

16th October 2013

Dear PCC,

Complaint 134024

Thank you for your e-mail passing on the *Daily Mail*'s letter of 11th October. It remains disappointing that the *Mail* fails to see its error, and has compounded it with a new [article](#) published today in which substantially the same claims are repeated. I would therefore like to refer this complaint to the Commission for resolution, and would like to extend it both to the *Mail*'s article and the similar pieces it seems to have inspired in the [Daily Express](#) and the [Daily Telegraph](#). All of these articles turn on the same question: does the law require that from 2015, councils must supply people with lots more bins to separate recycling?

Under the circumstances, with the *Mail*'s untrue article starting to influence the reporting of this (non-) story in other media, I do not think it is satisfactory to simply append Brandon Lewis's comments to the online version of the article. The *Mail*'s reportage today rather suggests that marking the cutting for future reference will have little effect – since the paper is aware that its story is in no way based on fact, and has nevertheless repeated it. And a short letter from me will do far less to redress the balance than would a prominent retraction on the part of the *Mail*.

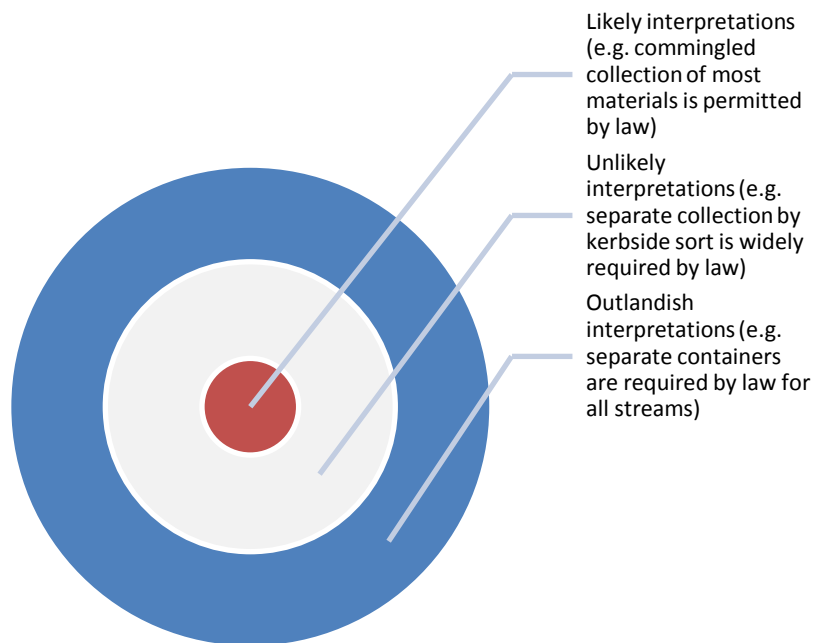
The articles to which I refer are straightforwardly misleading. They state that the law will require householders to separate waste into more containers. The law says no such thing, and had any of the newspapers that published articles today, prompted by a [letter](#) from the then Defra minister Lord de Mauley to local authorities.

Had any of them bothered to read to the end of the letter, they would perhaps have noted the following paragraph:

"Separate collection does not of course mean that each household will need more bins. For example, many areas have kerbside sort systems where materials are sorted before being loaded into the waste collection vehicle."

He could hardly have made the point more plainly, but the papers chose to ignore it.

I explained in my previous letter that there remains some discussion about what precisely councils must do to comply with the law. This seems to have confused the *Mail* into thinking that its outlandish interpretation, denied forthrightly by both Lord de Mauley and Brandon Lewis MP, is in some way tenable. It is not. Perhaps a diagram would make this clearer:



There is certainly room for interpretation within the inner rings. The law makes tempers the requirement for separate collection with considerations of technical, economic and environmental practicability (TEEP). These factors are to be weighed locally by each council, informed by forthcoming Defra's guidance. However, Lord de Mauley's letter makes clear the scope of the debate. It concerns the way this 'TEEP' test should be applied, and the implications this has for:

- the extent to which commingled collection of all four materials remains permitted;
- whether glass should typically be collected separately from other materials (which could be done using bring banks, rather than kerbside collections, requiring no new bins).
- whether the default option is to use the kerbside sort method.

It does not encompass the *Mail's* outlandish interpretation: that separate containers must be issued to households for each material stream. Such an approach to separate collection would be expensive and impractical: not 'TEEP'. If any authority adopts it, it will not be because the law compels it. To reiterate: separate *collection* does not require separate household *containers*. Because it has not understood this, the *Mail* has propagated an error that other newspapers have today repeated.

In the circumstances, it remains entirely clear that the key claims of the *Mail's* articles are highly misleading. The newspaper claims to be reporting what the law says, and what the Government has announced. It has misinterpreted both. Yet despite being advised of the true position, it clings to its misinterpretations. I would ask the Commission to ensure this flagrant breach of Article 1 of the PCC Code is stopped as soon as possible by having the offending articles corrected or removed.

Yours sincerely,

Peter Jones