

## Waste and Recycling Policy

### Purpose of report

For direction.

### Summary

The report recognises and builds on previous work undertaken by the Board in recognition that the LGA has a role in working with councils, government and the wider sector to set the agenda for waste and recycling policy in the future. This is particularly timely as we anticipate the Department for Environment, Farming and Rural Affairs' (DEFRA) 25 year environmental strategy and an accompanying waste and resource strategy in the New Year. The paper also recognises the significant influence that EU legislation has on waste policy in the UK and the importance of preparing for UK exit from the EU. The Board session will provide Members with the opportunity to speak to some experts about different methods for measuring waste and recycling in the future. The report also contains an update on some key issues identified by members.

### Recommendation

Environment, Economy, Housing and Transport Board members are asked to give direction as the LGA engages with government on future waste policy.

### Action

Officers to progress as directed by the Board.

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## Waste and Recycling Policy

### Background

1. The UK's exit from the EU will have a significant impact at local authority level, creating opportunities to do things differently and challenges that will need to be addressed. The LGA has identified priorities which it will be focussing on in order to ensure that powers repatriated from the EU do not stop at Whitehall, Stormont, Cardiff Bay and Holyrood.
2. On the 30 March 2017 the Government published the Great Repeal Bill white paper. This outlined how EU legislation will be transposed into UK law over the next two years. The EU Withdrawal Bill will repeal the 1972 European Communities Act. All existing EU legislation will be copied across into domestic UK law to ensure a smooth transition on the day after Brexit.
3. United Kingdom environmental law concerns the protection of the environment in the United Kingdom. Environmental law has increasingly been a European and an international issue, due to the cross border issues of air pollution, water pollution, and climate change. The UK's membership of the EU has been a crucial factor in shaping the direction and pace of its environmental policy.
4. Waste and recycling is one area that the LGA will be prioritising in its discussions with Government as this is a service which should be subject to local determination. Current indications suggest that DEFRA will be focussing more on issues around agriculture and fishing and so will seek to maintain the status quo around waste and recycling in the short and medium term. However, DEFRA is in a process of strategic thinking and the circumstances provide an opportunity for the sector to consider whether there are positive changes to the approach to waste management that we could propose to government as it develops future policy in this area.

### Current Position

5. Since 2000, local government has made significant progress in recycling municipal waste. Between 2004-2014 as a nation we have improved our municipal waste recycling and composting by 15 per cent taking us up to 8<sup>th</sup> place out of 34 European countries.<sup>1</sup> The pursuit of existing EU waste targets since 2000 has required a doubling of spend by English authorities to £3.28 billion. This makes collection and disposal of waste and recycling the third highest cost service for English local authorities.
6. The current household recycling rate in England is 43.5 per cent and has been broadly flat for three years. 73 per cent of UK packaging waste is either recycled or recovered and 26 per cent of waste ends up in landfill. The European Commission's current proposals suggest a number of challenging waste and recycling targets for the future:
  - 6.1. A common EU target for recycling 65 per cent of municipal waste by 2030
  - 6.2. A common EU target for recycling 75 per cent of packaging waste by 2030

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<sup>1</sup> EEA Waste Recycling report – December 2016

- 6.3. A binding landfill target to reduce landfill to maximum of 10 per cent of all waste by 2030.
7. Achieving the targets on municipal waste and landfill will represent an enormous challenge for councils. Our estimates show that current spending on waste by English authorities would need to increase significantly to include additional collection services (in particular organic waste) just to meet the existing 50 per cent target. Increased levels of ambition in recycling performance will become progressively more expensive to achieve above the existing target level. Failure to reach the targets could lead to EU infraction fines.
8. An analysis of waste management in Wales is set out in **Appendix A** to this report.

### **Producer Responsibility**

9. The LGA has consistently lobbied for greater producer responsibility. The Clean Growth Strategy published in October 2017 contains a commitment to explore it. As part of the Litter Strategy, Defra has established the Voluntary and Economic Incentives Working Group. This independent group is tasked with examining specific voluntary and/or regulatory interventions that can reduce the incidence of commonly littered items and improve recycling and reuse of packaging. LARAC (Local Authority Recycling Advisory Committee) sits on this group on behalf of the sector. We have met with the LARAC representative to share our views.
10. The group will undertake a series of investigations into different types of products and/or packaging that are commonly littered, many of which have an inherent value in terms of their materials. This is in the wider context of improving local environmental quality and potentially increasing recycling. As its first piece of work, Ministers have asked the Working Group to look at regulatory or voluntary measures to reduce littering and/or improve the recycling of drinks containers. The Working Group has specifically been asked to consider the advantages and disadvantages of different types of well-designed and well run deposit and reward and return schemes for drinks containers. The LGA has submitted a written response to the Working Group on this matter.

### **Incentivisation**

11. There are a range of councils which are currently running their own incentivisation schemes. Bracknell Forest Council run a scheme where you earn points for putting the correct items into your recycling bin. Kingston Council are running a scheme for residents who live in flats. The scheme, provided by specialist sustainable rewards provider Local Green Points, will tackle household waste by rewarding residents with prizes and discounts at local businesses for wasting less and recycling more. The Borough of Windsor and Maidenhead award points according to the weight of the contents of citizens recycling bins.
12. DEFRA ran a reward and recognition fund project from 2011 to 2014. This project aimed to explore new approaches for rewarding and recognising people for adopting positive waste behaviours (food waste, recycling, reuse, waste prevention and reduction). From 2011 to 2014, up to £2 million of funding was made available to pilots led by local authorities, community organisations and partnerships. 25 organisations or partnerships

received funding to deliver 31 pioneering schemes. All schemes aimed to engage and encourage people to recycle and reuse, using individual prize draws, individual rewards, community rewards, competitions and recognition. However, an independent review of the project concluded that “schemes did not experience a sea change in recycling tonnage, participation or claimed behaviour”.

### **LGA Position**

13. The LGA has supported councils as they have worked towards achieving these targets. Our lobbying work has focussed on highlighting the need for additional funding in order to meet the ambitious targets set by the EU. We have suggested resourcing these services via redistribution of landfill taxes and also stressed the need for greater producer responsibility to be part of the Government’s approach.
14. It is generally accepted by local government that the steer from Europe on waste and recycling targets has been helpful as it has driven up performance across most of Europe. However, it is clear that as a nation we may fail to meet the 2020 target. Whether this would mean councils facing infraction charges will depend on the terms of the EU exit deal and any related transition period. As we are now set to exit the EU Members have decided that we should review our approach to waste and recycling policy so that the LGA can lead on shaping future direction.
15. At the July meeting of the EEHT Board, members invited specialist speakers along for a discussion about future policy direction. The key conclusions were:
  - 15.1. The current focus on recycling targets was potentially limiting. Broader consideration needed to be given to the concept of waste minimisation.
  - 15.2. The Board wanted to consider what a new set of potential waste and recycling measures could look like in the future.
  - 15.3. The LGA should continue to lobby on producer responsibility.
  - 15.4. A national resource management strategy was needed from central government. This strategy needed to provide a national vision for waste and recycling infrastructure.
  - 15.5. A national direction needs to be set which enables us to have freedom to make decisions locally to deliver improved outcomes.
16. Following on from this discussion it was agreed that work would be undertaken to present members with alternative options for how waste could be measured in the future. The consultants Eunomia have been appointed to undertake this work. The Eunomia report focusses on:
  - 16.1. Providing an indication about what the longer term future is for waste management.
  - 16.2. Analysis of the current framework and its strengths and weaknesses.
  - 16.3. Directly addressing the concept of residual waste.

- 16.4. Examples of alternative frameworks for the sector to measure waste management.
- 16.5. An options appraisal of each framework highlighting strengths and weaknesses.
- 16.6. Explanation about how each framework could fit into national policy and EU policy.
- 17. Eunomia will be presenting their findings at the Board meeting with an opportunity for members to ask questions.
- 18. The Eunomia analysis is contained in a draft technical report which will be circulated to members separately. The report sets out the benefits and challenges of adopting new or additional measures to address waste minimisation including residual waste, which many in the local government sector have indicated would be a more effective approach, and emissions based measures.

### **Issues**

- 19. Members will be asked at the Board meeting:
  - 19.1. To consider the models outlined by Eunomia.
  - 19.2. Do these models offer a viable alternative framework for dealing with waste and recycling in the future?
  - 19.3. How do members want our future lobbying work to reflect the discussion to date?

### **Implications for Wales**

- 20. We are working closely with the Welsh LGA and will be sharing our report findings with them.

### **Financial Implications**

- 21. There are currently no financial implications.

### **Next Steps**

- 22. Members are asked to:
  - 22.1. Provide a steer on the LGA's future position for waste and recycling.

## Appendix A: Waste and Recycling in Wales

1. It has been noted by members in previous Board meetings that Wales are out performing us on waste and recycling targets. The figure the Welsh Government uses for measuring local authority municipal waste was at 64 per cent during the 12 months ending June 2017. This figure combines reuse/recycling and composting rates. The most recent comparable DEFRA figures<sup>2</sup> also show that throughout the period 2010-2015 Wales has performed better than us. The 2015 figure clearly shows Wales at 55.8 per cent with England at 43.9 per cent. Members have asked for further clarification about the difference in performance.

### *Waste from households 2015 (DEFRA)*

Measure	UK	England	NI	Scotland	Wales
Arisings ('000 tonnes)	26,677	22,225	821	2,354	1,278
Recycled ('000 tonnes)	11,805	9,758	344	989	713
Recycling rate	44.3%	43.9%	42%	42%	55.8%

2. There are a number of factors which contribute towards the difference in performance:
  - 2.1. There is national direction on waste. In 2002 the Welsh government published its national waste strategy "Wise about Waste" calling for a move away from landfill towards a model of sustainable waste management. This was replaced in 2010 with a new national strategy "Towards Zero Waste".
  - 2.2. From 2001-2002 a Sustainable Waste Management Grant (SWMG) was paid out. The SWMG was paid by Welsh Government (WG) to local authorities in Wales to help them introduce recycling services and food waste collections. The grant totalled £614 million.
  - 2.3. The grant peaked a few years back and has been steadily reducing each year. It was recently merged with some smaller grants into a 'Single Revenue Grant' (SRG) from the WG Environment Dept. Given the statutory targets, recycling services have effectively become a mandatory function and WLGA has argued for the waste element of the SRG to be put into the RSG. This has now happened.
  - 2.4. WG also introduced the Waste (Wales) Measure (see the 'Waste Targets' section of the legislation: <http://www.legislation.gov.uk/mwa/2010/8/contents/enacted>) which established statutory recycling targets with provision for penalties. Although no

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<sup>2</sup> UK Statistics on Waste, DEFRA – published 15<sup>th</sup> December 2016

penalties have been issued to date the threat of them has been powerful in encouraging LAs to make changes.

2.5. WG favour the kerbside sort approach and issued a blueprint [http://gov.wales/topics/environmentcountryside/epq/waste\\_recycling/publication/municipalsectorplan/?lang=en](http://gov.wales/topics/environmentcountryside/epq/waste_recycling/publication/municipalsectorplan/?lang=en) . They argue that separate collection will ensure a clean stream of materials that can support development of a circular economy in Wales. WLGA have argued against the blueprint being a requirement and that LAs should be allowed to make their own decisions. Welsh Government has provided substantial financial assistance via capital grants to help LAs convert to their blueprint system. Some LAs, whilst complying with some elements of the blueprint, wish to continue with commingled collections.

2.6. Other smaller initiatives which have also helped include:

Collaborative Change Programme: a joint endeavour with WG, WRAP and WLGA which seeks to provide practical support to LA's especially in reviewing their services and optimising their impact. This includes communication/behaviour change support. There is also a small capital support programme which sits within this to encourage invest to save type changes.

The Waste Improvement Programme is a WLGA programme of benchmarking support which allows a detailed review of services and costs to help LA's identify areas for improvement and development. The benchmarking process identifies recommendations that the Wales Audit Office endorse and have to be reported on by LA's to the Ministerial Programme Board each year. These recommendations are key service improvement areas which the benchmarking has identified. The raw data is available to LA's through the Local Government Data Unit portal where they can forensically examine the data and performance and determine key areas for improvement.

Residual restrictions have also helped improve recycling levels by encouraging behaviour change. All Welsh LA's are at least fortnightly for residual, many have also reduced bin sizes and some are three weekly with a four weekly trial ongoing.

2.7. Finally, it is worth noting that Wales is dealing with a significantly lower tonnage of waste on an annual basis.