



Northern Ireland
Assembly

**COMMITTEE FOR THE
ENVIRONMENT**

**OFFICIAL REPORT
(Hansard)**

**Inquiry into Used Tyre Disposal: Tyre
Recovery Association**

13 October 2011

NORTHERN IRELAND ASSEMBLY

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ENVIRONMENT**

Inquiry into Used Tyre Disposal: Tyre Recovery Association

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Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)
Mr Simon Hamilton (Deputy Chairperson)
Ms Paula Bradley
Mr Willie Clarke
Mr John Dallat
Mr Danny Kinahan
Mr Francie Molloy
Lord Morrow
Mr Peter Weir

Witness:

Mr Peter Taylor) Tyre Recovery Association

The Chairperson:

Good morning, Peter. Is it only you who is attending? Your colleague Lynn Kerr is listed to appear.

Mr Peter Taylor (Tyre Recovery Association):

She was not sure that she could manage to come, so I assume that she is unable to.

The Chairperson:

The Committee met Lynn when we visited the company. Peter will give a 10-minute presentation on his experience, and we will then open the meeting to questions from members. I am sorry to have kept you back a bit.

Mr Taylor:

Not at all. With your permission, I will begin by concentrating on some of the generalities. I have some insight into the situation in Northern Ireland, but I do not pretend to be an expert on Northern Ireland in the way that Lynn and some of our other members are. Some of the generalities that we will discuss might provide guidance on how to deal with some of the problems that you have had.

I am the secretary general of the Tyre Recovery Association, which represents collectors and processors across the UK. Collectively, we handle around 80% of all of the end-of-life tyre arisings that occur each year. In 2010, that was the equivalent of some 437,000 tons. We can talk about the other 20% later.

I am sorry if I am teaching you about things with which you are already familiar, but the landfill directive, which came into force in 2005, finally prohibited the landfilling of tyres in any form. The landfill directive also brought with it the notion of producer responsibility for tyres. Tyres are one of the few waste streams that now has a 100% obligation to recycle, reuse or recover. We try not to talk about disposal, but it is a hard word to avoid; valorisation is a nicer word.

I will talk about the approach that we have taken in the UK. I say “we” advisedly, because it was largely the UK Government who decided that that was the way that we should move forward here. Our approach is based on a voluntary form of producer responsibility; that is important because there is a hidden nuance that causes a lot of confusion. You would think that, across the European Union, the interpretation of producer responsibility might be uniform, but it is not. Some countries have adopted what might be termed as strict producer responsibility, where a tyre manufacturer is directly responsible for recovering an equivalent number of tyres that the

manufacturer has sold new. Therefore, if half a million new tyres are sold, there is an obligation to recover half a million tyres. In a moment, we will come to how that obligation is fulfilled.

In the UK, that is not the route that the Government chose to take. We have what is rather whimsically known as a pull system, whereby everyone in the recovery chain, starting with the new tyre manufacturer through to the retailer, the retreader and the collector shares producer responsibility. Therefore, it is a universally shared responsibility. The more you get involved in the problems of the recovery market for end-of-life tyres, the more important that concept becomes.

Across Europe, some countries have opted for a strict form of producer responsibility. In simple terms, we could call that the push form because it normally involves new tyre manufacturers putting a small charge on an invoice when a tyre is sold to a dealer. Down the line, there is a free take-back scheme, in the same way that we handle end-of-life tyres in this country.

However, that scheme has some weaknesses. Here, we use the pull scheme, and there is a generalised obligation on everyone at the end of the chain — the retailer, the vehicle dismantler and the used tyre collector — to ensure that tyres are recovered 100% and in an acceptable manner — in other words, that the recovery is valorised in one form or another.

A few countries — Holland is perhaps a good example and one or two Scandinavian countries — have a tax-based approach. The Government set a tax every year or every couple of years, and the money goes into a central pot, which magically funds recovery. None of those approaches is perfect. The way that we do things in the UK has some advantages because the first issue that we need to understand about the UK tyre market is that it is highly multi-branded. There are at least 200 brands of tyres in circulation at any one time, and, if the strict approach is used, it becomes rather difficult to identify all the players. Many people typically get under the wire, and that can be illustrated very clearly through our national figures.

The UK generates about 540,000 tons of used tyre arisings every year. That figure comes from the Department for Business, Innovation and Skills: it is not an industry figure. The

declared figure for France is something like 385,000 tons. The last time I was in France, it was a similar size to the UK, so there is clearly an arithmetical deficit in the way that France handles its approach to producer responsibility. Therefore, although there are some weaknesses in the UK system, which relate mainly to enforcement issues, the way in which we operate — I am choosing my words very carefully — has the ability to finger everyone in the recovery chain.

At this point, I will come to the issue of enforcement because that is vital in every system. I am not aware of any recovery system that operates effectively without enforcement. Even the so-called prepaid take-back schemes, such as those that operate in France, operate to a deficit. The French scheme had to close its gates last year because it was being faced with the need to recover far more tyres than it was paid to do by its subscribers. We do not have that situation here. Equally, in those kinds of approaches, there is no easy way to tackle tyres sold over the internet, which is a growing feature of the marketplace. That is not a factor in the way in which we approach things here, because, sooner or later, a tyre comes off a wheel, whether at a tyre retail premises or at a vehicle breaker. We know where to look for that. However, there are elements of rogue activity, which every business experiences. That is what we have to try to eliminate as much as we can. We can do that fairly effectively, probably to the 95% mark.

About 10 years ago, when we were looking, as a country, at our approach to tyre recovery, the Tyre Recovery Association and its members decided to put together a best practice scheme — an industry scheme, not just ours — known as the Tyre Industry Federation's responsible recycler scheme. Its membership has grown from an initial one to about 34 people today, and we have two members in Northern Ireland; Lynn is one of those. That scheme was intended to introduce the key elements of best practice and has succeeded in doing so. Our members are audited annually for regulatory compliance, site compliance and traceability. I can tell you that, over the years, the standard has improved quite dramatically. I can share an audit document with you if you wish, just to give you an idea of how it works.

The scheme has been central to the way in which the UK has approached its responsibilities. It deserves to be built on further and supported across the UK. I would like to see a more widespread use in Northern Ireland. There are particular problems here, such as cross-border movements to and from the South. The South has its own quite serious recovery problems, which

I hope it is in the process of addressing. It is most important that we understand what those problems are and how they cause problems here and on the mainland.

The responsible recycler scheme has been vital to the way in which the tyre industry has approached the issue of recovery, to the point at which, in England and Wales, we are in negotiation with the Environment Agency to form what is termed in the jargon as a “responsibility deal”. It is almost like VAT collection; in other words, we audit our members, share the results of those audits with the Environment Agency and, essentially, do a lot of the agency’s work. That means that the agency can concentrate its depleted resources on those sectors of the market in which we know that issues must be addressed and rogue activity stamped on. Have I said too little or too much?

The Chairperson:

Thank you very much for that overview. We have certainly seen a trend, and those problems are growing in Northern Ireland. We do not seem to have many statistics about how many used tyres are being disposed of, and how. The Committee’s inquiry is a timely exercise. We went to a couple of sites last week and heard about an incident in which a rogue trader hired a van, went around undercutting prices to collect used tyres from dealers and fitters and then dumped all those used tyres in the van. He collected lots of money, dumped the tyres in the van and walked away, leaving the owner with thousands of used tyres to dispose of.

Mr Taylor:

That is not uncommon, even across the water. Used tyres do not materialise out of the ether; they come off a vehicle’s wheels, either at a retailer’s premises or at a breaker’s or dismantler’s yard. It really does bring us full face up against the issues of enforcement, how we target enforcement and eliminate what we call “white van man”. Sometimes they are even cleverer than that. They do not dump the tyres but rent barns and warehouses, fill them up and then walk away, and people do not notice anything until they are sitting on a pile of thousands of tyres.

The Chairperson:

It is then left to a farmer or a local council to deal with those tyres.

Mr Taylor:

Those are elements of bad practice that best practice, if it is fully endorsed by everyone in the business, can help to eliminate. I used to be involved in promoting tyre and road safety, and we used to calculate that there was always that last 10%, half of whom are wilful and half of whom are ignorant. The issue of ignorant people can be addressed, but the issue of wilful people will not go away, and it requires constant vigilance and enforcement. Whatever approach is taken to used tyre recovery, there is no way of avoiding the need for rigorous enforcement.

The Chairperson:

Absolutely. You are obviously aware of the practices of the Environment Agency in England. How do you compare our practice with English practice?

Mr Taylor:

I do not live in Northern Ireland, so that is almost an unfair question. Perhaps the levels of enforcement have been less here than they have been in England and Wales. I would also say that there is a considerable [*Inaudible due to mobile phone interference*] element that is hard to control because of problems with the recovery programme in the South. I am not sure whether you are aware of those problems, but there is a licensing scheme in the Republic, the tyre recovery activity compliance scheme (TRACS), which is handled through the counties. However, it has one great weakness: it lacks any form of traceability. People can apply for a collector licence and collect tyres to their heart's content, but no one ever checks on what those people have done with the tyres afterwards. Some of the tyres accumulate on farmland. I am sure that some of them come here. Some of the arisings in Northern Ireland are baled and sent to the mainland for processing. There is nothing wrong with that. There are markets in used tyres, and we need to understand that.

It might be helpful if I took 30 seconds to explain what happens to used tyres. Tyres are an important source of energy. They have a calorific value that is quite similar to coal, so cement companies like them very much, especially car tyres. Truck tyres are not suitable for cement kilns, but if car tyres are fed whole into a kiln or as chip or shred, they are an important form of fuel and can improve the quality of the burn in kilns, although kilns need to be modified with scrubbers, and so on, which it is relatively costly. In the UK, about 40% of car tyres end up in

cement kilns.

Others are shredded and used for horse manèges and for engineering uses. There is an engineering use for baled tyres in landfill cells, and they can be quite effective in that context. Around 20,000 or 30,000 tons go down that route each year. There is more meat on a truck tyre, and most of them are used for sports surfaces, playgrounds, flooring materials, belting and the like. It is not difficult to valorise end-of-life tyres. There is not a shortage of markets or applications for them. There is a get-rich opportunity for white van man to do exactly what you described.

The Chairperson:

We saw a couple of good examples of companies recycling tyres, such as making them into little sheds and bales and retreading the tyres. It was very interesting.

Mr W Clarke:

Thank you for the presentation. You touched on a couple of points that I was going to ask you about. Across the water, is there any reuse of tyres for aggregates for roads infrastructures?

Mr Taylor:

I wish that I could say yes, and I do not know why the UK has been slow in developing rubberised bitumen. Three or four years ago, some work was done to try to get that going. Other countries have been very successful in using rubberised bitumen in specific circumstances. It is very useful as a layer on top of concrete highways, which tend to craze after a period of time. It has been used extensively for that purpose in Arizona, where there are lots of concrete highways. The great thing about rubberised bitumen is that it is more flexible in cold weather, quieter and longer lasting. The downside is that it is around 10% more expensive than normal bitumen. It is totally recyclable. You can heat it, scrape it up and relay it. It is the great missed opportunity.

Mr W Clarke:

I agree. We can look into that in more detail. Your submission mentions the baling of tyres for reuse on motorway embankments, for preventing coastal erosion and for flood management. In the North, there seems to be a different interpretation. Baling is the most basic way to reuse

tyres. We visited a company that had severe problems with the Department of the Environment to allow that to take place. What is the situation across the water?

Mr Taylor:

There is some nervousness about the use of baled tyres.

The Chairperson:

Someone has their mobile phone on, and it is affecting the recording. They need to switch it off.

Mr Taylor:

The Environment Agency in England and Wales has been concerned about the use of bales in certain circumstances. The perception of the available markets is greater than the reality, and the markets for embankments, and so on, are relatively small. They have been used in coastal erosion projects, but that is not a consistent business. They have also been used in temporary roadways, but there are some concerns about that because of questions over whether that is permanent or temporary recovery. Of course, once the tyres have become contaminated with soil, mud or oil, they become much more expensive to recycle.

Mr W Clarke:

You and the Chairperson mentioned people getting a waste permit or licence and storing large volumes of tyres. How big a problem is that across the water? In my opinion, it takes a considerable time to build up large tyre mountains.

Mr Taylor:

It has been a problem, but it is much less of a problem now. I think that that we have very few of those left. However, our Environment Agency in England and Wales is not always quick off the mark. It is far more alert now than it was in the past, but, quite often, the whole process took three years from the moment that an illegal pile was signalled to the agency to the point at which it achieved a prosecution. There are all sorts of reasons for that, but it has speeded up, and it is less indulgent with the initial excuses and storylines that it is fed.

We have hardly any large dumps now. Quite often, people go around baling tyres, and there

have been some big instances in the past 12 months of those bales simply being stored in barns and the like, and currently some major prosecutions are going through. Therefore, the way that we work with the Environment Agency in England and Wales is that we feed it with names. If we acquire some intelligence or our suspicions are awakened, we simply pass that information to the agency. It has a waste crime team that has become quite knowledgeable on the subject, and it is doing a very good job. It had a one-year funding programme that focused entirely on tyres, which was very effective, and it knocked out a lot of the obvious suspects. That finished in March, but the team has not just walked away from it. It has maintained an ongoing interest and expertise in the subject, and, by working closely with it, the problem is now containable.

Mr W Clarke:

I agree with you. Obviously, the information has to come to the enforcement agency, but there has to be a robust response. That is the key to this matter. On site visits, the industry tells us that a major issue in the North is that we have become a dumping ground for cheap, eastern European tyres and tyres from China, whereas across the water, it is more robust. The industry basically said that second-rate tyres are being dumped in the North.

Mr Taylor:

Dumped?

Mr W Clarke:

Not dumped. Sorry, that is the wrong word. They were actually being sold in the North.

Mr Taylor:

I would question that. I also run an association for new tyre companies, and there are very few bad tyres these days. You might say that some are undoubtedly better than others, in the same way as you might say that a Bentley performs better than a Ford Focus, but neither is dangerous and neither is second rate. There are very few second-rate tyres. However, I think that the Irish market generally, North and South, is not brand-minded; the market on the mainland is not very brand-minded either, but perhaps it is a bit less so here.

That is another reason why the pull approach is very important. It works better in your context. The choke point becomes the end of the chain — the point when the tyre is taken off the wheel, wherever

that may be — whereas if you tried to identify the importer of one of those 200 or 250 brands in the marketplace, you could be chasing that rainbow all day. It is not easy to do that. That is one of the significant weaknesses of the strict producer-responsibility approach that we see in countries such as France and Spain.

If I have one concern for you here, it is that there are large dumps in the Republic. I know that you have large dumps in Northern Ireland, but I am told that some in the Republic are even larger. If Ireland generally has a recovery deficit in the sense that it does not really have the capacity to process all of its arisings locally, some of them have to go elsewhere; they have to be exported to the mainland or beyond. There is not necessarily anything wrong with that provided that it is done legitimately and with the requisite international permits. However, getting back to the situation in the Republic, I suspect that, if they do have a clear-up campaign there, the easy thing to do would be to send those tyres north because, in the weird way that all of that operates in the EU, export is counted as recovery. I really need to be blunt about that because it is something that you have to consider and watch out for.

Mr W Clarke:

On the point about crossing borders and taking tyres into different jurisdictions, how does that affect the environment agencies in Scotland, England and Wales? How do they co-operate?

Mr Taylor:

They co-operate pretty closely. I would say that there is probably a bit more of a time lag between England, Wales and Northern Ireland than there is between England, Wales and Scotland. We have the Used Tyre Working Group, which is an industry/government group that meets three or four times a year. Both the Scottish Environment Protection Agency (SEPA) and the Environment Agency here have open invitations to attend and participate in the working group. Perhaps it would be difficult to come to every meeting. However, it would be very useful if there were more contact and awareness of the issues that we are considering and, indeed, the successes that we have had. It is certainly not a negative story. For a voluntary scheme like the responsible recycler scheme to achieve 80% coverage is commendable, if I do say so myself. I do not see the packaging industry, which has a mandatory scheme, achieving that kind of percentage.

We welcome more involvement from the devolved Administrations. We would all benefit from that because there is a tendency in far-off London to have very little idea about what happens here and, perhaps, even, to care less. However, I care. I have members here. They call me with their problems and issues. They would be much easier to deal with if there were perhaps a more general understanding of the nature of the business.

The Chairperson:

You mentioned that it is perhaps too easy to grant people licences to collect tyres. Should we be stricter?

Mr Taylor:

I hear that complaint from my members, yes. They tell me that it is too easy to get an interim licence. Having that licence confirmed may take up to a year. In the meantime, people are running around, doing whatever they are doing. They may be perfectly legitimate. On the other hand, they may not be. So, I would like there to be further spread of the responsible recycler scheme to Northern Ireland. We can do the work for you. Our members are audited, and they pay for their own audits. They have an interest in doing things correctly, and they can relieve the burden on your enforcers.

Mr Hamilton:

I have a question about the fee-charging regime in Great Britain. As public consciousness of the issue is heightened, people will start to ask questions — I know that I have — about the fee charged by tyre retailers and about how the cost to recycle is, more often than not, significantly lower than the fee charged by the retailer. How is that issue dealt with in Great Britain? We see evidence that retailers charge £1.50 or £2 for each tyre. However, as we experienced on our recent visit, the cost at the gate of the recycler is significantly lower.

Mr Taylor:

The answer is that it is not dealt with in Great Britain because there is a market-based approach to recovery. However, you are absolutely right; most retailers charge the consumer significantly more for the environmental charge or the green fee or whatever you want to call it. They pay for

recovery themselves, which, of course, is a bone of contention with collectors. We would be able to valorise the whole recovery infrastructure more if it were better funded. One of the reasons that it is not better funded is that retailers retain a high proportion of the recovery charge.

Mr Hamilton:

It is a constant problem. No matter what overall system is in place, here or elsewhere, there seems to be that issue of the discrepancy or arithmetical difference between —

Mr Taylor:

Under the voluntary approach to producer responsibility — it is the universal approach — retailers have just as much responsibility to behave responsibly as new tyre manufacturers, collectors or reprocessors, but they often lose sight of that. It is true to say that, when there are prosecutions, they rarely go beyond the rogue collector. However, the tyres have come from somewhere, and the retailer who supplied them has probably ignored his duty of care.

Mr Hamilton:

The retailers' duty of care is enhanced because they take that fee. The public expect the tyres to be dealt with properly.

Mr Taylor:

Perhaps one or two exemplary examples would change things a little bit. Retailers have always been a little detached from their obligations.

The Chairperson:

It is too easy to let the used tyres go to anyone.

Mr Taylor:

In practice, there is no comeback on the retailer. There should be, because they have a legal duty of care. However, in practice, it never comes to that. That is almost the biggest weakness in the whole enforcement programme. If some people in the chain feel that they are invulnerable, it becomes harder to implement good practice.

The Chairperson:

Can retailers be prosecuted if they hand tyres to anyone willy-nilly?

Mr Taylor:

Yes, they can be.

Mr Hamilton:

I wonder if it would be worthwhile finding out whether there have been any prosecutions or investigations.

Mr Dallat:

Thanks for your presentation, Peter. We have loads of reasons or excuses for burning tyres here. We have commemorations and celebrations of victories and defeats. Is there a similar problem in Britain? What is the attitude of local councils or whoever has responsibility for the environment to the tons of pollution that go up into the atmosphere?

Mr Taylor:

As Winnie Mandela discovered once, they do burn rather well.

Mr Dallat:

I do not think that that was a nice remark. I take it that you are talking about the necklace things?

Mr Taylor:

Hmm.

Mr Dallat:

I would have preferred that you had not said that.

Mr Taylor:

Tyre fires fall into two categories. In the manufacturing process, car tyres, in particular, contain fabric, typically rayon or perhaps nylon. In some aspects of the size-reduction process, there is a fire risk. We do not have the types of fires, by and large, that you have here. We have arson,

which is a common problem. I am not sure if that is the issue here. Obviously, the longer it takes to clear piles of waste tyres from sites, the more likely it is that there will be examples of arson and other issues relating to site security, and the rest. Again, the Environment Agency has been looking at new conditions for site storage, and the industry and my association are working with it to come up with acceptable stack heights, separation distances, and the rest. That, again, is about best practice.

Where an accumulation has happened illegally and the Environment Agency is in the process of prosecuting someone — that process can take a couple of years — there are issues of site security, which can, in turn, lead to opportunities for arson. As far as tyre fires are concerned in England and Wales, and perhaps in Scotland, too, in the outdoor situation, arson is really the only situation that we face. We rarely see tyres being used on bonfires and the like. Does that answer the question?

The Chairperson:

John?

Mr Dallat:

I am not remotely interested. The remark that was made at the beginning was unacceptable to me.

Mr Taylor:

I withdraw it unequivocally. It was not meant to offend anyone.

Mr Dallat:

Well, I found it highly offensive. That was one of the most dreadful things that ever happened anywhere in the world.

The Chairperson:

Sorry, I missed the remark.

Mr Weir:

It has been withdrawn, so there is no point in repeating it.

The Chairperson:

OK, John, are you happy with that?

Mr Molloy:

Chair, again, just to repeat; it is probably as irresponsible a statement as the way that tyres are processed along the lines of irresponsible management right through the whole system.

You made another statement about 40% of tyres going in cement kilns.

Mr Taylor:

I said 40% of car tyres.

Mr Molloy:

What control is there as regards monitoring that and the filters that are used in the cement kiln system?

Mr Taylor:

My understanding — well, my knowledge — is that the controls in the UK are very stringent. The last time I saw some figures, it cost, typically, about £1 million a kiln to install the necessary filters and the alerts that sound off in the local Environment Agency headquarters if there are any excessive emissions. When that happens, the chimney is shut down. I believe that that is how it works.

Mr Molloy:

We heard evidence last week that, although truck tyres are numbered and marked and are therefore traceable, car and van tyres are not traceable because there are no numbers on them. Surely if someone, whether at a tyre retailer's or at a filling station, is collecting money from people to dispose of tyres correctly, there must be some identification or tag on the tyre that means that it could be traced right through the system.

Mr Taylor:

In a best practice scheme, you tend not to need that, but there have been experiments with what is known as SmartWater. A tyre is marked and that tyre then becomes traceable. However, at the moment, there is no straightforward way of knowing which retailer, for example, a used tyre has come from.

The Chairperson:

Would it cost a lot to put a serial number on car tyres as is done with truck tyres?

Mr Taylor:

Tyres have batch numbers, and in this country alone we sell about 50 million tyres a year. Using serial numbers would be difficult, but perhaps if we reach the point where we could use some sort of SmartWater marking —

The Chairperson:

Would that identify the brand?

Mr Taylor:

In a sense, I am not sure that we need to identify the brand. We just need to be sure that, when tyres are removed from wheels, they go into the recycling chain and do not pop up somewhere else before they can be reprocessed.

The Chairperson:

Thanks very much indeed, Peter. Thank you for coming all this way to give us a presentation.

Mr Taylor:

Thank you.