

**WASTE STRATEGY AND SERVICES UPDATE**

Report by Head of Municipal Services

**PURPOSE**

- 1.1 The purpose of the Report is to provide an update on the Comhairle's Waste Services and highlight some relevant waste consultations.

**EXECUTIVE SUMMARY**

- 2.1 It is proposed to update the Comhairle's Waste Strategy, which was approved in 2012. There are significant external drivers impacting waste collection and disposal over the next five years therefore a draft Waste Strategy covering the period 2025-2030 is detailed at Appendix One with the planned final strategy being brought to the June Series.
- 2.2 The ban on sending Biodegradable Municipal Waste (BMW) to landfill takes effect on January 1, 2026. The majority of residual waste collected by the Comhairle falls under the scope of this ban. While plans to manage the 2,000–3,000 tonnes of waste from Uist and Barra are nearly complete, proposals to transport the 6,000 tonnes of BMW from Lewis and Harris to mainland Energy-from-Waste (EfW) facilities still require further development. The additional annual revenue costs, estimated at £500,000 to £750,000, will depend on specific haulage costs, tonnages per load, and gate fees.
- 2.3 It is estimated that the Comhairle will receive £3.4 million in 2025/26 from producers (via the scheme administrator PackUK) through the new Extended Producer Responsibility (EPR) to cover the costs of managing household packaging waste. This money is not ringfenced, but the fee is expected to cover the *"full net costs of efficient and effective local authority household packaging waste collection and disposal services"* so payments from 2026/27 onwards may be considered in that context when local authority annual settlements are decided.
- 2.4 The Scottish Government is consulting on changes to [waste management services](#) which could have significant impact on waste management in the islands. They are also consulting on the [Future of the Scottish Landfill Communities Fund](#). A summary of the consultation topics and the proposed Comhairle response approach are detailed from Paragraph 9.1 onwards.

**RECOMMENDATION**

- 3.1 **It is recommended that the Comhairle agrees to:**
- a) **agree with the direction of travel outlined in the draft Waste Strategy at Appendix One;**
  - b) **authorise the Chief Officer-Assets and Infrastructure and Chief Executive to progress compliance with the BMW ban to landfill for 1 January 2026;**
  - c) **note the potential income from the Extended Producer Responsibility (EPR) scheme; and**
  - d) **authorise the Head of Municipal Services to respond to the Scottish Government's consultation on Waste Management Services and the future of the Scottish Landfill Communities Fund in line with the approach detailed at paragraphs 10-13 in the Report.**

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Appendices: Draft Waste Strategy 2025-2030.

Background Papers: Waste Strategy for the Western Isles 2012

## IMPLICATIONS

- 4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	There will be additional costs associated with the increased Scottish Landfill Tax and the anticipated cost of haulage and disposal of BMW to a mainland EfW. There is additional income expected from the EPR Scheme.
Legal	The Waste (Scotland) Regulations 2012 Circular Economy (Scotland) Act 2024
Staffing	None
Assets and Property	None
Strategic Implications	Implications/None
Risk	Access to mainland service requires transport by ferry.
Equalities	None
Corporate Strategy	None
Environmental Impact	Reduction in waste to landfill
Consultation	None

## BACKGROUND

- 5.1 A report with an update on the Comhairle's waste management services was presented to the November 2024 Committee. This report builds on the information provided in that update and introduces a draft waste strategy for 2025-2030 as well as providing further updates and requesting decision on several current waste issues.

### WASTE STRATEGY FOR THE OUTER HEBRIDES 2025-2030

- 6.1 The Comhairle's Waste Strategy, which was approved in 2012, was developed in response to the Scottish Government's Zero Waste Plan and The Waste (Scotland) Regulations 2012. Although there have been other new legislative developments since 2012, including the Circular Economy (Scotland) Act 2024, the primary drivers still come from The Waste (Scotland) Regulations 2012 and the Environmental Protection Act 1990. Although much of the strategy remains relevant, an update is proposed.
- 6.2 The draft Waste Strategy detailed at Appendix One aims to deliver a sustainable, cost-effective waste management system that aligns with [Scotland's Circular Economy and Waste Route Map to 2030 whilst](#) addressing island and geographic constraints, limited recycling markets, and rising operational costs. As options are heavily constrained by external drivers, the strategy is focussed on incorporating planned and potential changes that will impact on how waste is managed. It is hoped that the specific challenges faced by Island Authorities will continue to be acknowledged when designing new regulations and guidance.
- 6.3 The two remaining actions requiring attention from the 2012 Waste Strategy, namely the BMW Ban and EPR payments are covered in this report and are in the 2025-30 draft Waste Strategy.
- 6.4 The main external drivers that will dictate the Comhairle's options for waste disposal over the next five years include:
- The **Scottish Government's Circular Economy & Waste Route Map** prioritises the co-design of a new household recycling Code of Practice. This new Code of Practice will be mandatory and lead to more consistency of services in Scotland.
  - The significant **increase in Landfill tax** (21.6%) from 1 April 2025 to £126.15 per tonne.

- the **Biodegradable Municipal Waste (BMW)** ban to landfill coming in on 1 January 2026.
- The new **Extended Producer Responsibility (EPR)** rules which shifts the responsibility for managing a product's end-of-life disposal from local authorities to the producers who manufacture or import the goods. The Comhairle is estimated to receive £3.4 million from this in 2025/26.
- The new **Deposit Return Scheme (DRS)** is now planned for 2027. This will include plastic and metal drinks containers but will not include glass.
- The potential **extension of the upcoming ban on landfilling biodegradable municipal waste** to include other non-municipal biodegradable waste material such as waste streams from industrial and construction sources.
- The potential removal of the **rural food waste exemption** that currently allows the Comhairle not to have separate collection streams for food waste.
- Extension of the requirements for Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs) to similar products.

### **BIODEGRADABLE MUNICIPAL WASTE (BMW) BAN**

- 7.1 The ban on BMW to landfill comes into force on 1 January 2026. This will involve the Comhairle having to stop landfilling BMW which includes all kerbside collected non-recyclable/residual waste and bulky household waste that contains BMW material. The estimated amount of waste covered by the ban is around 8,000-9000 tonnes, per annum.
- 7.2 While plans to manage the 2,000–3,000 tonnes of waste from Uist and Barra are nearly complete, proposals to transport the 6,000 tonnes of BMW from Lewis and Harris to mainland Energy-from-Waste (EfW) facilities still require further development. BMW diverted from landfill will not attract landfill tax (but it looks likely that EfW will be subject to future emission trading schemes and associated costs) and there will be non-revenue saving associated with extending the lifespans of any landfill cells.
- 7.3 The additional annual revenue costs will depend on specific haulage costs, tonnages per load and gate fees but are currently estimated to range from £500,000 to £750,000. The capital saving from extending the life of landfill cells is estimated to be around £500,000 per annum; however, the capital costs are mainly associated with the creation and then the restoration of a cell therefore will not be realised as an actual annual saving to the waste revenue budget.
- 7.4 The Comhairle is also exploring the use of the technology being introduced at Benbecula as a potential viable option for dealing with Lewis and Harris waste.

### **EXTENDED PRODUCER RESPONSIBILITY (EPR)**

- 8.1 Extended Producer Responsibility (EPR) is a policy approach that shifts the responsibility for managing a product's end-of-life disposal from local authorities to the producers who manufacture or import the goods. For packaging, EPR requires producers to cover the full net costs of collecting, sorting, treating, and recycling household packaging waste. This includes funding the management of packaging waste from households, while encouraging producers to design more recyclable and sustainable products.
- 8.2 It is estimated that the Comhairle will receive £3.4 million in 2025/26 from producers (via the scheme administrator PackUK) to cover the costs of managing household packaging waste. The methodology for calculating the payment is based on submitted waste data from 2021/22. Whilst the methodology is not fully transparent, it does recognise the increased costs for dealing with waste in an island setting and has a meaningful rural uplift to reflect this.

### **CONSULTATION ON CHANGES TO WASTE MANAGEMENT SERVICES AND THE LANDFILL FUND**

- 9.1 The Scottish Government (SG) has launched the [Changes to Waste Management Consultation and the Call for Evidence \(CfE\) on the potential extension of the upcoming ban on landfilling biodegradable municipal waste](#). The consultation opened on 25 March and closes on 17 June 2025 therefore requires to be submitted prior to the June meeting of this committee.
- 9.2 The Scottish Government (SG) has also launched a consultation on the [Future of the Scottish Landfill Communities Fund](#). The consultation opened on 14 March and closes on 6 June 2025 therefore requires to be submitted prior to the June meeting of this committee.

#### **RURAL FOOD WASTE EXEMPTION**

- 10.1 The first of these consultation topics is a review of the **rural food waste exemption** that permits local authorities not to collect food waste from locations classified as being rural if collections are not economically viable. The SG want to know if the exemption, which has existed since 2012, is still the right approach given the importance of food waste recycling for reducing carbon emissions.
- 10.2 Local authorities are required to provide segregated food waste collection to householders and separately, requires all food businesses producing more than 5kg food waste a week to ensure the separate collection of food waste unless the rural exemption applies. The potential removal of the rural food waste exemption would have a significant impact on the islands.
- 10.3 The Comhairle will continue to argue that the exemption should apply across the whole of the Outer Hebrides as the cost, energy and carbon footprint for collecting food waste separately from a small population spread over such a wide geographical area would far outweigh any gains from recycling this material separately. Additionally, this material is usually collected utilising smaller containers and experience has shown that anything smaller than a 240-litre bin put at kerbside is disproportionately affected by island winds, resulting in increased litter. Food waste is already collected as part of the organic stream in Lewis and Harris.

#### **COLLECTION OF TEXTILES IN SCOTLAND**

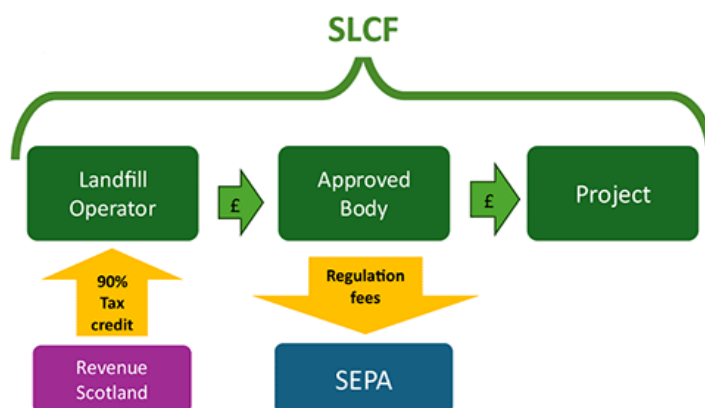
- 11.1 The second consultation topic will consider the approach to collection of textiles in Scotland. Textiles are not routinely recycled in Scotland and only make up around 4% of waste by weight. However, they contribute around 32% of the carbon emissions from household waste collected in Scotland. The consultation will ask for views on how we can prevent textiles becoming waste through more recycling and reuse, including whether kerbside collection should be mandatory or if additional measures could be taken at Household Waste Recycling Centres (HWRCs).
- 11.2 Historically charities have had collection points for certain textile at a number of island locations including at HWRCs, however, this has recently stopped as the main charity has pulled out and closed off the collection points. The Comhairle is looking at options to collect and recycle this material, including utilising the current textile bin network as it amounts to 1+ tonnes of material per week that could otherwise end up in landfill.
- 11.3 It is noted that the EU are introducing mandatory EPR schemes for textiles, but DEFRA have excluded them from current EPR plans and are instead progressing voluntary initiatives.
- 11.4 The Comhairle would use the same arguments as for food waste against the kerbside collection of textiles.

#### **REDUCING THE LANDFILLING OF BIODEGRADABLE AND OTHER WASTES: CALL FOR EVIDENCE (CfE)**

- 12.1 This call for evidence (CfE) seeks responses to support consideration of extending Scotland's upcoming landfill ban to potentially include non-municipal biodegradable (and other) wastes including mattresses.
- 12.2 At the time of writing this report officers have not had time to examine the amount of waste that is currently being landfilled subject to this call for evidence, and therefore the full implications of the approaches being discussed. It will likely have limited impact on the Comhairle directly but may have a wider impact on the business sector and on ferry capacity if more waste has to be transported to the mainland.
- 12.3 The proposed response will consider the amount of waste covered by the call for evidence being landfilled and what options there are including whether the Comhairle would look at incorporating these waste streams, where feasible, into any solutions it has for its own collected BMW. Any island specific issues will also be highlighted.

### Future of the Scottish Landfill Communities Fund

- 13.1 The Scottish Landfill Communities Fund (SLCF) is a voluntary tax credit scheme linked to the Scottish Landfill Tax (SLfT). As a result of declining volumes of waste going to landfill, Scottish Landfill Tax revenues have reduced. This directly impacts the future viability of the Scottish Landfill Communities Fund (SLCF). The Scottish Government consultation seeks views on the future of the SLCF to inform future decision making as it will become unviable in its current form as of 2026/27.
- 13.2 SLfT is paid by landfill operators, and the Comhairle is one of 24 landfill operators (17 private and 7 local authorities) in Scotland. The Comhairle contribute the maximum allowed to the fund (5.6%) and can then claim 90% of the contribution back as a tax credit from Revenue Scotland.
- 13.3 Revenue Scotland have overall responsibility for the fund with the Scottish Environment Protection Agency (SEPA) the fund regulator. SEPA regulate the Approved Bodies and the landfill operators provide contributions directly to the Approved Bodies who then are responsible for assessing funding applications and attributing funds to projects. All projects must be in Scotland and certain projects need to be within 10km of a landfill site or transfer station. There is no direct correlation between the funding landfill site and the location of the funded project.



- 13.4 SEPA can claim up to 5% for regulatory costs and the Approved body can claim up to 10% for administrative costs from the qualifying contributions, therefore the maximum allowed by regulation is 15%. Based on the current methodology for calculating regulation and administration costs, 2026-27 SLCF costs are estimated to be £400,000 which would equate to almost 30% of the projected total contributions to the fund for that year (£1.4m).
- 13.4 The Comhairle have been paying into the SCLF through the locally based Approved Body Third Sector Hebrides with recent amounts as detailed below. These amounts have reduced over the years and will drop significantly following the BMW ban on 1 January 2026.

Area	2020/21	2021/22	2022/23	2023/24	2024/25: Q1-Q3
Landfill Tax Reduction	£77,355	£81,657	£78,426	£69,561	£52,551
CNES Contribution ~10%	£8,595	£9,073	£8,714	£7,729	£5,839
<b>Total</b>	<b>£85,950</b>	<b>£90,730</b>	<b>£87,140</b>	<b>£77,290</b>	<b>£58,390</b>

- 13.5 The SCLF has helped many local activities over the years and has been a valuable funding stream for qualifying projects. Figures from SEPA show the funding awarded since 2020-21 to island projects (which favour areas close to Bennadrove landfill site and Benbecula's transfer station)

Area	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Stornoway	£4,187	£6,243	£10,000			£4,920
Lewis (Exc.STY)	£41,960	£63,614	£11,483	£78,741	£9,000	
North Uist		£5,000		£7,166		
Benbecula	£10,000	£9,992	£7,670			
South Uist		£2,755		£2,490		
<b>Total</b>	<b>£56,147</b>	<b>£87,604</b>	<b>£29,153</b>	<b>£88,397</b>	<b>£9,000</b>	<b>£4,920</b>

- 13.6 The consultation questions are detailed below with some draft responses already populated. It is proposed to formulate a response to the last question with colleagues in the Community Engagement Unit that explores localised alternative approaches. If there is scope for the SLCF to be better targeted to specific council areas, then there is more scope to amalgamate the funds with other localised related funding streams thus sharing and reducing overhead costs.

	Question	Draft Response
1	Without substantial change, it will not be possible for the SLCF to continue operating. In your view, what would be the implications of closing the SLCF?	It would reduce another source of finance for eligible works in what is already a challenging funding environment, ultimately resulting in many valuable local projects being mothballed, downsized or cancelled.
2	Are there changes that could be made to the tax credit element of the SLCF that would allow the fund to continue? Please provide further detail.	The percentage contribution could be raised from the current maximum of 5.6 % which would allow more to be diverted to the fund.
3	Are there changes that could be made to the funding objectives element of the SLCF that would allow the fund to continue? Please provide further detail.	The Comhairle would support that funding objectives being tightened up so that the "Objects" criteria only allow funding in local authority areas that have landfill sites and more specifically the contribution from a landfill is tied to the local authority area that the landfill is located in.
4	Are there changes that could be made to the regulation and administration element of the SLCF that would allow the fund to continue? Please provide further detail.	The consultation indicates the base costs associated with the regulation and administration of the SLCF require at least £2.8m of funding for it to be viable. The methodology for calculating these costs could be reviewed to see if there are efficiencies, which tied in with a percentage increase in the tax credit element could allow the fund to continue.
5	Are there alternatives to a tax credit-based model which the Scottish Government should consider? Please provide further detail	No response.
6	Are there other alternative approaches not listed above that Scottish Government should consider? Please provide further detail or supporting evidence.	