

Report To:	CABINET
Date:	16 SEPTEMBER 2024
Heading:	ENVIRONMENT ACT 2021 – SIMPLER RECYCLING
Executive Lead Member:	CLLR HELEN SMITH, DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR PARKS AND ENVIRONMENTAL SERVICES
Ward/s:	ALL WARDS
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

This report updates Cabinet on the implications of the recently announced 'Simpler Recycling' as part of the Environment Act 2021. The report also updates Cabinet on the readiness of the Council in complying with its statutory obligations under the Act, whilst seeking authority to progress the recommendations as set out in section 2 below.

Recommendations

That Cabinet –

1. Notes that Government has legislated for major reforms to domestic and commercial waste collection and packaging, requiring councils to align their waste and recycling services with the new 'Simpler Recycling' requirements;
2. Accepts the recent Government allocation of £895,526 capital funding to the Council, in support of the introduction of weekly domestic food waste collections by October 2027;
3. Authorises officers to develop a Costed Action & Delivery Plan (CADP) for the introduction of 'Simpler Recycling' by April 2026 and the weekly domestic food waste collection service by October 2027;
4. Establish a Member Working Group to champion the implementation of Simpler Recycling, made up of the Cabinet Member for Parks & Environmental Services, Chairs and Deputy Chairs of the Council's Select Committees.
5. Delegates authority to the Cabinet Member for Parks & Environmental Services, in consultation with the Leader, Executive Director of Transformation and the Corporate Resources Director, to agree the future Refuse & Recycling Collection Model (including bin allocation and frequency) with the County Council through the Joint Waste Management Board.
6. Notes that a separate project is currently underway, to enable the Council to comply with the legislation as an employer of ten or more employees by March 2025;
7. Notes that officers are currently developing a new trade waste collection offer for local businesses in Ashfield, that includes food waste collection by March 2025. A new pricing schedule will be presented to Cabinet for approval in November 2024.

Reasons for Recommendation(s)

- 1) To advise Cabinet on the requirements placed upon the Council through 'Simpler Recycling' as part of the UK Resource & Waste Strategy 2018 and the Environment Act 2021.
- 2) To ensure that the Council has the right authorisations and approvals in place, to ensure that the Council can meet its statutory obligations by the deadlines set by Government.

Alternative Options Considered

The Council is the Statutory Waste Collection Authority and has a duty to implement new legislation and regulation in accordance with its statutory duty.

The Council could reject the support funding of £895,526 provided by DEFRA as part of the support given to Ashfield District Council as the Waste Collection Authorities. However, this would place further pressure upon the Council's midterm financial plan and budgets.

The Council has the option not to reconfigure the current refuse and recycling rounds, however by not undertaking the identified service remodelling work, the Council will not become: 'A more efficient, effective and value for money (VFM) Neighbourhood Services, that meets the requirement of legislative changes and local service demand'. No recommended.

Detailed Information

Background

1) The Government's 2018 Resources & Waste Strategy aims to establish a circular economy, where products are used again, or for longer through reuse, repair and recycling. To enable the delivery of the Strategy, a 25 Year Environmental Plan was also included. DEFRA initiated three interrelated projects known as 'The Packaging Reforms Programme.' The programme is intended to bring about major change to how waste is paid for and collected. The three projects are:

- **Extended Producers Responsibility (EPR)** – requiring companies that produce or sell products in the UK to cover the full cost of collecting and sorting household packaging waste.
- **Consistent Collections** – simplifying the materials that are required to be presented for recycling from householders, businesses and organisations.
- **Deposit Return Scheme (DRS)** – that places a redeemable deposit on all single-use plastics and metal drinks containers up to three litres in volume.

In November 2021, the Environment Act 2021 received its Royal Assent and operates as the UK's framework to environmental protection. The Act sets out the legal framework for significant reforms to the local authority waste and recycling services, as well as creating statutory duties for local authorities on nature recovery ([LGA – Get in on the Act: The Environment Act 2021](#)). Part 3 of the Act, focuses on 'Waste & Resource Efficiency' and seeks to implement policies at every stage of the product lifecycle, to enable the move towards a more circular economy.

2) Government has legislated for Councils to align their domestic waste and recycling services and on the 21 October 2023, Government announced the long-awaited plans for 'Consistent Collections' called 'Simpler Recycling' in England.

This simply means the:

- a) Collection of seven different recycling materials (glass, metal, plastic, paper, card, food and garden waste) by 31 March 2026.
Note: Ashfield has an exemption, that allows a delay to the start date of food waste collection until October 2027.
- b) Collection of food waste shall be weekly.
- c) Collection of plastic film into the recovery/recycling waste stream by April 2027.
- d) Collection of the remaining residual waste at least fortnightly by March 2026.

The Council already meets many of the requirements, but will still need to provide new collection services and alter existing ones to:

- a) Maximise the efficiency and effectiveness of the waste and recycling collection operations through a series of round rebalance exercises by April 2025;
- b) Collect aluminium foil and tubes by 31 March 2026, and plastic film as part of the dry recycling service by 31 March 2027;
- c) Provide separate weekly collections of food waste by October 2027.

2) What's In The Bin (Red Lid)?

As part of the Council's preparations for consistent collections and achievement of the UK's Resource & Waste Strategy 2018, which set a 25 Year Environment Plan commitment to eliminate avoidable waste by 2050, and introduced a recycling ambition of 65% of municipal (household-like) waste to be recycled by 2035, a waste sample audit of the household waste in the domestic refuse bins (red lid bin) was undertaken. The sample was taken across five different socio-demographics within the district of Ashfield. Set out below are the details of the samples taken across Ashfield:

ACORN CATEGORY	SOCIO-DEMOGRAPHIC	ASHFIELD
1	AFFLUENT ACHIEVERS	11.2%
2	RISING PROSPERITY	2.2%
3	COMFORTABLE COMMUNITIES	40.3%
4	FINANCIALLY STRETCHED	35.5%
5	URBAN ADVERSITY	10.7%
ANNUAL TONNAGE		29,078
TONNAGE CONTRIBUTION		14.4%
RECYCLING RATE 2022/23		35.0%

Fig 1- Socio-demographics sampled in Ashfield

Below are the findings from the samples taken:

PRIMARY CATEGORIES	ASHFIELD				
	ACORN 1	ACORN 3	ACORN 4	ACORN 5	AV.
PAPER	7.77%	4.99%	9.68%	5.80%	7.10%
CARD & CARDBOARD	3.59%	2.42%	4.95%	4.62%	3.80%
PLASTIC FILM	5.95%	3.73%	5.61%	5.30%	4.86%
DENSE PLASTICS	4.72%	7.05%	6.57%	6.16%	6.54%
TEXTILES	3.16%	3.15%	3.95%	4.46%	3.65%
SANITARY	9.64%	9.90%	3.53%	13.52%	8.08%
MISCELLANEOUS COMBUSTIBLES	11.61%	10.09%	3.71%	2.51%	6.66%
NON-COMBUSTIBLE INERTS	6.11%	14.88%	5.72%	3.68%	8.98%
GLASS	1.03%	3.79%	4.87%	3.67%	3.94%
METALS	4.67%	4.06%	2.31%	5.43%	3.68%
KITCHEN ORGANIC	30.00%	27.65%	31.48%	42.63%	31.62%
GARDEN ORGANIC	10.01%	2.85%	10.54%	0.32%	5.91%
HHW	0.19%	0.12%	2.63%	0.00%	1.04%
WEEE	0.99%	4.34%	4.15%	1.90%	3.61%
FINES	0.56%	0.97%	0.29%	0.00%	0.53%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%

Fig 2 – Materials identified in the sampled domestic waste bins.

Officers analysed the data gathered and aligned this data across the eight main categories used by the Council, to show the amount of material that could be recovered and recycled by the residents of Ashfield. Set out below is the composition of a typical resident domestic waste bin (fig 3) today.

Average Bin composition including possible recyclables

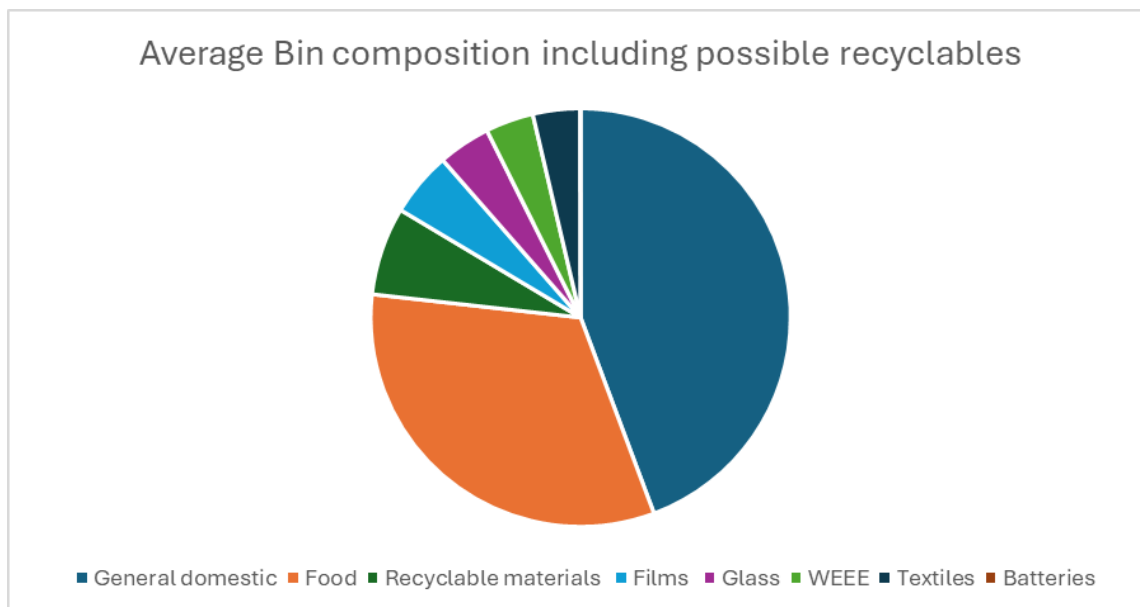


Fig 3 – Typical composition of a domestic waste bin

Officers have begun modelling the opportunities and possibilities available to the Council and local residents, to identify what could be achieved by way of maximising the recycling of the existing household waste. As can be seen from the above information, food waste currently makes up over 31% of a typical residual domestic waste bin. Based upon the information gathered, the Council will need to introduce several different recycling collection services over the next two years, to meet the requirement of the ‘Simpler Recycling’ legislation and redirect as much recycling material as possible.

The table below shows what could be achieved, if we were able to effectively reconfigure the collection service, whilst engaging with Ashfield residents to maximise the segregation of the existing materials.

Ashfield's Opportunities for Recycling		
	Tonnage	Percentage
Today 2023/24		
Domestic Waste	27,996	63.64%
Recycling	15,996	36.36%
Total Domestic Waste	43,992	100.00%
Future Opportunity 2027		
Domestic Waste	13,074	29.72%
Recycling	30,918	70.28%
Total Domestic Waste	43,992	100.00%

Appendix 1, shows the different container options that the Council will need to consider, as part of the future Refuse & Recycling Collection Model (including bin allocation and frequency) with the County Council. This is part of the work being undertaken by the Joint Waste Management Board, which is attended by the Cabinet Member for Parks & Environmental Services and Assistant Director Neighbourhoods.

3) Weekly Domestic Food Waste Recycling

The Government has now set a clear legal requirement for councils to introduce a separate weekly collection of food waste from all households by 31st March 2026. This change means householders will be asked to separate their food waste and present it for collection on a weekly basis.

Government recognises that there are exceptional circumstances in which specific local authorities, may need longer to introduce separate food waste collection services. This is due to the required infrastructure, to treat food waste, not being in place by the waste disposal authority (WDA) by the statutory deadline. Ashfield District Council therefore has a short extension to the timescales, that requires the Council to deliver the implementation of food waste collection by October 2027 rather than 31 March 2026.

Due to the high volume of food waste identified within the domestic residual bins across Ashfield, it is highly likely that most households will be provided with an internal food waste caddy (7 litres) for use in the kitchen. This provides the householder with somewhere to store food waste in the short term and helps improve collection yields.

These same householders will empty their food waste into larger external food waste caddies (23 litres) which can be placed beside their existing bins. The total estimated costs of these containers delivered are set out below:

- a) Kitchen Caddy (7l): £1.15 per caddy
 - b) Outdoor Caddy (23l): £2.35 per caddy
 - c) Delivery including leaflet and reflective strips) £2.35 per household
- Total cost of £5.85 per household.

Ashfield current property count is 58,469 households, results in an estimated capital cost of £342,043.

A further decision that will need to be taken by the Council, as part of the approval of the Costed Action & Delivery Plan (CADP) in November 2024, is whether to provide caddy bin liners for use within internal food caddies or not, and if providing them would this be as an introductory incentive, provide them indefinitely free of charge, or continue to provide them at cost if residents wish to purchase them. Lining a caddy can reduce smells and keep a caddy cleaner, thereby encouraging its use and increasing the amount of food waste recycled. The type of liner provided or accepted will be driven by the anaerobic digestion facility, where the food waste will be processed and clarity will be required from the County Council on whether it will be permitted to accept 100% compostable bags, plastic bags or both.

It will be necessary to provide an alternative service offer for those residents who live in flats or other communal settings and who dispose of their residual waste and dry recycling in larger communal bins. This is likely to involve these residents being provided with an internal food caddy and larger external communal bins (rather than external caddy) to empty their food waste into. Consideration will need to be given as part of the project if the larger containers are above or below ground and operate under a negative air pressure to reduce any potential odours.

The collection service will then empty the material from these external caddies or communal bins into a specific food waste collection vehicle.

Modelling work recently undertaken in the last 12 months (as part of a County-wide options appraisal exercise) indicates that the Council will need six food waste collection rounds to service the core properties (properties with a standard kerbside collection) on a weekly basis. However, the removal of food waste and other recycle from the existing refuse red bin, will

impact upon the current round make-up. Therefore, a complete remodelling of the refuse and recycling service will need to be undertaken in March 2025 and again March 2027 to ensure that the effectiveness of the service and refuse and recycling rounds are maintained.

The expected lead times on food collection vehicles are estimated at a current minimum of 6 – 18 months depending on provider. However, further pressure on the supply chain is likely, as all local authorities which do not currently collect food waste will be looking to procure vehicles over the next twelve months. The purchase cost of a single electric 7.5 tonne food waste vehicle is estimated between £280,000 - £320,000, whilst a conventional diesel equivalent, is estimated to cost between £95,000 - £120,000. This means that the total vehicle costs for food waste collection will be between £840,000 (diesel) and £2,240,000 (electric/hydrogen). The Government capital funding allocation to Ashfield District Council for vehicle and container purchases is only £895,526 and the allocated funding will not meet the capital costs of implementing the new services.

Local authorities are still awaiting details of any further revenue funding, to support the introduction and delivery of Simpler Recycling. As detail of the funding for local authorities through the Extended Producers Responsibility (EPR) become known, over the next six months, we are expecting the County Council to review the current recycling credits awarded to Ashfield District Council and the other Districts across the region. It is expected that this funding stream will be either reduced or removed as alternative funding from EPR comes on-line. The risk for the Council is that the funding received via EPR does not meet the cost of collecting recyclable materials, such as the existing separate collection of glass currently undertaken by the Council.

Work to investigate the potential financial impact of Simpler Recycling on the Council's revenue financial position is currently underway, and a more detailed Costed Action & Delivery Plan (CADP) is being developed as part of the planning work being undertaken by officers and is expected to be presented at Cabinet in November 2024.

4) Local Authority & Local Businesses Compliance

As a result of the Simpler Recycling announcement, local authorities, local businesses and other organisations (Schools, Colleges, not for profit organisation with ten employees or more) across England, must respond and manage their own waste arisings to comply with the future legislation by 31 March 2025.

In addition, local waste collection authorities (WCA) have a duty to collect business and industrial waste, when requested to do so by external businesses and organisations, for which a reasonable charge can be made. Ashfield District Council (ADC), along with many other waste collection authorities across the country, took the decision to actively promote and collect commercial and industrial waste from local businesses and non-profit organisations, who have a registered head office within the district. The service can operate outside of the district; however where it does operate outside of the district, VAT has to be applied to the invoicing and service costs.

Simpler Recycling requires those businesses and organisations, that fall within the scope of the legislation (ten employees or more), to segregate and present for collection seven types of recyclate, taken out of their existing waste streams by the 31 March 2025. From 31 March 2027, plastic film will be added to the list to increase the requirement to eight different materials. The material, except for food waste, can be collected comingled and taken to a facility for separation and recycling.

Ashfield District Council (ADC) has devised a delivery project with established phases and gateways, to ensure that the Council meets the statutory deadline, ensuring not only its own compliance as an employer of ten or more employees, but supporting local business and organisations to also meet their own obligations through the offer of a commercial refuse collection service.

Implications

Corporate Plan:

The details within the report which are set out above, play a key role in delivering the Council Greener & Cleaner; Climate Change and Environmental Sustainability objectives.

Legal:

The legal requirements placed upon the Council are detailed in the body of the report. The acceptance of the recommendations will ensure the Council is compliant with its legal duties within the statutory timeframes. [RLD 29/08/2024] Finance: [PH 22/08/2024].

Budget Area	Implication
General Fund – Revenue Budget	To be fully identified as part of the Costed Action & Delivery Plan (CADP)
General Fund – Capital Programme	To be fully identified as part of the Costed Action & Delivery Plan (CADP)
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risks

There are several risks to meeting the requirement of ‘Simpler Recycling by the timescales set out by Government which include:

Risk	Mitigation
Capital and revenue financial uncertainty (New burdens funding) and shortfall in meeting costs.	<ol style="list-style-type: none"> 1. Costed Action Delivery Plan (CADP) to be developed based upon an invest to save model. 2. Monitoring of DEFRA announcements to identify key funding opportunities when available.
Capacity of supply chain to meet unprecedented nationwide demand for specialist vehicles, caddies, and bins.	<ol style="list-style-type: none"> 1. Engagement with supply chains is underway, to ensure that once full procurement commences, ADC are ahead of the game and able to obtain vehicles, bins and other items prior to statutory deadlines.

Capacity and suitability of our existing depot to accommodate increased number of electric/hydrogen trucks.	<ol style="list-style-type: none"> 1. Depot supply capacity has been raised as a priority in the Depot refurbishment project. 2. The synergies and dependences between Simpler Recycling and the Depot Project are regularly monitored.
Infrastructure for food waste treatment and local disposal points by the County Council within the timescales set.	<ol style="list-style-type: none"> 1. Issues raised with the County Council and is being monitored at the Waste Officers Officer Regional Working Group.
Resource capacity to ensure the effective transition to new ways of working.	<ol style="list-style-type: none"> 1. Simpler Recycling is being monitored as a project within the Neighbourhood Services Transformation programme. 2. The Neighbourhood Services Transformation Programme has a resource plan which is monitored at a corporate level.

Human Resources:

To be identified as part of the Costed Action & Delivery Plan (CADP).

Environmental/Sustainability:

The current modelling work being undertaken will inform the Council's new approach to waste and resource management. This will lead to a refresh of the Council's Waste Management Strategy and Collection Policy.

Future fleet considerations will play a part in the Council achieving its Climate Change Strategy.

Equalities:

N/A

Other Implications:

N/A

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

24.09.16 Options Modelled v1.0

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