

NORTH LONDON WASTE AUTHORITY

REPORT TITLE: CONSULTATIONS AND POLICY UPDATE

REPORT OF: MANAGING DIRECTOR

FOR SUBMISSION TO: AUTHORITY MEETING

DATE: 25 APRIL 2024

SUMMARY OF REPORT:

This report provides an update on national policy developments and consultations, and an update on NLWA’s strategy development. Specifically, the report provides details of:

- A Waste Electrical and Electronic Equipment (WEEE) consultation
- Continuing development of Simpler Recycling, including capital funding allocations for food waste services
- Deposit Return Scheme (DRS) and Extended Producer Responsibilities (EPR) impacts
- Other upcoming legislation changes
- North London Joint Waste Strategy
- Waste Leaders Meeting

RECOMMENDATIONS:

The Authority is recommended to:

- A. Note the updates provided in the report.
- B. Agree the approach outlined in section 6.5 to prepare for consultation on a draft North London Joint Waste Strategy.

SIGNED:  Managing Director

DATE: 15 April 2024

1. INTRODUCTION

- 1.1. This paper provides an update for Members on Government consultations and policies that are relevant to the Authority and have the potential to affect the Authority's operations, performance and/or costs.
- 1.2. An update on the development of the North London Joint Waste Strategy is also provided, included the proposed timeline and approach for governance by the Authority and boroughs.

2. WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) CONSULTATION

- 2.1. In December last year, the Department for Environment, Food and Rural Affairs (Defra) launched a consultation on reforming the producer responsibility system for WEEE. The stated aim was to increase levels of recycling and reuse of these products, and to ensure that producers and distributors of electrical and electronic products finance the full net cost of collection and proper treatment of products that end up as waste.
- 2.2. Some of the reforms proposed include:
 - 2.2.1. A UK-wide household collections system for small and bulky WEEE items, predominantly funded by producers, and delivered by a producer-led Scheme Administrator.
 - 2.2.2. Obligating sellers to provide a free of charge collection on delivery service upon request, taking away old appliances when delivering a replacement large appliance.
- 2.3. The consultation indicated that a phased approach to implementation was proposed. The collection on delivery obligation (second bullet point above) could be implemented as early as this year, whereas the start of the rollout of the household collection system was anticipated from 2026.
- 2.4. NLWA's response largely supported the proposals. If properly implemented, they would make it easier for residents to dispose of electronic equipment and reduce the likelihood of such material ending up in residual waste. The response requested that local authorities should have a prominent say in the running of the Scheme Administrator, who would be responsible for overseeing the small WEEE collection scheme. This reflects the strong local knowledge which local authorities have of communities and collection arrangements, so that arrangements are designed to be as practicable for residents as possible.
- 2.5. The impact on NLWA and local authorities of these proposed reforms is difficult to assess at this stage due to the limited available detail. In principle it should result in waste coming out of the waste streams collected and funded by local authorities,

but that will only happen if arrangements are genuinely beneficial to residents and clearly communicated. Officers will continue to monitor progress and feed into any available opportunities within the development process.

3. SIMPLER RECYCLING FUNDING

- 3.1. The Government's Simpler Recycling proposals involve the provision of a food waste collection service (either separately or included with green waste) to all areas of England. In January 2024 Defra wrote to all waste collection authorities detailing the capital funding which would be provided to fund the transition to weekly food waste collections required under Simpler Recycling from 2026. This funding was intended to cover the costs of collection authorities – mainly additional food bins, caddies and vehicles. The announcement did not include funding for ongoing resource and operational costs, which Defra have advised will follow later.
- 3.2. Full details of the methodology have not been released, but the funding was calculated using data and a formula from the Waste and Resources Advisory Partnership (WRAP). This resulted in a wide variation in allocations between authorities. In north London, this ranged from £47,700 to £2.7m. An appeals process is currently underway, and the constituent boroughs are engaging with Defra on an individual basis where they wish to challenge the initial allocation.
- 3.3. Waste disposal authorities were not included in these communications. No funding has so far been allocated to cover costs of infrastructure and equipment needed by disposal authorities. This is despite the stated aim being to divert food waste from residual waste and increase the scale of separated food waste volumes to be managed. Officers have engaged with Defra to raise this as a concern, working alongside the other Joint Waste Disposal Authorities and the National Association of Waste Disposal Officers (NAWDO). We have highlighted that there are capital costs associated with managing the increased food waste which will result from Simpler Recycling obligations, and this should therefore be funded as a new burden (as with the cost of collections).
- 3.4. In response, Defra have agreed to assess evidence of disposal costs and consider funding where it is found that new burdens would apply. While there have been no guarantees or commitments, we now have an opportunity to make a case for funding towards the costs of managing the increased food waste.
- 3.5. Work is currently underway to analyse the specific additional costs which can be attributed to the new food waste collections, focusing largely on design features provided at the Resource Recovery Facility at the EcoPark and being developed for Wembley/Geron Way transfer station to manage increased capacity. The relevant evidence will then be submitted to Defra and further updates will follow.

4. EXTENDED PRODUCER RESPONSIBILITY (EPR) AND DEPOSIT RETURN SCHEME (DRS)

- 4.1. Since the last update on EPR and DRS provided to the Authority in October 2023, there have been no significant changes from Government on either policy.
- 4.2. EPR continues towards a proposed delivery date of October 2025. Senior appointments have now been made to the Scheme Administrator, and advisory groups have been established, including local authority representation from the Local Government Association (LGA). Many details of the scheme still need to be clarified and we expect further updates from Government throughout this year, including on local authority payments.
- 4.3. It is very likely that the DRS will be delayed further but this is yet to be officially confirmed. Although the Government position remains that they are working towards an October 2025 start date, the Environment Secretary has admitted that this is unrealistic and suggested a 2027 deadline is “more likely”. Secondary legislation has not yet been laid and progress is dependent on Government negotiations with the devolved administrations.
- 4.4. When these initiatives were first proposed by Government in 2018, they were intended to be in place by 2022, and the Government promoted them as key steps to reduce the “throwaway culture”, with a substantial impact on residual waste volumes. They are schemes which can only be introduced at a national level, but the lack of progress is affecting the ability of local authorities to reduce waste volumes. Officers will continue to monitor both schemes and take opportunities to feed into their development and implementation through engagement with Government or via membership bodies such as LGA and NAWDO. Further updates on each policy will be provided to the Authority when available.

5. UPCOMING CONSULTATIONS AND LEGISLATION

- 5.1. The Department of Energy Security and Net Zero will shortly be publishing a technical consultation on the expansion of the Emissions Trading Scheme (ETS) to cover energy from waste facilities. Some issues we expect to be covered in the consultation include reporting and monitoring, cost impacts, and risks of incentivising exports and landfill. The ETS will be phased in with a reporting period from 2026, before full cost exposure from 2028. This is likely to have a substantial cost for local authorities as has previously been indicated in Authority papers.
- 5.2. Government has now published draft regulations to ban disposable vapes. The proposals were consulted on in 2023, with NLWA supporting the ban in its response as this will reduce a complex and environmentally harmful waste stream. The draft regulations are intended to come into force on 1 April 2025.

5.3. Following the recent consultation on WEEE, we expect Defra to consult on proposals for waste batteries later this year. Further updates will be provided on this when available.

6. NORTH LONDON JOINT WASTE STRATEGY (NLJWS)

6.1. The Joint Waste Strategy is in development covering eight authorities, namely the London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest and the Authority. Authority officers are leading the development and drafting with close engagement with officers from the constituent boroughs.

6.2. The strategy will have an extensive scope, covering a broad range of issues over the period 2025 to 2040. It will set out a strategic approach for reducing, reusing and recovering a greater proportion of the Local Authority Collected Waste (LACW) generated in the NLWA area. This will enable a strong narrative for service operations and policy direction. It will recognise that developing a truly circular economy depends on a collective effort involving Government, producers, retailers, waste authorities and residents.

6.3. Since the last update on the NLJWS provided to the Authority in October 2023, officers have:

6.3.1. Published a report to share the findings of the extensive listening exercise which was carried out to gather views of residents.

6.3.2. Completed forecasting to understand how waste generation in north London may change over the period of the strategy and beyond, in a number of potential scenarios.

6.3.3. Completed an appraisal of a variety of collection options, including a bespoke scenario specified by each borough.

6.3.4. Developed the scope for the Strategic Environmental Assessment of the NLJWS and began the statutory consultation on that report with the Environment Agency, Natural England and Historic England.

6.3.5. Met with local community groups to follow up on the initial listening exercise and discuss the development of the strategy. This is to ensure that the strategy is as relevant as possible to residents and that the Authority maximises the opportunities to understand thoughts and proposals for inclusion in proposals for approval.

6.4. All of the activities mentioned above provide crucial inputs that will underpin the strategy. Having completed this work, focus is currently on drafting the strategy and engaging with borough officers on its development. Subject to relevant

approvals, this would allow for a formal public consultation on the draft strategy document to take place in Summer 2024.

- 6.5. As there is a high representation of borough Cabinet members for the environment on the Authority (six out of seven boroughs have appointed the relevant Cabinet Member to the Authority), advice to Members from their respective borough officers can be tied in with engagement in the Member Recycling Working Group. It is therefore proposed that the draft strategy document and consultation plan should be worked up with consultation involving the Member Recycling Working Group at region-wide level, and with appropriate consultation between Cabinet Members and officers in each borough. The aim is to confirm the document and consultation plan by the end of June.
- 6.6. This would allow consultation between July and October and provide time for reflection on the consultation and finalisation of a strategy for adoption by April 2025. Timing of a public consultation may also be impacted by announcement of a general election and subsequent pre-election period, so this is a risk being monitored.

7. WASTE LEADERS' MEETING

- 7.1. At the end of 2023 the Chair wrote to opposite numbers in the other London joint waste disposal authorities, the Environment Cabinet Members in the eight boroughs who arrange their own waste disposal and also to the chair of ReLondon. His letter highlighted that with proposed national reforms expected for the waste sector, it was important to be able to present London's case – and the practical and cost issues involved - in a coordinated way with Government. It was also important to consider opportunities for cost effective coordination in communications and services for residents as local government comes under increasing financial pressure.
- 7.2. The chair's letter proposed a meeting, which was organised for 11 March and which he led with waste authority chairs and borough Cabinet members covering 25 boroughs and ReLondon. Attendees shared perspectives, noting areas of common interest, and agreed that there were a series of actions which would enable more effective coordination to achieve better outcomes across London, including promoting awareness of the specific circumstances of London services to national decision makers. The actions agreed included:
 - 7.2.1. Developing a set of food waste recycling service standards, enabling councils to learn from experiences of others. Creating a food waste recycling culture – as separate food waste collections become more mandated, London-wide communications, campaigning and awareness raising is needed.

- 7.2.2. Authorities should coordinate and agree suitable ways of analysing and presenting data, which enable a consistent and accurate narrative to be told about effective performance in the waste service in London.
 - 7.2.3. A joint position paper/call to action is needed to set out the asks for central Government to influence and ensure effective policies.
 - 7.2.4. A coordinated action plan is needed to promote London's interests in managing and delivering waste reforms, and the infrastructure needed to provide future services. New metrics and targets for London should be discussed with the GLA.
- 7.3. Officers from the participating organisations will take this work forward ensuring coordination with constituent boroughs.

8. FUNDING FOR RELONDON

- 8.1. ReLondon is the operating name of the London Waste and Recycling Board, which promotes the improvement of resource and waste management in London, though does not have direct service delivery responsibilities.
- 8.2. The chair of the London Assembly Environment Committee recently wrote to London's joint waste disposal authorities, including NLWA. She said that future funding was uncertain for ReLondon and asked if joint waste disposal authorities would consider providing funding for ReLondon. This letter followed a Committee hearing on waste management – the Committee does not have a role in the oversight or management of ReLondon.
- 8.3. The disposal authorities provided a joint response stating that they cannot commit to providing additional funding at this time. There is, however, an opportunity to consider how ReLondon can better support delivery and communications, help to achieve efficiencies between organisations and introduce common metrics that work in the London context. The Chair and Managing Director of ReLondon attended the meeting described in section 7 and have offered support in delivering the agreed actions.

9. EQUALITIES IMPLICATIONS

- 9.1. The impact of implementing the Government consultations listed above is not fully known at this stage, as there are details to clarify. This will be monitored and if there any equalities implications in future, these will be set out in future reports to members.
- 9.2. An Equalities Impact Assessment is being prepared to analyse any potential effects of the Joint Waste Strategy. This will be presented alongside the draft strategy in future reports to members.

10. COMMENTS OF THE LEGAL ADVISER

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

11. COMMENTS OF THE FINANCIAL ADVISER

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

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