

SCRUTINY COMMISSION - 28 MARCH 2012**LEICESTERSHIRE MUNICIPAL WASTE MANAGEMENT STRATEGY UPDATE
2011****REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT****Purpose of report**

1. The purpose of the report is to seek the views of the Scrutiny Commission on the update of the Leicestershire Municipal Waste Management Strategy (LMWMS).

Policy Framework and Previous Decision(s)

2. The LMWMS forms part of the Council's Plan Framework, and therefore approval is subject to a decision by the County Council at its meeting on 23rd May 2012.
3. Under the Waste and Emissions Trading (WET) Act 2003, all local authorities are required to have in place a joint strategy for the management of their municipal waste. The current LMWMS was adopted in 2006 by all of the Leicestershire Waste Partnership (LWP) local authorities, including the County Council on 12th July 2006.
4. The updated LMWMS was recommended for adoption by Partner Authorities by Leicestershire's Environment Board on 8th February 2012.

Background

5. The first LMWMS was adopted by the LWP in 2002. The LMWMS was significantly revised in 2006, covering the period up to 2020. Since 2006, the LWP has made considerable improvements in performance, including increasing recycling and composting performance (National Indicator 192) from 42.68% in 2006/07 to 54.02% in 2010/11.
6. It was intended that the LMWMS would be subject to a major review every 5 years. As scheduled, the review of the LMWMS began towards the end of 2009. However, the process was subsequently put on hold for a number of months pending the outcome of the Government Review of Waste Policy in England and Leicestershire County Council's decision on whether to proceed with the long term waste treatment procurement project following the withdrawal of Private Finance Initiative (PFI) credits in October 2010 as part of the comprehensive spending review.
7. In September 2011, the Member Steering Group (MSG) of the LWP supported a revised approach to the completion of the review of the LMWMS. The revised approach included the production of an 'updated' LMWMS and the retention of

the 2006 Strategic Environmental Assessment (SEA). This approach allowed the LWP to refresh its commitment to joint working and performance improvement without the need for a resource intensive full scale review.

8. The update was undertaken by officers with the support of an external consultant providing quality assurance and technical advice. In addition, the consultant carried out a screening process and found that there were 'no significant environmental impacts from the update to the Strategy' and therefore a new SEA was not required. The statutory consultees (the Environment Agency, English Heritage and Natural England) were consulted for their endorsement of this assessment. The determination that an SEA is not required, the reasons behind this decision and a supporting response from Natural England have been included within a Determination Report, which is publicly available from the Partnership website (www.lesswaste.org.uk).

Leicestershire Municipal Waste Management Strategy Update

9. The attached LMWMS update (Appendix 1) remains broadly consistent with the 2006 Strategy, although the document has been substantially restructured. The update retains the targets from the 2006 LMWMS, including the target to recycle or compost 58% of Local Authority Collected Waste by 2017.
10. The main areas of change are outlined below.
 - a) All performance figures have been updated to reflect the latest audited data (2010/11).
 - b) There have been a number of changes in legislation and policy since the 2006 LMWMS was adopted. The update takes account of these changes including:
 - the inclusion of the updated waste hierarchy, in line with the revised EU Waste Framework Directive;
 - the Government Review of Waste Policy in England 2011, allowing for the expansion of trade waste collection services;
 - the planned removal of the Landfill Allowance Trading Scheme (LATS) after the end of the 2012/13 scheme year.
 - c) Minor modifications have been made to the Vision and Strategy Objectives, and a new Strategy Objective has been added reflecting the increasing importance of carbon as a driver for waste management services:

Objective 12: Continually seek to reduce carbon emissions, including the potential for renewable or low carbon energy generation to improve the impact of the service on climate change.
 - d) A new waste prevention indicator has been added (kilogrammes of household waste per household) as a gauge of the success of waste prevention and reuse activities. The LWP aims to achieve a continuous improvement (i.e. a year on year decrease) against this indicator.

- e) The residual waste treatment and disposal section has been substantially revised to reflect changes including the withdrawal of the PFI credits for the County Council's long term waste treatment procurement project and the planned removal of the Landfill Allowance Trading Scheme (LATS) at the end of 2012/13. The LMWMS update remains 'non-technology specific'. The update commits the County Council to develop a Residual Waste Disposal, Treatment and Transfer Plan to assess future requirements for treatment / disposal capacity for the county's residual waste for the period up to 2020.
- f) The update allows for the expansion of trade waste collection services (particularly to small and medium size enterprises) following the planned removal of the LATS. The LATS has been a barrier to local authorities increasing service provision.

Consultations

- 11. Extensive consultation was undertaken in relation to the 2006 review of the LMWMS. As this version of the LMWMS is an update rather than a revision, remaining consistent with the original aims and objectives of the 2006 LMWMS, no additional consultation was undertaken

Resource Implications

- 12. There will be no additional financial implications; the costs of implementing the updated LMWMS will be met from waste budgets as allocated in the Medium Term Financial Strategy.

Timetable for Decision(s)

- 13. The strategy will be considered by Cabinet on the 3rd April 2012, and the views of the Scrutiny Commission will be reported to the Cabinet at this time.
- 14. The LMWMS forms part of the Council's Plan Framework, and therefore approval is subject to a decision by the County Council at its meeting on 23rd May 2012.

Background Papers

Leicestershire Municipal Waste Management Strategy 2006 – Core Strategy & Action Plan

Report to Leicestershire County Council: 12th July 2006 – Revised Leicestershire Waste Management Strategy

Report to Leicestershire's Environment Board: 8th February 2012 – Leicestershire's Waste Management Strategy

Report to Leicestershire Waste Partnership Member Steering Group: 14th December 2011 – Joint Municipal Waste Management Strategy: update

Circulation Under Local Issues Alert Procedure

15. None.

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List of Appendices

Appendix 1 – Leicestershire Municipal Waste Management Strategy Update 2011

Equal Opportunities Implications

16. The Equalities Impact Assessment (EIA) carried out for the 2006 LMWMS has been updated to reflect the changes in the new document. The EIA does not identify any equality barriers being caused as a result of the update of the LMWMS.

Environmental Implications

17. The SEA screening report concluded that the changes in the LMWMS update would either result in neutral or positive environmental impacts.

Partnership Working and Associated Issues

18. The LMWMS is a joint strategy for the County Council and the seven Leicestershire district and borough councils, which collectively comprise the Leicestershire Waste Partnership (LWP).
19. The LWP operates under a Memorandum of Understanding (MoU). The MoU is an operational document that establishes how the Partners will work together on waste management issues to promote the effective planning and delivery of services. The MoU is not a formal or legally binding contract.
20. The updated LMWMS was recommended for adoption by Partner Authorities by Leicestershire's Environment Board on 8th February 2012.