

# Proposed Decision to be taken under the Council's Urgency Procedure by the Portfolio Holder Environment and Heritage & Culture on 2 July 2021

## Response to DEFRA waste consultations: Consistent Collections

<b>Lead Member</b>	<b>Councillor Heather Timms</b>
<b>Date of decision</b>	<b>2 July 2021</b>
	<b>Signed</b>

<b>Decision</b>
That the Portfolio Holder for Environment and Heritage & Culture:  1. Agrees to the submission to DEFRA of the consultation response attached in <b>Appendix A.</b>

<b>Reasons for decisions</b>
<p>The Warwickshire Waste Partnership, at its meeting on 16 June 2021, considered information about and commented upon the consultation. Subsequently, the senior officers' group have produced a response to the consultation through collaborative discussion. The policy plans potentially have favourable outcomes for waste management, the environment, and climate change, across Warwickshire.</p> <p>As agreed at the Warwickshire Waste Partnership on 16 June 2021, the portfolio holder is now asked to approve the submission to DEFRA of the consultation response on behalf of the County Council and the Warwickshire Waste Partnership in line with the requirements of the constitution. The consultation response developed by the senior officers' group is attached in Appendix A.</p>

<b>1.0 Background information</b>
1. The Government published the new national Resources and Waste Strategy in December 2018, outlining potential changes to the way that all waste is managed. The strategy aims to change the way resources are used from a linear model of buy, use, discard to a circular economy model, where resources are kept in economic use through comprehensive changes to the whole resource value chain. These proposed changes to increase resource use and reduce waste will have a significant impact on reducing the climate

impact of the resources and waste sector. The changes apply to household waste, municipal waste and business waste.

2. The Government has introduced the Environment Bill, which is progressing through the House of Lords. This will be the primary legislation which will underpin many new environmental regulations, including a suite of new waste regulation. DEFRA consulted upon three areas of new regulation in the Spring of 2019: Extended Producer Responsibility, Deposit Return Scheme and Consistent Collections of Waste. Warwickshire Waste Partnership contributed a joint response to each of these consultations at the time. Since then, the Government have been holding regular discussions with stakeholders to develop the regulations and have issued a new round of consultations on Extended Producer Responsibility, Deposit Return Scheme and Consistent Collections.
3. The Extended Producer Responsibility proposal for packaging is an overhaul of the current producer responsibility for packaging legislation. It will ensure that the total cost of collecting, transporting, sorting and recycling / reprocessing / disposing of the packaging is covered. The regulation should provide local authorities with 'Full Net Costs' recovery for the management of packaging waste including recycling, disposal and litter collections. The proposal is for the 'Brand Owner' to pay this cost. The less packaging a product has, the lower the fee will be. The more recyclable the packaging is, the lower the fee will be. Local Authorities will be given the costs of managing packaging waste but will have to demonstrate an 'efficient and effective' waste collection and disposal. This proposal links with the Consistent Collections proposals.
4. The Deposit Return System proposal is for beverage containers only. At the point of purchase, a deposit will be paid on the drinks bottle. At the point of return for recycling, the deposit is redeemed. Country-wide return infrastructure will be created by way of a network of Reverse Vending Machines in shops and other municipal locations. Smaller shops will be able to offer manual returns. Online retailers will also collect returned containers. The main drivers for this scheme are reduced litter, improved capture for recycling and improved quality of material for recycling. This proposal also links with Consistent Collections.
5. The Consistent Collections consultation was launched on 8th May 2021. It covers the ambition to improve waste collections in England from both households and businesses. New stipulations that are not covered by payments to the local authority through the EPR mechanism will be covered by the government as a 'new burden'. The partnership's response asks government to ensure the full costs for new burdens are provided up-front for initial set up costs for the new requirements as well as ongoing operational and communication costs.
6. Headline proposals include the consistent inclusion of beverage cartons from 2023/24 and of plastic films from 2026/27. The Partnership supports the principle, but urges government to ensure that sorting capacity and, most

importantly for Warwickshire, reprocessing and end market capacity, are in place before making it mandatory for these material types to be collected. A cornerstone proposal is the provision of separate weekly food waste collections to every household. The Partnership's support of this is caveated with the warning that this will not be straight-forward in very rural areas or for flats and houses of multiple occupancy. The Partnership opposes the proposal to offer all households a free garden waste collection, putting forward that the option to charge for this service should be a local decision. The Partnership also urges for local decisions on the frequency of residual waste collection, pointing out that the other suite of proposals will remove all food waste and a large proportion of other materials from general waste.

7. The Partnership welcomes the proposals regarding the collection of business waste, in principle. There is a lot more thinking required in this area and local government is well placed to shape this strategy and provide services in this area.

8. Warwickshire Waste Partnership submitted a response to the Extended Producer Responsibility and Deposit Return Scheme consultations on 3rd June 2021, following sign-off via Portfolio Holder decision:

[WWP Defra second consultation responses for EPR and DRS](#)

9. The Warwickshire Waste Partnership considered information about and commented upon the consultation on 16 June 2021. Senior waste officers within Warwickshire County Council as the Waste Disposal Authority and within the Waste Collection Authorities of North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Warwick District Council and Stratford-on-Avon District Council have spent time reviewing the Consistent Collections consultation documents and the impact assessments:

[Defra second consultation paper Consistent Collections](#)

10. Officers have read and attended briefings, including from the LGA, Chartered Institute of Waste Management and LARAC (Local Authority Recycling Advisors Council). Draft responses from LARAC and ADEPT have been considered. Senior officers from each Warwickshire authority have attended two online group discussions on our joint response, on 16 June 2021 and 21 June 2021. As a result of this discussion and correspondence, the response in Appendix 1 has been put forward for approval by the Portfolio Holder and chair of the Warwickshire Waste Partnership. This sign off process was agreed at the most recent meeting of the Warwickshire Waste Partnership on 16 June 2021 and is consistent with the constitution.

## 2.0 Financial implications and Key Risks

There are no financial implications of responding to the consultation.

There will be significant financial implications (both positive and negative) as we move towards the target dates set out in the three consultations. There will be a requirement to carry out careful planning to implement the new strategy across all

authorities and Government have stated that draft regulations will be released this financial year.

### 3.0 Environmental implications

There are no environmental implications of responding to the consultation.

There will be positive environmental and climate impact implications when some or all of the proposed actions in the three consultations are rolled out. More will be known when the Government release draft regulations this financial year.

### 4.0 Timescales Associated with the Decision and Next Steps

If agreed, the consultation responses will be submitted to DEFRA ahead of the consultation response deadline of 4 July 2021.

The Warwickshire Waste Partnership will be kept informed as the enactment of the strategy develops and draft regulations are published.

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<b>Lead Member</b>	Councillor Heather Timms

<b>Urgent matter?</b>	Yes
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

### List of background papers

WWP consultation responses 2019  
[Defra second consultation paper EPR](#)  
[Defra second consultation paper DRS](#)  
[Defra second consultation paper Consistent Collections](#)  
[WWP Defra second consultation responses for EPR and DRS](#)

### Members and officers consulted and informed

Portfolio Holder – Councillor Heather Timms

Corporate Board – Mark Ryder

Legal –

Finance –

Equality –

Democratic Services – Paul Williams, Helen Barnsley

Councillors –

Councillor (For consent to urgency) - Councillor Jeff Clarke

Opposition Leaders – For information