



**ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND SCRUTINY
COMMITTEE – 13 JUNE 2024**

**PERSISTENT ORGANIC POLLUTANTS IN WASTE UPHOLSTERED
DOMESTIC SEATING**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of Report

1. The purpose of this report is to provide an update to the Environment and Climate Change Overview and Scrutiny Committee on the first year of operation of separately collected and treated Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs).

Policy Framework and Previous Decisions

2. As a waste disposal authority, the County Council is required, under the Environmental Protection Act 1990, to provide places for residents to deposit household waste and to dispose of the waste deposited. The Council is also required to arrange for the disposal of waste collected by the Waste Collection Authorities (WCAs) which in Leicestershire are district councils.
3. The Council's Strategic Plan outlines the five key outcomes for 2022 to 2026. The 'Safe and Well' outcome aims to ensure that people are safe and protected from harm and live in a healthy environment, and the 'Clean and Green' outcome aims to protect the environment. Ensuring that WUDS containing POPs are treated in a compliant manner supports these outcomes.
4. The Committee previously considered a report on WUDS at its meeting on 2 March 2023. At that time, there was limited information available about the impact of the requirements and so the Committee requested an update on the first year's impacts to be presented at a future meeting.

Background

5. POPs are chemicals that remain intact in the environment for long periods of time, become widely distributed geographically, accumulate in the fatty tissues of humans and wildlife, and have harmful impacts on human health and on the environment. There is an international agreement, the Stockholm Convention, under which the UK has committed to manage waste containing POPs in a way that prevents these impacts from occurring.

6. Following an investigation by the Environment Agency (EA), it was confirmed that there was a widespread presence of large quantities of POPs and other hazardous chemicals in both the textiles and foam of upholstered domestic seating, such as in flame retardant covers. It was not known that POPs were present in WUDS until the EA undertook their investigation.
7. The law requires that POPs in waste are destroyed to prevent lasting environmental harm and impacts on the food chain. A limited number of options for the permitted disposal of POPs are set out in Part 1 of Annex 5 of Regulation (EU) 2019/1091. Waste containing POPs must be incinerated or used as a fuel, for example, in a cement kiln, and POPs cannot be disposed of to landfill. The EA set out that this position would be enforced from 1 January 2023.

Current position / impact on services

8. The Council has complied with the EA's requirements by introducing WUDS containers at most of the Leicestershire Recycling and Household Waste Sites (RHWS), to segregate WUDS from other bulky wastes. WUDS items are classified as any upholstered domestic seating or associated items and can include sofas, sofa beds, settees, armchairs, kitchen and dining chairs, stools, footstools, bean bags and floor cushions.
9. Previously, WUDS were not collected separately and WUDS were disposed of as mixed bulky waste loads to landfill or for refuse derived fuel.
10. The WCAs are now also collecting WUDS separately from other bulky waste before it is delivered to the County Council for onward treatment. It is up to each WCA how they organise and whether they charge for their Bulky Waste Collections. Most revised their charges and their approach after the change. The County Council then arranges for WUDS to be delivered to a contractor for processing and ultimately incineration.
11. Due to WUDS previously being collected mixed with other bulky wastes, the tonnage of WUDS requiring treatment was not previously known. The total tonnage (t) of WUDS is however, lower than estimated, being 2,264t in 2023/24 (figure 1). Of this, approximately two thirds (1,500t) was collected from the RHWS. For context, approximately 14,000t of household general waste, excluding WUDS, was collected at the RHWS in 2023.

Month	Tonnes (all sources)
April 2023	201
May 2023	213
June 2023	144
July 2023	186
August 2023	185
September 2023	218
October 2023	194
November 2023	177
December 2023	182
January 2024	196
February 2024	218
March 2024	150
Total	2,264

Figure 1. Tonnage of WUDS collected per month in 2023/24 from the RHWSs and WCAs.

12. The majority of the RHWS continue to accept WUDS and the operational changes have been successfully introduced. Site staff are working hard to ensure that there is effective segregation and that non-WUDS waste is prevented from being deposited in the WUDS containers. However, Bottesford RHWS and Somerby RHWS are unable to accept WUDS due to having insufficient space to accommodate an additional container - customers are advised to use alternative RHWS that can accept WUDS. For operational reasons, Lutterworth RHWS was initially unable to accept WUDS, but WUDS have now been accepted since April 2023.
13. The service continues to monitor the treatment market for WUDS and explore options for new outlets to ensure the resilience of treatment options for this waste. The regulatory position will also continue to be monitored in relation to potential changes to Regulatory Position Statements (RPS) issued by the EA. The direct impact on the Council should be low, as not all RPS are applicable to the Council's operations. For contractors utilising the RPS for the shredding of WUDS, a more realistic timetable of 1 December 2025 (subject to them meeting monitoring requirements) has been set by the EA to allow more time for the installation of enhanced emission abatement equipment.

Resource Implications

14. It was previously estimated that the cost of separating and treating WUDS in accordance with the new guidance from the EA could be up to three times the previous cost per tonne. This could have equated to additional ongoing costs of £0.5m to £1.25m each year, primarily linked to increased haulage and treatment costs. Costs have been lower than the £0.5m to £1.25m estimated in the previous report to the Committee in March 2023, primarily due to lower tonnages of WUDS being collected and work taking place to minimise costs.
15. The additional treatment, haulage and handling cost in 2023/24 is estimated at £450,000. Haulage costs are higher due to lower average weights achieved per container, as the ability to compact WUDS is limited at smaller sites and in general

under the EA guidance. The Government has not made funding available to cover increased costs.

16. An additional cost of £350,000 in 2024/25 is built into the current Medium Term Financial Strategy. Work continues to generate efficiencies by optimising haulage and treatment (e.g. more use of waste transfer). These measures will seek to ensure the Council's overall 2024/25 treatment and haulage costs for WUDS will be lower when compared to 2023/24.
17. The Director of Corporate Resources and Director of Law and Governance have been consulted on the content of this report.

Conclusions

18. Members are asked to note the update provided on the first year of operation of separately collected and treated Waste Upholstered Domestic Seating containing Persistent Organic Pollutants.

Background papers

Report to the Environment and Climate Change Overview and Scrutiny Committee, 2 March 2023, Persistent Organic Pollutants In Waste Upholstered Domestic Seating, <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1292&MId=7148&Ver=4> (item 57)

Report to the Environment and Climate Change Overview and Scrutiny Committee, 19 January 2023, Medium Term Financial Strategy 2023/24-2026/27 <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1292&MId=7147&Ver=4> (item 42)

Circulation under the Local Issues Alert Procedure

19. None.

Equality Implications

20. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

21. There are no human rights implications arising from the recommendations in this report.

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