

**NORTH LONDON WASTE AUTHORITY**

**REPORT TITLE:** CONSULTATIONS AND POLICY UPDATE

**REPORT OF:** MANAGING DIRECTOR

**FOR SUBMISSION TO:** AUTHORITY MEETING

**DATE:** 14 DECEMBER 2023

**SUMMARY OF REPORT:**


This report provides an update on national policy developments and consultations. Specifically, the report provides details of:

- A. The Government’s “Simpler Recycling” waste reforms announced on 21 October 2023 and the Authority’s response to two related consultations launched at that time.
- B. The consultation on “Creating a Smoke free Generation and tackling youth vaping” launched on 12 October which seeks views on a potential to ban disposable vapes and other restrictions that may reduce their use.
- C. The consultation on the “Ban of the manufacture, supply and sale of wet wipes containing plastics”.

**RECOMMENDATIONS:**

The Authority is recommended to:

- A. Note the update provide on “Simpler Recycling” waste reforms and the response to related consultations related Simpler Recycling consultation;
- B. Note the recent response to the Government’s consultation on “Creating a Smoke free generation and tackling youth vaping; and
- C. Note the recent response to the Government’s consultation on “Ban of the manufacture, supply and sale of wet wipes containing plastics”.

**SIGNED:**  ..... Managing Director

**DATE:** 4 December 2023

## 1. INTRODUCTION

- 1.1. This report provides an update on the Government's 21 October publication of their post consultation response now entitled Simpler Recycling (previously known as Consistency in Household and Business Recycling in England).
- 1.2. These proposals will impact Authority and borough operations and activities.

## 2. SIMPLER RECYCLING - PREVIOUSLY CONSISTENCY OF COLLECTIONS (CC)

- 2.1. The consultation on Consistency in Household and Business Collections opened on 7 May 2021 and closed on 4 July 2021. The CC consultation was also part of an overall Resources and Waste Strategy developed by the Department for Environment, Food and Rural Affairs (Defra).
- 2.2. On 20 September 2023, the Prime Minister announced there would be no requirement for households to have seven recycling bins, and it was reported widely that this was in reference to Defra's consistent recycling reforms. The same evening, Defra announced that a 'simpler recycling' system proposal would be outlined shortly. On 21 October 2023 Defra announced the simpler recycling reforms of waste collection arrangements in England.
- 2.3. The key elements of the Government's announcement in terms of local authority services are set out below.
- 2.4. There will now be no obligation to have **separate collections** for different types of dry recycling materials, the decision on how to organise dry recycling collections will be a matter for local authorities. The consultation had proposed that separation of materials would be needed except where an assessment showed that this would not be technically, environmentally and economically practicable.
- 2.5. The Government will require a **standardised set of materials** to be collected as part of the recycling collection services when the legislation comes into force. These are as follows:
  - 2.5.1. glass packaging including bottles and jars
  - 2.5.2. steel and aluminium tins and cans
  - 2.5.3. steel and aluminium aerosols
  - 2.5.4. aluminium foil
  - 2.5.5. aluminium food trays
  - 2.5.6. steel and aluminium jars and bottle lids

- 2.5.7. aluminium tubes
  - 2.5.8. plastic bottles made of polyethylene terephthalate (PET, including amorphous, recycled PET), polypropylene (PP) and high-density polyethylene (HDPE)
  - 2.5.9. pots, tubs and trays made of PET (including amorphous, recycled and crystalline PET), PP (including expanded PP) and polyethylene (PE)
  - 2.5.10. PE and PP plastic tubes larger than 50mm x 50mm
  - 2.5.11. cartons for food, drink and other liquids, including aseptic and chilled cartons
  - 2.5.12. All paper and card except for the following list: paper and card that contains glitter or foil; paper that is laminated; stickers and sticky paper; padded lined envelopes; paperback and hardback books; wallpaper
- 2.6. From March 2027, the Government proposes that household recycling collections should include plastic film packaging and plastic bags made of mono-polyethylene (mono-PE), mono-polypropylene (mono-PP) and mixed polyolefins PE and PP.
- 2.7. **Garden waste** may be collected separately and can continue to be charged for. The consultation had proposed that garden waste services should be offered without a separate charge to residents.
- 2.8. **Separate food waste** collections for all properties will be mandated in 2026. It will still be possible to collect food and garden waste together provided this is a free service.
- 2.9. The Government have as part of the Simpler Recycling consultation included a new proposal that **residual waste collections** should be no less frequent than fortnightly, especially in urban areas. Government have suggested local authorities should be free to decide on the frequency within the fortnightly limit, although they will recommend weekly collections.

### 3. IMPLICATIONS FOR WASTE SERVICES IN NORTH LONDON

- 3.1. In responding to original proposals from Government, the Authority raised many concerns. Some of these related to the feasibility of proposed changes in a dense urban environment. For example, NLWA pointed out mixed recycling collections – means fewer collection vehicles – a sensible response to situations where roads are congested, and that if mixed recycling was linked with efficient materials recovery facilities, there need not be a degradation in the quality of recycling collected from households. Others related to the lack of evidence base for claims by the Government. For example, the Government argued that removing charges from

garden waste collections would lead to more green waste being recycled. However, a study conducted covering nine London boroughs indicated that there is a lower amount of garden waste in the residual stream when the service is chargeable (3.14%) than when the service is free (4.12%).

- 3.2. It is positive that the Government has listened to this information and not insisted on elements of reform which were likely to have unintended consequences. However, there is a concern about the potential impact on citizens' behaviours. The Government's resources and waste strategy set an ambitious national goal to eliminate avoidable waste by 2050. This has been followed up by Defra setting a statutory national target to halve residual waste per capita by 2042. In making these proposals the Government indicated that waste collection reforms would have a contributory role to play. However, reform proposals have been publicly and visibly diluted, with the Prime Minister having a prominent role in this. This is likely to impact on citizen's perceptions of the importance of reuse, repair and recycling. While there are some residents who are highly committed and passionate about achieving a circular economy, it is important that as many people as possible are enthused to minimise waste and maximise recycling.
- 3.3. The requirements for material to be collected as part of a dry mixed recycling service – as set out in section 2.5 above – do not represent an increase in the scope of materials that are already collected as co-mingled in north London, except for plastic film packaging and plastic bags (from 2027). The reasons most local authorities do not include such material in recycling collections at present is because the plastic is of low quality, is hard to separate because it is so light and there is not sufficient demand for the material currently. NLWA will be able to include this in our contract with Biffa, which will increase recycling potential, although the tonnage is expected to be modest.
- 3.4. The main uncertainty in the simpler recycling announcement is over arrangements for separate food waste collection. Defra has confirmed a commitment to providing "reasonable funding" to cover cost incurred by local authorities in delivering new food waste obligations. The funding is confirmed to include capital cost for new vehicle, bins and caddies, as well as start-up cost for education and promotional activities and project management costs associated with reorganisation of existing operations. Defra have suggested that the new burden funding will extend to meeting ongoing operational cost including additional labour, vehicle servicing and fuel, and they have indicated that part of the new burden funding will come from funds raised as part of the Extended Producer Responsibility (EPR) Packaging scheme. However, there is no detail on what funding will be made available to local authorities, through what route and with what speed. Moreover, Defra have said that payments will depend on provision of "an efficient and effective service" which are terms that have yet to be fully defined. Funding will be partially withheld where the test for "efficient and effective services" have not been met.

#### **4. RELATED CONSULTATIONS**

- 4.1. Two mini-consultations were launched on 21 October, with a closing date of 20 November. The first consultation was with local authorities on the content of statutory guidance for Simpler Recycling. The second related to collection of waste from non-domestic properties and information to be recorded on a national waste tracking system. NLWA officers have worked with officers from the constituent Boroughs to provide a north London response. The key points being the Authority has called for Government to reconsider the introduction of a two-week backstop for the collection of residual waste and warned against the top-down imposition of collection frequencies. The other major point is the role that caddy-liners plays in food waste collection and that if mandated the cost should be included in new burden funding.
- 4.2. The full response can be found on the NLWA website ([nlwa.gov.uk/ourauthority/consultation-responses/simpler-recycling-exemptions-consultation-nlwa-response](https://nlwa.gov.uk/ourauthority/consultation-responses/simpler-recycling-exemptions-consultation-nlwa-response)).

#### **5. CREATING A SMOKEFREE GENERATION AND TACKLING YOUTH VAPING**

- 5.1. This Consultation Paper was published by the Department of Health and Social Care in October 2023. While a substantial element of the document focussed on the health advantages and disadvantages of vaping, it also sought views on the banning of single use vapes. The relevant questions are shown below, with NLWA response in italics.

Q. Do you agree or disagree that there should be restrictions on the sale and supply of disposable vapes?

*Disposable vapes contribute to the fastest growing waste stream in the UK, destroying vital resources and polluting our planet. Their complex material composition means that they will always be logistically difficult, labour intensive and expensive to recycle, which is why we believe a total ban is the best solution.*

*As the UK's second largest waste disposal authority, North London Waste Authority encourages residents to either take their single-use vapes to one of its eight reuse and recycling centres, or use a take-back scheme – however, these schemes are inconsistent despite the legal obligations on retailers. With a large proportion being disposed of incorrectly, it is time to take action and ban single use vapes to preserve our environment and precious resources, especially when there is a reusable alternative available.*

Q. Do you agree or disagree that restrictions on disposable vapes should take the form of prohibiting their sale and supply?

*While we appreciate that vapes may be a tool to help people stop smoking, there are refillable and reusable options already on the market, these need to be the only option. Disposable vapes are unnecessary and unsustainable.*

*Plastic is wreaking havoc on the environment and while we welcome existing efforts to tackle this problem, disposable vapes are even more toxic than the single-use items already banned. Taxpayers should not have to bear the costs of recycling them and picking them up when they've been littered. Disposable vapes also responsible for damaging vehicles and machinery as a result of battery fires, which incurs costs to repair them. Therefore, NLWA considered their sale and supply should be prohibited.*

- 5.2. The full response can be found on the NLWA website ([nlwa.gov.uk/ourauthority/consultation-responses/creating-smokefree-generation](https://nlwa.gov.uk/ourauthority/consultation-responses/creating-smokefree-generation)).

## **6. BAN ON WET WIPES CONTAINING PLASTIC**

- 6.1. In October 2023 Defra launched a consultation on banning wet wipes containing plastic across the UK. This was principally aimed at tackling pollution in the marine environment and was not aimed at the waste sector. However, citizens are in any event encouraged not to flush wet wipes down toilets but rather dispose of them in ways which avoid the products getting into waterways. Banning of plastic-containing wet wipes would therefore also have some impact on reducing the plastic content of residual waste.
- 6.2. NLWA's response to consultation therefore supports a ban on wet wipes containing plastic. The response also proposes that measures would need to be put into place to monitor this independently, as opposed to relying on manufacturers' claims. In addition, expanding the Extended Producer Responsibility scheme to ensure producers cover the costs of their collection and disposal would have the further benefit of removing this burden from local taxpayers.
- 6.3. The full response can be found on the NLWA website ([nlwa.gov.uk/ourauthority/consultation-responses/consultation-wet-wipes](https://nlwa.gov.uk/ourauthority/consultation-responses/consultation-wet-wipes)).

## **7. EQUALITIES IMPLICATIONS**

- 7.1. The impact of implementing the Government consultations listed above is not fully known at this stage, as there are details to clarify. As the changes announced in the simpler recycling reforms to date do not require substantive changes to services, no equalities implications have been identified. If issues do arise at the next stage of consultations, these will be set out in future reports to members.

**8. COMMENTS OF THE LEGAL ADVISER**

8.1. The Legal Adviser has been consulted in the preparation of this report.

**9. COMMENTS OF THE FINANCIAL ADVISER**

9.1. The Financial Adviser has been consulted in the preparation of this report and comments have been incorporated.

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