

REPORT FROM: ENVIRONMENTAL SERVICES MANAGER

TO: POLICY AND RESOURCES COMMITTEE

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RESOURCES AND WASTE STRATEGY

PURPOSE OF REPORT

To provide an update on the recently released DEFRA Resources and Waste Strategy consultations.

RECOMMENDATIONS

1. That the Committee notes the content of the report.
2. That the Committee delegates authority for the Environmental Services Manager to provide responses to each consultation that directly impacts on Pendle as a Waste Collection Authority following consultation with the Council's Leader.
3. That the committee agrees to receive further updates as appropriate.

REASON FOR RECOMMENDATIONS

To ensure that Members are fully briefed on the Resources and Waste Strategy and are aware of the possible effects the strategy and consultations may have upon Pendle Borough Council.

Introduction

1. Previous reports have been presented to Committee in March and August 2019, and February 2021 following the release of the DEFRA Resources and Waste Strategy (RAWS) in December 2018, related consultations in 2019 and the Environment Bill progression through parliament.
2. The RAWS contains some significant changes in waste policy across the UK that will have some fundamental impacts on waste management services here in Lancashire and more locally in Pendle.
3. Further to the report to Committee in February 2021, members were advised that three consultations were due to be launched in March 2021 relating to the RAWS.

4. On 24 March 2021, DEFRA released two of three consultations. These relate to Extended Producer Responsibility and the Deposit Return Scheme. The third consultation on Consistency of Collections was released on Friday 7 May 2021.
5. Closing date for responses to the first two consultations is Friday 4 June 2021, this allows 10.5 weeks for responses to be provided rather than the usual 12 weeks. Attached at Appendix 1 is a briefing note which highlights the main issues from the two consultations which directly affect Pendle as a Waste Collection Authority.
6. Closing date for responses to the Consistency of Collections consultation is Sunday 4 July. This allows 8 weeks for responses to be submitted. Further information will be provided on the consultation at the next Policy and Resources Committee.

Extended Producer Responsibility (EPR)

7. The proposals being covered in this consultation are concerned with reforms to the packaging waste regulations. The current system of producer responsibility for packaging has been in place since 1997 but needs reform. Initial reforms were outlined in the first consultation in 2019, where governments signalled their intent to introduce EPR for packaging so that producers pay the full costs of dealing with the waste they produce.
8. The government's estimate that producers' costs will be in the region of £2.7bn in the first full year of implementation. £1bn of this related to packaging waste collected from households, £1.5bn for packaging waste collected from businesses, and £200m for the management of bin and ground packaging litter.
9. One of the key governing principles for packaging EPR is for payments to local authorities to be fair and transparent and should include the cost of collecting packaging waste in the residual waste stream.
10. There are 104 questions in this consultation, and it has 213 pages, including several annexes. Sections that are most relevant to local authorities include:
 - Section 4 – Full Net Costs
 - Section 7 – Modulated Fees and Labelling
 - Section 8 – Payments for Managing Packaging waste
 - Section 9 – Litter Payments
 - Section 10 – Scheme Administration and Governance

Link to online document:

<https://consult.defra.gov.uk/extended-producer-responsibility/extended-producer-responsibility-for-packaging/>

Deposit Return Scheme (DRS)

11. This consultation seeks views on proposals to introduce a DRS for drinks containers in England, Wales, and Northern Ireland (Scotland has already agreed a scheme).
12. It refers solely to deposit return schemes (for drinks containers explicitly) and not reward and return schemes. This is a system where you pay an upfront deposit and you must return the container to redeem and get your deposit back.
13. Following the first consultation in 2019 the Government indicated they still intended to introduce a DRS for drinks containers in England, Wales, and Northern Ireland from 2023

and that the introduction of a DRS would be subject to receiving additional evidence and carrying out further analysis on the costs and benefits of such a scheme.

14. The Government says it remains committed to delivering on its commitments to introduce a DRS, but it also recognises that the Covid-19 pandemic has disrupted the economy and society in unimaginable ways. On this basis, this second consultation builds on the first consultation in 2019 offering a chance to explore further what the continued appetite is for a DRS in a “post-Covid” context.
15. The Government has reassessed what a realistic timeline for implementation of a DRS looks like, ensuring that sufficient time is given for a successful roll-out of the scheme. They anticipate that the introduction of a DRS in England, Wales and Northern Ireland would be in late 2024 at the earliest.
16. There are 78 questions in this consultation, and it has 98 pages. Chapters that are most relevant to local authorities include:
 - Chapter 7 – Local Authorities and Local Councils
 - Chapter 1 – Scope
 - Chapter 3 – Scheme Governance
 - Chapter 5 – Return Points

Link to online document:

<https://consult.defra.gov.uk/environment/consultation-on-introducing-a-drs/>

Consistent Collections

17. As previously mentioned, this consultation was released on Friday 7 May 2021. It is probably the one that affects Pendle Council the most as it will dictate how we are to collect recycling from 2023.
18. Initial briefings on the consultation are taking place and Members will be fully updated when we are in a position to provide guidance on expected responses and the impacts to Pendle.

Link to online document:

<https://consult.defra.gov.uk/waste-and-recycling/consistency-in-household-and-business-recycling/>

Next Steps

19. Pendle Council officers are already participating in working groups with other councils and are taking guidance from industry organisations such as LARAC in order to consider the issues affecting us. We intend to submit responses to the questions that directly affect Pendle Council as a Waste Collection Authority before the closing dates.

IMPLICATIONS

Policy: None arising directly from this report – further reports to be presented.

Financial: None arising directly from this report – further reports to be presented.

Legal: None arising directly from this report – further reports to be presented.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report

Community Safety: None arising directly from the report

Equality and Diversity: None arising directly from the report

APPENDICES

Appendix 1 – Briefing note on the EPR and DRS consultations.

LIST OF BACKGROUND PAPERS – Strategy and Consultations – www.gov.uk