

Cabinet

18 September 2024



Simpler Recycling: Introduction of Food Waste Collections and other waste collection changes across County Durham

Key Decision No. NCC/2024/003

Report of Corporate Management Team

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Councillor Mark Wilkes, Cabinet Portfolio Holder for Climate Change and Neighbourhood Services

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 To outline the new statutory requirements for local authority waste management functions arising from the Environment Act 2021 and associated regulations, collectively termed Simpler Recycling reforms.
- 2 To consider and select from options, a favoured method for weekly separate collection of household food waste which is required to be in place by 31 March 2026 and for some larger trade waste businesses by 31 March 2025, with separate collections for smaller businesses being in line with the household weekly collection changes.
- 3 To set out plans to make changes to the current recycling service, with the proposal to introduce co-mingling of glass into the main (blue lidded) recycling bin, which will help limit the number of receptacles for residents, improve operational efficiency and improve health and safety for our Refuse and Recycling collection workforce. The proposals also allow for the separate collection of batteries, currently a fire hazard when transported as part of residual waste loads.
- 4 To approve commencement of the procurement processes necessary for delivery of the new food waste services, including the ordering of vehicles and caddies, procuring services for the treatment of the food waste and developing any bulk haulage arrangements that may be

required, noting that the capital allocated by Government may not on its own be sufficient to deliver the scheme's capital needs, and that the revenue support for these New Burdens is unknown at this time.

Executive summary

- 5 Under the Simpler Recycling reforms, introduced by the previous Government under the Environment Act 2021 and associated regulations, there is now a statutory requirement for Waste Collection Authorities (WCAs) , which includes this Council, to collect the same range of recycling materials across the country, to ensure minimum standards and allow packaging to be standardised making it possible for householders to be better informed about what can and what can't be recycled.
- 6 Whilst many of the required recyclates such as glass, plastic, cans, paper and cardboard, as well as garden waste (also set to be standardised and which will be subject to a separate report) are already collected in County Durham, the biggest change for this Council will be a statutory requirement for separate weekly food waste collections to households, which is required to be in place by 31 March 2026. For larger businesses the collections where requested should be in place by 31 March 2025 and smaller ones by 31 March 2026.
- 7 The associated regulations provide for the conditions of introduction only where it is Technically, Environmentally and Economically Practicable (TEEP), potentially allowing exclusions or different solutions where it is not practicable to introduce, such as might be the case in remote or other hard to reach locations.
- 8 The previous Government allocated Durham County Council £4,716,813 for the anticipated capital cost of food waste vehicles and caddies. At this stage, no announcements have been made on any additional revenue funding that will be received to offset the anticipated running costs (staff, fuel, gate fees etc) of introducing these new services, which would be a New Burden on councils like ourselves.
- 9 To help plan for the implications of adhering to these new statutory requirements, the Council commissioned the Waste and Recycling Action Programme (WRAP), a Non-Governmental Organisation at the forefront of waste advice nationally, to consider and cost options around the delivery of separate weekly food waste collections and to also consider opportunities for the co-mingling of glass in the main recycling (blue lidded) bin. They built on work undertaken for the Council in 2018, refining and updating their assessments and utilising learning from other areas that had voluntarily already implemented separate weekly food waste collection services.

- 10 From the different scenarios examined and costed, the separate weekly collection of food waste in stillage vehicles emerged as the recommendation based on total costs (including savings on waste disposal charges), impact on recycling performance and operational practicalities and efficiencies. These stillage vehicles have small compartments which will allow for the household collection of small lithium-ion batteries and used vapes which (if not taken directly to a network supermarket or community outlet) otherwise pose a fire hazard when mixed with residual waste.
- 11 The WRAP work also highlighted that a move from a dedicated box for glass collection to allowing co-mingling in the main recycling bin was cost effective.
- 12 Even though separate weekly food waste collection in stillage vehicles was the joint least expensive scenario for capital expenditure, it is nevertheless estimated at a total cost of £5,950,703, this is £1,233,890 more than the Government grant allocation. This shortfall is largely down to the fact that the number, size and cost of vehicles required in County Durham is greater than what the Government Grant modelling was based on. This matter has been highlighted with the Department of Environment Food and Rural Affairs (Defra), with strong representation made that the grant fails to meet the New Burdens funding doctrine, where costs of new policy initiatives on local government would be fully covered.
- 13 The Council provides a trade waste collection service, fulfilling its statutory obligations to make arrangements for collection where requested. Simpler Recycling reforms are likely to increase requests from businesses for separate food waste collections. In due course it is anticipated that this activity will be integrated into the main household food waste collection rounds, just as household waste and recycling currently is.
- 14 In recognition of the requirement for larger businesses to have separate food waste collections by 31 March 2025, which is an earlier date than for households and smaller businesses, and includes some County Council facilities. It is proposed to procure three vehicles in advance for this purpose. Costs of the service would be met by the businesses themselves through charging at rates that avoid public subsidy. For the purposes of Simpler Recycling, larger businesses are defined as those which have more than 10 Full Time Employees (FTEs) There are an estimated 900 out of an estimated 3,300 DCC serviced business premises that would meet this definition and require access to a separate food waste collection service by 31 March 2025.
- 15 Other changes arising from the Simpler Recycling reforms include:

- (a) All WCAs will be required to collect garden waste by 31 March 2026, but, as currently the case in Durham, they will still be able to charge for the service. This is anticipated to be delivered where practicable based on a TEEP assessment and future statutory guidance may identify duration, frequency, or both;
 - (b) There will be new requirements for collections of plastic film from households, businesses, non-domestic premises and micro-firms by 31 March 2027. These materials are currently not collected for recycling in County Durham so this will need to be a new item for regular recycling and future recycling contracts will need to include provision for reprocessing these materials.
 - (c) Introduction of a national digital waste tracking system by April 2025, which will record information about all waste from the point it is produced to the point it is disposed of – allowing improved transparency on supply chains and for envirocrime to be more readily investigated. It may well be that parts of the Councils waste management system are obliged to utilise this, such as Waste Transfer Stations, the composting facility at Joint Stocks, trade waste, Special Collections and Contractors of the municipal recycling facilities. It may also be of benefit, for instance with Neighbourhood Wardens investigating fly tipping; and
 - (d) Whilst no date is set, the previous Government did maintain a commitment to a Deposit Return Scheme (DRS) for cans and plastic bottles, which would provide “reverse vending” repayment of the deposit in the form of cash or vouchers.
- 16 Whilst New Burdens capital funding has been provided from Government for the introduction of separate weekly food waste collection, the transitional revenue funding required to introduce the scheme is unknown at this time. Future ongoing revenue costs associated with staffing, fuel, vehicle maintenance and gate fees for treatment have been modelled and the estimated net additional costs of introducing separate weekly food waste collection, including the proposed changes to the current dry recycling service is £1.6 million. This has been factored into the Medium-Term Financial Plan (15) financial forecasts.
- 17 It is possible that funding through application of Extended Producer Responsibility (the principal that producers pay the cost of recycling the packaging waste arising from products they place on the market) will be available to Councils to offset some (or all) of these costs, the Government has recently advised that allocations will be notified by November 2024 with the first payments towards the end of 2025. It may

also be possible that the Council receives additional new burdens revenue grant funding to offset these costs.

- 18 Whilst uncertainty exists regarding sufficiency of resources, there are no indications from the new Government (at the time of writing) that the deadlines set in regulations will slip. In parallel with these changes to collection, the Council is procuring long term waste treatment utilising Energy from Waste (EfW) technology. The changes in residual waste composition arising from Simpler Recycling reforms are fully anticipated and incorporated into this modelling.
- 19 Nationally, around 42% of local authorities in England currently have a separate weekly food waste collection service, meaning that 58% do not. All will need to comply with these new statutory requirements (unless specifically exempted for instance due to existing waste disposal contracts) so there will be significant competition for vehicles and caddies, with early planning and commencement of procurement essential to ensure the Councils requirements can be met. Given this, it is important to progress with procurement to ensure vehicles are delivered on time and secure market capacity for treatment. There is currently an estimated 18-month lead in time for the delivery of these vehicles.
- 20 Introducing separate weekly food waste collection services and changes to the recycling arrangements (co-mingling of glass) will represent a significant change in arrangements for our residents and will require careful planning and good engagement with households and businesses to prepare them for these changes. A comprehensive implementation plan and communications and engagement strategy will underpin the Council's preparation for implementing these changes.

Recommendation(s)

- 21 Cabinet is recommended to:
 - (a) note the variety of waste management changes for the Council arising out of the Environment Act 2021 and Simpler Recycling reforms;
 - (b) approve the procurement of vehicles, caddies and treatment necessary to implement a separate food waste collection service to large businesses by 31st March 2025, noting the costs of this will be fully recovered from the charges levied to those businesses who access this new service;
 - (c) approve progression with procurement processes necessary for separate weekly food waste collections to households and small

businesses by March 2026, including the dedicated stillage vehicles, caddies and waste treatment.

- (d) approve the proposed changes to the recycling service around the co-mingling of glass into the blue wheeled bin to coincide with the introduction of the separate weekly food waste collections. Note also that opportunity is to be taken in providing for the collection of small household lithium-ion batteries and used vapes in a recycling compartment on the food waste vehicles.
- (e) note the shortfall in capital funding for the separate weekly food waste collections to households and that the Council has made representation on this;
- (f) note the uncertainty around New Burdens funding to cover transitional and ongoing revenue costs to offset the additional operational costs and that the Council has made representation on this; and
- (g) note that further reports will be provided when statutory guidance is published which will help shape such matters as exclusions (based on practicality of collections) as well as frequency or duration of garden waste collections. These reports will detail what is known or forecast regarding revenue costs, and sufficiency of grant support for those changes, which will inform MTFP forecasts, which is currently earmarked £1.6 million annually as a provisional figure.

Background – Simpler Recycling Reforms

- 22 The Resources and Waste Strategy for England (2018) set out the Government’s ambition across a spectrum of waste issues and included a desire to nationally have a consistent set of dry recyclable materials collected by all local authorities in the country. This would allow all households regardless of where they live to know what can be recycled and what can’t, and for packaging to be clearer rather than labels that suggest “recycled in most areas” or similar terms as is currently the case.
- 23 Food waste was also highlighted as a key issue, as at the time it was calculated that 10 million tonnes of food and drink were wasted post-farm gate annually, worth around £20 billion a year. The Waste and Resources Action Programme (WRAP) estimate that a family of four produce £1,000 worth of food waste annually. It was envisaged that regular food waste collections would not only make householders more conscious of this and the need to reduce it in the first place, but its proper treatment would allow the methane to be properly trapped and utilised for renewable energy (and the remainder as compost) rather than this harmful greenhouse gas being emitted into the environment, which may happen for landfilling.
- 24 Whilst in County Durham there is minimal waste to landfill, the food waste collected unnecessarily goes to the energy from waste treatment facility alongside the other contents of the residual waste bin, contributing to costs for disposal and is not the best environmental solution for this organic material.
- 25 The Government estimate that directing food waste for anaerobic treatment will cut more than 18 million tonnes of greenhouse gas emissions nationally associated with this waste.
- 26 Building on the Waste and Resources Strategy (2018), the Government has introduced a raft of statutory measures under the Environment Act 2021, known collectively as the Simpler Recycling reforms, which aim to standardise recycling across England as well as measures to combat illegal waste practices. They include provisions for the collection and recycling of a range of materials already collected (glass, metal, plastics, and cardboard) but in addition:
 - (a) a requirement for separate weekly food waste collections to be introduced for households by 31 March 2026. For County Durham this would mean a new service, as one is currently not provided;

- (b) large businesses (those employing more than 10 FTE), will be required to make arrangements for separate food waste collections and to present the waste in accordance with the legislation by 31 March 2025. Micro-firms, which may include small independent cafes and takeaways are expected to comply with this requirement by 31 March 2026.

The Council has a statutory duty to make arrangements for the collection of trade waste where requested to do so and whilst we do currently collect trade waste any food waste is not collected separately and is included in the residual waste stream, so as a Council we will need to consider how we respond to such requests going forward; It is important to note however the costs of providing this service are fully recoverable and not proposed to be at public subsidy.

- (c) a requirement for garden waste collection services, which may be charged for, to be in place by April 2026. Members will note that the Council already provides a opt in service although subject to further details to be set out in future statutory guidance and a separate report to Cabinet, there may be a requirement to consider extension to areas currently outside the scheme and duration and frequency of collections;
- (d) new requirements for collections of plastic films and flexibles from households, businesses, non-domestic premises and micro-firms by 31 March 2027. These materials are currently not collected for recycling in County Durham so this will need to be a new service; and
- (e) introduction of a national digital waste tracking system by April 2025 which will record information about all waste from the point it is produced to the point it is disposed allowing improved transparency on supply chains and for envirocrime to be more readily investigated. Whilst it is likely that the Environment Agency will lead on the implementation, it will likely be of some beneficial use to the Council in its efforts to combat fly-tipping.

27 Once these legislative requirements are implemented there will be a standard range of recyclates that will be collected across the country. The Government are keen that the new arrangements do not result in a “proliferation” of what they see as unnecessary bins, and therefore co-mingling of dry recyclates is supported and recommended wherever possible.

28 As Members will be aware in County Durham all dry recyclates are co-mingled in the blue lidded wheeled bin, with the exception of glass,

which is presented in a separate box. The separation of glass has had historical benefits in achieving the quality of this material stream and has meant the Council had complied at the time with keeping paper and glass separate as specified within the Waste Regulations (England and Wales 2012). However, improved technologies at recycling facilities have enabled new regulation changes. An exemption can now be applied by local authorities to comingle glass within the mixed recycling stream offering an opportunity to consider kerbside recycling collection changes. This exemption has been considered as part of the independent modelling conducted by WRAP of the different collection systems alongside the introduction of the separate weekly food waste collection service.

- 29 It is more expensive to collect recycling using split bodied collection vehicles. The lifting and carrying of heavy glass boxes carries increased health and safety risks in terms of musculoskeletal injuries for the collection crews. The opportunity is therefore taken in this report to consider co-mingling of all dry recyclates, which would help to minimise the number of receptacles that need to be put out by residents.
- 30 The Government have made it clear in their regulations (The Environment Act 2021 (Commencement No. 9 and Transitional Provisions) Regulations 2024) that they apply under the condition that it is Technically, Environmentally and Economically Practicable (TEEP), and whilst technology may be widely available (vehicles, treatment etc) it might be foreseen that collections from remote or other hard to reach areas may cost more in environmental and economic terms and therefore there might be some scope for alternative solutions in those areas.
- 31 The Government has allocated Durham County Council £4,716,813 to meet the estimated capital cost of vehicles and caddies associated with the introduction of separate weekly food waste collection services. There will of course be revenue costs for the food waste too arising from the staffing, fuel, haulage and treatment costs, partially offset by reductions in disposal costs for the food waste diverted from the main residual waste stream.
- 32 The Government has yet to announce the levels of funding or its source, which may in part come from a levy on packaging manufacturers known as Extended Producer Responsibility to compensate WCAs for these additional operational costs. The doctrine of New Burdens funding is however expected to apply, though it is not clear whether the funding that will be forthcoming will be sufficient to fully offset the additional costs that will need to be incurred.

Household Weekly Food Waste Collections – General Outline

- 33 The Government intends the food waste collection to include:
- (a) all food intended for human or household pet consumption, regardless of whether it has any nutritional value; and
 - (b) biodegradable material resulting from the processing or preparation of food, including inedible food parts such as bones, eggshells, fruit and vegetable skins, tea bags and coffee grounds.
- 34 Weekly food waste collections across the County would involve residents utilising small caddies (typically 5-7 litres) in the kitchen for the temporary storage of food waste and placing them in larger receptacles (typically 23 litres) where they are put out for collection weekly (those on assisted collections will continue to be collected from within the curtilage of the property). The photo on the bottom right-hand side shows the typical size compared to a 240-litre standard wheeled bin (all photos courtesy of WRAP). Biodegradable bags are used by some Councils, but not universally, consideration will need to be given in due course as to its inclusion in the County Durham offer.



- 35 For the collection of the food waste there are either bespoke stillage vehicles, designed exclusively for the purpose and therefore able to take larger quantities, or multi-purpose (often side loading) recycling vehicles that have a pod that can take limited quantities of food waste, but has the benefit of being able to take other recyclates at the same time.

Dedicated stillage vehicle



Recycling RCV with food waste Pod.



- 36 Treatment of food waste will be through anaerobic digestion and would be achieved under a contract from the Council. Anaerobic digestion involves a biological process in which micro-organisms breakdown biodegradable material such as food waste in the absence of oxygen. The breakdown of the organic matter produces a biogas and a biofertilizer. Biogas is usually fed into the national gas network and the biofertilizer can be supplied to the farming industry in place of fossil fuel derived fertilisers. Every tonne of food waste recycled through anaerobic digestion as an alternative to landfill prevents between 0.5 – 1 tonne of CO₂ entering the atmosphere contributing to the Council's overall reduction of carbon emissions.
- 37 In 2022 a NE regional feasibility study was undertaken to assess the available anaerobic treatment capacity against potential future demand. At present there is considered to be sufficient treatment capacity within the market. Treatment capacity will be secured through a procurement process to be undertaken by the Council.
- 38 Where the food waste cannot be directly delivered to the treatment facility (usually preferable) the Council would need to utilise its waste transfer stations (four throughout the county), for the bulking up and haulage (through contract) to the relevant treatment destinations.

Household Food Waste – Resource estimates and options

- 39 In order to explore and model options to comply with these new statutory requirements, the Council commissioned the Waste and Recycling Action Programme (WRAP), a Non-Governmental Organisation at the forefront of waste advice nationally (including to the Department of Food and Rural Affairs) (Defra), to consider how the requirement for separate weekly household food waste collections may be met. They incorporated in their work options around the co-mingling of glass with the other dry recyclates.

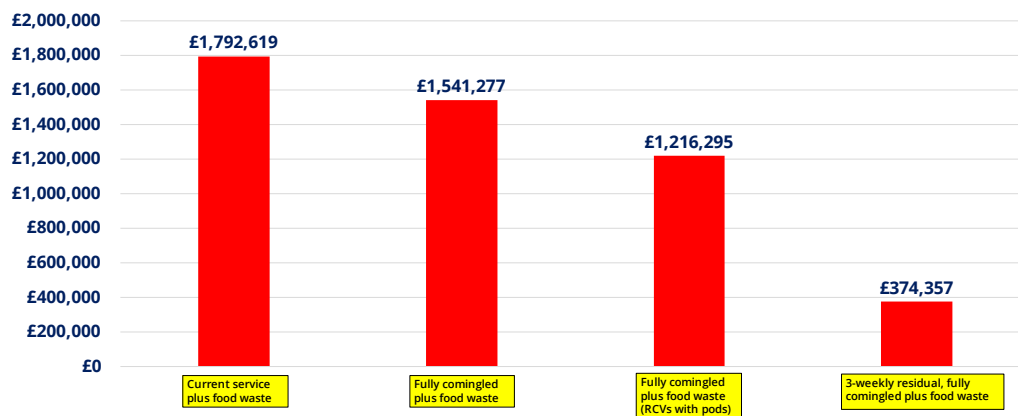
- 40 They built on work undertaken for the Council in 2018, refining and updating their assessments and utilising learning from other areas that had voluntarily already implemented weekly food collection services. They did not apply TEEP but assumed countywide weekly collections, as the regulations were not published at the time of that work and furthermore, their application is at the Councils discretion.
- 41 The WRAP work assessed four different options for the Council, modelling not just anticipated collection costs, but costs of food waste treatment and the financial benefits arising from a reduction of food waste tonnages within the residual waste bin. There is approximately 23% of food waste available within the residual waste stream. Based on an assumed participation rate of 60% and a capture rate of 65% this resulted in an estimated 18,536 tonnes of food waste being available to collect from County Durham households. These assumptions were modelled using WRAPs Ready Reckoner software (a tool used to determine local authority demographics which then applies deprivation indices).
- 42 The estimated food waste tonnage of 18,536 has also been sense checked against tonnage forecasting that was undertaken in the development of the Outline Business Case for entering into the Tees Valley Energy Recovery Facility (TVERF) partnership, which is the Council's long-term solution for the treatment of residual waste. Should this level of food waste be removed from the residual waste stream, there will not be any unintended consequences for the longer-term residual waste treatment contract.
- 43 The modelling makes pre-tender assumptions on these cost forecasts, ranging from gate fees for treatment to purchase price of vehicles, however it uses national authoritative benchmarks and provides a model that can be refined as work progresses over the coming 18 months.
- 44 The four models considered by WRAP were as follows:
- (a) **Option 1** - A new weekly separate food waste collection service with bespoke stillage vehicles, adding on to the existing unchanged refuse and recycling service.
 - (b) **Option 2** - As above (adding on a new separate food waste collection service using stillage vehicles) but taking an opportunity to introduce co-mingling of glass in the main 240 litre blue lidded recycling bin.
 - (c) **Option 3** - An integrated service, where recycling collection vehicles would be replaced so that they could collect food waste in a pod, but this would be alongside all other dry recycle

materials (such as glass, cardboard, plastics at the same time) and refuse on a weekly basis

- (d) **Option 4** - Separate weekly collection of food waste, and separate recycling service that co mingles glass, with residual waste collected every three weeks rather than the current position of fortnightly.

45 Details of the options and the relevant costings are included in the WRAP report attached at **Appendix 2**. This examines the forecast capital and revenue costs, recycling performance benefits and operational issues for each of the four scenarios outlined above.

Projected 'whole-system' costs of the 'short-listed' scenarios relative to the baseline (including overheads)



Comparing the projected 'whole system' costs for the 'short -listed' scenarios against the baseline shows that whilst all four scenarios are projected to deliver disposal savings relative to current costs, these are not enough to counter the projected additional cost of collecting food waste.

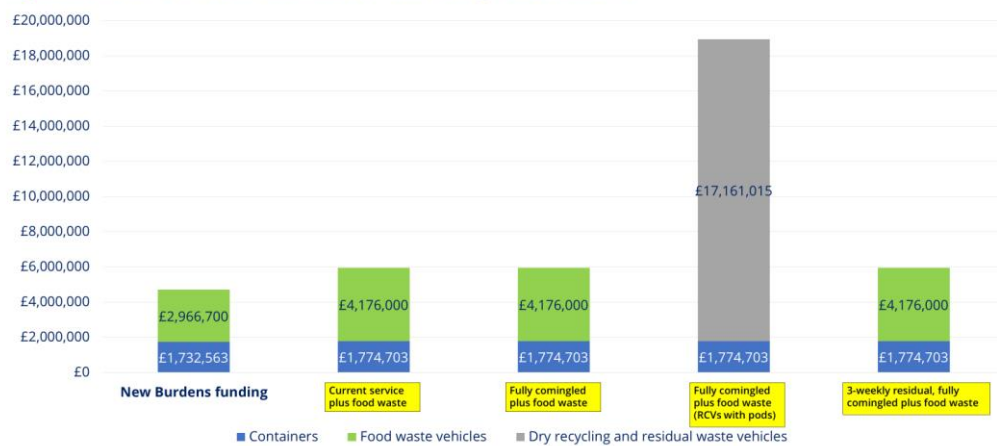
46 In summary the assessment has concluded the following:

- (i) **That three weekly collections of residual waste, at least for the foreseeable future, should be discounted**, as whilst providing the least cost option (due to reduced numbers of collections) introduction of three weekly residual waste collection is likely to put a strain on larger households, and pose operational challenges to communicate especially around statutory holiday periods when collection days may change. Furthermore, the Simpler Recycling reforms highlighted an intention to issue statutory guidance that the minimum service standard should be that local authorities provide a fortnightly collection for residual waste. Whilst this is not yet formally in place and is currently being legally challenged by Councils who have a weekly food collection service and are already on 3-week residual system, it could nevertheless arise.

- (ii) **That glass should be co-mingled with other dry recyclates in the blue lidded wheeled bins instead of a separate collection via a box.** This is not only more efficient / cost effective in terms of collection, but also better for residents as it is more convenient and helps to minimise the number receptacles, and for the crews that collect using bins to wheel to the vehicles helps to avoid muscular skeletal injury that can arise from manual lifting heavy glass boxes.
- (iii) **That food waste should be collected in bespoke stillage vehicles** rather than split or dual body vehicles or recycling wagons equipped with pods. Whilst the collection of food waste as part of recycling rounds would in revenue terms potentially be more cost effective (see chart above), this would require a whole new fleet of vehicles to be procured and the costs of this would be prohibitively expensive. The cost of replacing the current fleet with new adapted vehicles was estimated to be £17,161,051, which is £12,444,238 more than the Government grant through New Burdens capital funding of £4,716,813.

A comparison of the respective capital costs in each of the four scenarios modelled is set out in the chart below:

Comparison of projected capital costs for new containers and vehicles against DEFRA 'new burdens' funding allocation.



WRAP | Support to Durham County Council

The integration of food waste with recycling rather than as a separate collection also poses significant operational challenges. Tip offs of waste would likely have to be at waste transfer stations alongside the other recyclates (all compartments together), rather than a direct delivery to the food waste treatment facility.

In addition, the capacity in the pods is limited, and when any element is full, be it cardboard or food for example, then even though other compartments may still have space, rounds would need to be curtailed earlier to empty off the compartment that was full before returning again.

Research shows that Exeter City Council did commence their food waste collections with pod type vehicles and moved to bespoke stillage collections for this reason (see link in references).

Resources and Procurement for Household Food Waste Collections

- 47 The new burdens capital funding provided by Government for the introduction of weekly food waste collection is £4,716,813. This was paid to the Council in 2024 and is available for the purchase of vehicles and caddies required for food waste collections. Breakdown as follows:

| | Kitchen caddies (plus spares) | Kerbside caddies plus spares | Communal wheeled bins (plus spares) | Vehicles (plus spares) | Total funding |
|-----------------------|-------------------------------|------------------------------|-------------------------------------|------------------------|---------------|
| Durham County Council | £529,410 | £1,203,153 | £17,550 | £2,966,700 | £4,716,813 |

- 48 The WRAP (pre-tender) estimates indicate that the actual capital costs, based on 31 stillage vehicles servicing a Countywide service to all households would be £5,950,703 - a shortfall of £1,233,890.
- 49 Should these estimates prove accurate, then the new capital burden being placed on the Council from the introduction of this new service would not be fully funded. It is unclear at present if in addition to caddies and vehicles if further capital funding would be available for any structural modifications to waste transfer stations should temporary storage of food waste prior to haulage be necessary.
- 50 The current modelling assumes universal delivery of separate weekly food waste collections to all households. The application of TEEP may however modify the precise plans but is unlikely to change the broad thrust and materially affect the projected costs of introducing this new service.
- 51 For instance, it may be that if weekly collections are not practicable in more remote or other hard to reach areas, and that the frequency of

collections or other communal facilities are considered for these exceptions. It is proposed that this is considered further as detailed planning progresses and the approach in this regard will be covered in future reports, identifying any consultation that may be necessary alongside any broader plans for communication and awareness.

- 52 There has been no indication of the revenue funding that will be made available to offset the additional operational revenue running costs of implementing the new service. The revenue costs and funding would need to include staff costs, communications, fuel, gate fees for food waste treatment, haulage but at the same time costs of residual treatment of waste would reduce as there is less going in this bin. The net costs for Councils may therefore be subject to a wide variance as their individual circumstances and contract prices will be varied across each locality. Future reports will confirm the sufficiency of revenue grant funding provided, together with any shortfalls. This position will be monitored as part of the corporate risk register. As a provisional figure, 1.6 million has been earmarked in the MTFP.
- 53 The estimated net additional costs of introducing weekly food waste collection, including the proposed changes to the current dry recycling service, is £1.6 million and this has been factored into the Medium-Term Financial Plan (15) financial forecasts.
- 54 Under the Simpler Recycling Reforms a large number of Councils in England with waste responsibilities are gearing up for these changes and planning for procurements of vehicles, caddies or treatment capacity.
- 55 It is important that prompt action is taken in relation to procurement as not only are there long lead in times, especially for vehicles (over a year), but also demand is likely to rise over the coming months as we get closer to the statutory deadlines, leading to concerns about availability (based on market capacity) and rising costs linked to demand. This report therefore seeks approval to proceed with this procurement process, and when tendered costs/prices are available these will inform and update the WRAP costed model, with a further report to come back to Cabinet at that stage if necessary.

Trade Waste Collections

- 56 The Council has a statutory duty under section 45 of the Environmental Protection Act 1990 to make arrangements for the collection of commercial waste if requested by the occupier of the premises in the area. Like many other Councils it fulfils its duty through direct collection, integrating these trade waste services with domestic rounds, albeit there is the alternative is to make arrangements through third party

providers. The Council charges customers for this to levels which avoid public subsidy.

- 57 Under Simpler Recycling Reforms, all non-household municipal premises, except micro-firms (businesses with fewer than 10 full-time equivalent employees), will be required to arrange for the collection of the dry recyclable waste streams (including separate food waste but excluding plastic films) by 31 March 2025. For smaller businesses the timeframe matches household waste food collections of 31 March 2026.
- 58 This earlier date for non-household larger municipal premises reflects the greater flexibility in commercial collection contracts, as well as the fact that commercial collections are not dependent on the delivery of EPR for packaging funding as these are chargeable services. It is important to note that the Council would recoup all costs associated with these collections should it be involved in food waste collections itself.
- 59 The Council currently has over 3,000 trade waste customers, of which up to 900 (including schools) appear to fit the category of a larger business that produces food waste and therefore will require access to a food waste collection service by 31 March 2025.
- 60 Current practice is that this food waste goes into the residual waste stream. Engagement is currently taking place with all trade customers to assess their needs and for them to consider if they wish to make arrangements for separate disposal of food waste through the Councils contract. The results of this assessment will be used to more accurately estimate resource requirements, (for larger businesses currently estimated at 3 vehicles, ideally required before 31st March 2025) and the setting of the charges under delegated powers to ensure no public subsidy for this new service. In due course these businesses (as well as smaller ones from April 26) as far as possible will be integrated into the main household food waste rounds that will pass on a weekly basis, which would need also to be factored into prices to be levied.

Batteries and Used Vapes Collection

- 61 Lithium-ion batteries, including those in vapes have become commonplace household items. Whilst they are recyclable many are discarded in the residual waste bin. The transport of batteries does however pose a hazard as the warm conditions of compacted materials can cause ignition and fire both in the transporting vehicles and at waste transfer stations when buried in a mound of waste materials.
- 62 Nationally there has been a 71% increase in battery fires since 2022. Battery fires in bin lorries and at waste sites in the UK have reached an

“all-time high” with over 1,200 reported in the last year. The Council has had several bin lorry fires in recent years, including one that caused significant damage.

- 63 To date in response to the issue, the Council has undertaken awareness raising to seek to avoid batteries ending up in the waste stream and highlight alternatives for instance through supermarkets and household waste recycling centres that offer disposal points. It is recognised however, that residents seeking safe disposal do have to go to these extra lengths.
- 64 Food waste collection vehicles offer a small separate compartment which would be suitable for the safe collection and onward recycling of batteries. Residents could place their batteries in a small, clear plastic bag (such as a sandwich bag) and place the bag on top of their food waste caddy on collection day. Whilst this is not a statutory requirement under the Simpler Recycling reforms, it would nevertheless provide a safe outlet for households to dispose of small quantities of batteries and vapes. It would need to be communicated widely.

Food Waste: Improved Recycling and Composting Performance

- 65 Separate collection of food waste is added to the recycling/composting performance of the Council. Current baselines are 37.1% recycling rate. Each of the scenarios results in an increase in the kerbside recycling rate of between 8.2% and 9.3%.
- 66 The recommended option of the weekly separate collection of household food waste, combined with co-mingling of glass results in an 8.2% forecasted increase to a recycling rate of 44%

Garden Waste

- 67 The Simpler Recycling Reforms include a statutory requirement for WCAs to collect garden waste in accordance with the new requirements by 31 March 2026, but, as is currently the case, local authorities are still able to charge for the service. This means that the duty to collect garden waste only arises once the householder has requested its collection and has paid any charge.
- 68 The Council already provides a charged for garden waste service, that would meet the requirements for the garden materials collected. It does not however currently collect from areas that are either remote, or not accessible to the 26 tonne vehicles used to collect this waste.

- 69 There will need to be close examination of the existing arrangements to verify if they meet the TEEP criteria provision in the Regulations. The Defra position on this matter is as follows:

We will make clear in statutory guidance that under section 45(1)(a) of the Environmental Protection Act 1990, waste collection authorities are required to arrange for the collection of household waste, unless it is situated at a place which in the opinion of the authority is so isolated or inaccessible that the cost of collecting it would be unreasonably high, and the authority is satisfied that adequate arrangements for its disposal have been or can reasonably be expected to be made by a person who controls the waste. This applies even where a garden waste collection service has been requested. Where there is a duty to collect waste under section 45(1)(a) of the Environmental Protection Act 1990, new section 45A will apply in England.

- 70 Until this statutory guidance is published and considered further, it is not recommended to undertake or consider any service adjustments to the current garden waste collection service.
- 71 The statutory guidance once received may also cover the length or frequency of garden waste service over a given year (the Council currently has 17 fortnightly collections over a year from Spring to Autumn). It is at that time that the service can be adjusted (if necessary) to ensure compliance with guidance, rather than second guessing at this stage what will be required.

Plastic Film

- 72 Food from meat to fruit purchased in shops and supermarkets often comes in packaging that includes plastic film or plastic bags. This comes in a variety of forms: mono-polyethylene (mono-PE), mono-polypropylene (mono-PP) and mixed polyolefins PE and PP, including those metallised through vacuum or vapour deposition for instance in crisps.
- 73 These materials are not currently collected in County Durham nor generally in the country as specialist equipment is needed for recycling of these materials, although some firms, such as some crisp manufacturers have postal or shop collection schemes. Recycling rates are however low, and it is a packaging resource that could be recycled. The Government has therefore included it in Simpler Recycling reforms - to be in place by 31 March 2027.
- 74 The collection of plastic film and bags will be relatively easy from a resident's perspective as they can in due course (from 2027) be added with other mixed recyclables in the blue lidded wheel bin. The industry,

including the Councils recycling reprocessing contractors, will however need to have the more onerous task of having in place equipment to collect and treat this separately, which may result in increased gate fees for treatment and another new burden on local authorities. The market for recycled film also needs to be developed further, and in the coming few years our contracts for recycling facilities will need to be adapted accordingly.

Other Changes

- 75 As part of Simpler Recycling the Government are introducing reforms that include digital waste tracking. Rather than registering as a waste carrier, there will be a permit system where the individual or organisation will need to demonstrate competence to collect and transport waste. In addition, there will be a digital trail of waste establishing where and why it was created, what is done with it and where it ends up. It is proposed that this commences from 31st March 2025 and is being offered on a voluntary basis in 2024.
- 76 The impact on the Council will be twofold. Firstly, whilst refuse collection is exempt from digital waste tracking, there may be requirements for special collections (especially those involving soft furnishings generally regarded as having persistent organic pollutants POPs), as well as Trade Waste customers. There will also be a requirement for the Council to input data into the new system where waste is managed through Council assets such as the Waste Transfer Stations and the composting facility at Joint Stocks. Secondly this may be an additional tool for Neighbourhood Wardens who already undertake waste duty of care inspections and waste carrier licence vehicle stops. Access to the digitised system would support the enforcement activity relating to fly tipping but could increase costs for legitimate carriers.
- 77 When Simpler Recycling was launched in 2024 the Government announced its intention also to move forward with a Deposit Return Scheme (DRS) for drinks bottles and cans although no date was given. This is a “reverse vending” option where drinks containers (principally plastic bottles and metal cans) are inserted into a machine in exchange for credits or cash. Scotland were implementing DRS however a ban on glass led to the Scottish government suspending the introduction as they felt it to be no longer economically viable. If introduced, it may take some materials out of the traditional recycling route through the blue lidded wheeled bin but may also allow greater proportions of “on the go” single use items especially drinks bottles to be recycled.



- 78 Simpler Recycling reforms also reference Extended Producer Responsibilities (EPR) – the principal that producers pay the cost of recycling the packaging waste arising from products they place on the market.
- 79 In theory £900 Million could be available to local authorities under this scheme, however, the introduction of this scheme was delayed from October 2024 to October 2025, with concerns from producers about clarity on how it will work, and concerns that it would fuel inflation by costs being passed onto customers.
- 80 Once, or if, implemented, the scheme will incentivise packaging minimisation and use of recycling materials.
- 81 It is unclear if the EPR funding will be equivalent to the new burdens arising from the introduction of separate weekly food waste collections and the other reforms or even if other core grant funding will be increased to offset the new burdens that will be created from the implementation of these new additional services. It is also unclear how those local authorities that have already introduced weekly food waste collection services would or could be compensated under any new burden funding regime.

Conclusions

- 82 Simpler Recycling reforms bring a number of changes for Councils with waste responsibilities, that are designed to result in a more uniform national standard and simpler recycling messages.
- 83 In many aspects the Council already meets this standard, however it is clear there is a requirement to introduce separate weekly food waste collections for households by 31 March 2026 and those trade customers that request it either by the same date or a year earlier if classed as a larger business.
- 84 Guided by an independent options appraisal and assessments from WRAP, the weekly collection of household food waste by dedicated stillage vehicles has been identified as a recommended approach, alongside allowing co-mingling of glass in the main blue lidded recycling bin replacing the separate box system that exists currently. This would raise recycling rates by a projected 8.2% to 44%.

- 85 This report seeks approval to commence with procurement, noting a gap in capital funding that is being challenged with Defra.
- 86 The report identifies that a lot remains unclear, significantly however, whilst capital funding resource has been allocated, the associated revenue support funding is not known at this time and has not been announced. There is therefore a risk that once published / received it is insufficient. £1.6 million revenue has been set aside in the MTFP as a provisional figure.
- 87 Equally, the final statutory guidance has yet to be published with regards to garden waste to allow a detailed assessment of whether the councils current arrangements will be sufficient or require change.
- 88 It is proposed that Cabinet and where appropriate or requested the Environment and Sustainable Communities Scrutiny Committee, receives further reports on progress of this scheme, together with operational, communication plans and assessments of TEEP and associated consultation alongside this.

Background papers

- Waste and Resources Strategy
<https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>
- Environment Act 2021
- The Environment Act 2021 (Commencement No. 9 and Transitional Provisions) Regulations 2024 [The Environment Act 2021 \(Commencement No. 9 and Transitional Provisions\) Regulations 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2024/0001/eng/schedules/schedule-1/paragraph-1)

Other useful documents

Simpler Recycling <https://www.gov.uk/government/news/simpler-recycling-collections-and-tougher-regulation-to-reform-waste-system>

Food Waste Capital Allocation
<https://www.gov.uk/government/publications/food-waste-collection-funding-2023-to-2024/food-waste-collection-grant-determination-2024-no-317069>

New Burdens Funding <https://www.gov.uk/government/publications/new-burdens-doctrine-guidance-for-government-departments/new-burdens-doctrine-guidance-for-government-departments>

Exeter City Council – preference for dedicated stillage vehicles over pod type vehicles <https://www.youtube.com/watch?v=4HLPjw4VFIs>

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Appendix 1: Implications

Legal Implications

The Environment Act 2021 replaces sections of the Environmental Protection Act 1990 by stipulating a series of waste streams that should be collected by Waste Collection Authorities. These include household food waste and garden waste as well as many recyclates already collected by most WCAs including glass, cardboard, tins and plastics.

Regulations published in May 2024 set out the statutory timeframe for the introduction of these collections (where appropriate) as well as confirming that TEEP would apply.

Statutory guidance that would provide a further clarity to WCAs is awaited.

Finance

The Government has allocated and paid £4,716,813 to the Council for the estimated capital costs of caddies and vehicles. The work by WRAP indicates that this is likely to be insufficient should the whole County be covered by weekly food waste collections – a shortfall of £1,233,890 from a total cost of £5,950,703. These are pre-tender estimates and do not assume any remote or other hard to reach areas are excluded, which may not be the case.

There may be a requirement for capital expenditure on equipping the Councils waste transfer stations to be able to take food waste prior to haulage to treatment facilities.

There will be revenue funding requirements arising from staffing, fuel, gate fees for treatment, haulage and other aspects. There will also be a requirement for a range of one off costs associated with information and awareness raising campaigns in the lead up to implementation.

In theory all costs should be met by New Burdens funding, however the Councils revenue grant / funding is not yet known. Some funding may well be available under the Extended Producer Responsibility that the previous Government indicated would be in place by the end of 2025, but the detail of that scheme is still to be determined.

Consultation and Engagement

As part of the development of this report Officers have consulted and visited a number of Councils who already provide food waste collections and learn from their experience which has shaped the recommendations in this report.

There is no public consultation or engagement proposed at this stage of development of plans, however there will need to be careful consideration given to the extent of coverage of food waste and garden waste schemes in remote/hard to reach areas through application of TEEP and should different solutions be suggested (for instance home composting or less frequent collections) this will need to be subject to engagement with any affected communities to ensure support and adoption of the schemes.

A communications plan will need to be developed and rolled out prior to introduction of the scheme, so that residents can know what goes into the food waste receptacles, as well as their collection day.

Equality and Diversity / Public Sector Equality Duty

Whilst there are no immediate impacts, it is important to emphasise that there will be a continuance of the Councils assisted collection scheme, whereby households where the occupiers would struggle to put their receptacle on the kerbside for collection will be supported by collecting from within the curtilage of the property.

Climate Change

The weekly collection of household food waste is anticipated nationally to bring substantial benefits in carbon reduction arising from the controlled management of methane (from decomposition) rather than it being released to the atmosphere from landfill. Furthermore, it is felt that the deliberate setting aside of food waste helps householders be more conscious and seek to reduce waste in the first place.

Carbon costs in transport, weighed against potential benefits in methane capture is likely to be a factor considered in future TEEP work by the Council.

Human Rights

None

Crime and Disorder

None

Staffing

There is considerable employment opportunity with the introduction of weekly household food waste collections with over 50 staff (drivers and operatives) being employed for the task with associated personal protective equipment and support.

Accommodation

Not applicable

Risk

The main risks associated with the scheme are as follows:

- (i) **Policy/Legislative** The new Government may signal a change in approach or timescale. There are no indications that this will be the case, although it is possible if Councils struggle with procurement there may be changes to the regulated timeframe.
- (ii) **Procurement.** With many Councils procuring for food waste vehicles, caddies and treatment at the same time, there is a risk of lack of availability or market demand driving costs up. Early procurement will have an advantage and may be adapted if timescales change.
- (iii) **Financial.** It is likely that there will not be sufficient capital, albeit it is proposed to seek Government funding for the gap. The revenue position is currently unclear and remains a risk. Early decisions may also help to secure better market rates compared to times where demand is higher.

In parallel with the collection changes the Council is currently procuring Energy from Waste treatment of its residual waste. The changes in waste composition arising from the Simpler Recycling reforms have been fully incorporated into the cost modelling.

Procurement

This is covered in the above section. Early procurement is recommended.

**Appendix 2: Waste and Resources Action Programme (WRAP)
Assessment of an agreed short-list of alternative household
waste collection service design scenarios**

Attached as separate document