



CABINET – 14 DECEMBER 2021

**LEICESTERSHIRE MUNICIPAL WASTE MANAGEMENT STRATEGY
– PUBLIC CONSULTATION**

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of the proposed approach to public consultation concerning the review of the Leicestershire Municipal Waste Management Strategy (LMWMS). The LMWMS sets out how the Leicestershire Waste Partnership (LWP) intends to manage municipal waste. It is intended that the revised Strategy will be re-named as the Leicestershire Resources and Waste Strategy, but the Strategy is being referred to by its current title for the purpose of this report.
2. The Cabinet is also asked to authorise the Director of Environment and Transport to approve the final versions of the documents to accompany the public consultation, namely the headline Strategy, the options appraisal report and the environmental report. These are all currently in draft format. Appended to the report are the options modelled in the options appraisal report, the assessment criteria and the overall results of the evaluation.

Recommendations

3. It is recommended:
 - a) That the proposed approach to the consultation on the review of the Leicestershire Municipal Waste Management Strategy as set out in the report and the appendix, be approved;
 - b) That subject to a) above, the Director of Environment and Transport be authorised to finalise the necessary consultation documents;
 - c) That it be noted that a further report will be considered by the Cabinet in the summer of 2022 detailing the outcome of the consultation and seeking approval of a final Strategy.

Reasons for Recommendation

4. To support the process of a full review of the LMWMS, a public consultation should be undertaken for a period of 12 weeks.
5. Each authority within the Leicestershire Waste Partnership (LWP), which comprises the County Council, the seven district councils in Leicestershire, and the City Council (as an associate member), is in the process of seeking approval to the approach for the public consultation which forms part of the process of a formal review of a Joint Municipal Waste Management Strategy as per Government's guidelines. Subject to approval by the Cabinet and the other LWP partners, the 12-week consultation period will commence in January 2022.
6. The documents outlined in paragraph 28 of this report are currently being finalised and are subject to further review. Due to timings (the next Cabinet meeting is not due to take place until February 2022), delegation is therefore sought to enable the Director of Environment and Transport to approve the supporting documentation on behalf of the Authority before the consultation begins.

Timetable for Decisions (including Scrutiny)

7. It is expected that all partner authorities will consider the approach to the public consultation during December 2021 or early January 2022.
8. Subject to the support of all partner authorities, it is anticipated that the public consultation process will be launched during January 2022. A report will be presented to the Climate Change Overview and Scrutiny Committee as part of the consultation exercise on 1 March 2022.
9. A final report detailing the outcome of the consultation exercise and presenting a new Strategy for approval will be considered by the Cabinet in summer 2022.

Policy Framework and Previous Decisions

10. Under the Waste and Emissions Trading Act 2003, all two-tier authorities are required to have in place a Joint Municipal Waste Management Strategy for the management of municipal waste within their areas.
11. The LMWMS sets out how the LWP intends to manage municipal waste. The Strategy, originally agreed in 2002, was last updated in 2011. The 2011 LMWMS, which was approved by the County Council on 23 May 2012, covered the period up to 2020. The Government's guidance suggests that municipal waste management strategies should be completely reviewed every five years to ensure they remain current.
12. Due to lack of national guidance published for the period beyond 2020, consultants were commissioned during 2016 to appraise the Strategy development options and identified that a Waste Disposal Authority Plan was

the most appropriate action to be taken forward by the County Council. The Plan was needed by the County Council to provide an updated strategic basis to support the Council's waste management procurement plans and other decisions ahead of a full review of the LMWMS.

13. The LMWMS supports the objectives of the Environment Strategy 2018-2030 and the strategic outcome of a Clean, Green Future within the proposed Council's Strategic Plan 2022-2026.

Resource Implications

14. The public consultation exercise is being funded from a pre-existing Leicestershire Waste Partnership budget. The future adoption of the vision, objectives and pledges will not result in any direct financial implications for the County Council at this stage. However, implementation of the Strategy options which mirror Government regulations and legislative policies, will have a financial implication which will be considered as part of the budget management process. At present cost implications remain uncertain although the Government has stated that it is committed to funding new burdens placed on local authorities.
15. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

Circulation under the Local Issues Alert Procedure

None.

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PART B

Background

16. The first LMWMS was adopted by the LWP in 2002. In 2006 it was comprehensively reviewed including a public consultation and full Strategic Environmental Assessment (SEA). The Strategy was subsequently updated in 2011 to reflect changes in performance and the economic climate since 2006 but maintained the objectives of the 2006 Strategy.
17. The LWP have commissioned Frith Resource Management (FRM) to undertake a full review of the Strategy.
18. The national Resources and Waste Strategy (RWS) was released in 2018. It focuses on known problems with effective solutions that will reduce reliance on single use plastics, cut confusion over household recycling and tackle the problems of packaging and end food waste.
19. The RWS outlines how the Government aims to make the UK more resource efficient and to move towards a circular economy which keeps resources in use for longer. The RWS covers the period until 2050 and includes the Circular Economy Package target of 65% recycling rate of municipal solid waste by 2035.
20. Following on from the publication of the national RWS, two rounds of consultations were released with local authorities identified as key stakeholders. These included proposals that are expected to affect local waste services including mandatory weekly food waste collections, free garden waste collections, the introduction of a deposit return scheme for single use drinks containers, extended producer responsibility for packaging (this is in essence where the full cost of collection, recycling and disposing of packaging is met by the producers of the packaging), and a move towards consistent waste collections by all local authorities. The results of the second round of consultations have not yet been published.
21. Legislation to enable the policy changes within the RWS are contained within the Environment Act which received Royal Assent on 9 November 2021.
22. The review of the LMWMS has considered the potential forthcoming legislative changes and these are reflected accordingly. It is important to note the Strategy is high-level and therefore non-site specific.

Joint Municipal Waste Management Strategy Review Process

23. The purpose of a joint municipal waste management strategy is to:
 - a) Identify the baseline position;
 - b) Outline where partners want to be and when by;

- c) Articulate how this will be achieved.

24. To achieve the above the following steps are being undertaken:

Strategy Review Steps	Outputs
Production of a detailed project plan	Project Plan
Project planning, gap analysis, data analysis	Baseline Report
Undertake full Equalities and Human Rights Impact Assessment	Equalities and Human Rights Impact Assessment
Agree objectives and options and options assessment criteria	Draft Options Appraisal Report and Draft Headline Strategy
Strategic Environmental Assessment (SEA)	Scoping Report and 5-week statutory consultation; Draft Environmental Report
Public Consultation	Public Consultation Report
Finalisation of Strategy	Final Headline Strategy
Action Plan	Final Action Plan

Proposed Public Consultation Approach

25. It is intended that a 12-week public consultation will commence in January. It is an important part of the strategy review process and will seek views on the vision, objectives and pledges within the draft Strategy and enable partners to gain valuable insight into waste prevention, reuse and recycling behaviours which will inform the development of the final Strategy and future initiatives.
26. The consultation exercise will consist of an online questionnaire which will be available via the County Council's 'Have your Say' webpage and partners' websites. In addition, targeted communications will be undertaken to seek the views of stakeholders. The use of focus groups to enable more in-depth discussion will also be considered.
27. As mentioned previously, it is intended to re-name the Strategy to reflect the Government's documents and current terminology and the consultation will accordingly refer to the Leicestershire Resources and Waste Strategy.
28. The full suite of documents for public consultation, which are currently under review, comprise:
- a) The draft headline Strategy,
 - b) The draft options appraisal report – evidence behind service changes/pledges within the headline Strategy,
 - c) The draft environmental report – from the SEA process,
 - d) Summary document.

Headline Strategy

29. The draft headline Strategy will be the main focus of the consultation and be accompanied by a series of consultation questions. The updated draft describes the approach that the LWP will take in delivering recycling and waste management services from 2022 to 2050. The vision of the Strategy is: *“To work towards a circular economy and contribute to achieving net zero carbon by 2050 in Leicestershire. This means fully embracing the waste hierarchy by preventing waste and keeping resources in circulation for as long as possible through reuse, repair and recycling, to realise their maximum value whilst minimising environmental impacts”*.
30. The vision is supported by specific Strategy objectives and a range of pledges that sit alongside forthcoming national changes, setting a direction for long-term management of material resources for the benefit of Leicestershire residents and communities.
31. The pledges contained in the draft Strategy are:
 - 1) All councils within the Partnership will review their purchasing activities and internal waste management services to seek to promote waste prevention, reuse and recycling to support the objectives of this Strategy and lead by example.
 - 2) The Partnership will support and encourage waste prevention activity across LWP. This will include working with stakeholders, residents and communities to prevent unnecessary waste arising, for example through food waste reduction campaigns such as Love Food Hate Waste.
 - 3) The Partnership will continue delivering reuse services and expand activities where practicable, working in partnership with other stakeholders and to signpost to places that advocate for waste prevention and reuse, in support of developing a circular economy. This includes a pledge to continue to improve the collection of items for reuse at Household Waste Recycling Centres and explore the development of re-use shops at suitable sites.
 - 4) The Partnership will implement and promote separate food waste collections to all households, subject to confirmation of the Government’s policy, legislation and the provision of funding. This will be as soon as possible when contracts and circumstances dictate. The County Council will procure anaerobic digestion capacity to treat the collected food waste in a manner that contributes to effective carbon emissions reduction across the County and improves soil quality.
 - 5) The Partnership will explore the use of alternative fuels for collection vehicles and the transportation of waste and resources to further reduce carbon emissions of the service and improve air quality.

- 6) The Partnership will continue to offer a garden waste collection system to Leicestershire residents and will follow the Government's guidelines as to the form of the collection and will be subject to legislation and total Government funding. The Partnership will continue to procure composting capacity to treat the collected garden waste in a manner that supports carbon reduction and improves soil quality.
- 7) The Partnership shall ensure that the full range of recyclables (as specified by the Government and subject to funding) are collected from residents (and businesses where applicable) across Leicestershire by 2025, or as soon as possible when contracts and circumstances dictate.
- 8) The Partnership shall continue to explore the viability of adding extra materials to recycling collections (e.g. for batteries, small electric goods or clothing) aiming to keep Leicestershire performance above the national average.
- 9) The Partnership will put in place collection systems to contribute towards the achievement of the national 65% recycling target by 2035. This may include restricting residual waste capacity to encourage greater materials separation, carbon savings and resource recovery. Improvements in materials recovery at Household Waste Recycling Centres will also contribute towards the national target.
- 10) The Partnership will continue to allocate a communications budget sufficient to help promote good recycling behaviour and maximise resource recovery to support the circular economy and low-carbon objectives of this Strategy.
- 11) The County Council will reduce waste sent to landfill to less than 5% by 2025, well in advance of the 10% national target by 2030. The County Council will undertake future procurement processes for residual waste treatment (alternatives to landfill) in line with the vision and objectives of this Strategy.

Options Appraisal

32. In developing the draft Strategy, nine options were modelled, seven of which take account of anticipated service changes following the Government consultations and are set out in the Appendix to this report along with further details including the chosen assessment criteria and the overall results. The option which performed the best overall was Option 5a which is the revised baseline with the further anticipated Government measures included as well as the inclusion of restricted residual waste collected in 140L wheeled bins.

Strategic Environmental Assessment

33. An assessment of how a strategy meets the aims of sustainable development can be delivered through an approach known as Strategic Environmental Assessment (SEA). It is a framework for ensuring that environmental and

sustainability impacts are integrated into high-level policy, planning and programme making.

34. The first stage of this process was to scope out the key sustainability issues relevant to the LMWMS and the geographical area of Leicestershire. There were two workshops held with officers from the partner authorities where key sustainability issues were agreed along with sustainability objectives and assessment criteria. These elements were captured in an SEA scoping report.
35. The Statutory consultees (the Environment Agency, Natural England and Natural Heritage) were consulted on the SEA scoping report over a five-week period between 2 August and 6 September 2021. The comments received from these organisations were addressed and the draft Environmental Report was updated. The draft Environmental Report identifies, describes and evaluates the likely significant effects on the environment from the LMWMS. The public and the statutory consultee bodies must be consulted on the Environmental Report.

Equality and Human Rights Implications

36. An Equality and Human Rights Impact Assessment (EHRIA) Screening has been undertaken and concludes that the review of the LMWMS will be subject to a full EHRIA, the findings of which will be included in the Cabinet report scheduled for summer 2022.

Background Papers

Report to the County Council on 23 May 2012: Leicestershire Municipal Waste Management Strategy Update 2011

<http://politics.leics.gov.uk/ielssueDetails.aspx?Ild=31065&PlanId=0&Opt=3#AI31186>

Appendix

Options Modelled