



CABINET – 25 OCTOBER 2022

TREATMENT OF POST-2020 RESIDUAL WASTE PROCUREMENT

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet on the procurement of capacity for the treatment of residual household waste (i.e., waste that cannot be disposed of through re-use, recycling, or composting).

Recommendations

2. It is recommended that the award and anticipated signing of the contract with Biffa Waste Services Ltd. (Biffa) is noted.

Reason for Recommendations

3. The Director of Environment and Transport was authorised to procure and secure capacity for residual waste treatment and disposal from April 2020 and has kept the Cabinet informed of progress with this work.

Timetable for Decisions (including Scrutiny)

4. In November 2021, the Council awarded the Treatment of Post-2020 Residual Waste Contract to Biffa. The resulting contract is due to be signed imminently.
5. Commissioning of the contract is now underway prior to the contract being fully operational from 1 April 2023.

Policy Framework and Previous Decisions

6. The Council's Strategic Plan (2022-2026) commits the Council to manage waste in accordance with the waste hierarchy i.e., preventing waste, reusing waste, recycling waste, recovering value from waste and finally disposing of waste. The Strategic Plan requires the Council to monitor its success using the percentage of waste landfilled.
7. The Leicestershire Municipal Waste Management Strategy (LMWMS) was adopted by the Council in 2012. It set out how the Leicestershire Waste

Partnership (consisting of the Council and seven Leicestershire district councils) intended to manage municipal waste up to 2020.

8. The LMWMS is currently under review. Following public consultation, a draft Resources and Waste Strategy (RWS) has been produced which sets out how the Leicestershire Waste Partnership intends to manage waste up to 2050. Further detail regarding the draft RWS can be found in the background papers listed in Part B of this report.
9. The Council's Waste Disposal Authority Plan (2018) which runs up to 2030, supports its waste management approach in advance of the completion of the review of the LMWMS.
10. In December 2016, the Cabinet considered options for the treatment and disposal of waste in Leicestershire after 2020 and agreed inter alia that the Council should seek to enter into medium-term (i.e., up to 2031) merchanting arrangements to utilise available waste treatment and disposal capacity within the marketplace. The Cabinet authorised the Director of Environment and Transport to procure arrangements as appropriate, for residual waste treatment/disposal.
11. In November 2020 and June 2021, the Cabinet was updated on the progress of the procurement including future key milestones.

Resource Implications

12. This contract will contribute towards a wider savings target of £985,000 by 2023/24, linked to managing the Council's residual waste within the current Medium Term Financial Strategy 2022 to 2026 (approved by the Council on 23 February 2022).
13. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

14. This report has been circulated to all Members.

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PART B

Background

15. The Council has a statutory duty as a Waste Disposal Authority (WDA) to arrange for the treatment and disposal of waste collected in Leicestershire under the Environmental Protection Act 1990 (as amended).
16. In 2020/21, the Council managed circa 175,000 tonnes of residual household waste i.e., waste not sent for recycling, reuse, or composting.
17. In accordance with the national Resources and Waste Strategy, the Council aims to reduce the amount of waste sent to landfill. Reducing waste to landfill will also help the Council meet its commitments in its Environment Strategy 2021-2030, the LMWMS, which is currently under review, and the Waste Disposal Authority Plan.
18. The Council advertised the intention to procure a contract for the treatment of residual waste in July 2019.
19. The procurement process is now complete, and following contract award, the resulting Treatment of Post-2020 Residual Waste Contract is due to be signed with Biffa imminently.
20. In parallel to contract signing, the legally required and publicly available Contract Award Notice is also due to be issued by County Council.
21. The Treatment of Post-2020 Residual Waste Contract utilises capacity within the Biffa Newhurst Energy from Waste (EfW) facility. Further information about the Newhurst EfW facility is provided in the appendix to this report.

Carbon/Environmental Policy considerations

22. As stated previously, the review of the LMWMS has resulted in the production of the draft Resources and Waste Strategy (RWS). The draft Strategy includes objectives and pledges that aim to align with, and contribute to, future national policy changes.
23. The Treatment of Post-2020 Residual Waste will contribute to a number of draft RWS objectives and pledges, namely:
 - a) Objective 3: Reduce carbon emissions from Leicestershire's waste management services.
 - b) Objective 7: Aim to reduce and manage residual waste within the County where this is consistent with the proximity principle and to manage all other waste at the nearest appropriate facility by the most appropriate method or technology.

- c) Strategy Pledge no. 11: The Council will reduce waste sent to landfill to less than 5% by 2025, well in advance of the 10% national target by 2030. The Council will undertake future procurement processes for residual waste treatment (alternatives to landfill) in line with the vision and objectives of this Strategy.

Summary of the Contract

24. The contract with Biffa will:

- a) Contribute towards a wider waste management savings target of £985,000 by 2023/24 as stated within the current Medium Term Financial Strategy 2022 to 2026 (approved by the Council on 23 February 2022).
- b) Become fully operational on 1 April 2023, although 'test loads' of the Council's waste are anticipated to be delivered to the facility before this date.
- c) Provide a service that is resilient to unavailability (i.e., facility closures causing Council waste to be redirected elsewhere) and includes contingency arrangements that are not reliant on landfill.
- d) Minimise the amount of residual waste landfilled by using a highly efficient waste treatment facility which moves the Council's management of residual waste up the waste hierarchy i.e., reducing the environmental impact of this waste compared to landfilling.
- e) Provide flexibility to deliver all, currently landfilled, residual 'black bag' waste to the locally situated, Newhurst EfW facility (if it is the most economically and operationally viable solution to accept the waste) as well as the opportunity to vary tonnages to accommodate increases/decreases resulting from operational changes, national waste strategies, general waste growth/reduction, and partnership working with other local authorities for example.
- f) Provide a solution for other residual waste stream materials such as bulky wastes arising from the Council's Recycling and Household Waste Sites.
- g) Provide flexibility to terminate the contract in alignment with other Council residual waste contracts. This will enable the Council to combine all residual waste tonnage if a more economically advantageous solution becomes available or partnership working opportunities with other WDAs arise.

Next Steps

25. The Council will finalise operational arrangements with Biffa.
26. The Council will engage with Waste Collection Authorities, the seven district councils. The Council will ensure that those Waste Collection Authorities

affected are provided with reasonable time to make any adjustments to their collection services in order to deliver waste to the contract and all required health and safety documentation (such as risk assessments and safe systems of work) is communicated and understood by affected parties.

Equality and Human Rights Implications

27. There are no equality or human rights implications arising from the recommendation in this report.

Background Papers

14 December 2021 - Report to the Cabinet: Leicestershire Municipal Waste Management Strategy – Public Consultation
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6449&Ver=4>

22 June 2021 (exempt report) - Report to the Cabinet: Procurement for a Contract for the Treatment of Post-2020 Residual Waste – Urgent Action Taken By The Chief Executive
<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6444>

20 November 2020 - Report to the Cabinet: Residual Waste Procurement
<https://bit.ly/3CugU26>

13 December 2016 - Report to the Cabinet: Waste Post-2020
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=4608>

23 May 2012 - Report to the County Council: Leicestershire Municipal Waste Management Strategy Update 2011
<http://politics.leics.gov.uk/ieIssueDetails.aspx?IId=31065&PlanId=0&Opt=3#AI31186>

Appendix

Background Information Regarding the Newhurst Energy from Waste Facility

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