

## **Public Accounts Committee – Call for evidence on the Government’s resources and waste reforms for England. Response by ADEPT**

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents Place Directors from county, unitary and metropolitan authorities, along with Directors of Local Enterprise Partnerships and corporate partners drawn from key service sectors. ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK. We deliver the projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure

### **Whether the Government has effective plans to achieve its resources and waste ambitions**

The publication of the much anticipated Resources & Waste Strategy in December 2018 was welcomed by ADEPT members. It contained a blueprint to transform the waste sector and move England towards a truly circular economy with clear policies and ambitious targets. Unfortunately progress on its actual delivery has been slow such that timescales within the published strategy are not going to be met. There are ambitious targets in place and policies to achieve them but what is lacking is a clear plan on what is required to achieve the transition, and what resources are required to support the delivery.

Delivery of the Collection & Packaging Reforms (CPR) is pivotal in transforming waste management in England. Extended Producer Responsibility for Packaging (pEPR) is the bedrock of the Government’s strategy and will transform how producers design and manage their packaging such that we move to a more Circular Economy. Funding from pEPR will enable councils to deliver service improvements and nationwide consistency, and drive private sector investment in reprocessing capacity. However, investment requires clarity and certainty and currently we have neither.

The continued delay in publishing the Government response to its 2021 consultation on Consistency is creating a growing problem. Councils’ plans to improve their waste services have effectively been placed on hold awaiting clarity on what DEFRA construe to be ‘effective & efficient’ services. Councils have been holding back on procuring vehicles, commissioning new contracts, investing in depots, MRFs (sorting facilities) etc until they have certainty. This has created issues with contract expiry dates, as well as significant increases in maintenance costs of old vehicles and buildings. It will also exacerbate the supply chain bottlenecks of implementing change.

Examples of this are procurement of a new £30m MRF has been placed on hold as the feedstock is now uncertain; improving recycling collections in a number of Council areas have been postponed due to uncertainty on what materials to include and how best to collect them including what new vehicles to purchase. Many councils know their current depots cannot accommodate the increased fleet required to comply with anticipated consistency requirements, but lack the clarity and certainty to justify investment in expansion or new facilities. In addition, collection contracts have

been extended through negotiation by a number of District councils leading to additional costs as it is seen as a very risky time to go to the market – bidders like certainty and will submit higher prices if they have to take on risk.

The delay in issuing statutory guidance is also leading to uncertainty as Councils are uncertain around the implications particularly around frequency of residual waste collections. These decisions are best taken locally but some District Councils have delayed making changes as they fear that they may have to make further changes in response to Government direction, all at significant cost. There is a statutory requirement in the Environment Act to offer a separate food waste collection to all households from 2025. However, councils are still waiting on further details as to how this will be funded, and most are not making any changes to incorporate this requirement until clarity is provided by Government. £295m was indicated in the Government's Net Zero Strategy, 'Build Back Greener' for food waste collections but we are still waiting on clarity as to how this funding will be allocated.

DEFRA have recently published their Waste Prevention Programme for England: 'Maximising Resources, Minimising Waste'. This sets out some longer term policies and ambitions but there is little detail as to how these will be achieved and no measurable targets to be met. There is little focus on repair and re-use. There is some reference to moving towards a circular economy but it is unclear as to how that will be achieved and what it would look like. Government should be targeting Innovation funding and fiscal policy changes at encouraging waste prevention and resource efficiency as a sustainable way to grow the economy, rather than continuing to focus on unsustainable growth based on current consumption levels which are unsustainable.

The recent consultation on the 'Near Elimination of Biodegradable waste to landfill' is helpful in setting out the Government's direction of travel and the principle is generally supported by ADEPT. However there is little confidence in the sector as a whole that there will be sufficient infrastructure in place to manage the biodegradable waste that will need to be diverted. Developing new infrastructure takes a significant amount of time, particularly to obtain both planning permission and the environmental permit. For significant infrastructure such as an EfW plant it can take at least 10 years from finding a suitable site to starting plant operations. Even a new vehicle depot can take around 3 years to procure and develop. Industry will not invest in developing new infrastructure until there is certainty and clarity – DEFRA have yet to publish the results of the consultation and next steps.

A consultation around the introduction of mandatory digital waste tracking was undertaken in April 2022. This would help develop a comprehensive understanding of the volumes of waste streams that are managed in England as well as help prevent waste crime. We are still awaiting the Government response to this important piece of work. This new system is likely to impact on how Councils manage their waste data and as such a number have delayed improving their waste data systems until they have clarity and certainty on what will be required.

## **Whether DEFRA is on track to successfully implement its main programme on collection & packaging reforms**

There is little evidence to support that DEFRA is on track to deliver any of its proposals as set out in the original programme in the 2018 strategy. Whilst there have been many consultations on a number of policy areas, there have yet to be any firm timelines for implementation of any changes, or any new policy actually implemented. There appears to be a lack of political support to actually make the required changes to how waste is managed in England. The introduction of pEPR has been delayed by at least a further year on the back of strong lobbying from producers/retailers, and the perpetual delays to the Government response to its Consistency consultation are a direct barrier to successful implementation.

Implementation of any waste service changes requires effective engagement with residents. Currently there are no detailed plans as to how this will be undertaken, whilst the success of the waste reforms ultimately lies in residents actually placing the right waste in the right bin. A recent waste audit undertaken at one council showed that 40% of what had been placed in the kerbside residual waste bin could have been recycled using the kerbside recycling bins. Supporting residents to get this right continues to be a challenge and this has yet to be addressed by Government. The pEPR Statutory Instrument that is currently out for consultation includes reference to funding for public information services but there is little clarity as to what this means. The recently published Waste Prevention Programme for England refers to providing £1m in 2023/24 to support consumer campaigns to help households waste less food. Details of how this will be spent need to be provided as a matter of urgency given we are half way through the 2023/24 year already and any successful campaign takes time to plan, resource and implement.

Policies from DEFRA, DLUHC, HM Treasury and DNZES all impact on how waste is managed but there appears to be little communication/joined up thinking between the different areas of Government, and some policies conflict with each other. An example of this is the recent announcement of stop councils charging for small amounts of DIY waste which will lead to an increase in overall waste arisings especially as it will be extremely difficult for councils to deter trade waste. DLUHC has advised that this change in legislation will not be subject to New Burdens and councils will need to meet the additional costs. This is estimated to place an additional burden of around £1m on one council with others reporting similar costs. DEFRA has always advised that New Burdens will apply for any changes in waste legislation to help councils meet the additional costs of delivering the Government's policies, but this stance taken by DLUHC has undermined confidence in receiving additional funding through New Burdens if it is at 'ministerial discretion'. There will need to be absolute certainty around funding sources if councils are to invest in delivering new waste services to support delivery of the Government's resources and waste strategy.

Implementation of a Deposit Return Scheme remains a key component of the CPR. However this is currently proposed as a take back scheme in England which gives cause for concern about how successful it is likely to be. ADEPT would urge the Government to review this and to consider a digital scheme whereby the residents continue to use their kerbside service. The cost of implementing a take back scheme using drop off points is significant and the value given to littering having a detrimental impact on the amenity of the area within the overall impact assessment may have

swayed the results. It cannot be considered value for money as currently proposed and should be reviewed. If pEPR is implemented successfully then it should not even be needed.

The RAWS2018 set out ambitious plans and policies to transform the waste service in England and move us towards a circular economy. Whilst there has been much consultation on proposed policies there has yet to be any firm plans on implementation and timescales have slipped. Investment in any changes by councils and industry to deliver new waste services require clarity and certainty - both are currently lacking. As a consequence transformation of waste services is in limbo and will remain so until there is confidence in what is required and when. Perversely the Government's position is actually delaying or preventing service improvement for fear of non-compliance or missed funding opportunities. ADEPT members continue to want to work with Government to help deliver what is required.