

Title of report: To set out the councils new Integrated Waste Management Strategy and Waste Handling Pilots

Meeting: Cabinet

Meeting date: Thursday 22 July 2021

Report by: Cabinet member commissioning, procurement and assets;

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

This report is looking to approve the new Integrated Waste Management Strategy which is detailed in Appendix A and to authorise council officers to design and implement new waste handling pilot schemes and approve the drawdown of the waste management reserve to fund such pilots.

Recommendation(s)

That:

- a) The cabinet authorises the new Integrated Waste Management strategy for Herefordshire, adopts to the new targets within the document as detailed in Appendix A and authorises the development of a benefits realisation action plan to achieve the agreed targets;**
- b) The cabinet authorises the design, development, procurement and implementation of the proposed waste handling pilot schemes and approves the expenditure of up to £1.5m from the council's waste reserve to progress and implement the schemes;**
- c) The cabinet authorises the expenditure of the Section 106 allocation for recycling projects up to the value of £92,000 to progress the proposed waste handling pilot schemes through design, development, procurement and implementation; and**
- d) The cabinet authorises the Section 151 officer to take all operational decisions relating to the above recommendations**

Alternative options

1. Not to adopt the New Integrated Waste Management Strategy. This is not recommended as the current waste collection and disposal contracts are due to expire 2023/24. This presents an opportunity for the council to address the significant issues around climate, expected changes in legislation, the circular economy expectations which were outlined in the work of the task and finish group and the council's County Plan objectives. Without developing and adopting a new Integrated Waste Management Strategy the council is at risk of not meeting the future legislative changes and failing to meet the County Plan objective.
2. Not to adopt the new targets out line in Appendix A. This is not recommended as if the council does not adopt the targets then they will not achieve the County Plan objectives, the aspirations as set out in the Climate and Ecological emergency or meet the legislative requirements that the government are consulting on currently especially around the collection and disposal of food waste.
3. Not to draw down the Waste reserve and use the section 106 allocation to enable prototype schemes to roll out across the county. This is not recommended as there is a requirement to look at new ways of handling our waste that is generated in the County to address the climate and ecological emergency, the objectives that are clearly outlined in the County Plan

Key considerations

Background

4. As a Unitary Authority, Herefordshire Council has a statutory obligation to collect, recycle and treat 'municipal' waste produced by residents in its area through the provision of a kerbside collection service and at least one Household Waste & Recycling Centre (HWRC). These obligations are enshrined in law, particularly the Environmental Protection Act 1990, providing a basis for what services are to be provided and how.
5. There are three main driving forces behind the need to review the council's waste management service, these are:
 - a. Our existing waste collection and disposal arrangements are due to expire at the end of 2023 and start of 2024 respectively.
 - b. Significant change to waste policy is expected in the wake of the Resource and Waste Strategy 2018 and progress through parliament of the Environment Bill 2019-20. New policy and legislation will influence everything from packaging design & production to how local authorities provide their waste management services. This will introduce the requirement for councils to provide weekly food waste collections to all households from 2023 and make it available to businesses for a charge. The government's clear direction is for the increased segregation of waste streams and a new target to achieve a 65% recycling rate.
 - c. The council has the ambition to make sweeping changes to bring about a more sustainable county. Resource management, production and waste are significant contributors to carbon emissions. By making changes to how materials are used in production, minimising use of raw materials, discouraging waste, maximising reuse, recycling and recovery we will be able to bring about large reductions in carbon emissions in response to the Climate and Ecological Emergency.
6. A key consideration of this review includes the consideration of the current partnership with Worcestershire Council and any future joint working arrangements.

General Scrutiny – Waste Services Review

7. In September 2020 the council's waste management task and finish group presented a report to the council's general scrutiny committee outlining the work that had reviewed the future of waste management options for Herefordshire. The report can be seen in Appendix B.
8. At the General Scrutiny meeting held on 28 September 2020, 4 additional recommendations were included.
9. On 22 April 2021 the executive responded to the review setting out a response to each recommendation.
10. The full executive response is available here:
<https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7849>
11. On 26 April 2021 the General Scrutiny committee made a further 7 recommendations to the executive, including the specific recommendation that:

- a. A unified waste strategy be drawn up by the executive with an aim to provide an end to end waste service for residents spanning from repair and reuse right through to collection and disposal.
12. The subsequent executive response is currently being prepared and will be available here:
<https://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?Id=50038122&Opt=0>
 13. The new integrated waste management strategy specifically addresses a number of the recommendations from the scrutiny review including adopting ambitious targets so that the council is well placed to achieve the recommendations and County Plan objectives.
 14. The council recognised the need to change how we collect and dispose of our waste, the need for a review and redesign, and also to undertake pilot schemes that will help the council realise its ambition.
 15. Following the recommendations received from the General Scrutiny Committee the Cabinet Member for Assets and procurement authorised a paper recommending the council's intention to consult on the future of the collection service for Herefordshire. This consultation has now closed and the results of the consultation can be seen in Appendix C. There was a good level of support from across the county in favour of change especially around the collection of food waste and in general residents and businesses were understanding of the council's need to change to achieve its aspirations around handling waste in a better more sustainable circular economy way.

Proposed Next Steps

16. The council's waste disposal contract is due to end in 2024 after being in place for 25 years. Currently the council are in a joint partnership with Worcestershire County Council for this service. In line with the County Plan ambition this contract renewal is giving Herefordshire the ability to review and rethink how it might undertake its disposal service. It is extremely important that the way in which waste is disposed of in Herefordshire is reviewed to meet the government's objectives outlined in the Resources and Waste Strategy, enabling a move towards a circular economy and to address the climate and ecological emergency. Therefore it is key that the council reviews its partnership with Worcestershire Council and the way it disposes of its waste.
17. Within the County Plan, the Council sets out its ambition to protect and enhance the environment and keep Herefordshire a great place to live by minimising waste and increasing reuse, repair and recycling, and identifying opportunities for climate change action in all aspects of council operations. The Environment ambition is that the Council will use its community initiatives, partnerships and waste contracts to make it easier for businesses and residents to share, repair, reuse and recycle, and so reduce the Council's carbon emissions
18. The New Integrated Waste management strategy outlines a number of key targets that also fall in line with the County Plan. These waste management targets can be seen in Appendix A.

19. In order for the council to achieve these targets the service will need to consider new operating models to make changes to the way in which it collects and disposes of its waste. To further explore new and alternative methods of collection and disposal contracts the council is proposing to develop and run a number of new pilot schemes.
20. The themes for these pilots will include reuse, recycling, collection and disposal methods, composting, carbon reduction opportunities, partnership working across Herefordshire and further exploring potential opportunities for cross border working/project development as Herefordshire borders 5 counties, Shropshire, Worcestershire, Gloucestershire, Powys and Monmouthshire.
21. If adopted, the new integrated waste management strategy will require the development of a new communication strategy. Here officers will work closely with the communications team to develop a clear plan including but not limited to education, promotion, key messages and to consider the future resource requirements to meet the targets within the new integrated waste management strategy. It is also recognised that any new pilot schemes and protocols that are developed will require clear and robust communication.

Community impact

22. By the council adopting the new integrated waste management strategy, this will have a positive impact on contributing towards local and regional strategy priorities, targets and legislation.
23. The County Plan (2020-24) priorities are:
 - a - Protect and enhance our environment and keep Herefordshire a great place to live
 - b - Minimise waste and increase reuse, repair and recycling
 - c - Build understanding and support for sustainable living
 - d - Invest in low carbon projects
 - e - Identify climate change action in all aspects of council operation
 - f - Support the an economy which builds on the county's strengths and resources;
 - g - Seek strong stewardship of the county's natural resource
 - h - Develop environmentally sound infrastructure that attracts investment
 - i - Support an economy which builds on the county's strengths and resources and spend public money in the local economy wherever possible
24. In March 2019, Herefordshire Council unanimously declared a Climate and Ecological Emergency and formally adopted commitments to leads a local response, aspiring for the county to become carbon neutral by 2030.

The Resource and Waste strategy 2018 (RWS 2018) introduces a raft of measures to adopt a circular economy approach. It is a strategy for England reflecting on the already adopted policy changes in Scotland and Wales. These include:

- a. Consistent recycling collections (all local authorities collecting the same materials)

- b. Compulsory weekly food waste collection
 - c. Separate garden waste collection
 - d. Initiatives to encourage urban recycling
25. The Environment Bill is currently progressing through Parliament and is expected to make significant changes to environmental legislation. Whilst there are no currently proposed targets within the bill we anticipate the following targets as these are consistent with the EU Circular Economy Package (EU-CEP):
- a. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 55% of municipal waste by 2025;
 - b. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 60% of municipal waste by 2030;
 - c. A preparation for re-use and recycling (including composting/anaerobic digestion) target of 65% of municipal waste by 2035 (RWS 2018 Target);
 - d. A gradual limitation on landfilling of municipal waste, to 10% by 2035

Environmental Impact

26. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
27. The environmental impact of the different waste collection options have been fundamental to the review and the proposed options detailed within the Task & Finish group report seek to deliver positive changes to the waste management service.
28. The proposed options seek to treat waste as a resource, supporting a more circular economy for Herefordshire by reducing, reusing and recycling materials so that they stay in use for longer, offsetting use of raw materials and reducing carbon emissions.
29. Further consideration to minimise the environmental impact of the service will be integral to the subsequent service design of the preferred waste management service. Here the future commissioning will include appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the future contract management arrangements

Equality duty

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

31. 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.
32. 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. An Equalities Impact Assessment will be undertaken as an integral part of the future service redesign and our providers will be made aware of their contractual requirements in regards to equality legislation through the future commissioning.

Resource implications

33. The council currently spends £4m on its collection contract and £11m on its disposal contract. As both contracts are due for renewal in 2023/24 it is essential that the council are in a strong position to enable essential change. The council have taken on board the recommendation to develop a new integrated waste management strategy but will also need to test the operations and capability of the County to ensure successful delivery of the new strategy.
34. In order to do this there is a need to draw down the dedicated waste reserve to resource and enable the council to develop pilot schemes that can be tried across the County which will develop the County's own abilities to work with partners to create the tools and platforms to contribute to handling our waste differently. The council sees itself as a strong enabler but realises it needs to be a joint approach with residents and businesses from across the County.
35. There is a requirement to complete options and feasibility work, design, develop and procure the pilot schemes outlined in the key considerations section. To do this the council will need to draw down up to the value of £1.5m from the waste management reserve.
36. In terms of the expenditure plan around the drawdown of the waste reserve and section 106 money, it is expected that all procurements will be undertaken in compliance with the council's contract procedure rules.

Funding streams	2020/21	2021/22	Future Years	Total
	£000	£000	£000	£000
<i>Waste Revenue Reserve</i>	500	500	500	1,500
<i>Section 106 Recycling Allocation</i>	40	52		92
TOTAL	540	552	500	1,592

Legal implications

37. There are no additional legal issues to bring to the Cabinet's attention which are not already mentioned in the report. Legal Services provide support to the Project Board and are advising on an on-going basis.

Risk management

38. It is recommended that the following risks are considered against this decision report:

Risk / opportunity	Mitigation
The council does not adopt the new integrated waste management strategy	Complete further work to come to an acceptable strategy, complete further briefings with stakeholders
The proposed pilot schemes are presented with restrictions under the current collection and disposal contracts.	To work with the council's legal team to understand the limitations and consider solutions to unblocking any limitations and plan any potential pilot schemes in detail
The council do not agree to drawing down the waste revenue reserve and section 106 monies to fund pilot schemes	To work with key stakeholders, hold more briefings to gain agreement on the future work to develop waste protocols

Consultees

39. The following consultation has taken place to support the decision paper:

Consultation	Date	Feedback
Waste Management Services Review Project Board	Numerous meetings in 2019/20 – 2020/21	Lead the development of the recommendations through the process.

General Scrutiny Committee	28 September 2020	Recommendations and the Executive Response are detailed in Appendix B
Waste Management - Political Briefing with the cabinet member for Commissioning, Procurement and Assets	June 2021	Cllr Davies would like to see the development of a new integrated waste management strategy, pilot schemes to enable the council to meet its aspirations and to explore new opportunities for handling waste across the county
Political groups consultation on a key decision	June 2021	<p>Comments received: Cllr Polly Andrews noted that any new service will need clear explanation around the benefits as the current service is liked within Herefordshire</p> <p>Cllr Stark noted an endorsement for recommendations made by the task and finish group and to ensure a unified waste strategy be drawn up by the executive with an aim to provide an end to end waste service for residents spanning from repair and reuse right through to collection and disposal</p>
Cabinet Workshop	24 th June 2021	Cabinet members and officers were part of a waste shaping work shop
Herefordshire Council Management Board	6 th July 2021	The report has been well received and it has been recommended to continue onto cabinet feeder on the 8 th July 2021
Herefordshire Council Waste Management Project Board	7 th July 2021	The project board agreed to submit the report to cabinet feeder
Cabinet feeder briefing	12 th July 2021	The report was well received in cabinet feeder. It was agreed to take the report to cabinet on the 22 nd July 2021

Appendices

- Appendix A – New integrated Waste Management Strategy
- Appendix B - Task and Finish Group Report
- Appendix C – Waste Public Consultation

Background papers

- None identified

Please include a glossary of terms, abbreviations and acronyms used in this report.