



Meeting: **Environment and Climate Change Overview and Scrutiny Committee.**

Date/Time: **Thursday, 13 June 2024 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Anna Poole (tel: 0116 305 2583)**

Email: **anna.poole@leics.gov.uk**

Membership

Mr. M. Frisby CC (Chairman)

Mr. G. A. Boulter CC Mr. M. Hunt CC
Mr. N. Chapman CC Mrs. R. Page CC
Mr. D. Harrison CC Mrs B. Seaton CC

Please note: this meeting will be filmed for live or subsequent broadcast via YouTube at <https://www.youtube.com/channel/UCWFpwBLs6MnUzG0WjejrQtQ>

AGENDA

<u>Item</u>	<u>Report by</u>
1. Appointment of Chairman.	
2. Appointment of Deputy Chairman.	
3. Minutes of the meeting held on 11 March 2024.	(Pages 5 - 10)
4. Question Time.	
5. Questions asked by members under Standing Order 7(3) and 7(5).	
6. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
7. Declarations of interest in respect of items on the agenda.	



8. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.
9. Presentation of Petitions under Standing Order 35.
10. Persistent Organic Pollutants in Waste Upholstered Domestic Seating. Director of Environment and Transport (Pages 11 - 16)
11. Collection and Packaging Reforms. Director of Environment and Transport (Pages 17 - 24)
12. Dates of future meetings.

The next meeting of the Committee is scheduled to take place on 9 September 2024 at 2.00pm.

Meetings of the Committee in 2025 are scheduled to be held at 2pm on the following dates:

- 22 January 2025
- 12 March 2025
- 11 June 2025
- 10 September 2025
- 12 November 2025

13. Any other items which the Chairman has decided to take as urgent.

QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY

The ability to ask good, pertinent questions lies at the heart of successful and effective scrutiny. To support members with this, a range of resources, including guides to questioning, are available via the Centre for Governance and Scrutiny website www.cfgs.org.uk. The following questions have been agreed by Scrutiny members as a good starting point for developing questions:

- Who was consulted and what were they consulted on? What is the process for and quality of the consultation?
- How have the voices of local people and frontline staff been heard?
- What does success look like?
- What is the history of the service and what will be different this time?
- What happens once the money is spent?
- If the service model is changing, has the previous service model been evaluated?
- What evaluation arrangements are in place – will there be an annual review?

Members are reminded that, to ensure questioning during meetings remains appropriately focused that:

- (a) they can use the officer contact details at the bottom of each report to ask questions of clarification or raise any related patch issues which might not be best addressed through the formal meeting;
- (b) they must speak only as a County Councillor and not on behalf of any other local authority when considering matters which also affect district or parish/town councils (see Articles 2.03(b) of the Council's Constitution).



This page is intentionally left blank



Minutes of a meeting of the Environment and Climate Change Overview and Scrutiny Committee. held at County Hall, Glenfield on Monday, 11 March 2024.

PRESENT

Mr. M. Frisby CC (in the Chair)

Mr. G. A. Boulter CC
Mr. N. Chapman CC
Mr. D. Harrison CC

Mr. M. Hunt CC
Mrs. R. Page CC
Mrs B. Seaton CC

In attendance

Mr. B. L. Pain CC Cabinet Lead Member for the Environment and the Green Agenda.

46. Minutes of the previous meeting.

The minutes of the meeting held on 24 January 2024 were taken as read, confirmed and signed.

47. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

48. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

49. Urgent items.

There were no urgent items for consideration.

50. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

51. Declarations of the Party Whip.

There were no declarations of the party whip in accordance with Overview and Scrutiny Procedure Rule 16.

52. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 35.

53. Recycling and Household Waste Sites Consultation Outcome, Recommendations and Further Consultation.

The Committee considered a report of the Director of Environment and Transport concerning the outcome of the Recycling and Household Waste Sites (RHWS) consultation and informing of the revised proposals that would form part of a secondary consultation. The report also sought the Committee's views as part of the secondary consultation. A copy of the report, marked 'Agenda Item 8, is filed with these minutes.

In presenting the report, the Director highlighted that 5,638 responses had been received to the online questionnaire. The findings of the consultation showed that there was strong opposition to the proposal to close some sites, especially Market Harborough and Shepshed. However, there was less concern about a proposed reduction in the days that the Bottesford site would be open, and there was broad support to reduce summer opening hours and to close on Christmas Eve at all RHWS. Feedback from focus groups, which was more detailed and was set out in the report, broadly reflected this view. Neighbouring authorities were concerned about displacement impacts should the proposals lead to residents using RHWS outside of the county boundary. As a result of the outcome of the first consultation, a second consultation had begun on revised proposals to keep Market Harborough RHWS and Shepshed RHWS open part-time and to reduce the opening days at Kibworth RHWS. This started on 21 February and would run for four weeks.

Arising from discussion, the following points were raised:

- i. A traffic impact assessment had been completed during the first consultation at the Kibworth RHWS, as part of the proposal to close the Market Harborough RHWS and the impact of the potential displacement of traffic to Kibworth. This showed that the junction on the A6 to the Kibworth RHWS could tolerate any potential displacement as a result of the proposal.
- ii. Should the Cabinet approve the proposed closure of the Somerby RHWS, Members were assured that those staff affected were being fully supported and would be offered transfer to other sites where possible. Members were assured that officers were seeking to avoid redundancies. There was a high level of vacancies across the service, some of which were filled by agency staff. Officers would work with colleagues in the Council's Strategic Property Unit to ascertain the site's future should the waste service declare it surplus to operational requirements. This was currently not defined until the Cabinet decision was known.
- iii. Regarding the demographic data for online questionnaire respondents compared to the general population of Leicestershire, it was suspected that the percentage of respondents aged 45-75 was higher than that shown for the county as this was reflective of the demographic of site users. However, officers agreed to look further at the data to provide a written explanation to the Committee where additional data was available. Additionally, members were informed that younger

people usually did not engage in consultations which may have contributed to the difference in the data.

The Committee commended officers for such thorough consideration of the proposals and the feedback from residents to arrive at the proposals contained within the second consultation which they agreed were a good compromise. Members recognised the level of work that had been put in to determine the best approach for the service in light of the Council's challenging financial position.

The Cabinet Lead Member for the Environment and the Green Agenda echoed the comments made and added that the additional funding from the Government had helped with revising the proposals and had meant that less RHWs needed to close.

RESOLVED:

That the outcome of the Recycling and Household Waste Sites consultation and the revised proposals that would form part of a secondary consultation, be noted.

54. Environment and Climate Change Performance Report to December 2023.

The Committee considered a joint report of the Chief Executive and the Director of Environment and Transport which provided the latest performance update on the key performance indicators that the Council was responsible for delivering against the Council's Strategic Plan (2022-26). A copy of the report, marked 'Agenda Item 9, is filed with these minutes.

Arising from discussion, the following points were raised:

- i. The report was a snapshot of all performance indicators at this time although the Director's reporting to the Committee focused on those indicators where larger changes in performance were evident. Some reporting frequencies were linked to how often the data was available to the council, for example quarterly or annually, so some indicators would not be updated in this report.
- ii. In response to Members concerns about how indicators could be determined as locally generated or statutory in the report, they were informed that an asterisk was used to identify those indicators that were statutory. Local indicators were classified as countywide or internal (local) and these were identified in the right-hand column of the data report. This also showed which data was coming from other partners, for example, government departments and the 'period' column showed when the latest data was available, and which was in arrears. Members were assured that the report presented included the latest data available to officers. At the end of the financial year, all data would be included in the annual report/Performance Compendium, so members could see the full performance for the department for the year.
- iii. Indicators were reviewed cyclically, to determine whether they were still needed, or new ones needed adding. Performance was reported against the indicators and outcomes included in the Strategic Plan and were not specific to the wider portfolio of the Cabinet Lead Member, which was cross-cutting across all council departments.
- iv. Members expressed concern about the nine performance indicators that were in the third and fourth quartile which showed that the Council performed below average and were informed that action was being taken to address those indicators, but that this often took time to show results in the performance report.

For example, action taken to reduce waste going to landfill could take years to show results. The Director explained that the banding of the quartile also affected where the Council's performance was shown and added that action taken needed to be costed in view of the Council's financial challenges. She assured members that action was being taken for those indicators where the Council was responsible for that activity to try to move the trajectory away from the fourth quartile but cautioned that this was not something that could be addressed quickly, or without cost. Officers agreed to provide details to members in writing on the action being taken to improve the performance of those indicators which were in the third and fourth quartile.

- v. Regarding electric vehicle charging points per 100,000, the performance data came from the National Charge Point Registry and related to the publicly funded charging points. The data did not include domestic chargers.
- vi. The collection of food waste would be included in the performance report under the indicator '% of household waste sent by local authorities across Leicestershire for reuse, recycling, composting etc'. Further detail on how this will be managed would be provided to the Committee at its meeting in June in a report on the Collection and Packaging Reforms.
- vii. Regarding the locally determined indicator 'Hectares of LCC land in better management for nature' the Director explained that this had been introduced in advance of changes proposed related to nature, for example, the Biodiversity Duty and the Local Nature Recovery Strategy. Both of these could potentially include performance indicators that supersede the Council's local indicator in the future. The Director agreed to provide a more detailed written explanation to Members on the current local indicator, how the land was managed, whether it was set aside, what was expected of the Council. A report would be presented to the Committee later in the year on the new Duties being introduced.
- viii. Regarding the use of the new incinerator for the disposal of waste, the Director explained that once a contract was awarded not all waste would be moved there rather than be sent to landfill. A number of contractual options were available for the management of waste, but specific details could not be shared with the Committee as the contracts were commercially sensitive. Officers worked with the market to utilise the disposal facilities available, in conjunction with district councils, to determine how waste would be handled and directed to appropriate disposal. However, not all waste could be incinerated; an element of waste would still be sent to landfill.

The Cabinet Lead Member for the Environment and the Green Agenda recognised the importance of the role of the County Council in reviewing and reporting performance against this agenda. He highlighted that for some indicators the Council had little influence over the performance achieved, for example, those indicators influenced by Local Planning Authorities or the Environment Agency, or those determined by ownership of electric vehicles.

Members agreed that a future report to the Committee on the Local Nature Recovery Strategy and Biodiversity Duty / Reporting with links to those indicators related to nature and the local environment would be beneficial.

RESOLVED:

That the update on performance to December 2023 be noted.

55. Revised Approach for Charging for Construction and Demolition Waste at Household Waste Recycling Centres.

The Committee considered a report of the Director of Environment and Transport concerning the revised approach to accepting construction and demolition waste from households at the Council's Recycling and Household Waste Sites (RHWS) following the Government's legislative change. A copy of the report, marked 'Agenda Item 10, is filed with these minutes.

Arising from discussion, the following points were raised:

- i. It was not cost effective to recycle the builders' waste deposited at RHWS into hardcore as the cost of processing it was greater than the cost of disposing of it. Additionally, the waste deposited was usually of poor quality so the cost of converting it into a product for onward sale would be greater. This was a vital consideration in view of the County Council's financial challenge in managing budgets.
- ii. There were four RHWS where asbestos could be deposited, detailed in paragraph 22 of the report and a permit was needed to do so. Guidance was included on the County Council's website. Disposal of asbestos was included in the 'free allowance' for households under the government's revised legislation, and quantities over and above this limit would be charged at £10/sheet.
- iii. Staff at the RHWS were well trained to support and guide the public with appropriate sizes and limits that were included in the 'free' allowance, to avoid ambiguity. Additionally, a reference bin was used at each site for measuring quantities.

The Cabinet Lead Member for the Environment and the Green Agenda recognised the impact of the revised legislation on residents. He emphasised that the changes were due to new national legislation introduced by the Government and asked residents to be kind and respectful to staff who were ensuring that the law was adhered to.

RESOLVED:

That the revised approach to accepting construction and demolition waste from households at the Council's Recycling and Household Waste Sites following the Government's legislative change, be noted.

56. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Committee would be held on Thursday 13 June 2024 at 2:00pm.

This page is intentionally left blank



**ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND SCRUTINY
COMMITTEE – 13 JUNE 2024**

**PERSISTENT ORGANIC POLLUTANTS IN WASTE UPHOLSTERED
DOMESTIC SEATING**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of Report

1. The purpose of this report is to provide an update to the Environment and Climate Change Overview and Scrutiny Committee on the first year of operation of separately collected and treated Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs).

Policy Framework and Previous Decisions

2. As a waste disposal authority, the County Council is required, under the Environmental Protection Act 1990, to provide places for residents to deposit household waste and to dispose of the waste deposited. The Council is also required to arrange for the disposal of waste collected by the Waste Collection Authorities (WCAs) which in Leicestershire are district councils.
3. The Council's Strategic Plan outlines the five key outcomes for 2022 to 2026. The 'Safe and Well' outcome aims to ensure that people are safe and protected from harm and live in a healthy environment, and the 'Clean and Green' outcome aims to protect the environment. Ensuring that WUDS containing POPs are treated in a compliant manner supports these outcomes.
4. The Committee previously considered a report on WUDS at its meeting on 2 March 2023. At that time, there was limited information available about the impact of the requirements and so the Committee requested an update on the first year's impacts to be presented at a future meeting.

Background

5. POPs are chemicals that remain intact in the environment for long periods of time, become widely distributed geographically, accumulate in the fatty tissues of humans and wildlife, and have harmful impacts on human health and on the environment. There is an international agreement, the Stockholm Convention, under which the UK has committed to manage waste containing POPs in a way that prevents these impacts from occurring.

6. Following an investigation by the Environment Agency (EA), it was confirmed that there was a widespread presence of large quantities of POPs and other hazardous chemicals in both the textiles and foam of upholstered domestic seating, such as in flame retardant covers. It was not known that POPs were present in WUDS until the EA undertook their investigation.
7. The law requires that POPs in waste are destroyed to prevent lasting environmental harm and impacts on the food chain. A limited number of options for the permitted disposal of POPs are set out in Part 1 of Annex 5 of Regulation (EU) 2019/1091. Waste containing POPs must be incinerated or used as a fuel, for example, in a cement kiln, and POPs cannot be disposed of to landfill. The EA set out that this position would be enforced from 1 January 2023.

Current position / impact on services

8. The Council has complied with the EA's requirements by introducing WUDS containers at most of the Leicestershire Recycling and Household Waste Sites (RHWS), to segregate WUDS from other bulky wastes. WUDS items are classified as any upholstered domestic seating or associated items and can include sofas, sofa beds, settees, armchairs, kitchen and dining chairs, stools, footstools, bean bags and floor cushions.
9. Previously, WUDS were not collected separately and WUDS were disposed of as mixed bulky waste loads to landfill or for refuse derived fuel.
10. The WCAs are now also collecting WUDS separately from other bulky waste before it is delivered to the County Council for onward treatment. It is up to each WCA how they organise and whether they charge for their Bulky Waste Collections. Most revised their charges and their approach after the change. The County Council then arranges for WUDS to be delivered to a contractor for processing and ultimately incineration.
11. Due to WUDS previously being collected mixed with other bulky wastes, the tonnage of WUDS requiring treatment was not previously known. The total tonnage (t) of WUDS is however, lower than estimated, being 2,264t in 2023/24 (figure 1). Of this, approximately two thirds (1,500t) was collected from the RHWS. For context, approximately 14,000t of household general waste, excluding WUDS, was collected at the RHWS in 2023.

Month	Tonnes (all sources)
April 2023	201
May 2023	213
June 2023	144
July 2023	186
August 2023	185
September 2023	218
October 2023	194
November 2023	177
December 2023	182
January 2024	196
February 2024	218
March 2024	150
Total	2,264

Figure 1. Tonnage of WUDS collected per month in 2023/24 from the RHWSs and WCAs.

12. The majority of the RHWS continue to accept WUDS and the operational changes have been successfully introduced. Site staff are working hard to ensure that there is effective segregation and that non-WUDS waste is prevented from being deposited in the WUDS containers. However, Bottesford RHWS and Somerby RHWS are unable to accept WUDS due to having insufficient space to accommodate an additional container - customers are advised to use alternative RHWS that can accept WUDS. For operational reasons, Lutterworth RHWS was initially unable to accept WUDS, but WUDS have now been accepted since April 2023.
13. The service continues to monitor the treatment market for WUDS and explore options for new outlets to ensure the resilience of treatment options for this waste. The regulatory position will also continue to be monitored in relation to potential changes to Regulatory Position Statements (RPS) issued by the EA. The direct impact on the Council should be low, as not all RPS are applicable to the Council's operations. For contractors utilising the RPS for the shredding of WUDS, a more realistic timetable of 1 December 2025 (subject to them meeting monitoring requirements) has been set by the EA to allow more time for the installation of enhanced emission abatement equipment.

Resource Implications

14. It was previously estimated that the cost of separating and treating WUDS in accordance with the new guidance from the EA could be up to three times the previous cost per tonne. This could have equated to additional ongoing costs of £0.5m to £1.25m each year, primarily linked to increased haulage and treatment costs. Costs have been lower than the £0.5m to £1.25m estimated in the previous report to the Committee in March 2023, primarily due to lower tonnages of WUDS being collected and work taking place to minimise costs.
15. The additional treatment, haulage and handling cost in 2023/24 is estimated at £450,000. Haulage costs are higher due to lower average weights achieved per container, as the ability to compact WUDS is limited at smaller sites and in general

under the EA guidance. The Government has not made funding available to cover increased costs.

16. An additional cost of £350,000 in 2024/25 is built into the current Medium Term Financial Strategy. Work continues to generate efficiencies by optimising haulage and treatment (e.g. more use of waste transfer). These measures will seek to ensure the Council's overall 2024/25 treatment and haulage costs for WUDS will be lower when compared to 2023/24.
17. The Director of Corporate Resources and Director of Law and Governance have been consulted on the content of this report.

Conclusions

18. Members are asked to note the update provided on the first year of operation of separately collected and treated Waste Upholstered Domestic Seating containing Persistent Organic Pollutants.

Background papers

Report to the Environment and Climate Change Overview and Scrutiny Committee, 2 March 2023, Persistent Organic Pollutants In Waste Upholstered Domestic Seating, <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1292&MId=7148&Ver=4> (item 57)

Report to the Environment and Climate Change Overview and Scrutiny Committee, 19 January 2023, Medium Term Financial Strategy 2023/24-2026/27 <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1292&MId=7147&Ver=4> (item 42)

Circulation under the Local Issues Alert Procedure

19. None.

Equality Implications

20. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

21. There are no human rights implications arising from the recommendations in this report.

Officers to Contact

Ann Carruthers
Director, Environment and Transport
Tel: 0116 305 7000
Email: Ann.Carruthers@leics.gov.uk

Joanna Gyll
Assistant Director, Environment & Waste Management
Tel: 0116 305 8101
Email: Joanna.Gyll@leics.gov.uk

This page is intentionally left blank



**ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND
SCRUTINY COMMITTEE – 13 JUNE 2024**

COLLECTION AND PACKAGING REFORMS

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of the Report

1. The purpose of this report is to provide the Environment and Climate Change Overview and Scrutiny Committee with a summary of the Government's recent policy announcements on the Collection and Packaging Reforms (CPRs).

Policy Framework and Previous Decisions

2. In 2018, the Government released its Resources and Waste Strategy for England (Our waste, our resources: a strategy for England) which sets out key objectives for dealing with waste at a national level, promoting resource efficiency and aiming to establish a circular economy where products are used again and again or for longer through reuse, repair and recycling. It also commits to doubling resource productivity, eliminating avoidable waste of all kinds by 2050 and reflects the ambition of a core pledge in the Government's 25-year Environment Plan to leave the environment in a better condition for the next generation.
3. Following this, the Environment Act was passed into law in 2021 which paves the way for key waste reforms setting out how Government policy will be implemented. The Act supports transition to a more circular economy, incentivising people to recycle more, encourages businesses to create more sustainable packaging and supports the achievement of a 65% recycling target for municipal waste by 2035. It sets legally binding targets for areas covering air quality, water, nature and biodiversity and waste and resource efficiency including a legislative target to halve the amount of residual waste per person (excluding mineral waste) that is sent to landfill and incineration for England by 2042 compared with 2019 levels.
4. Legislation in the Environment Act 2021 will enable waste reforms such as a consistent set of recyclables through simpler recycling, a deposit return scheme for single use drinks containers and extended producer responsibility for packaging which makes producers pay the full net costs of managing packaging, including the recycling and disposal. Collectively, these three waste reforms are known as the CPRs and introduce major changes to how waste is paid for and collected.

5. The Government published the Net Zero Strategy in 2021 committing action towards the near elimination of biodegradable municipal waste to landfill from 2028 and providing separate food waste collections for all households from 2025.
6. The waste reforms support the objectives of the Council's Environment Strategy 2018-2030, Net Zero Leicestershire Strategy and the Clean and Green outcome within the Council's Strategic Plan 2022-2026.
7. The recently adopted Leicestershire Resources and Waste Strategy 2022-2050 (LRWS) considered the potential forthcoming legislative changes and these are reflected accordingly within the Strategy. The LRWS is a joint strategy for the County Council and the seven Leicestershire district councils, which collectively comprise the Leicestershire Waste Partnership.

Background

8. The CPRs, comprise:
 - a) Extended Producer Responsibility (EPR): designed to introduce more recyclable packaging into the system.
 - b) Deposit Return Scheme (DRS): designed to recycle plastic bottles and other drinks containers.
 - c) Simpler Recycling: designed to increase recycling through local authority waste collections.

Extended Producer Responsibility for packaging

9. The EPR is an environmental policy approach through which a producer's responsibility for a product is extended to the post-use stage. This incentivises producers to design their products to make it easier for them to be reused, dismantled and/or recycled at end of life.
10. In 2019, the Government set out the case for significant reforms to the packaging responsibility system, including making producers pay the full net cost of managing packaging once it becomes waste, setting more ambitious targets for producers and introducing clear and consistent labelling for recyclability. The draft regulations, which implement these reforms, have recently been consulted on and the Government has considered the responses to the consultation and made amendments as appropriate.
11. EPR activities include the following:
 - a) EPR will be implemented in a phased manner from 1 October 2025 focussing on payments for household packaging waste and 'on the go' packaging in street bins. No payments will be made in England and Northern Ireland for packaging waste that is littered.

- b) Modulated fees based on the ease of recyclability of packaging will be introduced from 2026 (i.e. less recyclable packaging will attract higher fees).
 - c) Mandatory take back scheme for the collection and recycling of fibre based composite cups (disposable coffee cups) will be implemented from 2025.
 - d) Payments to cover commercially collected packaging waste will not be introduced straightaway. A cross-sector task force will be established to develop evidence, undertake analysis, and identify options.
 - e) Mandatory labelling of packaging for recyclability with a single labelling format – the use of the ‘Recycle Now’ recycle mark and relevant wording (recycle/do not recycle) will be required by 31 March 2027.
 - f) All compostable and biodegradable packaging will be required to be given the ‘do not recycle’ label allowing time to build evidence that it can be collected and composted separately.
 - g) Necessary costs – costs in scope must be necessary in collecting, managing, recycling and disposing of household packaging and connected to the delivery of efficient and effective systems.
 - h) A Scheme Administrator will set out how it proposes to calculate costs associated with efficient and effective services, both for the recycling and residual household packaging waste streams, and what considerations should be made in assessing efficient and effective systems and local authority performance.
 - i) Payments will be made directly to the authorities that incurs costs associated with their management functions with disposal authorities in two-tier areas (England only) receiving the disposal cost element of the residual payment, unless other arrangements have been made between authorities. Payments to be made quarterly in arrears, on a financial year basis.
 - j) An EPR Statutory Instrument has been developed. The consultation on the draft Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 closed on 9 October 2023.
12. Potential for other waste streams to be considered for EPR in the future include textiles and bulky waste (such as mattresses, carpets, furniture etc).
13. Payments will be provided to authorities for the cost of collecting and managing household packaging waste through effective and efficient services and the Department for Environment, Food and Rural Affairs (Defra) aims to communicate to individual local authorities a final estimate amount of payment for the 2025/26 payment year by 1 November 2024. The final amount will be

confirmed in 2025 and authorities will receive their first payments by the end of December 2025.

Deposit Return Scheme

14. A DRS for drinks containers is a system where consumers are charged a deposit up front when they buy a drink in a container that is 'in scope' of the scheme. The deposit can be redeemed when the empty container is returned to a designated return point.
15. The DRS for drinks containers is due to launch in October 2027 with the aim to increase recycling rates, increase the quality of recycling and reduce litter.
16. Consumers will be able to return drinks containers to designated points (via reverse vending machines or manual return points) and redeem the deposit that was paid upfront when purchasing the container. The deposit level will be set by the Deposit Management Organisation, the central body whose role is to administer the operation of the DRS.
17. All UK nations will be including Polyethylene terephthalate (PET) drinks bottles (such as fizzy drink bottles) and steel/aluminium drinks cans. For all materials in scope the size is 150 ml to 3 litres. Glass and HDPE (milk) bottles are not included in the scheme (though remain in scope of packaging EPR).
18. A small proportion of DRS containers will continue to remain in local authority waste streams such as kerbside collections and household waste recycling centres where a consumer decides to forego their deposit.
19. The Government has confirmed that local authorities (and where relevant waste operators) can participate in the scheme by separating out containers and redeeming the deposit on them providing they meet the quality required for return. The financial implications are not yet fully understood.

Simpler Recycling

20. Formerly known as 'Consistency in Collections' but retitled 'Simpler Recycling' following a Government update. The aim of Simpler Recycling is to:
 - a) Improve the quantity and quality of municipal waste recycled in England.
 - b) Improve recycling rates and ensure less waste goes to landfill.
 - c) Help to tackle environmental impacts of food and plastic waste.
 - d) Reduce confusion and make recycling easier.
 - e) Help grow the UK recycling industry and ensure more recycled material in purchased products.
21. Across England, people will be able to recycle the same materials and the Government will introduce exemptions to all councils to offer just three waste containers (bins, boxes or bags) for dry recycling, food waste and residual (non-recyclable) waste.

22. From 31 March 2026 (with the exception of plastic films which will need to begin by 31 March 2027), all local authorities in England must collect the same recyclable waste streams for recycling or composting from households.
23. The dry recyclable waste streams include:
 - a) Paper and card;
 - b) Plastic (including bottles, pots, tubs and trays, tubes, cartons, films and flexibles);
 - c) Glass packaging (including bottles and jars);
 - d) Metal (including tins and cans, aerosols, aluminium tubes, foil and food trays).
24. It is the responsibility of local authorities to arrange for the collection of garden waste for which they may levy a charge. They must also arrange for a weekly collection of food waste, which ideally will go for anaerobic digestion.
25. All non-household municipal premises in England (such as businesses, schools and hospitals), must make arrangements to have the same set of recyclable waste streams (with the exception of garden waste) collected for recycling or composting by 31 March 2025.
26. Through statutory guidance, the Government requires local authorities to collect residual (non-recyclable) waste at least fortnightly, if not more frequently. The Government actively encourages councils to collect residual waste more frequently than fortnightly – this minimum standard provides a backstop, not a recommendation.

Funding

27. The Government recognises that the CPRs will impose additional costs on local authorities and has indicated that the costs of new statutory duties for authorities should be covered in line with Government guidance on new burdens¹. Funding will be through a combination of the following:
 - a) Reasonable new burdens funding to local authorities to provide weekly food waste collection from households. Funding will include capital costs (such as vehicles and containers), as well as resource costs (such as vehicle re-routing, communications and project management) and ongoing service costs (such as collection costs). A funding formula is being developed and capital costs will be paid to local authorities implementing a food waste service after 1 April 2023. The capital funding allocations have been confirmed and received by the waste collection authorities.
 - b) EPR for packaging payments will be provided to local authorities, with packaging producers responsible for the costs of collecting and managing

¹ Broadly a new burden is defined as any policy or initiative which increases the cost of providing local authority services. This includes duties, powers or any other changes which may place an expectation on local authorities including new guidance.

packaging waste through efficient and effective services. Payments' modelling is currently under way.

- c) Waste collection authorities may, as they can now, recover a reasonable charge for the collection of garden waste.

Resource Implications

28. The financial implications of complying with any future changes will be subject to full financial scrutiny, either as part of individual business cases or as part of future budget setting via the Medium Term Financial Strategy (MTFS) process. The impact of EPR and food waste implementation is included in the MTFS 2024/25 – 2027/28. The figures below are initial estimates produced by the Council pending release of Defra's calculation methodology.

	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000
EPR for Packaging	0	-345	-745	-745
Food Waste Implementation	0	130	-70	-185

Table 1: MTFS – Environment and Waste Cost and/or Efficiency Savings/Income (-)

29. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Timetable for Key Dates

Key Targets/Milestones/Commitments	Date
EPR payments to begin	2025
Mandatory Take Back for fibre based composite cups	2025
Collection of dry recyclables and food waste from non-household municipal premises in England (such as businesses, schools and hospitals). Micro firms (businesses with less than 10 Full Time Equivalent staff by 2027)	2025
Collection of dry recyclables and food waste from households	2026
DRS commencement	2027
All packaging types to be labelled as 'recycle' or 'do not recycle'	2027
Collection of plastic film and flexibles from households	2027
65% recycling rate for municipal solid waste	2035

Key Targets/Milestones/Commitments	Date
Municipal waste to landfill 10% or less	2035
Residual waste (excluding major mineral wastes) to be 287 kilograms per capita, equivalent of 50% of 2019 levels	2042
Eliminate avoidable waste	2050
Double resource productivity	2050

Table 2: Timetable for Implementation

Conclusions

30. Officers continue to fully engage where appropriate to understand the implications of these policy changes including engaging with key stakeholders. Full cost implications remain uncertain but the recently adopted LRWS sets a robust policy position for an imminent period of substantial change (2025 – 2027), longer-term goals and will help deliver on Net Zero priorities.
31. Members are asked to note the summary provided of the Government's recent policy announcements on the Collection and Packaging Reforms.

Background Papers

7 March 2019 – Environment and Transport Overview and Scrutiny Committee – Resources and Waste Strategy
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1044&MID=5703> (item 161)

3 September 2021- Environment and Climate Change Overview and Scrutiny Committee – Briefing on the Resources and Waste Strategy
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1292&MID=6686> (item 10)

Circulation under Local Issues Alert Procedure

None.

Equality Implications

32. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

33. There are no human rights implications arising from the recommendations in this report.

Officers to Contact

Ann Carruthers
Director, Environment and Transport Department
Tel: (0116) 305 7000
Email: Ann.Carruthers@leics.gov.uk

Joanna Gyll
Assistant Director, Environment and Waste Management
Tel: (0116) 305 8101
Email: Joanna.Gyll@leics.gov.uk