



PART A:

REPORT TO: POLICY AND RESOURCES COMMITTEE

DATE: 27 MAY 2021

**REPORT OF THE: HEAD OF CUSTOMER & COMMUNITIES
MARGARET WALLACE**

**TITLE OF REPORT: RESOURCES AND WASTE STRATEGY
DEFRA CONSULTATIONS RESPONSES**

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To provide an update to Elected Members on the recently released DEFRA Resources and Waste Strategy consultations.
- 1.2 To ensure that elected Members are fully briefed on the Resources and Waste Strategy and draft consultation responses prior to submission.

2.0 RECOMMENDATIONS

2.1 It is recommended that:

- (i) The committee note the content of the report.
- (ii) Elected members to provide any comments to draft consultation responses to officers by 2 June 2021. Any amendments made to the draft consultation responses prior to submission on the deadline date of the 4 and 10 June 2021 will be made following consultation with the Chair or Policy and Resources.
 - (i) Extended Producer Responsibility (EPR) – deadline 4 June 2021 (Appendix A)
 - (ii) Deposit Return Scheme (DRS) – deadline 4 June 2021 (Appendix B)
 - (iii) Waste Prevention Programme for England – deadline 10 June 2021 (Appendix C)
- (iii) Note that a further consultation on the Consistency in collections has also been released from DEFRA with a deadline for consultation response for the 4 July 2021.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 DEFRA are currently consulting on a series of significant reforms affecting the waste sector in England, with phased introduction starting from 2023 through to 2030, which are open to a range of stakeholders including local authorities, residents and businesses.
- 3.2 The deadlines for submission are extremely tight given the comprehensive nature of all the consultation documents comprising a total of 489 pages and 280 questions.
- 3.3 Submitting a response to the consultations is not a legal requirement however responses are encouraged to the questions that can be answered to inform future government decisions on waste policy.
- 3.4 The proposals covered in the **Extended Producer Responsibility (EPR)** consultation (i) are concerned with reforms to the packaging waste regulations and affects producers who will pay the full net costs of dealing with the waste they produce from October 2023. One of the key governing principles for packaging EPR is for payments to local authorities to be fair and transparent and should include the cost of collecting packaging waste in the residual waste stream. These payments will replace the current recycling credits paid to collection authorities who operate efficient and effective collection systems for recyclable packaging.
- 3.5 There are 104 Questions in this consultation, and it has 213 pages, including several annexes. Sections most relevant to local authorities include
- Section 4 – Full Net Costs
 - Section 7 – Modulated Fees and Labelling
 - Section 8 – Payments for Managing Packaging waste
 - Section 9 – Letter Payments
 - Section 10 – Schemes administration Governance
- 3.6 The proposals covered in the **Deposit Return Scheme (DRS)** consultation (ii) seeks views on the introduction of a Deposit Return Scheme for drinks containers in England, Wales and Northern Ireland from late 2024 where consumers pay an upfront deposit which is redeemed when the container is returned. The government recognises that Covid-19 has disrupted the economy and society in unimaginable ways and the consultation explores what the appetite is for a DRS. The introduction of a DRS will have impacts on the kerbside recycling collection service and financial provision to local authorities for DRS containers collected by collection authorities will be made however it is inevitable that there will be a reduction in the tonnages collected from the kerbside.
- 3.7 There are 78 questions in this consultation, and it has 98 pages. Chapters that are most relevant to local authorities include:
- Chapter 7 – Local Authorities and Local Councils
 - Chapter 1 – Scope
 - Chapter 3 – Scheme Governance
 - Chapter 5 – Return Points
- 3.8 The proposals covered in the **Waste Prevention Programme** (iii) set out priorities for action to manage resources and waste in accordance with the waste hierarchy which means preventing waste and increasing re-use, repair and remanufacture. The Resources and Waste Strategy is underpinned by five strategic principles:
- To provide the incentives, through regulatory or economic instruments if

necessary and appropriate, and ensure the infrastructure, information and skills are in place, for people to do the right thing.

- To prevent waste from occurring in the first place and manage it better when it does.
- To ensure that those who place on the market products which become waste take greater responsibility for the costs of disposal – the ‘polluter pays’ principle.
- To lead by example, both domestically and internationally.
- To not allow our ambition to be undermined by criminality.

3.9 It is intended that the revised Waste Prevention Programme will help embed these principles by setting out steps towards:

- Transforming product design and supporting factors such as spare part provision
- Making it easier for consumers to make sustainable purchasing decisions
- Using extended producer responsibility and other financial incentives to ensure the Polluter pays principle is embedded
- Aligning the regulatory framework with a circular economy approach
- Integrating the strategic principles into industrial policy and giving first movers the recognition they deserve

3.10 The **Consistency in Collections consultation** was released on Friday 7 May 2021 and fundamentally affects Ryedale District Council the most as it will dictate how we are to collect recycling from 2023. Further considered and more work on the financial implications is required by officers due to the significant impacts the changes will have on local authority collection and disposal operations. A further more detailed report will be presented to the Policy and Resources Committee.

4.0 SIGNIFICANT RISKS

4.1 There are no financial implications directly related to this report and current consultations. However, it is recommended that officers undertake further financial evaluation on the future financial impact if the Resources and Waste Strategy is approved.

4.3 There is also a risk that residents, businesses and other stakeholders are not aware that the consultations are actually taking place therefore to mitigate this risk it is considered appropriate to raise awareness to encourage all stakeholders to submit responses to the consultations.

4.4 If the Council does not submit responses to the consultations there is a risk that this will be queried later by members of the public.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 Ryedale District Council plan; Our Environment, sustainable, safe and clean and active streets and sustainability for the future. We will increase our recycling rate in line with emerging national policy, including by promoting recycling awareness, investing in our mini-recycling centres, exploring the possibility of recycling a wider range of materials and working with more trade and garden waste collection customers. We want to keep our streets clean. We will improve our Streetscene operations and support communities to do more. We will take tough action on littering, dog fouling and fly tipping through proactive and dedicated enforcement, prosecuting where required.

- 5.2 Following the publication of the Resources and Waste Strategy in December 2018, a series of consultations were undertaken by DEFRA in 2019 on the implications of the Waste Strategy. At the time it was expected that further consultations would take place early in 2020 however these have been delayed until now.
- 5.3 There has been no subsequent postponement of the proposed timelines to implement changes to waste policy in England which does mean that the timescales for change are aggressive and reforms due to start from 2023 which is the same timescale for proposed Local Government Reorganisation changes; both representing unprecedented challenges for waste and recycling services.
- 5.4 There are a series of extensive questions for each consultation some of which can be answered however there are also a number of questions that are not relevant to local authorities or there is insufficient detail to be able to fully assess the impact of the proposals and submit informed responses to some of the questions. The consultations are therefore asking for the questions that can be answered to be submitted, there is not a requirement to answer all questions.
- 5.5 Developing options for increasing recycling in Ryedale have been delayed pending the publication of the Resources and Waste Strategy and proposed national policy changes to waste and recycling services. On 28 June 2018 a motion to Council was referred to Policy and Resources Committee which called to action an increase in recycling performance within a 2 year period and the introduction of an awareness campaign for residents to encourage more recycling (Minute Number 21).
- 5.6 The Council approved additional funding proposals to increase recycling on 11 April 2019 based on the current recycling service provided to residents. A series of improvements will be implemented during 2021 which have been delayed due to the challenges of delivering waste and recycling services during the covid-19 pandemic.

REPORT

6.0 REPORT DETAILS

- 6.1 DEFRA published the Resources and Waste Strategy in December 2018 which sets out an ambitious plan in line with the 25 year Environment Plan to become a world leader in using resources efficiently, reducing the amount of waste we create as a society and increasing recycling performance.
- 6.2 The Resources and Waste Strategy focuses on known problems with effective solutions that reduce reliance on single-use plastics, cut confusion over household recycling, tackle the problems of packaging and food waste. The goal is to maximise the value of the resources we use, minimise the waste we create, cut emissions and help create a cleaner, greener, healthier planet.
- 6.3 The Strategy has 8 chapters covering:
- Sustainable production
 - Helping consumers take more considered action
 - Recovering resources and managing waste
 - Tackling waste crime
 - Enough is enough: cutting down on food waste
 - Global Britain: international leadership
 - Research and innovation
 - Measuring progress: data, monitoring and evaluation

- 6.4 The three main areas that affect LA collection authorities are:
- (i) Extended Producer Responsibility (EPR)
 - (ii) Deposit Return Scheme (DRS)
 - (iii) Consistency on household and business recycling collections
- 6.5 A series of consultations were carried out in May 2019 and further consultations were expected in early 2020 which have been delayed until 2021.
- 6.6 On 24 March 2021 consultations were released on Extended Producer Responsibility (EPR), the introduction of a Deposit Return Scheme (DRS) and a Waste Prevention Programme for England. On 7 May 2021 the consultation on Consistency of Collections was released which only runs for 8 weeks.
- 6.7 It should be noted that regardless of whether or not the Council, as a body, decides to provide a response, individual Elected Members may respond to the consultation in their own right as a range of stakeholders have been invited to submit responses to the consultations including residents and businesses.
- 6.8 Officers have drafted responses for Ryedale District Council based on the potential impacts the proposed changes are likely to have on our current waste and recycling services and for our residents and businesses:
- Appendix A – Extended Producer Responsibility
Appendix B – Deposit Return Scheme
Appendix C – Waste Prevention Programme for England
- 6.9 The responses have been drafted with reference to draft responses which have been shared by the Local Authority Recycling Advisory Committee (LARAC) which includes feedback from members who are local collection and disposal authorities.
- 6.10 The deadlines for each consultation as follows:
- (i) Extended Producer Responsibility (EPR) – 11:59pm 4 June 2021
 - (ii) Deposit Return Scheme (DRS) – 11:59pm 4 June 2021
 - (iii) Waste Prevention Programme for England – 11:59pm 10 June 2021
 - (iv) Consistency in collections – 11:59pm 4 July 2021

EXTENDED PRODUCER RESPONSIBILITY (EPR)

- 6.10 EPR reforms the packaging waste regulations and affects producers who will pay the full net costs of dealing with the waste they produce from October 2023. This includes:
- The collecting, sorting and recycling of packaging waste from households and businesses
 - The collecting and disposing of packing in the residual waste stream from households only
 - Litter and refuse management costs including bin and ground litter
- 6.11 These payments will replace the current recycling credits paid to collection authorities who operate efficient and effective collection systems for recyclable packaging.
- 6.12 RDC currently receives credits relating to recycling and garden waste incentives

totalling in the region of £480,000 each year . The impact on the level of reduced recycling credits is not known and whether recycling credits will continue for other non-packaging recyclable materials. It is indicated in the consultation that collection and disposal authorities will be in a better financial situation under EPR payment than currently.

DEPOSIT RETURN SCHEME (DRS)

- 6.13 The introduction of a DRS will have impacts on the kerbside recycling collection service and financial provision to local authorities for DRS containers collected by collection authorities will be made however it is inevitable that there will be a reduction in the tonnages collected from the kerbside.
- 6.14 RDC currently receives income from the sale of recyclates totalling in the region of £150,000 each year. The impact of a DRS scheme on the tonnage levels is not known at this time.
- 6.15 Technology is currently being trialled to enable residents to continue to return their containers using the kerbside collection system where they are still able to reclaim their deposit cutting out the need to take back to retailers which is obviously of great interest to local authorities.

WASTE PREVENTION PROGRAMME

- 6.16 The Resources and Waste Strategy is framed by natural capital thinking and guided by two overarching objectives:
- To maximise the value of resource use
 - To minimise waste and its impact on the environment.

The revised Waste Prevention Programme will help deliver these above in order to:

- Reduce greenhouse gas emissions
- Reduce the pressure on our natural environment
- Help safeguard our resource security
- Increase growth in new sectors
- Enhance competitiveness by keeping products and materials in circulation
- Create jobs at all skill level

The potential impacts of the prevised Waste Prevention Programme include

- Transforming product design and supporting factors such as spare part provision
- Making it easier for consumers to make sustainable purchasing decisions
- Using extended producer responsibility and other financial incentives to ensure the polluter pays principle is embedded
- Aligning the regulatory framework with a circular economy approach
- Integrating the strategic principles into industrial policy and giving first movers the recognition they deserve.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
There are no financial implications directly related to this report and current

consultations. However, it is recommended that officers undertake further financial evaluation on the future financial impact if the Resources and Waste Strategy is approved by Government.

- b) Legal
There is no legal obligation to respond to the consultation, but that a formal decision should be made by elected members on whether or not to do so.

- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
Whilst changes to waste legislation will have significant impacts on waste and recycling collection services, there are no specific implications relating to this decision.

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Background Papers:

Environment Plan
Resources and Waste Strategy
Waste Management Plan

Appendix A Draft Consultation Response
Appendix B Draft Consultation Response
Appendix C Draft Consultation Response