

Communities Overview and Scrutiny Committee

22 September 2021

National Waste Strategy Report

Recommendation(s)

The Committee notes and comments upon the update on the Recycling and Waste Strategy and the consultation activity set out in this report.

1.0 Introduction

- 1.1 The Government published the national Resources and Waste Strategy in December 2018, outlining 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. The government describes the strategy as setting out “how we plan to double resource productivity and eliminate avoidable waste of all kinds (including plastic waste) by 2050”. The changes will have a significant impact on reducing the climate impact of the resources and waste sector and apply to household waste, municipal waste and business waste.
- 1.2 The Government has introduced the Environment Bill, which is progressing through the House of Lords. It is currently at Report Stage which gives all members of the Lords a further opportunity to examine and make amendments (changes) to a Bill. It is due its 3rd reading following that. The Bill’s long title is “A Bill to make provision about targets, plans and policies for improving the natural environment; for statements and reports about environmental protection; for the Office for Environmental Protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards; about water; about nature and biodiversity; for conservation covenants; about the regulation of chemicals; and for connected purposes.”
- 1.3 If passed, the resulting Act will be the primary legislation which will underpin many new environmental regulations, including a suite of new waste regulations. 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 issued a new round of consultations on Extended Producer Responsibility, Deposit Return Scheme and Consistent Collections in Spring 2021.

- 1.4 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. This means that local authorities should receive funds from the scheme which will cover the costs of dealing with packaging waste. 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 via the extended producer responsibility scheme but will have to demonstrate 'efficient and effective' waste collection and disposal. It is possible that if a local authority cannot demonstrate that its waste service is efficient and effective, and how this will be defined is not yet known, then they will not receive full costs.
- 1.5 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. The bar code of the product will be read and the item 'posted' into the container for onward recycling. Smaller shops will be able to offer manual returns. Online retailers will also collect returned containers. Plastic bottles and metal cans will be covered, possibly also glass bottles. Local Authorities may be able to access the deposits on items where the purchaser has foregone the deposit and decided to recycle at the kerbside, put in general waste, litter bin or litter. This has yet to be decided. The main drivers for this scheme are reduced litter, improved capture for recycling and improved quality of material for recycling.
- 1.6 The Consistent Collections proposal applies to collections of waste from households and businesses in England. There is confirmation that there will be 'New Burdens' payments for councils that have to make changes to their waste management practices and processes in order to comply with the consistent collections requirements. These payments are intended to offset costs to local authorities of the required changes. A list of material that must be collected from the kerbside for recycling from all properties is proposed. The aim is that all authorities collect the same things. In Warwickshire, the majority of these are already collected from houses. Authorities not collecting beverage cartons (Tetrapak) would have to include those from 2023. The inclusion of plastic films and flexibles is proposed for inclusion from 2026/27. It is proposed that all households will receive a weekly separate collection of food waste. There are questions about charging for green garden waste collections and a minimum proposed service level for this. There are proposals about the separate collection of elements of recycling from households. Service levels for the frequency of collection of general waste is also included. The proposals extend to consistent collections from businesses and are likely to affect collection authorities offering trade waste collections and the commercial service offer at HWRCs.

2.0 Completed responses to the second round of consultations

2.1 There has been significant work already undertaken in relation to these changes.

- i. 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 consultation documents and the impact assessments:

[Defra second consultation paper EPR](#)

[Defra second consultation paper DRS](#)

[Defra second consultation paper Consistent Collections](#)

- ii. Officers have read and attended briefings, including from the LGA, Chartered Institute of Waste Management and LARAC (Local Authority Recycling Advisors Council).
- iii. Draft responses from LARAC and ADEPT have been considered.
- iv. Senior officers from each Warwickshire authority have attended online group discussions on our joint response, on 4 May 2021, 21 May 2021, 14 June 2021 and 21 June 2021.

2.2 As a result of this collaborative discussion and correspondence, the responses linked below were put forward for approval by the Portfolio Holder and chair of the Warwickshire Waste Partnership. This sign off process was agreed at the meeting of the Warwickshire Waste Partnership on 17 March 2021.

[WWP response to second consultation paper EPR](#)

[WWP response to second consultation paper DRS](#)

[WWP response to second consultation paper Consistent Collections](#)

2.3 The proposed changes in national waste management arrangements potentially have very favourable outcomes for local waste management, the environment and climate change. Of particular note,

- i. The Extended Producer Responsibility response strongly supports the principals in the consultation and how the proposals incentivise resource efficiency.
- ii. Moving to the producer pays principle for waste management and ensuring that local authorities get full net costs for dealing with packaging waste is fair and will contribute to both reducing waste and increasing recycling.
- iii. The response states a preference for recycling labelling on packaging to be of one mandatory, unambiguous, clear style, to help householders and to increase correct recycling.

- iv. The partnership officers welcome the ambition to collect plastic films but are unsure if a comprehensive collection service can be enacted by 2026/27, due to end market uncertainty.
 - v. We have highlighted issues with new compostable products that are appearing on the market and agree with mandatory take-away cup take-back.
 - vi. The consultation response gives detailed feedback on how the return of full net costs to Local Authorities can be transparent, fair and equitable.
- 2.4 The Deposit Return Scheme response is supportive of the scheme and the potential for it to reduce litter, improve capture for recycling and improve quality of material for recycling. It is clear how a system to capture small drinks containers consumer 'on the go' could work well. However, officers have reservations over an 'all in' system, where any size drinks container can be returned. There is potential for this to significantly change the kerbside recycling collection service and have impacts on smaller retailers and the street scene. Moreover, there is a concern for how this might impact low-income families. We have offered feedback on a proposed digital return system, asking for assurances of how fraud would be prevented in such a system. The response offers knowledge on how Local Authorities will be able to collect data in order to retrieve funds from the handling of containers where the deposit is unclaimed and the item has passed through the kerbside or litter system.
- 2.5 The Consistent Collections response welcomes the proposal to define the types of waste that should be collected for recycling. This will give the reprocessing industry the confidence to invest in much-needed UK recycling capacity. Also welcomed is the 'New Burdens' payments as all Warwickshire councils will likely have to make changes to waste management models in order to comply with the consistent collections requirements. Weekly separate collection of food waste should reduce food waste in the general household waste and could shine a light on the quantities of food wasted in households. Reducing food waste and maximising recycling of food waste will have beneficial carbon impacts. Altering a collection authority's ability to charge for green garden waste collections has been questioned, as has the proposals around the separate collection of elements of recycling and service levels for the frequency of collection of general waste.
- 2.6 The consultation responses for EPR and DRS were submitted to DEFRA on 3 June 2021 in time for the consultation response deadline of 4 June 2021.
- 2.7 The later deadline for response to the Consistency consultation on 4 July 2021, meant that the Waste Partnership could contribute opinions on the potential joint response and compare thoughts on the elements of the Government's proposals. Information from these discussions was fed into the consultation response process.
- 2.8 The Consistent Collections response was submitted on 2 July 2021.

3.0 Financial Implications

- 3.1 It can be predicted that there will be financial implications (both positive and negative) as we move towards the target dates set out in the consultations, as already highlighted in other parts of the report. The operational and financial implications will not be fully understood until the draft regulations are published by Government. We expect to have a summary of consultation responses by the end of the calendar year, which will give us an indication on the direction of travel. The draft regulations will not be published until the end of the financial year. There will be a requirement to carry out careful planning to implement the new strategy across all authorities.

4.0 Environmental Implications

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

5.0 Next steps

- 5.1 The Government is expected to publish a summary of the consultation responses this year. This could inform the councils of what to expect from the draft legislation, which has been timetabled for the end of the financial year. Meanwhile, the Environment Bill is currently being debated in the House of Lords and some resultant amendments may impact on local resource and waste management.
- 5.2 The Warwickshire Waste Partnership will be kept informed as the enactment of the strategy develops and draft regulations are published. There will be an update on progress provided at the meeting on 29 September 2021. Also at this meeting, the initiation of a refresh of the Joint Municipal Waste Management Strategy will be discussed. The Overview and Scrutiny Committee may wish to schedule a further update on the national waste strategy in the new year.

Background papers

WWP EPR consultation response 2019

WWP DRS consultation response 2019

WWP Consistent Collections response 2019

[Defra second consultation paper EPR](#)

[Defra second consultation paper DRS](#)

[Defra second consultation paper Consistent Collections](#)

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This paper was not circulated to members prior to publication due to time constraints.