



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

Wednesday 21 March 2012



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**RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE**  
**9<sup>th</sup> Meeting 2012, Session 4**

**CONVENER**

\*Rob Gibson (Caithness, Sutherland and Ross) (SNP)

**DEPUTY CONVENER**

\*Annabelle Ewing (Mid Scotland and Fife) (SNP)

**COMMITTEE MEMBERS**

\*Claudia Beamish (South Scotland) (Lab)  
\*Graeme Dey (Angus South) (SNP)  
\*Jim Hume (South Scotland) (LD)  
\*John Lamont (Ettrick, Roxburgh and Berwickshire) (Con)  
\*Richard Lyle (Central Scotland) (SNP)  
\*Margaret McDougall (West Scotland) (Lab)  
\*Dennis Robertson (Aberdeenshire West) (SNP)

**COMMITTEE SUBSTITUTES**

Claudia Beamish (South Scotland) (Lab)  
Nigel Don (Angus North and Mearns) (SNP)  
Alex Fergusson (Galloway and West Dumfries) (Con)  
Alison McInnes (North East Scotland) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Stuart Greig (Scottish Government)  
Iain Gulland (Zero Waste Scotland)  
John Kenny (Scottish Environment Protection Agency)  
Stephen Pathirana (Scottish Government)  
Gary Walker (Scottish Environment Protection Agency)

**CLERK TO THE COMMITTEE**

Lynn Tullis

**LOCATION**

Committee Room 4



## Scottish Parliament

### Rural Affairs, Climate Change and Environment Committee

Wednesday 21 March 2012

[The Convener opened the meeting at 10:03]

### Subordinate Legislation

#### Waste (Scotland) Regulations 2012 [Draft]

**The Convener (Rob Gibson):** Good morning everyone, and welcome to the ninth meeting in 2012 of the Rural Affairs, Climate Change and Environment Committee. Members and members of the public should turn off mobile phones and BlackBerrys, because leaving them in flight mode or on silent affects the broadcasting system. We have received no apologies.

Agenda item 1 is subordinate legislation. The committee will hear from officials who have been working on the draft Waste (Scotland) Regulations 2012. This is our first oral evidence session on the regulations; we will continue to take evidence on them at our next two meetings and report to Parliament on them at the start of May 2012.

I welcome the panel of witnesses and invite them to introduce themselves.

**Stephen Pathirana (Scottish Government):** I head up the zero waste policy team in the Scottish Government.

**Stuart Greig (Scottish Government):** I look after the waste management team, which is part of the broader zero waste agenda and is responsible for the regulations.

**John Kenny (Scottish Environment Protection Agency):** I am head of national operations in the Scottish Environment Protection Agency.

**Gary Walker (Scottish Environment Protection Agency):** I am a principal policy officer with the Scottish Environment Protection Agency.

**Iain Gulland (Zero Waste Scotland):** I am the director of zero waste Scotland, which forms the Scottish Government's delivery programme.

**The Convener:** Thank you. I do not know whether any of you wishes to make brief opening remarks—the subject is quite large—but if you do, you can indicate that just now, otherwise we will get to questions as quickly as possible. Stuart Greig has indicated.

**Stuart Greig:** I will make a brief statement. Thank you all for inviting us. We enjoy talking about this topic, because it is so fascinating.

The regulations are called the Waste (Scotland) Regulations 2012, but if we had a say in what to call them we would definitely call them the resource management (Scotland) regulations. The agenda is about how we move away from thinking about waste as such and think about it as a resource. We have started that journey already, but the regulations take us a step beyond where we are.

The resource opportunity of waste is huge. We are seeing not only the price of raw materials increase, but the price of secondary materials—the recyclable materials—increase over time. That creates real opportunities for Scotland to position itself to harness that economic potential. It can allow us to develop a new kind of manufacturing industry that is about reprocessing those materials. This is a critical point for repositioning our economies around using secondary resources and not being dependent on the primary resources, which are increasing in cost and becoming scarcer. That is what these regulations and the Government's zero waste plan are about.

**The Convener:** Thank you very much. I think that most would agree that this issue is part of our concerns about climate change and the environment, and using resources at a far better and more sustainable level. We welcome such emphases.

I will kick off with a general question. Can we make regulations that can meet the general interests of urban and rural councils and businesses and give them a fair chance to take part in the use of the waste resource?

**Stuart Greig:** You have highlighted exactly what the challenge has been in pulling together the regulations. We had to talk at length with a number of stakeholders to get the regulations framed correctly. Much of what we tried to do—this is one of the novel things that we have achieved in the regulations—involved separating out the responsibilities and requirements for people in rural areas from those for people in more urban environments.

The geography of Scotland means that the way in which we deal with waste in a city centre is entirely different from how we deal with waste problems for companies and individuals in rural areas. In the regulations, we clearly set out what could be called a two-tier system for how rural environments and urban areas are dealt with. That was a critical aspect of our framing of the regulations.

**The Convener:** Obviously there are the other axes of public authorities that have to collect

waste and businesses that have to dispose of it. Have you hit particular problems with, say, the collectors and the people who are the users in the bigger sense regarding the way in which they perceive the new regulations?

**Iain Gulland:** That is one of the challenges. To build on what Stuart Greig has said, there is a lot more business in terms of waste and resources in the central belt than in the rural areas. In the past and at present, there has been a mismatch between the accessibility of collection infrastructure and the producers of waste. That will be covered by zero waste Scotland's programme.

As for the timing of the regulations and how they are being staged, our programme is about supporting businesses and industry and providing investment opportunities to build the infrastructure that will be necessary to make collection infrastructure accessible to all. The waste collection industry and the producers recognise that more needs to be done and that has been taken into account in the drafting of the timetable for the regulations. My programme has certainly been geared towards providing the support and investment to ensure that the mismatch does not continue.

**The Convener:** Okay; we will start to tease out some of those things.

**John Lamont (Ettrick, Roxburgh and Berwickshire) (Con):** Good morning, gentlemen. I want to raise an issue that comes from two different perspectives. In the consultation responses, there was an issue with the cost of observing the new rules. Some councils were concerned that they would be unfunded, so they would have to find provision in their existing budget to comply. Businesses were also concerned about the costs that they would face. Do you have a view on that?

**Stuart Greig:** Yes, absolutely. Those are concerns that we listen to a lot. The reality is that the cost of waste management is on an upward incline; the cost of disposal of materials to landfill is increasing substantially and by 2015 it will be £80 a tonne. Through the regulations, we are trying to help businesses to break that trend. The cost of handling waste—it is all our waste and we are responsible for it—is increasing and the regulations, by driving real recycling and source segregation, create the opportunity to get the real savings to flow from industry to the companies that present those materials.

That is undoubtedly a shift that must take place and it is needed in the service that the industry provides to businesses. There is a need to develop tailored systems that suit both small and larger businesses so that the savings are passed on to the customers, and we are starting to see

really good examples of that. For example, a company in East Lothian, Forth Resource Management, is providing food waste collections to small businesses in North Berwick and other towns for the same price as it would cost a company to have its black bag waste picked up. Next year, it will be cheaper. Restaurants in Glasgow are working together to get free food waste collections because of the values of the oils and fats produced. That is a huge cost saving.

We have other things, such as the business improvement district approach, which I think Iain Gulland would be well placed to discuss.

**Iain Gulland:** We are working with BIDs around Scotland and have some initiatives with them. In particular, one such initiative in Bathgate is bringing together about 40 businesses to see how we can help them reduce the impact of waste; how, when they have waste and resources to collect, we can help them to engage with the collection infrastructure; and how we can design that around their needs. We are trying to pull them together in a co-operative approach to drive down costs and look for savings in the infrastructure while getting a service that meets their needs—that is the most important thing. We are working with a number of BIDs on that.

We were talking about the public sector. We have a programme of work with councils to help them support food waste collection, bringing forward the infrastructure that is required in the regulations for the collection of food waste. Specific funding has been made available by the Scottish Government to invest in local authorities and to help with the set-up costs of introducing those collections. I think that we have already signed contracts with six authorities to put out food waste collections. About 250,000 households in Scotland are beginning to benefit from that and we are working with more councils, too. There is a programme of work to bring forward that investment and to work with the public sector and private sector—the industry, collectors and the businesses—to meet the needs of the regulations.

10:15

**John Lamont:** Concerns have been raised about the business and regulatory impact assessment that was conducted. Are you aware of those concerns? Was the assessment done any differently from previous impact assessments? Was the methodology different? Particular concerns have been raised by the catering sector, on which the changes will have a disproportionate effect.

**Stuart Greig:** As has been pointed out, the regulations will hit everyone in Scotland who handles waste, from the Government right through

to the waste management companies. The business and regulatory impact assessment considered the impact across multiple sectors. Within that, we broke it down into individual sectors, such as food and retail. It is difficult to understand the precise nature of the cost for every business. However, there are opportunities for savings, as Iain Gulland mentioned.

We have tried to phase the introduction of the regulations carefully. We want to stimulate the market for the waste management companies so that they make a service available to companies in the centre of Glasgow, say, and create the competition that is needed to drive down the cost. That is why we have phased the introduction of the food waste measures. For larger businesses, they will come in in 2013. That will stimulate the waste management sector to get the service on the ground so that smaller businesses can, we hope, benefit from that service. To achieve the aim, we must break the current cycle. That is the critical thing that the regulations are trying to do.

A further point on the costs is that the real savings to businesses in Scotland, beyond preventing food waste and, we hope, getting cheaper collections for it, will come from their becoming more resource aware and more resource efficient. A big part of Iain Gulland's programme is about talking to businesses to give them the tools and knowledge to make better decisions about their procurement and contracting so that they can become resource efficient. That helps them to become more competitive businesses, which is good for us all. That is part of what we are trying to stimulate through the agenda.

**Iain Gulland:** We have worked with the hospitality sector in parallel with the work on the regulations. More than a year ago, we did a piece of work with the hospitality sector that demonstrated potential savings of £64 million just from starting to reduce food waste in the industry. We have discussed that with key stakeholder bodies in the tourism industry. We have been working to develop a specific programme that is not just about meeting the regulations on recycling; it is a waste prevention programme for the tourism industry in Scotland, from the big players to the smaller ones. We have been in constant dialogue.

That work has been running separately. Obviously, our work is generic and applies across all businesses, but we target sectors when we think that savings can be made, such as cost savings and significant environmental savings in relation to food waste in the food and drink and tourism industries. We also work with the construction industry, where significant cost savings can be made. We pull out those sectors.

As Stuart Greig said, that work is about resource efficiency and good practice; it is about working out some of the issues for individual businesses and for sectors as a whole. In parallel with the work on the regulations, a lot of work has gone on to engage with specific sectors, one of which is the hospitality industry.

**The Convener:** Yes, but John Lamont's point was that businesses have concerns about the process of the regulatory impact assessment. Can you respond to those criticisms of the process that you adopted?

**Stuart Greig:** We have had on-going dialogue with businesses through zero waste Scotland, which has direct business contact. We have worked closely with the Federation of Small Businesses, which has been supportive of what we are trying to achieve. For example, it has been helpful in ensuring that we have appropriate flexibility in the regulations for small businesses. We might talk more about the details of the regulations, but they have been drafted in certain ways to respond to the concerns of the FSB.

With regard to the business and regulatory impact assessment, I think that we have engaged more with companies and businesses than has been the case in other areas—rightly so, given the big impact that this move will have across the sector.

**Stephen Pathirana:** We have engaged not just over the past year on the regulations; in fact, our engagement goes back two and a half or three years to events that we held for business when we began to develop the zero waste plan and think about how to take forward this agenda. The challenge for us and for business is to establish a framework that delivers for business as a whole—in other words, the macro picture painted in the impact assessment—and to work out how we can translate overall cost savings into real and practical savings on the ground for business. That is all about implementing the regulations over time and in a way that allows changes to happen in a progressive way. That will be challenging, but it is a really important part of making a success of all this.

**John Lamont:** You have said a lot about the engagement that you have undertaken or have attempted to undertake, but the responses that have been received show that, despite all your efforts and all that engagement, the sector still has real and significant concerns.

**Stuart Greig:** Indeed it has. Last week, I gave a presentation to the industry sector body—the Scottish Environmental Services Association—which I believe will give evidence. One of the pictures in that presentation was of a flat earth with ships falling off the edges. That is where

businesses are at the moment; they simply do not have time to worry about which regulation is coming. The critical thing is that the industry, once it hits the ground with these things, can offer a good-quality service and can help businesses to find the savings that we genuinely believe are there to be made. We realise that not every situation will be easy and that the transitional phase will be bumpy, but we believe that, across the board, this agenda will give businesses real long-term savings. Businesses just have to be confident and, through zero waste Scotland and others, we are absolutely committed to working with them to help them make those savings and to help the industry to position itself in that respect.

**Dennis Robertson (Aberdeenshire West) (SNP):** I wonder whether you can expand a bit more on the prevention element in waste reduction. Reducing the amount of waste that is being produced will obviously have cost benefits with regard to waste collection. Have you a target in mind for reducing waste on a particular timescale?

**Stephen Pathirana:** Certain elements of the regulations will lead to waste reduction because, as people begin to understand the amount of waste that they are producing, they begin to get better at reducing it. Indeed, it has been demonstrated that the separate collection of food waste has resulted in households getting better at managing what they have in their fridge.

The answer to your question is that we will have to wait a little bit. One of the key actions in the zero waste plan was the development of a waste prevention programme, a consultation paper on which will be launched shortly and will set out options for putting additional waste prevention measures in the zero waste regulations.

**Claudia Beamish (South Scotland) (Lab):** I note that the Catering Equipment Suppliers Association has expressed concern at the cost of the shift, particularly for small businesses, and the British Hospitality Association has highlighted that what I think are called masticators—

**Stuart Greig:** Macerators.

**Claudia Beamish:** I knew that I would get that wrong. The association thinks that the shift to an alternative approach might result in more food going to landfill.

Iain Gulland touched on the possibility of clusters. He mentioned Bathgate in that regard, but I wonder whether it might also apply to rural businesses and whether some kind of co-operative arrangement might be possible with regard to costs and the shift in behaviour.

**Stuart Greig:** I will pick up the point about macerators and let Iain Gulland deal with the other point.

Macerators are still in reasonably frequent use, but there has been a shift away from their use over a number of years. Food waste can be turned into green energy and sustainable fertilisers. In our view, putting food waste down the sink and disposing of it is no better for Scotland than landfilling it, so we absolutely want to avoid that. That is why we have been clear about banning the use of that sort of macerator. We understand the impact on the industry, which will need to adapt, and we recognise that other tools for businesses to use will need to be developed, but we think that that is the right decision.

The industry will argue that, with the use of macerators, energy can still be recovered from food waste at the end of the pipe, but we not do have the infrastructure through Scottish Water, for example, to do that in Scotland, although some countries might have it. Even with that, we think that getting food waste at the door and getting it to an anaerobic digestion facility is the right way to go.

We believe that we have available in Scotland the AD and in-vessel composting infrastructure that is needed to process food waste. In the past few years, we have put a lot of money—£6 million—into helping to stimulate investment in those facilities. They exist and material for them is being looked for. There is one such facility on the outskirts of Glasgow. A free gate fee is being offered to people who want to bring their food waste to that facility. That shows the value of the material that is being taken to those sites.

**Iain Gulland:** On rural businesses working together, there is an exemption for what rural businesses have to do about food waste to a degree. The key point is that we are trying to work with not only the collecting industry, but businesses across Scotland. We are looking at how we can help them to address issues. When we go out and meet representatives of businesses, we are told that they are keen to recycle and do more, and our job is to facilitate that. As I have said, there are a number of examples. The BIDs are a good example, and we are working with Highlands and Islands Enterprise to look at rural solutions and solutions on the islands, which can have different environments for waste management.

It is about partnership and working with businesses to work out what is best for their community. There is also a role for the community recycling sector in providing solutions in places that the local authority or private industry will perhaps not go to because of their distance from the central belt. There are opportunities in such



places, and the community recycling sector has done interesting work in looking at possible solutions for rural parts of Scotland. Our job and programme are specifically to do with that.

We have a specific programme to look at small-scale infrastructure. The AD plants and in-vessel composting units in which we have invested are quite large. The technology has developed, a number of smaller-scale solutions are now on the market, and innovative technology is coming through. We are keen to consider how we might be able to apply those things in small-scale, community-owned businesses or otherwise in other parts of Scotland. We are at the very early stage, but we have a programme of work for looking at such solutions.

**Annabelle Ewing (Mid Scotland and Fife) (SNP):** On the broad brush of the conversation, waste reduction is crucial, and it is good to hear that there will be a consultation on that shortly. Demonstration projects have been run in different parts of Scotland. Information about best practice and information exchange is extremely useful.

I live in Comrie in west Perthshire. The Comrie Development Trust is running a very successful carbon challenge project, and it has amassed many useful examples of what can be done. Business should see that not as a threat, but as an opportunity to save costs in the medium to longer term.

With regard to rural Scotland, is it intended that there will be an obligation or requirement in the regulations to separate out domestic dry waste and food waste? That is not entirely clear to me.

10:30

**Stuart Greig:** In what we have defined as rural areas—if I remember rightly off the top of my head, they form about 80 per cent of Scotland's landmass but have only 20 per cent of the population—separating out dry recyclable material will be a requirement, but we have given an exemption for food waste. Local authorities will not be required to provide a food collection service in very rural areas. They might well wish to do that, particularly in areas that are on transport routes between towns and so forth, but we are back to horses for courses—long travel times, difficult access and everything else present a challenge for local authorities.

We want to get food waste in the easy-win places first. That is not to say that providing food waste collections in very rural areas will not make absolute economic sense in 10 years' time. We are not at that time yet, but the first step is starting to be made.

**Annabelle Ewing:** What is the state of play in rural Scotland as defined in the standard definition? What is the breakdown of councils that are and are not dealing with the separating out of food waste? What percentages are involved?

Food waste is an important element of a zero waste programme. I live in the Perth and Kinross Council area, where we have separated out food waste for some time. Some areas in the council's jurisdiction are reasonably accessible, but other areas are not as accessible. If they can separate out food waste, why cannot others be expected to do that?

**Stuart Greig:** Absolutely. We have drawn a line that defines rural areas around Scotland—it uses the classification that we have to split up rural and urban areas. As I said, that is a line in the sand. I hope that local authorities will push beyond that line and roll out the service where it makes sense.

In lots of instances, it will make sense to go beyond the minimum requirement that we have set out, but getting to 80 per cent of households is the critical first step. The way in which the regulations are framed will capture that—80 per cent of households will be eligible to have food waste collections on their doorstep.

In very remote places, such as the islands and remote parts of the Highlands, food waste collection is very technically and economically demanding at the moment. That is why we have set up the split between rural and urban areas.

**The Convener:** My area is kind of representative of lots of remote areas. When I look at remote parts of cities, I wonder whether we should be ensuring that the spread of money is fair.

You have not answered one question. Will the derogation on food waste separation that you talked about apply to commercial businesses or domestic premises in rural areas?

**Stuart Greig:** It will apply to both. The principle will apply to businesses. People in a rural area will not be required to separate out food waste but, if a cost-effective service is available, I imagine that businesses will adopt it.

The regulations include a general requirement on local authorities that do not offer a service—whether to households or businesses—to raise awareness of other things that businesses or households could do with their food waste, such as home composting. At the same time, I imagine that we will work with zero waste Scotland to help businesses to find other solutions for the time being, if no collection service is available to them.

**Margaret McDougall (West Scotland) (Lab):** Good morning. The zero waste plan covers all of Scotland and you have said that local authorities

will be supported for the first three years. They have questions about what will happen if resources are not provided after the three years are up. Local authorities deal with only 17 per cent of waste. What support will you give businesses to deal with waste?

Claudia Beamish asked about macerators. If a hotel or other hospitality business has invested heavily in a macerator, what support will it be given? Will it immediately have to stop using that equipment and change to another form of waste disposal?

**Iain Gulland:** Local authority support is provided for three years because our programme is funded for three years, which is obviously tied into the spending review and stuff like that. We have a funding commitment from the Scottish Government for an investment programme of three years, but beyond that, I am not able to say.

The support is not meant to be on-going as such: it is an investment to get the infrastructure in place and address the set-up costs. We go through a detailed business case with individual local authorities that details what the costs would be if they did not collect food waste. They have to do that under the regulations, and our investment is about getting them over the initial hurdle of investment in infrastructure and bringing forward the savings earlier. The argument is that if we do not do that, there will be a greater cost for those local authorities in increased landfill fees, landfill taxes and so on.

We are not here to subsidise trade, but we will run a programme to invest in infrastructure for the private sector. We will seek to support the businesses themselves; we have quite a high level of business engagement with small and medium-sized enterprises in the collection infrastructure.

With regard to training, we have an internal management scheme to build capacity in those organisations so that they can adapt to the new regulations. We will also run a programme of investment in new infrastructure for the private sector and the community sector. It will focus on what we have talked about—for example, rural areas in which there is a mismatch between the availability of the collection infrastructure and what producers are looking for. We will continue to invest in that regard, particularly on food waste, which is one of the key priorities.

We will look at how we can support private industry to increase the quality of the material that it is collecting. It is not just about collecting stuff on the street, but about improving the quality of material recycling facilities and raising the standard of inputs and outputs at those facilities. A lot of work in the next three years will focus on investing in that across the piece.

**Richard Lyle (Central Scotland) (SNP):** Good morning, gentlemen. I have several questions. I have attended many conferences on waste management over the years. We all talk about the end waste, but what about the beginning? What are we doing to encourage manufacturers to reduce packaging right at the start? If you buy a fridge and take out the plastic that surrounds it, and the paper and whatever else, you find that there is a substantial amount of packaging in the box. What are we doing to reduce waste at the start of the cycle?

**Stephen Pathirana:** Quite a lot is being done. One challenge in that area is that, although businesses have made many changes in the packaging that they use, we often do not see those changes. I will give you an example—it is possibly not an appropriate example. If you go to a supermarket today and look down the wine aisle, you will see about 20 per cent more bottles on the shelf in comparison with five years ago. That is simply because the glass from which the wine bottles are made is much thinner. That is an example of how packaging has been made lighter in the past five, six or seven years.

The key driver behind that is the European legislation on packaging and producer responsibility for packaging. We have targets in Scotland—as the rest of the UK does—to drive producers to minimise their packaging. Those improvements are not the end, and a lot more could be done, but there is a drive to encourage a reduction in packaging across the board. Unfortunately, although the new packaging tends to be lighter, it looks the same because we are buying the same product, so we do not always see that difference.

**John Kenny:** Everybody in the chain has responsibility for recovering some of the packaging. The manufacturers, the fillers, the packers and the sellers all have obligations to minimise the packaging that is produced and to recover packaging.

**Iain Gulland:** As Stephen Pathirana said, much work is going on. We do a lot of work on packaging with retailers and key brands, here in Scotland and at UK level. That is a part of our work that is not really seen, because people still find packaging when they go to the supermarket or get a fridge delivered, as Richard Lyle said. However, there have been changes in the format of packaging, for example to minimise the weight. Packaging has changed greatly during the past five to 10 years.

More change is coming, because the industry recognises the need for that. I was presenting to the packaging industry yesterday, and it is clear that there are changes in their thinking about formats and so on. The industry is leading on the

issue, whereas in the past there was a sense that Governments in Scotland and the UK were pushing on the issue and trying to get things done. The industry now recognises the need for action, simply because of the issues that we talked about. The cost of primary resources, the scarcity of minerals across the globe and the need to reduce transport costs are driving change, and I think that the packaging on our shelves and in supermarkets will be radically different again in five to 10 years' time.

**Richard Lyle:** We have 32 local authorities in Scotland that have 32 different approaches to waste. I am sure that you know these figures well: in the periods April to June 2011 and July to September 2011, North Ayrshire Council's recycling rates were 58.9 and 56.8 per cent respectively; Dumfries and Galloway Council, which is a rural council, had rates of 21.5 per cent and 22.5 per cent; Shetland Islands Council had the lowest rates; Glasgow City Council had rates of 26.8 per cent and 28.2 per cent; and City of Edinburgh Council's rates were 35.1 per cent and 34.6 per cent.

Local authorities have to bear the additional costs of providing recycling services—I know that the Government gives funding. Are there incentives that we could give to local authorities to increase their recycling rates? Can we say, "Instead of paying £80 per tonne, if you hit X we will put it down to £70"? As John Lamont said, recycling costs councils quite a lot of money.

I first came across recycling in Holland—my mother-in-law was Dutch—some 20 years ago. Every housing estate had a local recycling centre with bins. Dundee City Council's recycling rates have fallen during the past year, but the city is concentrating on developing local recycling centres, with bins down the street that people who live in flats and tall tenements can use.

Is there anything else that we can do to incentivise councils, rather than create costs for them? Councils are worried about how they will pay for all the services that we want them to provide.

**Stephen Pathirana:** I think that several of us will want to answer your question, which gets to the nub of a set of important issues. A point that I have been trying to convey is that although costs are without doubt attached to implementing change—which is what the support that Iain Gulland can provide through zero waste Scotland is about—there are also built-in opportunities and cost-saving incentives.

I will give you a couple of examples, to give you a sense of the opportunities in that regard. City of Edinburgh Council, whose recycling rate is roughly 35 per cent, is looking at changing its service to

take its recycling performance to more than 50 per cent. The council has not settled on what it will do, but the evidence that it has suggests that it will be able to provide a new service—which will deliver more than 50 per cent recycling—at a cost that is 20 per cent less than the cost of the current service.

10:45

Another example is Fife Council, which has approached the challenge ingeniously. Historically, it had a small recycling bin and a big bin for residual waste. It was a good performer and was in the 40-plus per cent box. Fife Council has now gone out with a good communication plan for recycling—it is key to engage the public on the need to recycle—and has swapped its bins around so that the big bin that used to be for black bin bag waste is now for recycling and the little bin is for the black bin bag waste. There has been good communication about that. Fife Council has not spent money on infrastructure, because the bins were already there, and it is finding that in the areas in which it has rolled out the new system it is hitting over 60 per cent recycling. It will roll out the new system to all 200,000 houses in Fife over the next few years.

The process requires some creativity and each local authority needs to look at the infrastructure that it has in place and how it can adapt it. That is what a lot of the support is for.

I do not know whether any of my colleagues want to add to that.

**Stuart Greig:** I will give another example of the trend. The economies of waste management have in-built incentives now. Landfill tax is going up, so if local authorities do not find something else to do with the materials and do not get them recycled, they will not get the savings. In doing more to get the recycling, they are starting to see that the nature of their contracts for the materials is changing. They will change significantly in the next 10 years.

A good example is that some local authorities are getting paid for the recyclable material that they collect. That is the shift that we want and that we think will take place more widely. That is when we will really start to treat waste as a resource and not simply as waste.

The point was made that we are dealing with 32 different local authorities. We are working with zero waste Scotland, the Convention of Scottish Local Authorities and local authorities to ensure that they share best practice from lessons learned about how to get a cost-effective service out there that the public find easy to use and that they use to the best of their ability. That initiative to share best practice will help councils and will start to

make a difference. We will see step-changes in the recycling figures across Scotland in the next two to three years.

**Iain Gulland:** The point of our programme is not just to invest in local authorities, but to help and support them. I referred earlier to their business cases for food waste. They have developed to the point where some local authorities are looking at a full review of their services, as Stephen Pathirana and Stuart Greig have said. The zero waste plan and the regulations will give certainty to local authorities about where they need to go with waste. We can sit with them and help them to future proof their collection infrastructure for the regulations and look at all the savings in the round. It is therefore a positive time for councils to think about where they are going and how they can adapt their services to make savings.

The point that was made about resources is right, because at the end of the day local authorities are collecting resources, and the value of those secondary resources is going up. That trend will continue. There are 32 local authorities, but collectively the public sector has control over millions of tonnes of resources that have a potential multi-million pound value that we could start to realise not just for the public purse, but for Scotland, if we start to look at waste as a resource rather than just as waste.

In the olden days we saw waste as a liability and a cost was associated with it, but that is changing. The industry that makes the bottles and the packaging wants that material back to put into its products because it recognises the carbon savings and economic savings that can be made from those materials. Industry has a thirst for them. Local authorities and zero waste Scotland, working together with industry in Scotland, have something that is valuable, like any raw material. We need to come up with good strategies to realise that value.

**Richard Lyle:** I agree with everything that you say. As I said, I have been dealing with this problem for the past 30-odd years.

We want all local authorities to get up to a 70 per cent recycling rate, but some are at 59 per cent and some at 20 per cent. What are you doing to encourage an increase in recycling?

I take your point that if you do not send waste to landfill, you do not pay £80 a tonne. How about, if X council is recycling 40 per cent but goes up to 50 per cent, we do not charge £80? As an incentive, we charge £40. While we have 32 local authorities, can we not bring in that sort of incentive to increase recycling rates? It is a leadership issue within individual councils—the people in North Ayrshire Council are doing exceptionally well.

We are still sending more than 50 per cent of 720,000-odd tonnes of waste a year to landfill. How can we encourage councils to get those recycling percentages up? Some are doing well, with 40 or 50 per cent going to recycling, some are even near reaching 60 per cent. How can we get everybody up to that level? That is the \$64,000 question, gentlemen.

**Stuart Greig:** It is the critical question. I believe that the incentive is there for local authorities to look at waste as a resource and to look at how to change the service. Our work in rolling out the regulations will help local authorities to realise that potential. There are great examples of local authorities doing it already, and some of this is about ensuring that that practice is shared. I talk to local authorities all the time and they understand these things; they are actively adapting.

The biggest incentive is the regulations, which drive a fundamental shift in how local authorities are offering such services. I would not see another incentive being needed beyond a landfill tax of £80 a tonne and, potentially, a payment of £20 a tonne for recycling material. That is a very clear incentive for all local authorities to see the opportunity.

**The Convener:** We have a lot of questions on related areas, and others, but let us move from the far north to the centre of the cities for a minute and to the collection of waste in urban areas, particularly from flats. We are interested in how the regulations address the collection of waste from high-rise buildings. That is one way in which cities will do better. What is the plan?

**Stuart Greig:** City of Edinburgh Council is a great example of how to adapt. It is rolling out its food waste collection not just to the easy houses with bins at the kerb but to flatted properties in Edinburgh. If you think of the dense landscape of Edinburgh city, you can see that that is a real challenge. The council has invested in new communal bins that will sit at the bottom of those properties and they are specially designed for flatted properties. The council is adapting right now. It is a technical challenge and they are finding a solution.

On dry materials, the simplest thing—this is what we will see councils doing—is offering a service where most dry recyclable material can be mixed. In most cases, when we are dealing with the issues caused by flatted properties and so on, it is about finding the right technical solution that makes it easy for the people who live there to use it. Such solutions are coming and we are starting to see local authorities introduce them.

**The Convener:** The policy statement to the regulations had suggested that the separate presentation of recycling was necessary only when a bin could be presented at the kerbside.

**Stuart Greig:** Yes, we had that for food waste in the policy statement but we found over the intervening months that councils such as Edinburgh were finding a way to offer this service to flatted properties. We could see that the solution was available, so that exemption is not in the final formula regulations. We have seen councils respond to the challenge.

**The Convener:** We have a lot of big areas to cover, so we wanted to clarify that point.

**Graeme Dey (Angus South) (SNP):** Good morning, gentlemen. I want to develop the theme of best practice that we touched on briefly a few minutes ago. In framing the regulations and considering the practical implications of implementing them, what, if any, account was taken of experiences in other countries? If account was taken, what relevant potential difficulties were identified and what evidence emerged to back the assertion that the process could become a real success story?

**The Convener:** It might be interesting to hear first what SEPA has to say about that.

**John Kenny:** With regard to residual waste—the stuff that cannot be recycled but which still has to go somewhere—when we examined other countries that have invested in energy from waste incineration we found that 50 or 60 per cent of their waste ended up going down that road. We have very much pushed towards minimising the amount of residual waste produced and have placed much more reliance on producing higher quality recyclate that does not need to be exported and which can stay and be used as a resource in Scotland.

**Stephen Pathirana:** When we began to develop the zero waste regulations, we looked at what was happening in other countries and found pockets of best practice in different places. Denmark, for example, is a very strong recycler, as indeed are many northern European countries. The key issue is, as Stuart Greig has pointed out, coming up with a system that the public find easy to use, and public engagement will be key to that. Our analysis shows that 20 per cent of the public in Scotland are really committed recyclers who will make every effort to recycle everything they can; the other 80 per cent of us recycle some things, but we are not all as diligent as we could be. If 80 per cent of us were very committed recyclers, we would find that, even with the current infrastructure, recycling rates in all local authorities would increase drastically. The big issue is public engagement, and systems are important in that respect. Indeed, the Fife example that I cited was all about putting the right system in place and having the right public engagement to ensure that people used it.

With regard to John Kenny's comment on the need to get the infrastructure right, although the recycling culture in Denmark and Germany is really strong, I know from speaking to officials from those countries that they look at Scotland with envy. They would love to do more recycling—after all, they still bin materials that could be recycled—but they cannot do so because they have to feed the infrastructure that they have built. In fact, Germany is having to import lots of materials from all over the place to feed its incinerators. The zero waste regulations are all about encouraging the right activities to ensure that Scotland has the right sort of infrastructure to give us the outcomes that we all want.

Having seen what is happening in different countries and having put the different elements together, we think that what we are trying to do in Scotland is quite groundbreaking. Danish colleagues have told me that we are going to leapfrog what they are doing because we thought about the issue slightly later than they did and formulated our approach in the bigger and broader context of climate change and the other resource challenges that we face. Indeed, as far as resources are concerned, our figures show that something like £7 million-worth of gold from electronic goods is in Scotland's waste stream. It might be a tiny amount of material, but it gives a sense of the significant and valuable resource that could be pulled out.

**Jim Hume (South Scotland) (LD):** As this is a good day to talk about budgets, I want to return to funding issues. You said that three years' funding had been earmarked for local authorities and businesses. How much is that funding worth? Will it help local authorities with all costs or is it only a contribution towards them? Finally, will it contribute towards costs for businesses or will they still have to pay fees to get recyclable foods and so on taken away?

11:00

**Iain Gulland:** As you know, about £70 million has been made available to the zero waste Scotland programme over the next three years. Of course, that is the headline figure. We operate a number of other programmes that deal with, for example, resource efficiency for businesses, market development, reprocessing capacity and investment in the collection infrastructure, but obviously our focus over the next few years will be on supporting the successful implementation of the regulations and investing in the infrastructure that we will require.

Our investment in local authorities has been significant. In the past year, we have invested just short of £4 million into local authority collections, primarily of food waste. That level of funding will

continue as other authorities come through to take up the scheme.

We take a partnership approach. We work with an individual authority on a specific business case for what it will introduce, how it will introduce it and what the costs will be.

Our funding is, as I said, for investment in kitchen caddies, bins and, perhaps, the retrofitting of vehicles to allow the collections to happen. We also support the early adoption of the schemes through communications.

We identify the costs to the local authority of doing nothing, commingling food waste with garden waste and collecting the waste separately, which is what the regulations require. We are trying to help to close the gap, if there is one. It is different for every local authority, depending on what it currently collects, geography and type of housing.

The investment is about trying to get the council over the hurdle and, ultimately, bringing the savings forward into this year and next year instead of everybody waiting for the deadline of the regulations and trying to do everything at the last minute.

From a business point of view, the alignment for the collections will be similar. It will not involve the same significant sums of money, but there will be some investment opportunities for private waste management companies to introduce collection services. Our level of investment is limited by European state aid rules—de minimis funding and those sorts of things. It might be a 30 per cent intervention or there might be a ceiling on the level of money that we are able to make available. The money will be for infrastructure development, not continuing business support. That is, we will not fund the bottom line. Our funding is about trying to match investment from private individuals.

**Jim Hume:** Will local authority enforcement powers be enhanced to help them to implement the regulations?

**John Kenny:** There is no intention to extend the existing powers. The range of issues over which local authorities have enforcement powers will increase, but the penalties are not to be extended.

**Margaret McDougall:** Iain Gulland mentioned commingled collections. I ask him to clarify in which circumstances they would be permitted.

**Stuart Greig:** I will answer that, as I spent many sleepless nights trying to work through it.

What we mean by commingling is that we should be allowed to mix the dry recyclables—paper, card, plastic and metal. We should not mix them with the things that cannot be recycled. That

really degrades quality, which is not what we are about, so we must keep those materials separate.

However, when we mix the dry recyclables, it can have an impact on their quality and reduce what we can do with them further down the line. We might not be able to reprocess them into higher-grade materials, for instance. Therefore, in the regulations, we have been clear that it is permitted to mix the dry materials only where it can be ensured that their quality is maintained.

We will work with industry and local authorities through guidance and so forth to help to ensure that the right checks and balances are in place to maintain the quality of the materials. The quality materials gain the real market value and we can all use them to try to stimulate the growth of the reprocessing sector manufacturing base in Scotland.

**Margaret McDougall:** Who will monitor the quality of the commingled materials?

**Stuart Greig:** That is a good question. We are working with the industry and local authorities to consider what system needs to be in place to do that. There could be an industry-led system or a system in which we have a hand in influencing quality thresholds. That work is in train, but it will take a number of years to work through it. It is a new venture to try to help the industry. In many ways, the industry is a new one, so we need to help it to develop the systems to get it to a point at which it can make the most use of all the materials.

**Graeme Dey:** If only 20 per cent of the public really buy into recycling, there is clearly a marketing issue. What work is being done to sell the changes to people? I guess that the question is about how we make recycling, if not sexy, then certainly something that the public understands that they must do.

**Stephen Pathirana:** Perhaps I overstated the case. I said that 20 per cent of people are really green recyclers, which means that they make the effort—even the tissues go into the paper recycling, for example. That is about the level and degree of effort. A lot of effort is going in to engage the public in recycling. We have run a number of national campaigns on recycling—one has recently come to an end. The analysis of those campaigns shows that they have been good at engaging the public and helping people to understand that, if they put something in a recycling bin, it will have another life. That is the message that is being used. We see that as an on-going part of our approach.

An important part of that has been working with local authorities. COSLA wanted the Scottish Government to run a national campaign to get the broad message out, but local authorities need to

tie into that in what they do locally by giving messages to their public through leafleting, or whatever works on the ground. That is on-going work that we have to do. The point that I was trying to make was that we have to couple that work with the right system. If we put the right collection system in place, the public will find it easier to engage and they are more likely to do more. There is a mixture of things that we have to get right.

**Stuart Greig:** I will add one minor point to that—I have been trying to find a place to shoehorn this one in. Much of the issue is about how simple and easy things are to use. If things are simple to use, people will adopt them much more easily. So the issue is not just about engagement—the systems need to be simple, too.

Companies are coming along that can find ways to recycle things that we never thought could be recycled. There is a new company that has a base in Birmingham that can recycle used nappies and other hygiene products into high-grade plastic and card. You might not want to use the card for cups, but it can be used for packaging and so on. That is an advanced step. The company is interested in investing in Scotland. With zero waste Scotland, we are trialling collection systems for nappies and so on to see what will work for households. Any household that has multiple kids will know that the bag of nappies is one of the biggest things in their bin. If we can find a way to pull that out, we start to raise a question about what is left in the bin that cannot be recycled.

**The Convener:** I want us to focus our questions. A lot of members want to ask questions and there are still some big subjects to cover. We will move on to another subject and then come back and mop up with short questions at the end. Dennis Robertson will ask about commercial and site waste.

**Dennis Robertson:** The evidence that we have shows that the construction industry appears to be responsible for just over 30 per cent of all waste, which seems a phenomenally high figure. I ask the witnesses to comment on that and say how they are engaging with the industry to reduce that figure, which took me by surprise.

**Iain Gulland:** As part of our programme, in the past few years we have engaged with the construction industry in Scotland and at the UK level to reduce waste. Obviously, it is a huge industry, which is reflected in the tonnes and percentage of waste that it produces. We certainly have to address the sector, and we have done so. We are running an initiative across the UK, including in Scotland, to engage with the construction industry to halve the amount of waste that it sends to landfill, and in 2009 it set a voluntary target of halving its waste by 2012.

We have been working with the industry not only on what happens on site during a construction project to ensure that materials are separated and so on, but on looking at the whole supply chain, which involves talking to project commissioners, designers and architects about designing the building or project around resource efficiency. It is not only about capturing materials. We have done a huge amount of work in that regard, and some of the big companies have really shifted their activities on the ground and now include the issue in tender documents.

We have also worked with public sector organisations, such as councils that are commissioning projects and the Scottish Government estate. They now put clauses into tender specifications about resource efficiency and the capture of materials during building projects. We are now all beginning to reap dividends from that work. We are working with Transport Scotland and its contractors on the Forth crossing to ensure that a project of that scale adopts all that good practice and has such clauses in all the documents.

Significant work is being done with the construction industry. When we started that initiative, there was a bit of a downturn in the economy and a lot of people said that because the construction industry was really suffering it would not come to the table. However, it engaged with us because it recognised that savings could be made on the bottom line.

Statistics show that £150 million-worth of materials that are taken to construction sites in Scotland every year are not used. That is not just waste; it is material that is not used. Somebody has paid for the materials—it could be the public purse, the commercial sector, the housebuilder or the person who buys the house. We have been involved in that type of activity, too.

The construction industry has come to the table and there has been a voluntary agreement with the sector not only to drive down the amount of waste that goes to landfill but to look at how it can improve resource efficiency in construction projects. Ultimately, this is about the environment, but for the industry it is very much about cost savings. We are beginning to see savings being made and good practice being built into contracts.

**Dennis Robertson:** Do you accept that the waste figure is still far too high?

**Iain Gulland:** A lot of the waste that the sector produces does not end up in landfill; it is reprocessed on site. I have to look to my colleagues in SEPA for details on the terminology, but although it is still counted as waste, it is either processed on site or is taken off site and put into another building project, so it is being recycled.

The amount of material used is still high, but the amount that is disposed of is certainly coming down.

**Gary Walker:** There is about 50 per cent recycling in the construction sector, so it is performing quite well. The sector has become adept over the years at reusing soil and at crushing and reusing stone. It has also cut back on the overprocurement of materials. We have worked with the Civil Engineering Contractors Association and various other trade bodies to put measures in place to encourage the reuse of materials in the construction sector. For example, materials can be taken back to base and used on the next job. A number of initiatives have been taken and the industry seems to be interested in working with zero waste Scotland and SEPA to look at how it can smarten up its performance.

**John Kenny:** There are also some exemptions from licensing to encourage recycling and recovery.

**Stuart Greig:** Construction material is heavy, so we are talking about large tonnages, but if you were to consider the carbon cost of such material compared with a material such as plastic, you would see an entirely different picture. We are talking about sending to landfill material with a low carbon cost. There is another way of cutting the issue.

**Claudia Beamish:** I come back to Stephen Pathirana's point about leapfrogging other countries, which I found very interesting and optimistic. I ask not only him but the other witnesses to turn their minds to thermal treatment.

The Scottish Parliament information centre briefing that the committee received highlights one of the aims of the regulations, which is:

"The Scottish Government will introduce regulatory measures to support the delivery of landfill bans, by ensuring energy from waste treatment is only used to recover value from resources that cannot offer greater environmental and economic benefits through reuse or recycling."

I have a concern about that, because the market that we have been discussing for the development of such new industries has a locus in that area. An optimistic view seems to be being taken, as the SPICe briefing highlights. It says that although the Scottish Government

"recognises the role of thermal treatment, it has made clear that: 'the feedstock simply won't be available to feed large-scale plants or an extensive network of incinerators across Scotland.'"

That quote is from a Scottish Government document that was published in 2011.

I highlight that partly because of community concerns that have been raised with me and other members of the Scottish Parliament and partly

because of the transporting of material that would have to happen if there were large regional plants such as there are in other countries. How can we make positive progress on the issue?

11:15

**Stephen Pathirana:** There was a lot in your question. I will do my best to answer it, but I suspect that others—

**Claudia Beamish:** I am trying to tighten up the Government's intention in this area.

**Stephen Pathirana:** For starters, with the zero waste regulations, we have tried to design a regulatory approach that deals with all waste in Scotland. If we look back, 10 years ago we all got very exercised about the waste agenda, but we focused on local authority waste, which, as has been said, is only about 70 per cent of the waste stream. In designing our approach, we wanted to deal with all waste and to ensure that we met the requirements of the waste framework directive. It was a case of ensuring that we saw the best possible outcome for every material in the system. The point that we have made about quality and ensuring that the resources stay in the economy is a key focus, which is why the collection requirements are the central strand of the zero waste regulations.

To underpin that, we also wanted to ensure that, where black bin-bag waste was collected, it did not end up getting transported directly to an incineration plant, because we believe that, even after efforts have been made to collect all the recyclates that we can, those black bin-bags will still contain valuable materials. Our incineration requirements include a pre-treatment requirement to pull out recyclable materials. That means that after everything has been done at the front end to pull out as much as possible from the black bin-bag, any remaining recyclable materials must be pulled out. That leaves very little in the bag. Thermal treatment is probably the right treatment for the materials that are left, because they could not be recycled, as there is not yet a market for them.

That is the approach that we have taken, and it applies to all waste in Scotland, not just local authority waste, which is an important point. The regulations become important for the development of infrastructure in Scotland because it is predominantly the private sector—the waste management sector—that is looking at developing thermal treatment infrastructure in Scotland, and the regulations will help that sector to understand how much waste might be left. It is a much smaller amount of waste than anyone ever thought. Even just a few years ago, people thought that there would be three or four times more waste left. The



proposals that have come forward over a number of years have reflected the view that there would be a lot more waste in the system than there will be.

There is still a question mark over what the shape of the infrastructure that emerges will be. Will it involve a few larger plants or a number of smaller plants in different places? That is for a combination of the local authorities and the market to determine.

I add that, at the moment, we are quite content to see recycled materials transported to China to be reprocessed. We would like them to be reprocessed here, and we will encourage that, but we must consider transport in the context of what happens with resources globally. Materials are moved around on a global basis.

We imagine that there will be less thermal treatment in the future. One of the things that SEPA has done, which I will let John Kenny and Gary Walker tell you about, is provide a picture to the industry of how much waste treatment infrastructure is needed.

**John Kenny:** We estimate the volume of the material that is left. If we were recycling 70 per cent—which is what the plan aspires to achieve by 2025—the current estimate is that 1 million tonnes would be left, and we would need the capacity to process that. As Stephen Pathirana says, it is about minimising the amount that is left over. For material that cannot be recycled, the realistic options are landfill and thermal treatment. We currently have 45 municipal waste landfill sites around the country, which are contributing to climate change because of the gas that comes from them. Deriving energy from waste means fewer landfill sites and the potential for heat recovery. If we want to tackle the issues that arise from landfill, we need something that will deal with the leftover material, but, as Stephen Pathirana says, the plan and the regulations are about minimising the amount that is left to go down that route.

**Gary Walker:** It is important to recognise that some material is not recyclable. There is a belief that thermal treatment and recycling do not go hand in hand, but they are complementary in the infrastructure package for Scotland. As John Kenny says, about 1 million tonnes of material is not recyclable at present, although that may change in the future as technology changes.

There is often concern about thermal treatment plants and emissions control. However, there are two complementary aspects to that. First, there is strict regulation of the processes—the sites get permits from SEPA, we inspect them and we have enforcement powers to take action if they are not performing. Secondly, there is the potential for

some benefit for the communities around the plants. For example, in Lerwick in Shetland, there is a waiting list of people in the community who want to get the benefit of the heat from such a plant.

**The Convener:** The district heating system in Lerwick is organised so that no extra cost is incurred in removing the waste from Shetland—that is why incineration on the island has been agreed. Surely, that is not a route that we are thinking of going down in areas where it is possible to find other means. What is the nature of the waste stream that you envisage being incinerated?

**Gary Walker:** Yes, the circumstances will be different on the mainland, as there will be more opportunity to pull out recyclable materials and the residual element will look very different.

**The Convener:** What is the residual element that you are talking about? It would help us to know that.

**Gary Walker:** It is what people put into their black bin-bag once they have taken out all their dry recyclables and food waste. It can be wet or contaminated with a range of materials such as small batteries that make it unrecoverable. It is not high-density plastics or metals.

**John Kenny:** There will also be some construction waste.

**Stuart Greig:** I will give you a good example. If you drive along the M9, you will see the new Avondale recycling facility—it is a green shed that sits next to the Avondale landfill site. It contains a range of quite high-tech machinery such as we see in a normal dry recycling sorting facility. The site takes the black-bag waste from Falkirk and the surrounding council areas and splits the bags open to pull out the plastics and metals. The system is also designed to pull out other things—the technology at these places is amazing—and what is left is eventually dried out to create a fuel. I do not want to second-guess how the company will manage it but, in the short term, that refuse-derived fuel may well be exported to the continent to fill the capacity gaps that exist in the energy-from-waste facilities there. However, that avenue for the material may not exist in the long run and we may need another avenue for it in Scotland. In the longer term, therefore, such companies may need to consider options for establishing, or working with others to establish, thermal treatment facilities somewhere.

That is the kind of model that we imagine playing out in Scotland. We keep taking as much out of the black bag as we can, and the material that is left over has a market value, which is quite high at the moment but which fluctuates depending on its calorific value and all sorts of

things. There is always a little tension there, but that is how it is going to play out over the next decade or so. The critical point is our drive to get the recyclable materials out of the black bag.

**Stephen Pathirana:** I will give an example of the sort of thing that is still left after all the recycling efforts have been made. Certain elements that go into people's bins, such as the Hoover dust, are not really recoverable or reusable, but there remain a lot of materials that are.

**The Convener:** Members still have a few more questions. We have got so interested in the topic that we could go on for a lot longer.

Does offering householders separate recycling collection facilities work in reducing the number of items that go into their black bags?

**Stuart Greig:** Yes, I think that it does, although I can speak only from personal experience and from what I see. We are all beginning to use our recycling services more than we have done in the past, but that does not get everything out of the black bag that we want to get out. It will take many more years for the whole culture of recycling to change so that 80 per cent of people are committed recyclers and are seen as the norm. There are restrictions on thermal treatment in the regulations so that we can pull out the additional high-value materials that we do not want to see wasted through incineration in Scotland.

**The Convener:** I am interested to know whether people in other countries are required to separate waste at source. We are talking about offering that facility. Are people required to do that in Germany or in other countries?

**Iain Gulland:** In some parts of Europe, there are specific regulations or other duties that relate to householders and municipalities. A range of systems have been adopted by different countries and parts of countries. In some countries, there are incentives and direct variable charging. An additional incentive for householders to recycle is to charge them directly for their waste, especially when recycling is free. You will see that in many countries in Europe and elsewhere. There are different schemes, and quite a lot of effort is put in.

In certain parts of Europe, there are schemes to deal with hazardous waste—such as batteries—which people cannot put in their bins. I am not sure how they are policed, but the householder gets the message that they cannot put certain hazardous materials in their black bag. Specific collection points and a collection infrastructure are provided by municipalities in Europe for those materials. There are a variety of schemes, and part of SEPA's job, working with the Scottish Government, is to look at what is happening in Europe and to try to bring best practice back to

Scotland. We also talk to local authorities, as this is all about working with local authorities on how a collection infrastructure can be put in place and funded—affordability will always be an issue.

**The Convener:** It would be useful to the committee if we could get some supplementary evidence from you on how the issue is handled in other places. Although we have adopted an approach of offering recycling facilities, it sounds as though we are going to have to investigate fixed penalties, direct variable charging or pay-as-you-throw schemes. If you can give us some international examples, that will be a big help.

**Dennis Robertson:** A problem with recycling that has been brought to my attention is the number of bins that it may take and the lack of storage space in domestic areas. How much evidence do you have on that, and how would you resolve the problem for householders? In some areas, it will be difficult to accommodate many different recycling bins. That should not be a reason not to recycle; I am just asking how we will resolve the problem.

11:30

**Iain Gulland:** There are various ways of dealing with the issue. It is not my job to tell householders how they should arrange their bins and gardens, but there is an on-going debate about what is the right number of bins and what is acceptable. We provide support to local authorities and individuals in relation to the systems that they are using and how practical they are, which varies depending on the housing type. Many local authorities have a three-bin system—you will often see bins of various shapes and colours in people's gardens when you are driving about or are on the train. When I started in this business, there were no such bins; there were black sacks that people put out on the street. Things have changed radically from the black sack to one bin, to two bins and then to three bins, and people have adapted to those changes.

Our work is about examining the acceptability of schemes and working with individual local authorities and members of the public around ways of using the bins indoors and outdoors. I should not name drop, but in Ikea and similar places you see new bits of kitchen furniture that you can put bins in and so on, which are all designed around recycling. You did not see such things five or 10 years ago, especially in Scotland. Now, when people fit a new kitchen, they can take recycling into account and have those facilities installed in one of the cupboard spaces. A lot of the work that we have done on food waste has been on the acceptability of the kitchen caddy—where it should go in the kitchen and what is acceptable to people.

There is a need to engage with people. It is not about the industry deciding that something is a good scheme and thinking that it will work because we will use it; it is about talking to businesses, local authority representatives and community representatives about the acceptability of schemes. A lot of work needs to be done in that regard, and there are different solutions for different housing types.

**Richard Lyle:** I found your comment on direct variable charging quite interesting. That is the point that I was making earlier about councils. As the convener said, we could go on about the subject all day.

We have 45 landfill sites, many of which are nearly full. What discussions are we having with councils about landfill?

Incineration and recovering heat from waste have been mentioned. In Denmark and in other places—such as Shetland, as you said—a heating system is installed, it is connected to houses and people are quite happy. In most places in Scotland, however, if a company wants to build an incinerator plant or a waste-to-heat plant, everybody becomes a nimby—“Not in my back yard”. They rightly turn around and say, “No, I don’t want it to be built here.” Should we think about having a national plan to say where these things should be situated? They are extremely safe nowadays. Sadly, people think that, if such plants are established, there will be sheep with five legs and four heads. Back in the 1960s, we burned our rubbish—we called it a dustbin because we put the dust in the bin, we put it out and the chap took it away—and nobody complained. Now, however, we do not burn as much material, so we have to put it in landfill sites and think about it to the nth degree.

It might be good to have a national plan for where waste incinerators should be sited. It might be that, rather than there being three incinerators in three local authority areas, there could be one facility that all three of them would use. Would a national plan allay public concerns and stop folk coming along and saying, “I want to build an incinerator in your back yard”?

**Stephen Pathirana:** That is a difficult question.

**Richard Lyle:** That is why I asked it.

**Stephen Pathirana:** We know that there will be no need for a great amount of material to be burned—that is what the zero waste regulations will drive forward—but there can be local opposition to proposed plants.

The debate that has unfolded in Scotland is largely speculative. Lots of people in the waste management sector have introduced planning proposals for plants in the hope that they will be

able to secure the waste material to go into those plants. The challenge of a national plan is that we decide who the winners and losers are. People will have invested millions in developing their proposals; we will then intervene and decide that one plant will be successful and that another will not. That is a real risk for Government and for the system.

There may be three or four proposals for an incinerator in an area, but I would be very surprised if one got built. Ultimately, the proposals that secure access to the residual waste stream—which is largely determined by local authorities—will be funded and built because the banks will demand it. It is not that different from the discussion about the introduction of supermarkets—not all of them get built, but all supermarket owners would like to build one. We must accept that debate as part of the emergence of the infrastructure. Because we expect the private sector to deliver the infrastructure, it is difficult for us to intervene and say who will be a winner and who will be a loser.

**John Kenny:** SEPA is trying to deal with the figures in terms of the national picture. It has moved away from talking about local needs to saying, “This 1 million tonnes is for the whole of Scotland, and this is the requirement.” It is a step towards providing a national basis for planning.

We are working proactively with landfill operators to encourage the diversification that Stuart Greig talked about when he mentioned Avondale. Other sites—in Fife, for example—are diversifying into other areas of business. We are changing our audit programme to support them and they are moving towards restoration. Some sites may need to be extended because there is less material going in, and we are helping them through that.

**Iain Gulland:** At a planning conference a couple of weeks ago, I made the observation that this is also about language. A residual treatment facility is not something that I would like in my community either, even though, being involved in the waste industry, I understand what it is about. We talk about things in a way that does not grab the community’s imagination and lead it to say, “We want one of those.”

We must think about how we engage with communities in this debate. A heat network is an interesting idea—Gary Walker mentioned the one in Shetland. If we went out and sold a heat network, there would be people who would think, “That sounds good. How would that benefit my community?” I am not trying to dress up waste management as something that it is not, but there is a better way of engaging with communities. We use a certain language because we are part of the waste management sector, but when we go out

and engage with communities we need to get them on board and talk to them about the benefits of the sites instead of talking about them as if they are a problem. For me, the issue is about language. We and the industry must start to think about what we are trying to do, and heat networks might attract a different conversation with communities.

I do not want to open another can of worms, but something similar applies to renewable energy. Many years ago, lots of communities were opposed to wind farms and wind turbines—or windmills, as they were called—but there is now a degree of acceptability about them. A lot of work has gone into a communication strategy and into making the case about the benefits to communities. Communities all over Scotland are seeing the benefits—not just in the global context, but in the local context—of having a wind farm close to them. We are talking about a resource. Whether it is being recycled or reused or going into a heat network, we need to make the case to our communities that it is still a fundamental resource that we have here in Scotland.

**Richard Lyle:** Should we change the name of our plan to the Scotland waste resource plan?

**Iain Gulland:** We could probably drop the word “waste” and just call it the resource plan.

**Annabelle Ewing:** We have had an interesting debate and, as members have said, we could happily spend many more hours talking about Scotland’s resource management.

A key feature of this morning’s discussion has been the need to bring people with us; after all, that is what we need to do in order to change behaviour. We have discussed how we might best do that. One thing that is happening is the promotion of eco-schools by local authorities, thus educating children. Such moves are useful because a child will come home and express dismay if their parents are not adhering to what they understand to be the way to deal with rubbish at home. As Stuart Greig made clear, however, we need systems in place to facilitate that, and the question is how we marry the two.

I understand that there will be a reporting mechanism for local authorities to show whether outcomes are being met and what is happening to all the stuff that people have been told to separate out. That is important to bringing people with us, and it would be helpful if you could say a few more words about that.

You will be aware of calls from some quarters for on-the-spot fines for people who are not doing what they should be doing. It would be helpful if you could provide—if not today, sometime soon—further written submissions and information on the

thinking behind the decision not to proceed down that route.

I appreciate that it is perhaps not for you to comment on this, but an element of the debate is the potential role of social enterprise companies, which I know from personal experience are playing a part in waste recycling in Clackmannanshire and other places. They are a very good fit. Indeed, at yesterday’s meeting of the cross-party group on social enterprise, the Cabinet Secretary for Finance, Employment and Sustainable Growth made clear his determination to ensure that, across Government, the role of social enterprise companies is very much at the forefront and that we think about how we can develop a really useful sector.

Those are my thoughts, convener.

**Stuart Greig:** I will try to cover each of those points swiftly, as I am sure that the other witnesses have interesting comments to make.

You are absolutely spot on about the real opportunities presented by social enterprise, and I know that Iain Gulland and his team are helping to stimulate that approach. Forth Resource Management, which I mentioned at the start of the discussion, is a social enterprise that provides a waste collection service, is involved in composting and grows local produce using that compost. It is a great example of how all those threads can be pulled together.

It is important for the public to get reports so that they understand that, when they make the effort to wash out and recycle their yoghurt pots instead of putting them into a black bin bag, those pots have some real and valuable use. We now have technology that allows us to understand where materials go, and we want to help local authorities to give the public a picture of the amount of material that is being reprocessed in Scotland and the amount that has been shipped here for recycling. That sort of information helps the public to understand the issue and, if they know that what they are doing is making a difference, they will be encouraged to recycle more.

I will slightly duck the question of fines. Encouragement is the critical element of our approach. We need to help the public to use the services that are being provided, and the way forward is to have a simple-to-use service and to provide the right encouragement.

**Iain Gulland:** I absolutely agree about social enterprises. I have talked about the public and private sectors, but much of our work with the private waste management industry includes social enterprises. We have supported and will continue to support certain key organisations—Alloa Community Enterprises in Clackmannanshire is one such organisation—and

we see them as part of the infrastructure. Part of our programme is to work with such organisations and build their capacity in order to meet the objectives of the regulations. The third sector can be very innovative in its approaches, and we want to harness that innovation for Scotland's benefit. In fact, after this meeting I am going to meet representatives of the sector to discuss next year's programme in more detail. I apologise if I have not mentioned social enterprises before—they are certainly important in developing the infrastructure.

11:45

Stephen Pathirana talked about our high-level campaigns and work with local authorities on public engagement. However, we are also supporting the third sector through a volunteer programme that we developed last year, which we are now taking forward. At the moment, we have more than 300 trained-up volunteers who are, to all intents and purposes, taking the zero waste message out into their communities. High-level advertising such as billboards on buses and local authority work are important, but we are trying to add value to all of that by getting people on the ground to engage with their communities, talk about the messages that we are sending, bring things to life and make clear why some of the infrastructure is changing and why there is a need for them to do certain things that they were not doing last year. Such a tool is very powerful because it not only achieves more than we can achieve based in an office in Stirling, but allows us to get feedback and link into communities in order to understand specific challenges regarding the collection infrastructure and whether other issues need to be addressed. As that is all done in partnership with local authorities, we can align their work with what people in local communities are saying.

We are at the start of that work. We have volunteers of all ages who have all kinds of relationships with their communities, and the programme provides a very powerful opportunity not only to get the zero waste message out, but to ensure that it is embedded in communities throughout Scotland.

**The Convener:** I thank the witnesses for their time and the range of their responses, which will be useful to us in our next evidence sessions. The very good picture of the situation that we have developed will allow us to open up a debate on what will be part of our on-going responsibilities over the next period. We take on board the point that these are resources, not waste; the fact that we are talking about dispersed, not remote, communities; and the suggestion that, if we do these things well in both urban areas and

dispersed communities, we might find a market around the world.

### **Sharks, Skates and Rays (Prohibition of Fishing, Trans-shipment and Landing) (Scotland) Order 2012 (SSI 2012/63)**

**The Convener:** The next item on the agenda is consideration of a negative instrument. No motion to annul the order has been lodged. I refer members to the clerk's paper, RACCE/S4/12/9/2. Does the committee agree that it does not wish to make any recommendations on the order?

**Members** *indicated agreement.*

### **Bovine Viral Diarrhoea (Scotland) Order 2012 (SSI 2012/78)**

**The Convener:** The third agenda item is consideration of an instrument not subject to parliamentary procedure. I refer members to the clerk's paper, RACCE/S4/12/9/3. Do members agree to make no comments on the order?

**Members** *indicated agreement.*

**The Convener:** I thank the people in the public gallery for attending the meeting. We now move into private session.

11:47

*Meeting continued in private until 12:46.*



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