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| Decision maker: | Cabinet member contracts and assets |
| Decision date: | Thursday, 28 September 2017 |
| Title of report: | Joint municipal waste management strategy review |
| Report by: | Waste disposal team leader |

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose and summary

To update the joint municipal waste management strategy (JMWMS) for Herefordshire and Worcestershire.

Further to a comprehensive review of our JMWMS in 2011 an update has been produced to update on achievements and to ensure the JMWMS remains relevant and fit for purpose.

Recommendation(s)

That:

- (a) **the addendum to the joint municipal waste management strategy for Herefordshire and Worcestershire 2004 to 2034 attached at appendix 2 be approved.**

Alternative options

1. To retain the existing strategy without an addendum. This is not recommended because there have been changes in national policy, local provision and projections for future demand which are not reflected in the current strategy.

Key considerations

2. Herefordshire Council first published its JMWMS in 2004. It covers the period 2004 to 2034. It is a joint strategy with the district councils and county council in Worcestershire reflecting our partnership with them in our shared waste disposal service.
3. The JMWMS underwent a complete review in 2009 to reflect significant developments in national waste policy and required changes to our waste management service. The JMWMS was adopted by Herefordshire Council and Worcestershire County Council in 2009 and in 2011 refreshed to include an updated residual waste options appraisal which took into account the site location for the proposed energy from waste (EFW) facility, this was not known in 2009.
4. Key objectives of the adopted JMWMS were as follows:
 - a. For all waste collection authorities to provide an alternate fortnightly collection of recycling and general rubbish to households from wheeled bins.
 - b. To develop alternatives that would treat any residual waste (general rubbish) in order to recover energy.
5. In response to these objectives the council introduced a fortnightly household recycling service from a green wheeled bin in 2009. This was followed by fortnightly general household rubbish collection from a black wheeled bin in 2014.
6. In 2014 the Herefordshire Council and Worcestershire County Council agreed a variation to our waste disposal service with our contractor, Mercia Waste Management, to design, build and operate a 200,000 tonne per annum energy from waste facility. This facility became fully operational in March 2017 and is now treating residual waste from Herefordshire and Worcestershire to create electrical power.
7. An addendum to the JMWMS strategy has been produced that reflects these achievements, it includes the following updates and information:
 - a. Information on changes to national waste management policy being the introduction of the Waste (England and Wales) Regulations 2011, which transposed much of the EU Waste Framework Directive into UK law, this had the following impact on services:
 - i. Required waste producers to apply the waste management hierarchy (where waste prevention is highest priority and disposal to landfill is lowest).
 - ii. Required councils who did not provide a separate collection of glass, paper, plastics and metal to undertake an assessment to demonstrate how the service they provide is technically, environmentally or economically practicable (TEEP) in collecting high quality materials suitable for recycling. Herefordshire Council worked in partnership with Worcestershire councils to produce a TEEP assessment, which is included in Appendix 3.
 - b. An update of waste management data including waste growth predictions which are expected to continue to grow proportionate to growth in household numbers.
 - c. Update of recycling, recovery and disposal performance which in respect of recycling has seen little change in performance since the 2011 refresh due to constraints on resources. However significant improvement in recovery and

disposal performance is expected following the recent opening of the new energy from waste facility.

8. Due to the lack of any new objectives or policy a light touch approach has been taken in reviewing the strategy focussing on refreshing the waste growth and performance data. . Advice from an experienced and qualified waste management consultant commissioned by WCC on behalf of the partnership, supported this approach and informed the refresh.
9. The addendum does not attempt to set new objectives or policy, and should be read in conjunction with the existing JMWMS (at www.herefordshire.gov.uk/directory/9/council_policies_strategies_and_procedures/category/3). The headline strategy document is included in Appendix 1.
10. The JMWMS addendum report is appended to this report in Appendix 2. A summary of our progress to date in achieving the targets set out in the strategy is included below:

| 2011 Target | | Actual | Updated target |
|-------------|---|---|---|
| 1 | In order to ensure that this target is robust, we are currently developing a meaningful target that will enable us to monitor our carbon footprint and set targets for reduction. | No target set | Carbon emissions are measured by respective councils in line with their carbon management plans. There are no plans to separately measure and report emissions from waste management services. |
| 2 | To achieve the national reductions in household residual waste (waste not re-used, recycled or composted) of 35% by 2015 and 45% by 2020, based on 2000 levels. | Herefordshire achieved a 49% reduction and Worcestershire a 42.3% reduction | The target remains 45% reduction by 2020. |
| 3 | To work towards achieving national recycling/composting levels of household waste of 45% by 31st March 2015 and 50% by 31st March 2020. | The partnership achieved 40% in 2014/15, with Herefordshire also achieving 40%. | The aspiration of meeting the 2020 target remains but the partnership is only committed to maintaining current levels (42.4% in 2016/17) of recycling and composting, making improvements where financially viable. |
| 4 | To meet the requirements of the Household Waste Recycling Act 2003 to collect at least 2 recyclable materials from each household by end 2010 | All councils collect glass, paper, plastic, metals and cardboard. | Target achieved and no further target set as we are meeting our statutory requirements |
| 5 | By 2015 or earlier if practicable, we will recover value from a minimum of 78% of municipal waste. | The partnership recovered 49.8% of its waste in 2014/15. | The target remains 78% recovery of municipal waste, the partnership expects to achieve this in the current year 2017/18 |
| 6 | To reduce the amount of biodegradable municipal waste landfilled in order to meet the yearly allowances set by Government under the Landfill Allowance Trading Scheme. | National target abolished in and no longer applicable | National target abolished in and no longer applicable |

11. The next review of the JMWMS will be in 2022 or earlier if a significant change in policy is required, for example due to change in national policy.

Community impact

12. Development of an energy from waste facility has secured our long term ability to treat waste produced in the county in a more efficient, sustainable and cost effective way. Our move to fortnightly collection of waste and recycling has provided a more cost effective service and reduced costs by £500,000 per annum.
13. Most services described in the strategy are provided by contractors. The contractors must ensure that work carried out does not compromise the health, safety or welfare of others. To ensure they meet health and safety legislative requirements, compliance will be monitored, and where required, enforced by the council.

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. The providers of our waste management services have been made aware of their contractual requirements in regards to equality legislation.

Resource implications

16. There are no financial implications arising from the recommendations. The addendum does not attempt to set new objectives or policy.

Legal implications

17. There is no statutory requirement for the council as a unitary authority to have this strategy document.
18. The requirement is on two tier authorities and given our joint arrangements with Worcestershire we are included in this strategy.

Risk management

19. There are no additional risks that have not already been considered in previous reports, as the review does not attempt to set new objectives or policy.

20. The key risk identified in the strategy is that our performance currently falls short of the 2020 50% national recycling target. The addendum provides an update on our current performance and although we are committed to maintain our current level of performance explains how increasing performance is not possible with current staffing and budget constraints.

Consultees

21. The Strategic Waste Management Board (SWMB), consisting of senior officers and cabinet members with responsibility for waste management from the following councils have been consulted and updated throughout the review process:

Bromsgrove District Council
Malvern Hill District Council
Redditch Borough Council
Worcester City Council
Wyre Forest District Council
Wychavon District Council
Herefordshire Council
Worcestershire County Council

22. A workshop was carried out on 22 January 2016, where members and officers provided the following feedback:
 - a. None of the councils have any plans to change their waste collection regime.
 - b. Any measure of the impact of council waste management on climate change should be simple and relate only to waste disposal services.
 - c. Recognition that the 50% recycling target will be difficult to achieve without introducing separate food waste collection or free garden waste collection.
 - d. Consensus that the existing 50% recycling target should be retained but the difficulties in achieving the target should be explained in the review.
 - e. Agreement that a 90% diversion from landfill target was feasible for 2030.
23. The feedback from the workshop has been reflected in the addendum report.

Appendices

24. Appendix 1. The joint municipal waste management strategy for Herefordshire and Worcestershire 2004 – 2034, headline strategy.
25. Appendix 2. Waste strategy for Herefordshire and Worcestershire: A Review
26. Appendix 3. Herefordshire and Worcestershire joint review of compliance with the requirement to separately collect glass, paper, plastic and metals under the Waste Framework Directive (TEEP assessment).

Background papers

27. None