



Report Reference Number: E/18/50

To: Executive
Date: 4th April 2019
Status: Non Key Decision
Ward(s) Affected: All
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Lead Executive Member: Cllr Chris Pearson, Lead Executive Member for Housing, Health and Culture
Lead Officer: Julie Slatter, Director of Corporate Services and Commissioning

Title: Waste Strategy 2018 Consultations

Summary:

The government waste strategy 2018 was published on 18th December 2018 and referenced the publication / issue of a number of consultation exercises to commence early 2019. Four consultation exercises were published on 18th February 2019 and all four consultations run for 12 weeks with a closing date of 12th May for plastic packaging tax and 13th May for the other three consultations. This report summarises the main areas of consultation within each exercise and outlines a Response for Selby. The four consultations can be viewed via the links below.

<https://consult.defra.gov.uk/environmental-quality/consultation-on-reforming-the-uk-packaging-produce/>

<https://consult.defra.gov.uk/environment/introducing-a-deposit-return-scheme/>

<https://consult.defra.gov.uk/environmental-quality/consultation-on-consistency-in-household-and-busin/>

<https://consult.defra.gov.uk/environmental-quality/plastic-packaging-tax/>

Recommendations:

- i. That the Executive approve the responses to the seven areas of consultation within this report as detailed below.
- ii. That delegated authority for the Executive Member for Housing, Health and Culture in consultation with the Director of Corporate Services and

Commissioning sign off Selby District Councils response to the consultations.

Reasons for recommendation

To ensure the Executive is consulted and signs off the responses on behalf of Selby District.

Introduction and Background

1.1 The government waste strategy 2018 was published on 18th December 2018 and referenced the publication / issue of a number of consultation exercises to commence early 2019. Four consultation exercises were published on 18th February 2019 and all four consultations run for 12 weeks with a closing date of 12th May for plastic packaging tax and 13th May for the other three as set out below.

- Taxing plastic packaging with less than 30% recycled content.
- Consistent collections including food waste and free garden waste
- Extended Producer Responsibility (EPR) for packaging and the concept of full net cost recovery for LA's
- Deposit Return Scheme (DRS) for the UK

1.2 The first consultation listed above has minimal impact on local authority (LA) collections or disposal so this briefing concentrates on the three most relevant to waste collection and disposal authorities. Responding to each consultation in isolation is not advisable as responses to one consultation should inform and / or support responses to another to ensure responses are consistent. Subject to the responses received there will be further consultations late 2019 or early 2020 on proposed regulatory changes.

1.3 There are 250 questions in the three consultations with a further 56 in the plastic packaging consultation. The questions within the consistent collections and EPR consultations are grouped within a number of proposals, whereas the DRS consultation is structured around options for a DRS scheme.

1.4 The questions within the consultations can be categorised as those primarily aimed at either the packaging producers or LA's. Our responses concentrate on those questions that have a direct consequence for LA's, which is a smaller number. For the LA questions our responses reflect current service provision with no anticipated adverse impact. However, there are a few questions, or groups of questions, that seek responses on potential new services and any associated costs. Whilst the full consultation response is

proposed to be signed off by the Executive member, the draft responses to seven areas requiring Executive approval are set out below.

2. Consistency of Collection Consultation

This consultation has 20 proposals containing 66 questions

Proposals 4 to 6 Q17 to Q23

By 2023 we propose to legislate for local authorities to provide all kerbside properties and flats with access to at least a weekly separate collection service for food waste, including provision of containers and liners.

One of the main issues with this proposal is possible insufficient access for many LA's to suitable reprocessing facilities including Selby. Distribution of facilities and capacity is not uniform across the country, which could lead to some LA's being unable to procure contracts or doing so at a market premium. The facility at Allerton Park is designed to extract food waste from residual waste and has capacity for all North Yorkshire districts but would require investment in the facility and provision of local transfer stations. Craven District Council conducted a food waste collection costing exercise a couple of years ago that estimated the annual cost of kerbside collection to be in the region of £500,000. In addition there would be significant capital set up costs associated with this service for kitchen caddies, sealed boxes for collection and decomposable caddy liners.

The consultation states that new burdens will be funded however there is no indication of where the funding for food waste collections would come from. There would need to be reassurance that funding would be provided long term to cover this service and would not be required to be diverted from other areas jeopardising other essential services. It is valid to raise the issue of the source of funding for food waste and to make the point it should be 'new' money and not existing council budgets freed up from the EPR funding for packaging.

Removal of food from the residual waste stream will impact long term technological solutions reliant on food waste within residual waste stream (e.g. mechanical biological treatment [MBT] plants) such as Allerton Park. Concerns about the economic feasibility of Allerton Park with potentially expensive facility upgrades/contractual variations should additionally be raised.

- ***Selby response to these questions should clearly indicate that such service provision remain at the discretion of the Local Authority based on local requirements and policy.***

Proposal 7 Q24 & Q25

We are seeking views on whether households generating garden waste should be provided with access to a free collection service. If introduced this would be a minimum fortnightly collection service of a 240-litre capacity container (either bin or sack). Local authorities may provide additional capacity or more frequent services and would be able to charge for this additional provision

As with the food waste collections the consultation state new burdens will be funded but no indication has been given as to where these funds would come from. Whilst this may not appear to have a direct impact on Selby, over 80% of District councils currently charge for this service so the national financial impact cannot be ignored due to local circumstances when responding. There is also no indication if those authorities currently offering collections free, such as Selby, will then receive funding to cover them or not.

- ***Selby's response to these questions should clearly indicate that such service provision remain at the discretion of the LA based on local requirements and policy.***

Proposals 10 to 12 Q32 - 39

We are proposing to prepare statutory guidance on minimum service standards to which local authorities will be required to have regard. The detail of this guidance will be consulted upon in our second consultation

Although it states there will be a second consultation it will be important to get detailed views across at this stage as that will greatly influence how this second consultation looks and what is further consulted on. There is cross over with proposal 8 here but there is no harm in repeating information given in answers to that proposal if it is relevant. As there is mention of service frequencies in this section it will be an important aspect to cover.

- ***Selby's response to these questions should clearly indicate that such service provision remain at the discretion of the LA based on local requirements and policy.***

3. Extended Producer Responsibility (EPR) Consultation

This consultation has three main proposals with 95 questions in this consultation.

Proposed Changes Key Principles Q10 – Q25

Principles for a reformed packaging producer responsibility system

Section 1: Full net cost recovery (Principle 2)

Section 2: Driving better design of packaging (Principle 3)

Section 3: Obligated producers (Principle 4)

These questions relate to the concept of full net costs recovery and the whole ethos of EPR for packaging. The range of costs that the consultation outlines producers should cover appears very broad so that is potentially a good thing for LAs. In response we should consider what we want to think about outlining and what you would include in those costs that are defined. There are also links and references to a DRS scheme as well as potential impacts on collection volumes and material mix that should also be considered.

- ***Selby's response should ensure consistency of materials maximises funding whilst minimising local impact.***

Proposals to support collection infrastructure Q26 to Q36

Section 4: Supporting improved infrastructure (Principle 5)

There are links here to the consistency consultation and a set of core materials and minimum standards, so responses need to cross reference each other. There is mention of groupings for identifying reference costs and that producers should not pay for inefficient services. This in theory goes against the concept of full cost recovery so this may be something that is considered as part of our response.

- ***Selby's response should ensure consistency of materials maximises funding whilst minimising local impact.***

4. Deposit Return Scheme (DRS) Consultation

There are 89 questions in this consultation however, many of the sections and associated questions have no direct impact to the collection service or LA operations so have been omitted from this summary.

Containers and Drinks in Scope Q9 to Q13

Selby's response will be influenced by which DRS option is preferred, 'all in' or 'on the go'.

Things to consider here might include current provision and recycling rates for these materials and the cost of DRS to producers overall to get the gains that are stated. One position LARAC have put forward in the past is that the cost of a DRS is huge relative to the gains that can be made, and this money would be better spent on the kerbside infrastructure. There is also a direct positive impact on kerbside littering in respect of drinks containers if an 'all in' system is supported with a negative impact on recycling volumes so careful consideration is needed in a response including types of containers, size, content etc.

- ***Selby's response to support an "on the go" deposit return scheme***

Overlap with EPR Scheme Q16 and Q17

In the past producers have stated that a DRS on top of EPR means they are paying twice. In reality they are paying to support two different collection systems for the same materials, kerbside and DRS. This supports the LA stance that DRS duplicates kerbside and so isn't needed. These questions could then be an opportunity to emphasise those aspects.

There is however a danger that stating companies should only be obligated through one system impacts on the funds in the other system. The concept of producer responsibility and full costs recovery is worth reinforcing here whichever option you might support.

- ***Selby's response to support full producer responsibility through both EPR and DRS schemes***

5. Plastic packaging tax consultation

There are 56 questions in this consultation and it is not proposed to respond to this consultation.

In theory this consultation has least direct impact on LA's as it is designed to stimulate better design and also end markets and therefore Selby will not respond to this consultation.

Driving Recycled Content Q11 to Q19

The proposal is to include pre-consumer and post-consumer plastics in the 30% recycled content. A view would need to be taken about the inclusion of pre-consumer plastics and whether this might impact negatively on plastics from households as the pre-consumer might be 'cleaner' and more readily available. This might not then stimulate the end markets in a way that is beneficial to LA's.

6. Alternative Options Considered

N/A

7. Implications

7.1 Legal Implications

N/A

7.2 Financial Implications

None arising from this report however implementation of the strategy will potentially have significant financial impacts but the detail is unclear at this point.

7.3 Policy and Risk Implications

Further reports and decisions may be required to comply with future legislation.

7.4 Corporate Plan Implications

These will be identified within any future reports and associated decisions

7.5 Resource Implications

None at present

7.6 Other Implications

N/A

7.7 Equalities Impact Assessment

A full equality impact assessment will be performed as part of any future service changes arising from legislative changes.

8. Conclusion

N/A

9. Background Documents

Waste Strategy 2018 URL Below

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765914/resources-waste-strategy-dec-2018.pdf

10. Appendices

None

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