

**REPORT TO THE SOUTH TYNE AND WEAR WASTE MANAGEMENT
PARTNERSHIP JOINT EXECUTIVE COMMITTEE**

12 JUNE 2020

REPORT OF: Colin Huntington, Project Director, South Tyne and Wear Waste Management Partnership

SUBJECT: Resources & Waste Strategy: Implications for Local Authorities

1. PURPOSE OF REPORT

- 1.1 To advise the Joint Executive Committee with the government response to the recent Housing, Communities and Local Government Committee inquiry on the implications for local authorities of the Resources & Waste Strategy.

2. BACKGROUND

- 2.1 In December 2018, as part of the 25-year Environment Plan, the government published a new national Resources & Waste Strategy (*Our Waste, Our Resources: A Strategy for England*), which was followed in 2019 by separate consultation exercises which sought views from a wide range of organisations and members of the public on many of the key proposals outlined within the strategy.
- 2.2 The Department for Environment, Food and Rural Affairs (Defra) published the outcome of the consultation exercises in July 2019, although this did not include confirmation of which of the proposals would be implemented or how they would be funded. At the current time, further consultation exercises to clarify the implementation of the Strategy's proposals are still expected during 2020.
- 2.3 However, the government subsequently published The Environment Bill, which provides a legal framework to deliver many of the proposals identified in the Strategy, should government wish to do so.
- 2.4 Following a four-month inquiry into the implications of the Strategy for local authorities, the Housing, Communities and Local Government Committee published its Nineteenth Report of Session 2017–19, Waste Strategy: Implications for local authorities [HC 2071] as House of Commons Paper HC 2071.

3. KEY COMMITTEE FINDINGS

3.1 Some of the Committee's key findings from the inquiry included:

- Concerns by reports from local authority representatives that they were not sufficiently consulted in advance of the publication of the Strategy, particularly around recycling targets, financial implications and the 'desirability' of the proposed changes to waste management services.
- An agreement for the proposal to implement an Extended Producer Responsibility (EPR) scheme so that producers bear a greater responsibility for the disposal costs of the materials that they introduce into the waste system. The Committee also recommended that the government commits to undertaking a review of funding levels at least every two years, providing top-up funding to local authorities if this becomes necessary.
- An acknowledgement that despite 'strong opposition' from many to the incineration of waste, producing energy-from-waste has a role to play within the waste hierarchy. Consequently, an incineration tax should not be introduced in the short term, as this would simply increase costs for local authorities and council tax payers. However, the Committee considers that the government is right to keep an incineration tax under review, but only insofar as it will encourage local authorities to prioritise long-term investment in the recycling infrastructure and must not lead to a transfer of waste from incineration to landfill.

3.2 The Local Authority Recycling Advisory Committee (LARAC) provided evidence to the inquiry in both written and in person at the select committee.

4. GOVERNMENT RESPONSE - OVERVIEW

4.1 The government's response to the report was published in March 2020, in which they acknowledged that there is a balance to be struck between local decision making and what is considered necessary to increase the quantity and quality of recycling nationally. However, they disagreed with the Committee's conclusion that the Strategy has sought to dictate from the centre what is best decided at local level.

4.2 Therefore, whilst government highlighted that local decision making is key to effectively implementing their reforms, they also highlighted that in recent decades, various EU Directives have imposed top-down requirements on local authorities and regulated how local waste services are provided. Furthermore, they also emphasised that Parliament has also previously legislated directly to set minimum requirements on household recycling.

4.3 Close working with local authorities to implement reforms will continue through Defra and the Ministry of Housing, Communities and Local Government, and government confirmed its commitment to fund any new burdens on local government in line with the New Burdens Doctrine.

5. GOVERNMENT RESPONSE - KEY FEEDBACK

5.1 Some of the key responses from government included:

Consultation

- Arrangements regarding how government engages with the Local Government Association and local government representatives will be reviewed to ensure that they are fully consulted on the development and implementation of the proposals.

Standardisation

- All English local authorities will be required to collect glass, metal, plastic, paper and card, food waste, and garden waste for recycling, as set out in the Environment Bill.
- Government's view is that a free garden waste service would remain the best approach to delivering overall environmental benefits, but as previously stated, further consideration will be given to the overall cost and benefits of this proposal before a decision on how best to proceed can be made.
- Local authorities will get access to £2.9bn of extra funding available to them in 2020/21 for core services, including waste services and also measures to support recycling reward schemes.

Food waste

- Government analysis shows that if all local authorities provided at least kerbside properties with a separate food waste collection service, this would increase the amount of food waste collected by 1.35m tonnes by 2029 and reduce greenhouse gas emissions by an estimated 1.25m tonnes a year. Government considers this is a strong case for separate collection of food waste for treatment through anaerobic digestion, which also supports other government policies to decarbonise energy production and reduce the reliance on fossil fuels.

Deposit Return Scheme

- Committee's comments that the implementation of a deposit return scheme should be deferred are noted, but government remains minded to introduce a deposit return scheme for drinks containers from 2023 (or sooner if possible), subject to further evidence and analysis.
- Government recognise the concerns raised by local authorities that some of the material they currently collect for recycling will be diverted to a deposit return scheme. However, this will be compensated by reforms to the EPR system which will ensure that producers will be responsible for the costs of dealing with the packaging waste they produce.

EPR Funding

- Government has previously made it clear that the process of raising costs from producers for packaging disposal and allocating funding to local authorities will be transparent and fair to both local authorities and producers.

6. **NEXT STEPS**

- 6.1 It is clear that the full impact of the ongoing coronavirus pandemic will not be known for some time. There will be significant challenges that local authorities will continue to face for the foreseeable future in continuing to ensure that key services, such as waste management, can continue to be delivered safely.
- 6.2 Furthermore, the impact of the pandemic on future local authority funding cannot yet be predicted. This includes the impact on the national waste policy direction and the further implementation of the Resources & Waste Strategy proposals, as well as the potential availability of additional funding through the New Burdens Doctrine.
- 6.3 However, STWWMP will seek to fully engage in the forthcoming consultation exercises when they are released by government and ensure that potential local challenges arising for the implementation of the Strategy's proposals are clearly identified, costed, and communicated.

7. **RECOMMENDATION**

- 7.1 The Joint Executive Committee is requested to:
- (i) Note the contents of this report; and
 - (ii) Agree to receive further updates on the implementation of the Resources & Waste Strategy proposals, as appropriate.

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