011, are set out below:

Disproportionate Economic Costs

Disproportionate economic costs refer to separate collection which does not cause excessive costs in comparison with the holistic cost of collecting and sorting of a co-collected recyclable streams, taking into account the cost of dealing with contamination and the added recyclate value likely to be observed for separately collection fractions.

DAERA considers that while it is up to an individual NHM obligated organisation to decide if economic cost differences between separate or mixed recycling collection schemes are disproportionately higher, this should not result in some NHM organisations paying unnecessary additional costs. This is particularly pertinent in the case of NHM organisations that are hard to reach, or that generate waste in such small quantities that collections may be uneconomic for waste carriers to operate services.

Councils have a duty to offer services to NHM organisations that request waste and recycling collections (article 2 of the Waste and Contaminated Land (NI) Order 1997). Where Councils are requested to provide separate collections of recycling to NHM organisations that are costly to operate, we would be interested to hear your views on the economic impacts of separate recycling collections. We need to understand from stakeholders what contextual factors will create disproportionate economic costs to operate separate collections.

The contextual factors for consideration are:

- Distance of an organisation from other NHM obligated organisations is more than 3 miles.
- Quantity of all core recyclable materials is less than 3 kg per week - roughly equivalent to average yields for an individual household;
- Use of survival sacks¹⁵ to be collected alongside residual waste.

15 A survival sack is often brightly coloured and easy to pull out from other materials at a MRF or other facility. It will contain materials targeted for collection that are exceptions from the normal collected set.

Where the contextual factors indicate that the distance to travel and/ or the quantity of recycling is very low, we would be pleased to hear your opinions on whether the requirement for separate, or any, recycling collections could be waived, and councils could direct organisations to alternative facilities. DAERA propose that further stakeholder engagement would then be conducted, on what a waiver and practical considerations would entail.

Expanding the breadth of materials collected for recycling will make more secondary material available for reprocessors. Yet just as pressing is the need to improve the quality of recyclate collected for reprocessing, ensuring that contamination levels from non-target or non-recyclable materials are reduced, and where possible, eliminated. [Challenging export markets](#) for dry recyclables in recent years have highlighted the need to increase the quality of materials collected for recycling from households.

It is DAERA's aim to maximise the capture of recyclables, improve the quality of what is collected, and ideally process them back in the local economy. When considering significant environmental benefit and [comparable quality](#), the use of the resulting recyclate collected i.e., entering [closed or open-loop recycling](#), process loss and contamination levels should be ideally considered as evidence factors. However, information on these factors is **not** currently required to be gathered for NHM recycling, although plans [for future UK-wide digital waste tracking](#) set out to address this. Therefore, waste carriers are encouraged to consider the broader principles of environmental benefit and comparable quality when determining collection systems for NHM recycling.

Technically Feasible

A range of circumstances are included and excluded by DAERA as [Technically Feasible](#). Some factors may present technical issues in the short term, for instance depot space or availability of suitable containers. Examples where local circumstances mean that it is not technically feasible to have separate collection could include, but are not limited to factors such as:

- Storage of containers at premises, outside of individual obligated organisations; and
- Type of premises and accessibility.

We seek your views on these.

Note that the following issues are not considered by DAERA within the scope of 'technically feasible' for the separate collection of waste:

- NHM sector or collector preferences; and
- Rurality - this should be considered in terms of the quality or environmental factors where relevant.

As data on two of the four QualiTEE factors are not yet available, we propose that for the first two years of implementation of requirements for separate collections of NHM recycling, that waste carriers have regard to the principle of QualiTEE. It is proposed that waste carriers would conduct QualiTEE assessments after this two-year period if they wished to collect two or more recyclable materials mixed.

9.8 Written Assessments from Waste Collectors for Recycling Collected from Businesses and the NHM Sector.

Proposal 20: Written assessments should be completed by waste collectors that co-collect dry recyclables from NHM premises, evidencing why separate collections are not practicable and that commingled collection delivers recyclable materials of comparable quality to those collected as separate fractions. Collectors must ensure that where they deviate from a standardised template, their output information attains the same evidential threshold. Regular reviews of such assessments should be undertaken to ensure that they remain accurate and up to date.

At present however, there is no standardised template, nor a legislative requirement for waste collectors to assess QualiTEE compliance and provide details in a written document. NIEA is responsible for enforcing compliance with the duties set out in [The Waste Regulations \(Northern Ireland\) 2011](#). DAERA wants to ensure that written assessments for the NHM sector are consistent and avoid unnecessary burden on waste collectors and the NIEA. Additional guidance could also be provided on what criteria may be included in the written assessments based on the regulations.

To provide guidance to waste collectors on the type of assessment required, we have provided a template for a written assessment in [Appendix 3](#), which waste collectors could adapt where appropriate. We anticipate that this template could include default values provided by DAERA, for example on greenhouse gas emissions, to allow standardised calculations to be made.

Collectors can choose to use the provided template written assessment or choose to use an adapted version; however, they must ensure an appropriate level of evidence-based detail is provided, to justify why dry recyclable streams cannot be separately collected.

Where collection circumstances change, which may be more commonplace for recycling collections from businesses, written assessments should be regularly reviewed. Waste collectors should also complete one version of the written assessment form for each set of premises for which they intend to rely on one of the exceptions (comparable quality, technical feasibility and best available environmental outcome), to set out why the exception applies.

9.9 Establishing NHM Service Standards to Improve Recycling Collections

Proposal 21: To introduce, or where existing, improve NHM recycling collections.

In the Discussion Document, [63% of respondents](#) indicated mixed dry recycling, separate food waste recycling and separate glass collection as their preferred option (as opposed to 7% in favour of mixed dry recycling, separate food waste recycling, no glass recycling). In addition, 23% of respondents favoured options that were not neatly described, with some suggesting fully mixed collections of dry materials or a combination of no glass, separate glass, or a commingled collection.

Positive responses to options in the Discussion Document, warrant your further views, namely:

(i) mixed dry recycling and separate food waste

This option would require all businesses and public sector organisations to separate the following streams from residual waste:

- a) food waste; and
- b) dry mixed recycling comprising plastics, paper & card and cans.

It was estimated this could deliver a recycling rate of over 70% for the NHM sector as calculated in the [Regulatory Impact Assessment](#) (Annex C).

(ii) mixed dry recycling, separate glass, and separate food waste

In this option, all businesses and organisations would be required to collect separately from residual waste:

- a) food waste;
- b) dry mixed recycling comprising plastics, paper & card and cans; with
- c) glass collected as a separate fraction where this material is generated in quantities above the capacity of a 120 L wheeled bin per week¹⁶.

It was estimated that this option could deliver a four-percentage point uplift in recycling performance where glass is required to be collected separately from residual waste and other dry recycling streams, but in all other respects is unchanged from option (i).

¹⁶ The maximum weight of material that can be accommodated in [one manufacturer's example](#) of a 120l wheeled bin is 48 kg. The bulk density, [estimated by WRAP](#), of uncompacted glass in a box is 276kg/m³. Thus, the weight of uncompacted glass in a 120l bin would be approximately 33kg. With the weight of an empty bin at 8kg, we feel that 120l provides appropriate containment for glass than can be safely handled and well within the quoted tolerance of 48kg.

9.10 Reducing Barriers to Recycling for Non-Household Municipal Waste Sector

Proposal 22: We will continue to review and investigate options to reduce costs for businesses and NHM premises where possible to maximise their recycling behaviour and activity.

DAERA recognises the challenges faced by some businesses and the barriers that exist to achieving higher recycling rates, particularly for small and micro-firms. We want to improve access to recycling, reduce the costs for businesses as far as is feasible and remove or reduce these barriers. Such barriers might include:

- financial constraints;
- binding contractual terms preventing changes to a service, in that contracts are usually a minimum of 1 year in length and changes are not usually possible;
- space for segregation of waste, particularly at smaller premises;
- lower levels of staff engagement and knowledge to segregate waste; and
- limits to services offered by waste contractors.

There may also be additional barriers to recycling faced by businesses in rural locations, businesses based in homes and non-domestic premises. Understanding legislative changes and requirements can also be more difficult for some types of businesses.

In the [Discussion Document](#), DAERA sought views on options to maximise business recycling whilst alleviating the cost burden on businesses where possible. Overall, [responses](#) were generally positive to all of the options outlined and DAERA has continued to engage with stakeholders since publication. DAERA has hosted a series of workshops with local councils, waste sorters, collectors and reprocessors, trade bodies and business support organisations to outline potential changes to waste collections. Framed around the legislative drivers for change and policy proposals, the workshops encouraged a collaborative approach, inviting business and organisations to provide open feedback on how the proposed requirements might affect them.

We would like to hear views on the type(s) of business support that would be most useful for obligated businesses, public bodies, and other organisations to ensure they understand their obligations and enable them to recycle more of their waste. This could include 1:1 support, communications campaigns, guidance and/or a dedicated website.

A key learning point from responses to the Discussion Document was a call for more information on recycling in workplace or NHM settings. Whilst DAERA recognises the challenges that

exist, there are opportunities through trade bodies, representative organisations, local councils, Business Improvement Districts (BIDs) and Chambers of Commerce that can be used to disseminate information on planned future reforms to waste collection services. DAERA will continue to engage with these networks and explore dissemination routes with stakeholders.

9.11 Arrangements for Micro Firms or Small Firms

Proposal 23: Businesses and the NHM sector will be provided with a minimum two-year notification of a statutory requirement to collect dry recyclables as separate streams, segregated from residual waste, with a further phasing of such legislative requirements for small and micro businesses producing NHM waste.

Recognising that greater barriers may exist for small firms (those businesses and other organisations that employ between 10-50 FTEs) and micro firms (those businesses and other organisations that employ up to 9 FTEs) with further barriers to recycling potentially faced by those businesses operating in rural locations, businesses based in homes and non-domestic premises, we wish to receive views on options which could exempt micro or small firms from the changes or provide them with additional time to prepare. We wish to receive your views on the following two options:

Option 1: Micro and small firms/producers of NHM waste should be exempt from the requirement to arrange for the collection of up to three separate recyclable waste streams (glass, metal, plastic, paper, and card) for recycling and to present this waste in accordance with the arrangements.

Option 2: Micro and small firms/producers of NHM waste are phased into the proposed recycling commonality requirements, after the enactment of legislation.

We are also consulting on the barriers to waste collectors' abilities to collect the required dry recyclable streams from all of the NHM sector, including from small and micro firms, in the time frame proposed. Such barriers may include:

- Collection and treatment contract limitations;
- MRF infrastructure and/or capacity;
- Container procurement and distribution challenges;
- Reprocessing availability;
- End market volatility/lack of end markets; and
- Cost burdens, such as collecting from rural locations, to collectors of setting up new or expanded collection services.

9.12 Waste Franchising / Zoning: To Review Collection Zoning and Franchising for Businesses and NHM Premises

Proposal 24 - to review collection zoning and franchising to reduce costs to businesses and NHM premises.

Franchising or zoning of waste or recycling collection services could be used as an approach to alleviate cost on businesses, where partnerships or local councils would collect waste from businesses and other similar organisations in particular areas of a defined geographic area (e.g., town), through an awarded contract.

Such systems reduce the number of waste collectors operating in a zoned or franchised area, thus reducing the number of vehicles used and optimising collection efficiencies to provide reduced costs services to businesses. The size of the zoned area and the design of any framework contract could be devised to ensure competition exists in the market whilst improving the efficiencies in delivery. Such schemes exist more commonly [in other countries](#) than the UK currently. NHM waste collection zoning and franchising has the significant potential to:

- improve efficiency of collections;
- increase quality and quantity of materials collected for recycling by using efficiency savings to boost communications;
- reduce the number of collection vehicles on the roads;
- promote methods to address air quality issues; and
- reduce carbon and other greenhouse gas (GHG) emissions.

DAERA proposes to continue to explore options to potentially reduce the cost burden for NHM 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 consulted on previously.

In the Discussion Document, we asked for views on regional procurement of services to enable economies of scale and potentially reduce charges levied on businesses. [75% of respondents](#) said that regional procurement would be very likely or likely to reduce charges levied on businesses.

If a franchising/zoning scheme were to be introduced, we are interested in your views on the recyclable streams that should be included under a potential franchising/zoning scheme available for NHM. This might include dry recyclable material streams (glass, metal, plastic,

paper, and card), residual waste, food waste; and/or other items, for example oils, hazardous waste, and bulky waste.

Similarly, opinions are sought for the types of zoning, the sizes of zones and/or collaborative procurement options. Some of the options we wish to explore are shown in Table 5.

Franchising and zoning option	Details
Container sharing	Business neighbours could share a container, or these could be shared across an industrial estate, for instance
Business Improvement Districts (BIDS)/partnerships tender for collection contracts	Offer of an opt-in preferential rate to local businesses within a BID or partnership
Co-collection	Where a council or private contractor for household collection services also delivers the NHM service
Framework zoning	A shortlist of suppliers licensed to offer services in the zone
Material specific zoning	Where one contractor collects food waste, one dry recyclables, one residual waste etc
Exclusive service zoning	Where one contractor delivers the core recycling and residual collection waste services for the zone.

Table 5: Options to be explored on zoning and franchising for NHM collections.

As part of the consultation on franchising and zoning, we wish to know what the roles of stakeholders could be. We see the stakeholder groups as being DAERA, NIEA, BIDs, Non-Governmental Organisations (NGOs), waste producers, Councils, and trade bodies, although there may be other groups too. Roles could be across the following functions:

- procurement of services;
- scheme/collection service design;
- administration (including data collection);
- enforcement (ensuring zoning rules are adhered to);
- business support/advice;
- development of tools and guidance; and
- delivery of communications campaigns.

9.13 Options to Provide NHM Waste Bring Sites and/or Access to Household Waste Recycling Centres (HWRCs) for Businesses and the Wider NHM Sector

Proposal 25: To establish commercial waste bring sites and/or to increase the access to HWRCs for businesses, public bodies, and other organisations to encourage more recycling and better waste management.

As well as dedicated collections from business or NHM premises, extending the range of facilities where waste or recyclables could be taken for disposal or recycling could help small or micro firms to recycle more, whilst increasing convenience, reducing costs and any space issues. Such facilities could be developed for small firms to deposit high quality recyclables or could be attached to other waste management facilities such as HWRCs.

By allowing smaller businesses access to HWRCs, councils may be able to limit the operational challenges of providing collections to smaller businesses. Workaround solutions have been found in the UK to manage facilities well with tailored administration and operations, such as online annual permits and the use of Automatic Number Plate Recognition (ANPR) for business users. Not all sites may be suitable for use by businesses but subject to the satisfaction of relevant permissions, the existing HWRC infrastructure in NI is good (98 HWRCs), such that there is scope to offer facilities in a wide variety of locations. Good practice information can be found in this [“drop-off” guide](#). The opportunity to implement charges is in line with existing legislation and waste classifications as detailed in [The Controlled Waste and Duty of Care Regulations \(NI\) 2013](#).

The Department would also like to receive views on the viability of commercial waste bring sites, to facilitate an increase in recycling for businesses and the NHM sector. We are seeking to explore the types of barriers regarding the creation and operation of commercial waste bring sites, such as lack of suitable location(s), access restrictions and risks of misuse of sites or contamination of recycling.

9.14 Non-Household Municipal Waste - Compliance & Enforcement

Proposal 26: Amendments will be made to Article 5 of The Waste and Contaminated Land (Northern Ireland) Order 1997 to ensure compliance with the post-consultation requirements to segregate a core set of dry recyclables and food waste by obligated businesses and the wider NHM sector.

We propose to extend Article 5 of The [Waste and Contaminated Land \(Northern Ireland\) Order 1997](#) to ensure compliance with the requirements that will be set out subsequent to this consultation, to segregate a core set of dry recyclables and food waste by obligated businesses, public bodies, and other organisations. The Article relates to the Duty of Care of waste

producers and requires DAERA, following consultation, to prepare and issue a code of practice. We are seeking your views on this. We are also interested in opinions on the appropriate level of penalty for non-compliance. By comparison, the fixed penalty on a waste carrier or producer for not supplying documents is currently set at £300.

10. Responding to the Consultation

10.1 Responses

You can find a copy of the questions associated with this consultation at Appendix A. It is **not** essential for everyone to answer every question, rather, we would prefer you to **only** answer the questions you feel are relevant to you or the organisation you are responding on behalf of.

You can respond to this consultation online by accessing the consultation at the following link:

<https://consultations2.nidirect.gov.uk/daera/rethinking-our-resources>.



We are encouraging everyone to respond to this consultation through our Citizen Space website as this makes analysing the responses and any future decision making more consistent and provides better data outputs.

Written responses should be sent by email to: wastepolicyteam@daera-ni.gov.uk

Or to postal address: Resources & Waste Strategy Team,
Environmental Resources Policy Division,
Department of Agriculture, Environment and Rural Affairs,
Jubilee House,
111 Ballykelly Road,
Ballykelly, Limavady,
BT49 9HP

When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of its members were assembled.

10.2 Closing Date

Responses should be submitted by **5pm on Thursday 30th May 2024**.

10.3 Confidentiality

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, the Department in this case. This includes information provided in response to this consultation.

The Department will publish a synopsis of responses to the consultation. This will include a list of names of organisations that responded but not personal names, addresses or other contact details.

The Department cannot automatically consider information supplied to it in response to a consultation, to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or treated as confidential. If you do not wish information about your identity to be made public, please include an explanation in your response. Please be aware that confidentiality cannot be guaranteed. Please note, if your computer automatically includes a confidentiality disclaimer, it won't count as a confidentiality request.

Should you respond in an individual capacity the Department will process your personal data in accordance with the Data Protection Act 1998. This means that your personal information will not be disclosed to third parties should you request confidentiality.

For further information about confidentiality of responses please contact the Information Commissioners Office (see its website at [Information Commissioner's Office \(ICO\)](#)).

11. Glossary

Term	Acronym	Explanation
Anaerobic Digestion	AD	A treatment process where organic wastes - mainly food waste - is broken down naturally by micro-organisms under anaerobic conditions (meaning, occurring in the absence of oxygen). This process produces biogas and fertiliser (digestate) and is therefore considered to be a form of recycling.
Absorbent Hygiene Products	AHP	Covers a range of multi-material products used in everyday life, made primarily of absorbent tissue-fibre and plastic. Some of the main items that come under AHP include disposable nappies, incontinence pads and period products.
Business Improvement Districts	BIDs	A defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area.
Closed Loop Recycling		When a material is reprocessed and the recyclate produced is used to manufacture another product in the same product category.
Open Loop Recycling		When products are reprocessed and the recyclate produced is used in a different application.
Circular Economy		A system where materials never become waste and nature is regenerated. Products and materials are kept in circulation through processes like maintenance, reuse, refurbishment, remanufacture, recycling, and composting. The circular economy tackles climate change and other global challenges, like biodiversity loss, waste, and pollution, by decoupling economic activity from the consumption of finite resources.
Circular Economy Package	CEP	The EU Circular Economy Package introduced a revised legislative framework, identifying steps for the reduction of waste and establishing a long-term path for waste management and recycling. The relevant requirements of the amended Waste Framework Directive were transposed into domestic legislation in Northern Ireland on 18 December 2020 via the Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 .
Commingled		Collection method where different types of dry recyclable materials are presented and collected in a single bin.

Term	Acronym	Explanation
Composting		The process through which organic matter, including food and garden waste, decomposes to generate compost. See also: IVC.
Commonality/ Consistency		In this document, refers to the range of measures being proposed by government to improve the quantity and quality of recycling and composting in Northern Ireland and to reducing variation in local arrangements for waste and recycling collections.
Contamination		When incorrect or non-target items are erroneously placed into recycling containers preventing the correct or target recyclable items from being recycled e.g., food waste mixed with dry recycling.
Core Materials/ Core Set		Standardised set of materials to be collected by all council areas. This would include, at a minimum, glass, paper & card, metal, and plastics.
Council		The organisation that is officially responsible for all the public services and facilities in a particular area. Northern Ireland is divided into 11 local government districts or areas.
Department of Agriculture, Environment and Rural Affairs	DAERA	Has responsibility for food, farming, environmental, fisheries, forestry and sustainability policy and the development of the rural sector in Northern Ireland.
Department of Environment, Food and Rural Affairs	DEFRA	A Ministerial department, supported by 34 agencies and public bodies responsible for improving and protecting the environment in England by developing and implementing policies on the environment, food and rural issues.
Deposit Return Scheme	DRS	A system whereby consumers of qualifying drinks containers will have a deposit added to the cost of their drinks. The deposit is redeemable following the return of the containers to specified return points or reverse vending machines.
Discussion Document	DD	In this document, we refer to the Discussion Document as the public discussion document on the ‘Future Recycling and separation of Waste of a Household Nature in Northern Ireland’ which was consulted upon between 26 June and 4 October 2020.
Dry Recycling		A term used to describe recyclable materials including paper, cardboard, metals, glass and plastics.

Term	Acronym	Explanation
Extended Producer Responsibility	EPR	An environmental policy approach where producers are responsible for the post-consumer stage of their products. The approach shifts the responsibilities and costs away from governments and councils upstream to producers. It also incentivises producers to consider environmental impacts when designing their products.
Extended Producer Responsibility for Packaging	pEPR	Currently being introduced across the UK nations and will shift the cost of management of packaging waste from local councils to packaging producers. It includes modulation of producer fees to incentivise recyclability of packaging produced, increased recycling targets and clearer labelling for consumers.
Flexible Plastic Packaging		Flexible plastic packaging, more commonly known as plastic film, refers to the lightweight material used mostly in food packaging to extend the life of fresh food products, reducing food waste.
Full Time Equivalent	FTE	The total amount of full-time employees working at an organisation. It is a way of adding up the hours of full-time, part-time, and various other types of employees into measurable 'full-time' units.
Great Britain	GB	The island of Great Britain consists of England, Scotland, and Wales.
Greenhouse Gases	GHG	Gases that contribute to global warming by absorbing and emitting radiation such as carbon dioxide or methane.
Household Waste Recycling Centres	HWRCs	A place where people can take their recyclable materials, residual waste, and specified waste items for management by their Council. Otherwise called a civic amenity site.
Household Waste Collaborative Change Programme	HWRCCP	£23m fund to assist local councils to transform recycling services. The programme focuses on increasing the quality and quantity of recycling, to realise the economic potential of recycling to the local economy. It provides capital grants, for spending such as collection vehicles, bins, improvements to amenity sites or waste recycling centres.
In Vessel Composting	IVC	A composting process involving the aerobic (occurring in the presence of oxygen) breakdown of garden and food waste in a contained environment. Resulting product is used as a soil enricher.
Linear Economy		The traditional economic approach in the UK structured as take, make, use and waste.

Term	Acronym	Explanation
Local Authority Collected Municipal Waste	LACMW	Waste collected under arrangements made by a local Council. Primarily relates to household and non-household municipal waste.
Materials Recovery Facility	MRF	A facility where recycling that has been co-collected is sorted into different groups ready for reprocessing, for example plastic bottles, paper, cans.
Micro-Firms		Businesses, public bodies and other organisations that employ up to 9 Full Time Equivalents (FTEs).
Multi-Stream		Dry recycling materials are presented for collection by the household in separate containers.
Municipal Waste		Defined as waste from households and waste from other sources, such as retail, administration, education, health services, accommodation and food services, and other services and activities, which is similar in nature and composition to waste from households.
MyRecyclingNI		Website funded by DAERA and delivered by WRAP to allow you to see what happens to your waste and recycling collected in Northern Ireland.
Non-Household Municipal Waste	NHM	Waste collected from sources other than households where the waste is similar in nature and composition. This means that most businesses, public sector and third sector organisations are now in scope.
Non-Governmental Organisations	NGOs	A non-profit entity that is not part of a government or government body.
Northern Ireland Environment Agency	NIEA	An Executive Agency within the Department of Agriculture, Environment and Rural Affairs. The Agency's primary purpose is to protect and enhance Northern Ireland's environment, and in doing so, deliver health and well-being benefits and support economic growth.
QualiTEE		A term proposed in this document for an exception assessment to determine if mixed dry recycling collections delivers materials that are of comparable quality to separately collected materials. The assessment also covers if separate collections are Technically Feasible, incur disproportionate Economic costs or offer a better Environmental outcome. Formerly known as TEEP.
Residual Waste		'Black bag' waste - waste collected to be sent for energy recovery or landfill. Also known as general waste.

Term	Acronym	Explanation
Transitional Costs		This refers to the one-off transitioning of services that DAERA recognises will require resource and associated funding
WasteDataFlow	WDF	WasteDataFlow is the web-based system for municipal waste data reporting by UK local authorities to government, managed by NIEA in Northern Ireland.
Waste Electrical and Electronic Equipment	WEEE	Items or products which have a plug or need a battery to operate, and which fall into 14 broad categories of Electrical and Electronic Equipment as outlined by the Waste Electrical and Electronic Equipment Regulations 2013
Waste and Resources Action Programme	WRAP	A non-governmental organisation that receives funding from DAERA to undertake research and support with policy delivery (registered UK Charity No. 1159512).
Windsor Framework	WF	A framework that improves the original Northern Ireland Protocol which is part of the EU Exit deal setting NI trade rules amongst other areas of law.

Appendix 1 - Legislation Table

The table below sets out the key pieces of legislation that underpin the proposals contained in this consultation.

Legislation	Summary
Environment (NI) Order 2002	The main aim of the Order is to make provision for a variety of Environmental issues, with specific regard to pollution prevention and control. Gives DAERA powers to provide grant funding to bodies to further the objectives of the waste management plan or to prevent/control environmental pollution.
Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007	The aim of the Regulations is to make sure that the UK meets its recycling targets for packaging waste. The UK is unique to the rest of Europe as they place the responsibility for this recovery and recycling on the producers of the waste.
The Controlled Waste and Duty of Care Regulations (NI) 2013	The Controlled Waste Duty of Care Regulations (Northern Ireland) 2013 sets out the legal duties and responsibilities for anyone who produces, carries, keeps, treats or disposes of controlled waste in Northern Ireland. The purpose of the regulations is to ensure that waste is managed safely and legally, with a focus on preventing waste crime and protecting the environment.
The Climate Change (NI) Act 2022	This Act aims to establish a framework to achieve a long-term goal of net-zero carbon emissions by 2050 as well as a set of interim targets for 2030 and 2040 for reducing greenhouse gas emissions in Northern Ireland. It will also provide for carbon budgets. Waste Management is mentioned as a sector for decarbonisation and sets a requirement of at least 70% of waste recycled by 2030.
The Environment Act 2021	The Act aims to protect and enhance the natural environment through a framework of environmental governance, and through specific improvements to the environment such as through measures on waste and resource efficiency, including Extended Producer Responsibility and Deposit Return Scheme. Also includes provisions for eco-design and improvements to material durability, repairability and recyclability.

Legislation	Summary
The Food Waste Regulations (NI) 2015	To prevent food waste from entering landfill by encouraging source separation and separate collection of food waste. Bans separately collected food waste from landfill. Also places a duty on food businesses producing over 5kg of food waste per week to present food waste for separate collection.
The Waste (Circular Economy) (Amendment) Regulations (NI) 2020	Makes amendments to existing NI waste legislation to transpose the EU Circular Economy Package. Sets targets for the recycling of municipal waste and a restriction on waste to landfill.
The Waste Regulations (NI) 2011	The Regulations implement the provisions of Retained Reference Directive, on waste (the revised Waste Framework Directive) to help achieve its aim of providing "measures to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use
Waste and Contaminated Land (NI) Order 1997	The aim of the order is to set out provisions relating to waste on land, the collection and disposal of waste, land contamination by pollution, the controlled use, supply or storage of prescribed substances and articles and the obtaining of information on potentially hazardous substances.
Waste Electrical and Electronic Equipment Regulations 2013	The aim of the Regulations is to combat the rapid growth of waste electronic and electrical equipment (WEEE) and its impact on the environment due to its hazardous content. Measures are established for its treatment, reuse, recovery and recycling.
Waste Management Licensing Regulations (NI) 2003	Makes various provisions to bring into operation the waste management licensing system set out under part 2 of the Waste and Contaminated Land (NI) Order 1997.

Other Relevant Legislation

<p>The Environmental Permitting (England and Wales) Regulations 2016 (legislation.gov.uk)</p>	<p>Makes amendments to the existing England and Wales legislation on the quantity and frequency of input and output sampling at MRFs. The amended regulations will mean that:</p> <ul style="list-style-type: none">• more MFs will have to act under the regulations.• single waste streams will be measured and reported for the first time.• frequency of sampling will increase to 60kg for every 75 tonnes of incoming material.• MFs will need to measure and report on 10 types of incoming waste material instead of 4 and say where the waste material is from.• packaging and deposit return scheme (DRS) material proportions will need to be sampled and reported.• all the data collected (not just averages) must be reported to the regulator.
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Appendix 2 - Draft Written assessment template for collection of mixed dry recycling from households

Council	
Date of completion	

This written assessment template is intended for completion by councils that intend to rely upon one of the exceptions from the requirement to collect the recyclable waste streams separately in The Waste Regulations (NI) 2011, (as amended).

Legislation requires that recyclable waste is always collected separately from other household waste. The four recyclable waste streams for households are: paper and card; metal; plastic and glass. Duties apply where separate collection is necessary to ensure that waste undergoes preparing for re-use, recycling or other recovery operations in accordance with the waste hierarchy and the protection of human health and the environment and to facilitate or improve preparing for re-use, recycling or recovery, unless one of the following conditions is met—

- (a) collecting the waste paper, metal, plastic or glass together results in output from those operations which is of **comparable quality** to that achieved through separate collection;
- (b) separate collection of the waste does not deliver the best **environmental outcome** when considering the overall environmental impacts of the management of the relevant waste streams;
- (c) separate collection of the waste is not **technically feasible** taking into consideration good practices in waste collection; or
- (d) separate collection of the waste would entail **disproportionate economic costs** taking into account the costs of adverse environmental and health impacts of mixed waste collection and treatment, the potential for efficiency improvements in waste collection and treatment, revenues from sales of secondary raw materials as well as the application of the polluter-pays principle and extended producer responsibility.”

Please note the four dry recyclable waste streams (paper and card, glass, plastic and metal) must always be collected separately from food and garden waste and from residual waste.

The four conditions: comparable **Quality**, **Technically feasible**, **Environmental outcome** and **Economic costs**, are known within DAERA as **QualiTEE**.

How to complete this form

We recognise that it may be appropriate to provide different services to different properties within a council area, for instance depending on type of premises. A council should complete one version of the written assessment form for each type of premises (e.g. communal vs kerbside) which they intend to rely on one of the exceptions set out in the Waste Regulations (Northern Ireland) 2011 in order to set out why the exception applies. For the purposes of this example written assessment template, premises can be defined as:

- Those with kerbside collection of recycling, where each dwelling has its own containers for waste and recycling; or
- Those with communal collection of recycling; where dwellings share containers for waste and recycling collection.

If appropriate, a council may copy the same text into several forms. Multiple councils may also use the same text (for instance for shared routes where they work in partnership).

A council should fill in all the sections for the exceptions and highlight which exception condition they intend to rely upon. This is to ensure that all of the conditions are considered robustly (comparable quality, environmental outcomes, technical feasibility and economic costs). However, a council does not need to demonstrate that each condition cannot be satisfied to meet the requirement for an exception. By this we mean that, for example if a Council cannot demonstrate that separate collections entail disproportionate economic costs, it could rely on an exception where it demonstrates adequately that comparable quality can be provided with mixed collections.

What to do with this form

You should retain this form and any accompanying evidence in your records. The Northern Ireland Environment Agency (NIEA) may request to view this form at any time.

Councils should ensure that they establish a process for future reviews of written assessments to ensure compliance. A review may need to take place at periodic intervals (for instance, as part of an annual review of waste collection services) or when relevant circumstances change - for example, when a collection, treatment or recycling contract ends, if vehicles are to be replaced, or if access to a new recycling facility or technology becomes available.

At a minimum, it is recommended that written assessments are revised every 7 years. Guidance should be consulted in advance of renewing a written assessment.

Please record:

<p>How many written assessments are being submitted at this point by the council?</p>	
<p>Describe the type of premises this written assessment covers</p>	
<p>How many households does your local council collect from in total?</p>	
<p>How many premises does this assessment cover?</p>	
<p>If not all 100% of households are covered by this assessment, briefly state why this is the case?</p>	
<p>Have all factors been considered for the assessment (comparable quality, technical, economic and environmental)?</p>	
<p>List the recyclable materials that will be collected together using the exception(s)</p>	
<p>Have previous written assessments been submitted before by this Council? If yes, please provide the date (s) of your submissions.</p>	

Appendix 3 - Draft Written assessment template for collection of mixed dry recycling from NHM

Waste carrier organisation name	
Upper or Lower Tier waste carrier Registration number	Registration of Carrier (ROC)
Date of completion	

This written assessment template is intended for completion by waste carriers that intend to rely upon one of the exceptions from the requirement to collect Non-Household Municipal (NHM) recyclable waste streams separately in The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020.

Requirements set out on separate collections for household waste in The Waste (Circular Economy) (Amendment) Regulations (Northern Ireland) 2020 apply equally to carriers of controlled waste¹ as they apply to district councils as set out in section 20 of [The Waste Regulations \(Northern Ireland\) 2011](#).

The legislation requires that recyclable waste is always collected separately from other NHM waste. The four recyclable waste streams are: paper and card; metal; plastic and glass. Duties apply where separate collection is necessary to ensure that waste undergoes preparing for re-use, recycling or other recovery operations in accordance with the waste hierarchy and the protection of human health and the environment and to facilitate or improve preparing for re-use, recycling or recovery, unless one of the following conditions is met-

- (a) collecting the waste paper and card, metal, plastic or glass together results in output from those operations which is of **comparable** quality to that achieved through separate collection;
- (b) separate collection of the waste does not deliver the best **environmental outcome** when considering the overall environmental impacts of the management of the relevant waste streams; or
- (c) separate collection of the waste is not **technically feasible** taking into consideration good practices in waste collection.

Four conditions: comparable Quality, Technically feasible, Environmental outcome and Economic costs, have been named by DAERA as **QualiTEE**. However, DAERA considers that economic cost differences between separate or mixed recycling collection schemes paid for by NHM organisations should not be subject to assessment. This is because the costs are paid by an organisation for its waste collection and treatment services and are a matter for that organisation, and as such, not within the scope of the “Public Purse”.

Please note the four dry recyclable waste streams (paper and card, glass, plastic and metal) must always be collected separately from food waste and from residual waste.

How to complete this form

A waste carrier should complete one version of the written assessment form for each type of NHM premises where they intend to rely on one of three exceptions (comparable quality, environmental outcome or technical feasibility) from the Waste Regulations (Northern Ireland) 2011 to set out why the exception applies.

If appropriate, a waste carrier may copy the same text into several forms. Although an assessment is required for each type of premises, the information will only be different on the condition of technically feasible, which should reduce the administrative burden on waste carriers.

A waste carrier should fill in all three sections for the exceptions and highlight which exception condition they intend to rely upon. This is to ensure that all three conditions are considered robustly (comparable quality, environmental outcomes and technical feasibility). However, a waste carrier does not need to demonstrate that each condition cannot be satisfied to meet the requirement for an exception. By this we mean that, for example if a waste carrier can demonstrate that mixed collections provide comparable quality, it could rely on an exception where it demonstrates adequately that separate collections are not technically feasible.

What to do with this form

You should retain this form and any accompanying evidence in your records. The Northern Ireland Environment Agency (NIEA) may request to view this form at any time.

Waste carriers should ensure that they establish a process for future reviews of written assessments to ensure compliance. A review should take place when relevant circumstances change - for example, when a collection, treatment or recycling contract ends, if vehicles are to be replaced, or if access to a new recycling facility or technology becomes available.

Please record:

How many written assessments are being submitted at this point by the waste carrier?								
Describe the set of premises this written assessment covers.	Example: All businesses and NHM premises in Townsville High Street							
How many premises does this assessment cover?								
If appropriate indicate with "yes" the industry sector this written assessment covers	Hospitality	Retail & wholesale	Transport & storage	Food manufacturing	Education	Healthcare	Offices	Other - please identify
If possible, provide the Standard Industrial Classification (SIC) code for the premises covered by this assessment.								
Have the 4 factors been considered for the assessment (comparable quality, technical, economic and environmental)?								
List the recyclable materials that will be collected together using the exception(s)								
Have previous written assessments been submitted before for these premises? If yes, please provide the date (s) of your submissions.								

Comparable Quality

Whether collecting paper and card, metal, plastic, or glass together results in output from those operations which is of comparable quality to that achieved through separate collection should be evidenced by waste carriers. Standard default values and data with clearly referenced sources could be provided and shared by DAERA, for instances where you cannot access information. The factors would be:

- Comparable quantities (+/-2%) of each material stream sent for closed loop recycling;
- Comparable quantities (+/- 5%) of each material stream sent for open loop recycling,

You may opt to use a tool that DAERA will develop, or you may wish to employ other methods to assess if mixed collections provide recyclate of comparable quality to separate collections. Regardless of the method used, you must provide clear information on the factors considered.

To make the case that mixed collections provide recyclate that is of comparable quality to separate collections, a waste carrier will need to demonstrate that their local circumstances justify not having a separate collection system. You should complete a table similar to Table 1 below.

Table 1

Comparable Quality				
Material considered	What % of this material is collected mixed with other materials	What % goes to closed-loop recycling	What % goes to open-loop recycling	Do you have robust evidence? Yes/ no/ not sure/ limited information
Paper/ card				
Plastics				
Metals				
Glass				

What type of data is provided for this exception? Select all that apply:

- Analysis completed by the waste carrier or its collection/ treatment contractors - please state which
- Analysis completed by a consultant on behalf of the waste carrier
- Data summary received from a tool provided by DAERA
- Other documentation (please describe)

Technically Feasible

DAERA considers '**technically feasible**' to mean that the separate collection may be implemented through a system which works in practice, elsewhere in the UK. Some factors may present technical issues in the short term, for instance depot space or availability of suitable containers. These issues could be resolved through investment, in which case the factor would have been economic. However, this factor is not relevant within the NHM assessment on separate collections.

Examples where local circumstances mean that it is not technically feasible to have separate collection could include, but are not limited to factors such as:

- Storage of containers at premises, outside of individual obligated organisations; and
- Type of premises and accessibility.

Note that the following issues are not considered by DAERA as within the scope of 'technically feasible' for the separate collection of recyclable materials:

- NHM Sector collectors' historical preferences; and
- Rurality - this should be considered in terms of the comparable quality or environmental factors where relevant.

Waste carriers may opt to use a tool that DAERA will develop, or they may wish to employ other methods to assess if separate collections are not technically feasible. Regardless of the method used, you must provide clear information on the factors considered.

To make the case that separate collection is not technically feasible, you will need to demonstrate that your local circumstances justify not having a separate collection system. Waste carriers should complete a table similar to Table 2 below for each premises, indicating which are impacted by the technical factors making separate collections unfeasible.

Table 2

Technically feasible			
Description of technical factor(s) relied on that make separate collections unfeasible	Have you reviewed case studies and guidance? Yes/ No/ No relevant guidance available	Can the issue be resolved over time? Yes/ No, If yes, how long to resolve?	Do you have records/ photos/ floor plans/ other evidence? Yes/No

Environmental outcome

For the purposes of agreeing a standard definition to demonstrate that separate collections have similar environmental outcomes as those where recycling is collected mixed, waste carriers should consider the range of environmental costs and benefits of different types of collections. The written assessment should include all of the materials that are required to be collected within each recyclable waste stream.

You may opt to use a tool that DAERA will develop, or you may wish to employ other methods to calculate environmental outcome. Regardless of the type of tools used, you must provide clear information on the methodologies and assumptions that are used. We expect you to show consideration of at least all of the 8 factors shown below, and these should be measured as tonnes of kilograms of carbon dioxide equivalents, either emitted or saved:

1. Quantities of materials collected;
2. Quantities of materials classed as contamination and not recycled;
3. Quantity and proportion of materials sent for closed and open-loop recycling;
4. Quantities of materials lost from sorting processes at a MRF and sent for disposal (e.g., process loss);
5. Vehicle emissions from collection rounds *measured as tonnes of kilograms of carbon dioxide equivalents, either emitted or saved;*
6. Vehicle emissions from bulk transportation to sorting and reprocessing both in NI and overseas *measured as tonnes of kilograms of carbon dioxide equivalents, either emitted or saved;*

- 7. Emissions from disposal/ treatment *measured as tonnes of kilograms of carbon dioxide equivalents, either emitted or saved -from (2) and (4); and*
- 8. Carbon savings from using recycled materials rather than virgin materials *measured as tonnes of kilograms of carbon dioxide equivalents, either emitted or saved - from (3).*

Other relevant factors can also be included.

To make the case that separate collection does not deliver the best environmental outcome, a waste carrier will need to demonstrate that their local circumstances justify not having a separate collection system. You should complete a table similar to Table 3 below. We have set out four basic scenarios, which cover separate collections, two types of two-stream collections and commingled. You should consider these four basic scenarios as a minimum.

Table 3

Best Environmental Outcome				
Basic description of scenario	Details of scenario based on factors 1 to 8	What is the carbon dioxide equivalent per type of NHM premises of the scenario	Describe any other environmental costs / benefits?	Do you have robust evidence? Yes/ no/ not sure/ limited information
<ul style="list-style-type: none"> • Paper with card • Plastics, cartons, metals • Glass 				
<ul style="list-style-type: none"> • Paper with card • Plastics, cartons, metals & glass 				
<ul style="list-style-type: none"> • Paper, card, plastics, cartons & metals • Glass 				
<ul style="list-style-type: none"> • Paper, card, plastics, cartons, metals & glass 				

What type of data is provided for this exception? Select all that apply:

- Analysis completed by the waste carrier or its waste collection/ treatment contractor(s) - please state which
- Analysis completed by a consultant
- Data summary from a tool provided by DAERA
- Other documentation (please describe)

Authorisation

This form should be authorised by the operations manager for the waste carrier organisation

Authorisation Box 1

Signature:	
Job title:	
Email address	
Date the written assessment: was completed	
Planned date for review:	

Resources and Waste Strategy Team
Environmental Resources Policy Division
Department of Agriculture, Environment & Rural Affairs
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