

BASILDON BOROUGH COUNCIL

Report to: Cabinet
16 March 2023

WASTE STRATEGY – UPDATE

Report by: Cabinet Member for Environment and Carbon Reduction

Supported by: Director of Community and Environment

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Enclosures: Enclosure No.1 - Risk Management Implications
Enclosure No. 2 – Consultation Results
Enclosure No.3 – Waste and Recycling Implementation Plan
Enclosure No. 4 – Service Impact Assessment

EXECUTIVE SUMMARY:

At the 27 November 2019 Neighbourhoods and Public Spaces Committee meeting, Members approved the strategic goals and principles of a revised waste strategy for the borough. There have been various decisions made since that point regarding the development and implementation of the strategy.

This report provides an update on progress to meeting the Council's Waste Strategy, and asks members to consider the outcome of the consultation on the frequency of collection of non-recyclable waste. The report recommends a proposed model for frequency of non-recyclable waste collections and an implementation plan for waste and recycling changes.

The implementation of the proposed changes highlight ways in which the Council's non-recyclable waste collection services can be delivered sustainably for the future.

CORPORATE PLAN AMBITIONS:

Corporate Plan Ambitions

- Place

WARD(S):

All Wards

RECOMMENDATIONS:

- 1) That Cabinet considers the outcome of the public consultation on frequency of collection of non-recyclable waste that was undertaken during February 2023**
 - 2) That Cabinet agree to implement Option 1 as detailed in this report and collect non-recyclable waste on a fortnightly basis t**
 - 3) That Cabinet agree to implement the following adjustments to the non-recyclable waste collection service: a weekly service for flat blocks, additional capacity for those who require it, and a retained sack collection for areas not operationally suitable to have a wheeled bin collection as detailed in this report.**
 - 4) That Cabinet agrees the implementation plan for both non-recyclable waste collections and recycling changes as detailed in Enclosure No.3**
 - 5) That the draft Waste and Recycling Policy be brought to the next meeting of the Cabinet for approval following consideration by Place Scrutiny Committee.**
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BACKGROUND

At the meeting of the former Neighbourhoods and Public Spaces Committee in November 2019, Members approved the strategic goals and principles of a revised waste strategy for the borough. The revised strategy noted a number of key drivers for the way in which Basildon managed the household waste collected within the Borough. These were:

- Forthcoming changes in legislation
- The growth of the Borough
- Enhanced public interest in environmental matters
- An uncertain financial future for local Government

This led to the former Neighbourhoods and Public Spaces Committee approving the creation of cross-party member working group in September 2020. The group met to review existing services and determining options to meet the government's Environment Bill and the Council's Waste Strategy.

In November 2021, the Environment Act became legislation for the UK. The Act is wide-reaching and brings together and updates a number of previous pieces of legislation. It sets the framework for improving waste management and sets long-term targets.

The Act includes legally binding targets for reducing waste to help identify how we can reduce the level of residual waste we produce as a nation. This will include making collections more consistent, including segregated collections of recycling materials.

Whilst there will likely be further secondary legislation in future which details how statutory bodies, including local authorities are likely to be required to deliver against the aims of the Act, the works undertaken so far as part of the Council's revised waste strategy are in line with the requirements of the Act, as currently published.

A part of this secondary legislation came into force in January 2023. Entitled 'The Environmental Targets (Residual Waste) (England) Regulations 2023, the regulations are a statutory instrument which requires the setting of deliverable targets to help reduce the amount of residual waste, on a kg per capita basis by 50% by 2042. This figure will be based upon 2019 levels and will be supported by wider legislation, such as the 65% recycling rate target by 2035 which has already been adopted by the Council.

At 31 January 2022 Leisure and Environment Committee meeting, Members approved a consultation on waste and recycling, which took place during Summer 2022 for a 9 week period.

At 6 December 2022 Cabinet, Members noted the outcomes of the public consultation on waste and recycling held in Summer 2022 and approved to move to reusable sacks for recyclable materials and wheeled bins for non-recyclable waste. The Cabinet also approved the Director of Community and Environment to undertake necessary procurement exercises for residual and recycling collections, including the acquisition and distribution of containers, provided that a report be brought back to a future Cabinet meeting prior to the decision to award any contracts. A full implementation plan was also agreed be brought back to Cabinet for approval.

At the 19 January 2023 Cabinet, Members agreed to undertake a consultation exercise on the frequency of wheeled bin collections.

This report details the outcome of the consultation and recommends proposals for consideration and decision by Cabinet. It also outlines the implementation plan for changes to waste and recycling services and the proposed development of a waste and recycling policy.

It is important to recognise that the council must consider a variety of factors when taking a decision and that each of these factors will have their own weighting. Findings from consultation(s) should be considered in the context of the need to deliver the Council's Waste and Climate Strategies, meeting the requirements of Government's Environment Act and the Council's Medium Term Financial Strategy (MTFS), helping to provide the long-term sustainability of the Council's waste collection service.

2022 Waste and Recycling Consultation

Following a review by the Waste Member Working Group on residual waste collections, it was proposed at the 31 January 2022 Leisure and Environment Committee meeting to undertake a consultation on waste and recycling, which took place during Summer 2022 for a 9 week period. The main proposal for residual waste collections was to move to a wheeled bin for non-recyclable waste. With the main benefits of it having the dual effect of increasing the amount of waste being recycled due to the limited amount of black sacks that can be placed out for each collection, as well as reducing ripped sacks by animals trying to get to food or other waste causing spillages on the streets.

The results presented at the 6 December Cabinet led to the approval of the move to reusable sacks for recyclable materials, and wheeled bins for non-recyclable waste. The cabinet also approved the Director of Community and Environment to undertake necessary procurement exercises for residual and recycling collections..

Residual waste related consultation results are detailed below:

- 5,655 residents responded to the consultation
- 47% strongly supported and 21% supported the introduction of wheeled bins for non-recyclable waste
- 14% were strongly against and 8% were against the introduction of wheeled bins for non-recyclable waste
- On average respondents put out 1.6 black sacks on a weekly basis
- 37% of residents experience black sacks being ripped open on a weekly basis

Non-recyclable waste options

It was agreed at the 19 January Cabinet to consult on the below 2 options for non-recyclable waste collections from wheeled bins, which include weekly and fortnightly collections:

Category	Existing	Option 1 - Fortnightly wheeled bin (180 litre)	Option 2 - weekly wheeled bin (180 litre)
Container	Black Sack	180 litre wheeled bin – 3 to 4 sacks capacity	180 litre wheeled bin – 3 to 4 sacks capacity
Frequency of collection	Weekly	Fortnightly	Weekly
Weekly equivalent residual capacity	Unlimited	90 litres	180 litres
Residual Budget Impact – cost	n/a	£0.285m	£1.030m
Recycling Budget Impact	n/a	-£0.845m	-£0.675m
Total relative financial budget for waste and recycling services	£5.550m	£4.990m	£5.905m
Total budget difference	n/a	-£0.560m (saving)	£0.355m (additional cost)
Container purchase cost (capital)	n/a	£1.738m	£1.738m
Residual tonnage (difference)	39,135	31,168 (-25.6%)	37,916 (-3.11%)**
Recycling rate performance (difference)	44.2%	55.7% (11.5% increase)	47.8% (3.6% increase) **

*The above impact on performance is based on the assumption that the Council have moved to a reusable sack collection for dry recycling following approval at Cabinet on 6th December to move to reusable sacks

**** The assumed performance is base on a 140 litre bin and performance is expected to be under this level**

Option 1 provides the greatest contribution to the borough’s environmental, climate and financial targets. This is due to the huge benefits on our recycling rate, a potential increase of 11.5%, which would achieve our 55% recycling rate target by 2025 as committed by the Council as part of the Circular Economy Package. It would significantly reduce our impact on the environment, reducing the amount of waste going to landfill by a quarter and reducing the amount of Co2e produced by the boroughs waste by 43%.

2023 Non-Recyclable Waste Collection Consultation Results

The non-recyclable waste consultation took place for 4 weeks from the 30 January to 26 February. The consultation had 4,137 number of responses and had fair representation across the borough. The consultation was accessible to all residents through website, roadshow and resident meetings if required.

It focused on the options for frequency of delivery of the service via wheeled bins. There were two main options for consideration, with the results shown against each option:

Option	Strongly Support	Support	Neither Support nor Against	Against	Strongly Against
Option 1 fortnightly wheeled bin (180 litre)	17.4%	18.1%	8.8%	17%	38.7%
Option 2 weekly wheeled bin (180 litre)	40.7%	21%	18.6%	9.4%	10.2%

We also asked residents for feedback on the proposals that are separate from issue of frequency of collection, and will not be impacted by the option that is selected above:

Option	Strongly Support	Support	Neither Support nor Against	Against	Strongly Against
Keep weekly collections for properties that have communal shared bins (typically flats)	45.7%	24.7%	25.4%	1.5%	2.8%
Provide additional capacity to those who require it	42.1%	35.4%	17.6%	2.5%	2.4%
Retain a sack collection for areas that are not operationally suitable for	42.1%	33%	19%	2.5%	3.3%

wheeled bin collections					
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With all consultations, these must be considered alongside other factors such as meeting the requirements of Government's Environment Act, the council's own policy targets and the Council's Medium Term Financial Strategy (MTFS), helping to provide the long-term sustainability of the Council's waste collection service financially and environmentally.

Option 1, although less favourable from the results of the consultation, delivers significant improvements including:

- Meeting government legislation and targets – with a potential of meeting the Circular Economy Package (CEP) recycling rate target of 55% by 2025
- A potential increase in recycling levels of up to 11.5%
- Significantly reduce our impact on the environment – by reducing the amount of waste going to landfill by 25% and reducing our Co2 emissions by 43%
- Limits the impact on the financial position of the service and council – a weekly collection would cost the Council an additional £1m per annum in costs and miss out on significantly more recycling income
- The difference between weekly and fortnightly is £915,000 per annum ongoing. This is not budgeted for and would require significant resources to be identified.
- All non-recyclable waste will be within containers, resulting in fewer ripped open bags and spilt litter
- A 180 litre wheeled bin will provide sufficient capacity to most residents of the Borough, with additional capacity recommended to those who need it
- A retained sack collection is recommended to those areas who cannot operationally accommodate a wheeled bin
- A weekly collection is recommended to be retained for properties with shared or communal bins, i.e. flats

Therefore it is recommended for Cabinet to approve the implementation plan of Option 1, a fortnightly collection of non-recyclable waste based on the below timeline.

Proposed Implementation Plan for Waste and Recycling Changes

The current target for the new services to begin is October 2023. This is due to the contract of mixed recycling processing coming to an end. A detailed delivery plan can be found in **Enclosure No.3**. The target date of being met is subject to:

- Vehicle delivery
- Container tender and distribution
- Material processing

The delivery plan is broken down into a number of sections to help highlight the key milestones and delivery of changes.

Alongside implementation of the new services will be the development of a Waste and Recycling Policy that will be seeking approval by Cabinet in the new financial year 2023/24.

This policy will set out the way in which the service will operate based on the full collection model of the service.

This will help shape the service delivery, embed the right approach to work practices and resident behaviour. It will enable the service to educate and enforce effectively and rollout new services successfully and will align with the Council's overarching Corporate Enforcement Policy

This draft Policy is scheduled for review at the Place Scrutiny Committee in March 2023, with the formal Policy requiring approval by the Council's Cabinet.

OPTIONS

Different size wheeled bin, has not been recommended due to:

- 180 litre being the standard used for collections across the country and would meet the storage requirements of the majority of residents.
- It provides enough capacity for majority of residents but also limits the amount of sacks put out for waste collections which could achieve a 20% reduction in waste going to landfill
- 140 litre bin has been modelled and would likely achieve a 3.1% reduction in tonnage, a 3.6% increase in recycling rate and an 11.8% reduction in Co2 emissions if collected weekly. This option has not been pursued as it is not a container which would meet all collection option requirements as outlined within the body of this report

Weekly collections, has not been recommended due to:

- It does not achieve the targets as set out in the Council's Waste Strategy, Climate Action Plan or the government's recycling rate targets of 55% by 2025
- It is financially not viable with at least an additional £1m per annum cost to deliver the service

Different implementation target date, has not been recommended due to:

- The existing mixed recycling policy ends in October 2023 and therefore we will be required to retender for a new processor or extend existing contracts

LEGISLATION/POLICY

The Council has statutory duties within an existing framework of legislation to arrange for the collection of waste. The recommendations detailed in this report are within the Council's powers and duties.

Appropriate consultation has been undertaken at a formative stage when proposals are being developed as detailed in this report. The outcome of the consultation exercise on proposed changes to waste collections must be conscientiously considered as part of any lawful decision-making process.

In awarding any contract, the Council must continue to adhere to procurement regulations and its Contract Procedure Rules. Detailed legal and procurement advice should be sought at all relevant stages to protect the Council's position.

An Equality Impact Assessment has been prepared as part of these proposals. This will support decision-makers in complying with the Council's statutory duties under the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and advance equality of opportunity between people who share a protected characteristic and those who do not and foster good relations between those who share a protected characteristic and those who do not.

Decision-makers must consider the equality impact assessment and must consider how their decision will contribute towards meeting the Council’s public sector equality duties, whilst also taking into account other relevant circumstances such as economic and practical considerations.

Any legal agreements (and ancillary documents where relevant) arising from the matters described in this report must be approved in advance of contract.

GENERAL INFORMATION

Corporate Plan Ambitions

Place – We will work with residents and businesses to keep streets and neighbourhoods clean and well-presented. We will respond to the requirements of new environmental legislation and ensure our waste is managed using the highest environmental standards through developing and delivering a new Waste Strategy.

Financial Implications

The Medium Term Financial Strategy (MTFS) that formed the basis of the budget approved at Council on 23 February 2023 assumes a saving based on the implementation of fortnightly wheeled bin collections from October 2023 (Option 1). If the decision is made to opt for the alternative option to continue with weekly collections (Option 2) then the additional funding required to meet the higher cost of providing that level of service will need to be identified with regard made to maintaining a sustainable MTFS.

Residual Waste Collections:

Category	Existing	Option 1 - Fortnightly wheeled bin (180 litre)	Option 2 - weekly wheeled bin (180 litre)
Residual Budget Impact – cost	n/a	£0.285m	£1.030m
Recycling Budget Impact	n/a	-£0.845m	-£0.675m
Total relative financial budget for waste and recycling services	£5.550m	£4.990m	£5.905m
Total budget difference	n/a	-£0.560m (saving)	£0.355m (additional cost)
Container purchase cost (capital)	n/a	£1.738m	£1.738m

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** The assumed performance is based on a 140 litre bin and performance is expected to be under this level

Risk Management Implications

The risk management implications are set out at **Enclosure No. 1**.

Diversity, Inclusion and Community Cohesion Implications

As a public authority, Basildon Borough Council is subject to the requirement under The Public Sector Equality Duty (PSED) found in s.149 of the Equality Act 2010 for the council to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and those that do not, and
- c) Foster good relations between persons who share a relevant protected characteristic and those that do not.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The implementation and enforcing of the revised waste strategy will be in accordance with the Equality Act 2010. There will be no discriminatory enforcement of this proposal in line with our PSED.

A full SIA can be found at **Enclosure No. 4**.

Other Relevant Considerations

The proposals contained within this report are not anticipated to have any reduction in the number of staff required to undertake the service.

Background Papers

None