



Cabinet

8 December 2021

Report of: Councillor Alison Freer, Portfolio Holder for Climate, Access and Engagement

Draft Waste Strategy for Leicestershire

Corporate Priority:	Protect our climate and enhance our rural, natural environment
Relevant Ward Member(s):	All
Date of consultation with Ward Member(s):	N/A
Exempt Information:	No

1 Summary

- 1.1 The report sets out a summary of the draft Leicestershire Resource and Waste Strategy (LR&WS) and includes the implications for the Council. It considers the government's intentions regarding waste and environmental policy and sets out how the draft strategy meets the expected requirements of the Environment Act and Waste Management Plan for England.
- 1.2 The reports sets out a timeline for implementation and seeks authority to commence a period of public consultation.

2 Recommendations

That Cabinet:

- 2.1 **Notes and endorses the contents of the Draft Leicestershire Resource and Waste Strategy (LR&WS).**
- 2.2 **Approves, alongside the other Councils within the Leicestershire Waste Partnership, that the draft strategy be subject to a period of public consultation commencing in January 2022.**
- 2.3 **Notes that minor amendments may be made by the Leicestershire Waste Partnership prior to publication of the consultation draft.**

3 Reason for Recommendations

- 3.1 Waste Collection and Disposal Authorities are required to have an agreed Municipal Waste Strategy. The current Leicestershire strategy is due for refresh and a new draft has been developed by the Leicestershire Waste Partnership (LWP) over the last year.
- 3.2 Each authority within the LWP is in the process of seeking approval to commence public consultation for a period of 12 weeks which forms part of the process of the review of the LR&WS.

4 Background

- 4.1 The first Leicestershire Municipal Waste Management Strategy was adopted by the partnership authorities in 2002. In 2006 the Leicestershire Waste Partnership comprehensively reviewed and revised the 2002 strategy and adopted its replacement covering the period to 2020. The 2006 review included a public consultation and a full Strategic Environmental Assessment.
- 4.2 Government guidance recommends that a municipal waste management strategy 'should be completely reviewed at least every five years to ensure it remains current'. The strategy was therefore updated in 2011 to reflect changes in performance and the economic climate since 2006 but maintained the eleven objectives of the 2006 strategy to reduce waste, recycle more and minimise reliance on landfill. The 2011 update was subject to a Strategic Environmental Assessment Screening and Determination exercise.
- 4.3 The 2011 strategy update was due for review in 2016 but due to a lack of EU/National waste policy for the period beyond 2020, and in accordance with an action in the 2011 update, Leicestershire County Council (LCC) commissioned the development of a Waste Disposal Authority Plan. The WDA Plan 2018 – 2030 provided LCC with an interim updated strategic basis against which to make procurement-based decisions that could be reviewed in the light of any major changes in circumstance (e.g. legislation, policy or market shifts).
- 4.4 In recognition of the need to develop an updated Municipal Waste Management Strategy, the Leicestershire Waste Partnership, of which the Council is a partner, commissioned Frith Resource Management (FRM) to undertake a full review and to develop an updated version. This has been undertaken in the context of a number of recent national policy directives and legislation.
- 4.5 The national Resources and Waste Strategy (RWS) was released in 2018. The RWS focuses on known problems with effective solutions that will reduce reliance on single use plastics, cut confusion over household recycling, tackle the problems of packaging and end food waste.
- 4.6 The RWS outlines how the Government aims to make the UK more resource efficient and to move towards a circular economy which keeps resources in use for longer. The RWS covers the period until 2050 and includes the Circular Economy Package (CEP) target of 65% recycling rate of municipal waste by 2035.
- 4.7 Following on from the publication of the national RWS, two rounds of consultations were released. These include the proposals that are anticipated to impact on local waste services including mandatory weekly food waste collections, free garden waste

collections, the introduction of a deposit return scheme for single use drinks containers, extended producer responsibility for packaging (this is in essence where the full cost of collection, recycling and disposing of packaging is met by the producers of the packaging) and a move towards consistent collections for all local authorities. The results of the second round of consultations have not yet been published.

- 4.8 Legislation to enable the policy changes within the RWS are contained within the Environment Act which received Royal Assent on 9 November 2021. The review of Leicestershire's Municipal Waste Management Strategy has considered the potential forthcoming legislative changes and these are reflected in the draft accordingly.

5 Main Considerations

5.1 Draft Strategy Summary

- 5.2 The draft headline strategy (to be known as the Leicestershire Resources and Waste Strategy – LR&WS) will be the main focus of the consultation and be accompanied by a series of consultation questions. The draft LR&WS describes the approach that the LWP will take in delivering the recycling and waste management services from 2022 to 2050.

- 5.3 The vision of the LR&WS is;

“To work towards developing the circular economy and achieving net zero carbon by 2050 in Leicestershire. This means fully embracing the waste hierarchy by preventing waste and keeping resources in circulation for as long as possible through reuse, repair and recycling, to realise their maximum value whilst minimising environmental impacts”.

- 5.4 The vision is supported by specific strategy objectives and a range of pledges that sit alongside forthcoming national changes, setting a direction for long term management of material resources for the benefit of Leicestershire residents and communities.

- 5.5 The pledges which have been developed following a comprehensive options appraisal and discussion amongst the partners and currently contained in the draft LR&WS are:

5.6 Strategy Pledge no. 1:

All Councils within the Partnership will review their purchasing activities and internal waste management services to seek to promote waste prevention, reuse and recycling to support the objectives of this strategy and lead by example

5.7 Strategy Pledge no. 2:

The Partnership pledge to support and encourage waste prevention activity across LWP. This will include working with stakeholders, residents and communities to prevent unnecessary waste arising, for example through food waste reduction campaigns such as Love Food Hate Waste.

5.8 Strategy Pledge no. 3:

The Partnership pledge to continue delivering reuse services and expand activities where practicable, working in partnership with other stakeholders and to signpost to places that advocate for waste prevention and reuse, in support of developing a circular economy. This includes a pledge to continue to improve the collection of items for reuse at Household Waste Recycling Centres and explore the development of re-use shops at suitable sites.

5.9 Strategy Pledge no. 4:

The Partnership will implement and promote separate food waste collections to all households, subject to confirmation of Government policy, legislation and funding. This will be as soon as possible required and when contracts and circumstances dictate. The County Council will procure Anaerobic Digestion capacity to treat the collected food waste in a manner that contributes to effective carbon emissions reduction across the County and improves soil quality.

5.10 Strategy Pledge no. 5:

The Partnership will explore the use of alternative fuels for collection vehicles and the transportation of waste and resources to further reduce carbon emissions of the service and improve air quality

5.11 Strategy Pledge no. 6:

The Partnership will continue to offer a garden waste collection system to Leicestershire residents and will follow Government guidelines as to the form of the collection and will be subject to legislation and total Government funding. The Partnership will continue to procure composting capacity to treat the collected garden waste in a manner that supports carbon reduction and improves soil quality.

5.12 Strategy Pledge no. 7:

The Partnership shall ensure that the full range of recyclables (as specified by Government and subject to funding) are collected from residents (and businesses where applicable) across Leicestershire by 2025, or as soon as possible when contracts and circumstances dictate.

5.13 Strategy Pledge no. 8:

The Partnership shall continue to explore the viability of adding extra materials to recycling collections (e.g. for batteries, small electric goods or clothing) aiming to keep Leicestershire performance above the national average.

5.14 Strategy Pledge no. 9:

The Partnership will put in place collection systems to contribute towards the achievement of the national 65% recycling target by 2035, this may include restricting residual waste capacity to encourage greater materials separation, carbon savings and resource recovery. Improvements in materials recovery at Household Waste Recycling Centres will also contribute towards the national target.

5.15 Strategy Pledge no. 10:

The Partnership will continue to allocate a communications budget sufficient to help promote good recycling behaviour and maximise resource recovery to support the circular economy and low carbon objectives of this strategy.

5.16 Strategy Pledge no. 11:

The County Council will reduce waste sent to landfill to less than 5% by 2025, well in advance of the 10% national target by 2030. The County Council will undertake future procurement processes for residual waste treatment (alternatives to landfill) in line with the vision and objectives of this Resources & Waste Management Strategy.

5.17 **Strategic Environmental Assessment (SEA)**

An assessment of how a strategy meets the aims of sustainable development can be delivered through an approach known as Strategic Environmental Assessment (SEA). An SEA is a framework for ensuring that environmental and sustainability impacts are integrated into high level policy, planning and programme making.

A full SEA is being produced by FRM to be presented alongside the LR&WS for consultation in January 2022.

5.18 **Proposed Public Consultation and Engagement Approach**

5.19 To support the development of the draft strategy, it is proposed that a 12 week public consultation will be launched in January 2022. The planned approach to the consultation is outlined below;

- a) Online questionnaire will be available through Leicestershire County Council's 'Have your Say' webpage. The consultation will be promoted by Melton Borough Council on the website, social media and through partnership links.
- b) Targeted engagement with stakeholders via events whenever possible, including in Melton.
- c) Will consider value of focus groups for more in-depth discussions.
- d) Will seek views on the vision, objectives and pledges contained within the headline strategy.
- e) Will gain insight into waste prevention, reuse and recycling behaviours to inform future waste initiatives.
- f) Will explore current sources of information to enable more targeted communications in the future. Will be mindful of other public consultations and ensure alignment.
- g) The feedback obtained from the public consultation will be used to develop the final strategy which will be due for consideration in May 2022.

5.20 The full suite of documents for public consultation comprise of the following and are currently under review;

- a) The draft headline strategy
- b) The draft options appraisal report – evidence behind service changes/pledges within the headline strategy
- c) The draft environmental report – from the Strategic Environment Assessment (SEA) process
- d) Summary document

6 Options Considered

6.1 Not support the commencement of the consultation of the draft strategy. This was not considered appropriate as the strategy has been developed through a comprehensive partnership of all councils in Leicestershire and the strategy needs a review and seeks to respond to key national policy and legislative drivers. Crucially, and in recognition of the Council's financial position, any required changes will require government funding to enable implementation.

7 Consultation

- 7.1 The Portfolio Holder for Climate, Access and Engagement has been engaged throughout the scoping phase of the development of the strategy, and this will continue throughout the consultation and authorisation period.
- 7.2 Scrutiny Committee was presented with a wide ranging assessment of options relating to the waste strategy and legislative changes in October 2021. As a result, a further working group session is planned in January/February 2022 to formalise plans.
- 7.3 The Council will actively promote the public consultation should it be approved to commence in January 2022.

8 Next Steps – Implementation and Communication

- 8.1 A public consultation phase will commence in January 2022 and run for a 12 week period in line with government guidance.
- 8.2 Following receipt and analysis of all consultation responses, the draft strategy will be re-assessed and updated by all waste partnership authorities. Full adoption of the strategy is expected in Summer 2022.
- 8.3 Subsequent changes to services in Melton will be subject to separate approval processes and, in line with the draft pledges, will be dependent on government policy, legislation and appropriate funding being made available.

9 Financial Implications

- 9.1 There are no direct financial implications relating to the production, sign off and consultation of the draft Leicestershire Municipal Waste Management Strategy. There are, however, significant implications relating to potential service changes which could be required as a result of the legislative changes.
- 9.2 Any changes relating to the collection of waste including food waste, free of charge garden waste, further separation of the recyclable waste streams or vehicle adjustments would result in a significant financial impact on the Council.
- 9.3 The draft strategy, and the subsequent service changes outlined, are contingent on sufficient new burdens funding from government to allow the implementation and sustaining of the schemes moving forward.

Financial Implications reviewed by: Corporate Services Manager (Deputy s151 Officer)

10 Legal and Governance Implications

- 10.1 The Environment Bill 2021 received Royal Assent on 6 November 2021. Secondary legislation which will allow the implementation of the bill is expected to be passed by Parliament by April 2022. The report indicates that the review of Leicestershire's Municipal Waste Management Strategy has considered the potential forthcoming legislative changes and these are reflected in the draft accordingly.
- 10.2 The consultation period for the strategy will be 12 weeks.

11 Equality and Safeguarding Implications

11.1 A full EHCHR assessment will be undertaken following the consultation period by FRM.

12 Community Safety Implications

12.1 There are no specific Community Safety implications in the report

13 Environmental and Climate Change Implications

13.1 The climate change impacts have been outlined in the report and are a key driver for the strategy.

14 Other Implications (where significant)

14.1 None

15 Risk & Mitigation

15.1 Risks outlined relate to the consultation on the draft waste strategy. Further approval processes will be required for the future implementation or otherwise of changes to waste collection in Melton.

15.2

Risk No	Risk Description	Likelihood	Impact	Risk
1	The actions and pledges do not meet the requirements of the Environment Bill and relating guidance.	Low	Marginal	Low Risk
2	The Council cannot afford to meet the pledges as set out in the strategy	Low	Critical	Med Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low		1	2	
	2 Very Low				
	1 Almost impossible				

Risk No	Mitigation
1	Following the publication of the secondary legislation to the Environment Act and the outcome of the public consultation, the LR&WS will be realigned where necessary to meet the requirements of the Act. This is unlikely to be required, however, as the strategy has been drafted in view of the relevant legislative requirements.
2	Many of the pledges represent commitments to existing work streams within the Council and whilst some may require service realignment or contractual changes, e.g. those relating to food waste and garden waste collections, they are contingent on government policy and the necessary funding being made available.

16 Background Papers

16.1 No background papers are included with this report.

17 Appendices

17.1 Appendix A - Consultation Draft – Headline Leicestershire Resource and Waste Strategy.

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