

National Waste Strategy consultations

Background

The Government has been reviewing the National Waste Strategy for some time. The initial consultation was in 2019 and we responded on this via the Surrey Environmental Partnership (SEP).

This was part one of a two-part consultation and the second part was expected in 2020, but was delayed by Coronavirus.

We have now received 5 consultation documents, two are technical or more industrial, three will have far reaching consequences for local authorities. These are:

Extended Producer Responsibility (EPR)

Deposit Return Scheme (DRS)

Consistency in Collections (CiC)

Extended Producer Responsibility

Key headlines

- **More items recyclable and more expectation on collection range**
- **Expectation of “efficient collections” and compliance with “high quality” recycling to receive funding**
- **New funding streams – not necessarily more “net” though as grant may be reduced to ensure there isn’t a double hit for the consumer**
- **Costs covered include collection (including as litter) as well as disposal/reprocessing costs**

About this consultation

The first consultation in 2019 set out the case for reform and was broad in scope. A key principle underpinning the proposed reforms was the introduction of EPR for packaging, so that producers pay the **full net costs** of dealing with the waste they produce. Overall respondents to this first consultation were positive of the intent to reform the current system and introduce EPR.

In developing the final proposals for EPR in this second consultation, the Government have drawn on previous feedback submitted and have continued to engage with stakeholders from across the packaging value-chain. The proposals have been set out over several sections in this consultation:

- What the Government want to achieve – principles, outcomes, and targets,
- Producer obligations for full net cost payments and reporting,
- Proposals for single use disposable cups,
- Incentivising packaging design through modulating the fees paid by producers and packaging labelling,
- Payments for managing packaging waste and littered packaging waste,
- Scheme administration and governance,
- Reprocessing and exporting packaging waste,
- Monitoring compliance and enforcement,
- Digital design,
- Implementation timeline,
- Costs and benefits.

The key points for local authorities in this second consultation have been summarised in the paragraphs below.

Scope - packaging types and core set materials

The proposals extend to all types of packaging used in relation to the distribution and supply of products that are placed for sale on the UK market, and to both single-use and reusable packaging with the exception of packaging drinks containers that are to be in the scope of DRS (Both the schemes in Scotland, and England, Wales, and Northern Ireland).

The core set of packaging items that will be collected from households and businesses include many packaging items that already are widely collected for recycling such as:

- Glass containers – such as condiment bottles, jars.
- Paper and card packaging.
- Plastic bottles / containers – including for milk, detergents, shampoo, cleaning products.
- Plastic pots, tubs, and trays.
- Steel and aluminium cans.

The core set will also include additional packaging materials that are not currently collected for recycling by all local authorities but which it is proposed will be required to be collected from both households and businesses from the start of Extended Producer Responsibility. These include other types of metal packaging such as foil trays and aerosols, and food and drink cartons.

For plastic film and flexible packaging, consumers will need to take their used film and flexible packaging to their nearest front of store collection point or check whether their local authority includes it in their collections.

Full net costs

Following strong support in the 2019 consultation, the Government intends to progress with the broad scope of full net costs of managing packaging waste. This includes:

- The collecting, sorting, and recycling of packaging waste from households and businesses.
- The collecting and disposing of packaging in the residual waste stream from households only.
- Litter and refuse management costs, including bin and ground litter.

Modulated fees

The consultation proposes that the fees producers will pay to cover the disposal costs of their packaging should be varied to reflect criteria such as recyclability. For instance, producers whose packaging contributes positively to scheme outcomes (e.g., easily recyclable) will pay lower fee rates, while fee rates for packaging which does not contribute positively to scheme outcomes will be increased (e.g., unrecyclable).

Labelling

The consultation proposes that mandatory recyclability labelling should be introduced on packaging as soon as is feasible and by **end of 2026/27 at the latest**. The expectation is that labelling is introduced on different packaging types in line with requirements for their separate collection by local authorities (so along the lines that the OPRL is designed). It is proposed that the broad requirements for labelling are set out in legislation, including a requirement to use a label approved by Government (or the Regulator).

Payments for household waste to local authorities

The consultation sets out broad principles underpinning the implementation of payment mechanisms. These include the scope of “necessary costs” and that costs paid by producers should be for the delivery of ‘efficient and effective’ services. It proposes that payments should be based on both the tonnages and quality of packaging waste collected and recycled, with these requirements being phased in and a Scheme Administrator encouraged to support local authorities to improve and meet performance benchmarks, to obtain their full payments. Only local authorities which operate efficient and effective systems will have their full net costs recovered via a modelled approach based on the tonnage collected.

Payments for littering

The consultation proposes that producers of commonly littered packaging items be made responsible for the costs that are directly attributable to their management, both as bin and ground litter. This includes costs incurred by local authorities, other duty bodies, litter authorities and statutory undertakers. It is also proposed that this extends to costs incurred by charities, not-for-profit organisations and representative bodies for prevention and educational activities, litter picks, and provision of bins on land that is accessible to the public free of charge.

Scheme Administrator and Governance

This consultation seeks views on two broad approaches:

- **A single administrator / management organisation:** responsible for administering and managing delivery of the packaging waste management cost requirements and producer compliance with packaging waste recycling targets.
- **Multiple compliance schemes with certain functions undertaken by a Scheme Administrator:** A Scheme Administrator would take on functions that are better delivered UK-wide such as developing the approach to determining packaging waste management costs for household waste, setting the fee modulation mechanism, and administering payments to local authorities; with compliance schemes primarily responsible for managing compliance with obligations in respect of non-household packaging waste.

The Government is of the view that those aspects of the scheme that interface with local authorities are best managed by a single organisation or Scheme Administrator and both the above options allow for this.

Implementation Timetable

The Government intend to have the first phase of **EPR established in 2023** which would enable payments to local authorities to be made from October 2023, but this is dependent on several factors. It is not proposed that the full costs of managing household packaging waste would be recovered from producers in 2023 and hence local authorities would not receive full cost payments. It is proposed payments in 2023 should support those local authorities who do not collect the core set of packaging materials to start collecting additional materials separately for recycling (such as plastic film). Full cost recovery is anticipated to be achievable from April 2024.

Deposit Return Scheme

Key Headlines

- **Covers key drinks containers – cans and bottles – but not pouches**
- **Likely to exclude multipacks, but likely to be “all in” i.e. cover up to 3 litres**
- **Will impact on what is presented at the kerbside – up to 90% of target drinks containers could be captured**
- **Could be left with mostly paper/card – trucks carrying air**

- **Big unknowns in terms of costs recovery as DRS materials will not be included in the EPR**
- **Generally well supported politically, but strong officer concerns regarding need, cost and impact**

About this consultation

In 2019, the Government launched the consultation on introducing a DRS in England, in conjunction with the Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland. The consultation set out the aims to reduce the amount of littering, boost recycling levels for relevant material, offer the enhanced possibility to collect high quality materials in greater quantities and promote recycling through clear labelling and consumer messaging.

In response, the Government committed to continuing to develop proposals and stated that it was minded implementing a scheme from 2023, subject to further evidence and analysis on the costs and benefits of such a scheme.

This consultation will build on the first taking into consideration the effect of the Covid-19 pandemic and delve into the current appetite for a DRS in a 'post-Covid' context. It will also inform how a future scheme can be designed to deliver on the objectives set out for introducing such a policy.

The Government have reassessed timelines for implementation of a DRS and anticipate that its introduction in England, Wales and Northern Ireland would be in **late 2024 at the earliest**. The primary powers to implement the DRS will come from the Environment Bill.

The proposals have been set out in the following sections:

- Introduction,
- Scope of the Deposit Return Scheme,
- Targets,
- Government scheme,
- Financial flow,
- Return points,
- Labelling,
- Local authorities and local councils,
- Compliance monitoring and enforcement,
- Implementation time,
- Summary approach to impact assessment.

We would recommend reading all sections above, but the key points for local authorities in this second consultation have been summarised in the paragraphs below.

Scope

This chapter sets out the scheme participants who will take on obligations under the deposit return scheme – namely producers, retailers, and the Scheme Administrator (Deposit Management Organisation or DMO). These obligations include requiring producers to sign up to the DMO and carry out reporting obligations, paying a producer registration fee to the DMO to fund the deposit return scheme, and placing a redeemable deposit on in-scope drinks containers they place on the market. Retailers will be required to accept all deposit return scheme containers returned to their store and ensure the deposit price is added to the purchase price of an in-scope drink at the point of purchase.

It sets out what materials will be within the scope of a DRS. This will be based on materials and not the type of product. It is proposed that the scheme will include PET bottles, glass bottles and steel and aluminium cans. Cartons and pouches are not proposed for inclusion.

The four options proposed are:

- Do Nothing
- All in (drinks containers up to 3 litres)
- On the go (drinks containers under 750ml)
- All in without glass

Scheme Governance

This chapter outlines the role of the Deposit Management Organisation (DMO) whose role is to manage the operation of the deposit return scheme. The DMO will own the material returned by the consumers. They will be responsible for meeting the high collection targets set out in legislation and will be appointed via a competitive tender process. The DMO will have to ensure that financial provisions are made available to make payments to local authorities and/or the EPR scheme administrator to fund the collection of DRS containers that are collected through local authority waste streams.

Return Points

This chapter sets out further details of the retailer options in the deposit return scheme, proposing that all retailers who sell in-scope drinks containers will be obligated to accept returns of in-scope material by hosting a return point. This will likely be via reverse vending machine or manual return points, but the regulations will be broad in nature to ensure alternative methods of return are not ruled out. Requiring online retailers to be included in the scheme is discussed.

The chapter also discusses the potential for innovation in technology to be deployed in a DRS system and provides further detail on how this might support the return points provisions using smart phone applications allowing the electronic redemption of a deposit.

This could mean that residents could continue to use their kerbside collection systems and reclaim their deposit and so cut out the need to take containers back to the shops with them. Trials on this technology are currently being undertaken in Wales and Northern Ireland.

Local Authorities and Local Councils

This chapter explores the impact a DRS will have on local authorities and the way in which containers in scope of the scheme will be treated when these containers still end up in local authority waste streams. It seeks views on three options for financially reimbursing local authorities for any DRS items they must deal with, in recycling, residual or litter.

The consultation proposes three options:

- A **'do nothing'** approach and allowing local authorities to redeem the deposits of DRS containers collected in their waste streams.
- **Allow the DMO to make payments to local authorities** for these materials via the EPR Scheme Administrator. The funding formula developed for these payments under EPR would include the costs of DRS containers.
- A **hybrid option**, whereby the DMO pays a deposit value on containers that are returned and any additional scheme material in local authority waste streams is covered by a funding formula in Option 2.

In the consultation, the Government state a preference for **Option 2** being taken forward.

Implementation timetable

The Government currently anticipates that a DRS could be launched in **late 2024**.

It expects to finalise the [Impact Assessment](#) on DRS in late 2021 and the secondary legislation required in 2022 (subject to the outcome of this consultation and parliamentary passage of the Environment Bill in 2021). A DMO is expected to be appointed in 2023 with mobilisation and roll expected between 2023 and 2024.

Consistency in Collections

Key Headlines

- **Food Waste Weekly**
- **Refuse probably limited to maximum of fortnightly**
- **Dry Recycling – no minimum frequency but “best practice” guidance expected linked to payments**
- **No standard bin size/colours – yet – but guidance for future**
- **Dry recycling -strong preference for full separation**
- **At least paper out – with local exceptions needing high level of justification**
- **Can and plastics or Cans and glass likely to be ok to collect together – possibility of cans/plastic/glass to be allowed**
- **New materials – plastic films, tetrapaks**
- **Free garden waste a possibility – if not pressure to demonstrate our charges are “reasonable”**
- **Business waste having similar pressures on separation**
- **Business waste may be subject to “franchising” - risks and opportunities**
- **More vehicles and staff, impacting on fleet and future depot requirements**
- **New burdens fund may support for a while (i.e. food, garden waste etc) – but some huge net revenue risks**

Green = Compliant already or no significant concern

Blue = Some concern or challenging to deliver

Red = Major concern or very challenging to deliver

About this consultation

Following the first consultation on “Consistency in Household and Business Recycling Collections in England”, which closed in May 2019, measures were introduced in the Environment Bill requiring a set of recyclable waste streams to be collected from households, businesses and non-domestic premises such as hospitals and schools.

This consultation dovetails policy proposals to reform producer responsibility for packaging to ensure that producers cover the costs of managing packaging waste and to implement a Deposit Return Scheme (DRS) for drinks containers.

In this second consultation, the government is looking to build on the proposals outlined in the first consultation, following stakeholder feedback and engagement with the sector.

The consultation is split into two parts; measures to improve the quantity and quality of household recycling, and measures to improve the recycling of non-household municipal waste from businesses and non-domestic premises. It contains 26 proposals that cover key policy areas and seeks to gather views on the detail of these proposals, including how the Environment Bill powers should be used and how these policies should be implemented.

Part 1 – Measure to improve household recycling

This is applicable to local authorities as it directly impacts and changes household waste operations. It covers the following main areas:

Separate collection of dry recyclable waste from households

The core set of packaging items that will be mandated to be collected from households include:

- Glass bottles and containers – such as condiment bottles, jars, drinks bottles
- Paper and card packaging
- Metal packaging- Steel and aluminium cans
- Plastic bottles / containers – including clear drinks, milk containers detergents, shampoo, cleaning products, plastic pots, tubs, and trays, plastic films
- Food and drink cartons- proposed to be collected with plastic bottles

It is expected that all local authorities will collect these materials from October 2023. The exception is for plastic films, proposed to phase in with a defined ‘end date’ of the financial year 2026/27.

Separate collection of food waste from households for recycling

The Environment Bill requires that food waste must be collected at least weekly, separately from other household waste and from the dry recyclable waste streams and sent for recycling or composting.

It is proposed that the requirement for weekly separate food waste collection would be introduced during the **2023/24** financial year.

- **Exceptions to separate collection requirement** - where it will not be technically or economically practicable to collect these food waste separately, or separate collection presents no significant environmental benefit, it will be necessary in these cases to allow the collection of food waste with garden waste but would still require the container to be collected weekly.
- **Transition arrangements**- For local authorities without existing contracts in place that would be affected by introducing a separate food waste collection service, Defra anticipate requiring local authorities to have this in place by the 2024/25 financial year at the latest.
 - For local authorities with long term residual waste disposal contracts that may be affected by introducing a separate food waste collection, Defra propose that these local authorities should have a separate food waste collection service in place as quickly as contracts allow and are seeking views on the latest this can be done, and they anticipate setting a date between 2024/25 and 2030/31.
 - For local authorities with existing mixed food/garden waste contracts in place to collect food waste separately for recycling for all households including flats, Defra anticipate setting a date between 2024/25 and 2030/31 for this requirement to come in. They say they are exploring compensation costs for local authorities with long term collection and disposal contracts that may act as barriers to implementing separate food waste collection services, where these contracts run beyond the end date for the separate food waste collection requirement.

Caddy liners- Given the evidence provided in the first consultation on caddy liners and the benefits it provides towards the successful implementation of separate food waste collection service, Defra

proposes that the provision of caddy liners in the collection of separately collected food waste should be promoted as good practice and that guidance should be provided on caddy liners including on caddy liner material types.

Separate collection of garden waste from households for recycling

Defra are proposing that local authorities provide a **free** minimum fortnightly garden waste collection service of equivalent to a maximum capacity of 240-litre (either bin or sacks) for recycling in the **2023/24** financial year. Local authorities would be able to charge for more frequent collections and/or additional capacity.

- **Alternative options to free garden waste collection** - Defra notes that a variety of respondents to the consultation 2019 indicated that there are significant costs associated with the introduction of a free, minimum collection service for garden waste, despite its benefits. Defra is therefore consulting on three possible alternatives to providing free garden waste service. These options could achieve the policy aims of increasing the recycling of garden waste and reducing the quantity of garden waste disposed through landfill and incineration. The options are as follows:
 - Produce updated guidance on reasonable charges - Local authorities in England currently levy an average charge of £43 per annum. A reasonable charge can only be made for collection and associated administration, but WRAP analysis indicates that this would be in the region of approximately £18 to £30 per household per year, depending on the region.
 - Clear communications to non-participating households - Householders generating garden waste could be discouraged from placing garden waste in the residual waste bin through targeted communications on the benefits and positive environmental impacts of recycling garden waste and promoting other activities such as home composting.
 - Increasing home composting - Home composting prevents garden waste from entering the waste management chain, so is higher up the waste hierarchy than recycling. A study by WRAP (2009) estimated that home composting could on average divert 114kg/household/year of material from garden waste collections on two conditions:
 - Dedicated bin/s needed to be built, or a subsidised bin provided.
 - Households would require support to use the home composter.

Exemptions from the requirement that recyclable waste from each waste stream must be collected separately

To achieve high-quality recycling, recyclable waste streams must be collected separately from each other, except where it is not technically or economically practicable, or where there is no significant environmental benefit from separate collection. If a Waste Collection Authority relies on one of these exceptions, it will need to carry out a written assessment. Compliance will be assessed by the Environment Agency.

The Environment Bill gives powers to the Secretary of State to set exemptions in regulations, from the requirement to collect recyclable waste in each of the recyclable waste streams separately in relation to two or more recyclable waste streams without the above tests.

Defra are seeking views on exemptions for the following waste streams to be collected together from households (and non-household municipal premises in the section on non-household municipal exemptions):

- plastic and metal
- glass and metal

Statutory guidance and minimum service standards

Most respondents to the first consultation supported the need for Government to provide guidance for local authorities. The Environment Bill grants powers to the Secretary of State to issue statutory guidance on the duties imposed by the Environment Bill. Local authorities, and other waste collectors, must have regard to the guidance when carrying out their waste management duties.

There is a requirement to consult before issuing guidance and, subject to this, Defra plan to publish guidance alongside the making of secondary legislation, ahead of introducing the reforms.

Defra is seeking views on the following areas that it intends to include in statutory guidance:

- Conditions where an exception to the condition that recyclable waste in each recyclable waste stream must be collected separately may apply and where, consequently, two or more recyclable waste streams may be collected together
 - The Environment Bill legislates for glass, metal, plastic, paper and card, food and garden waste to be collected for recycling from households. These recyclable waste streams must be collected by collectors of household waste without exception.
 - The Environment Bill stipulates that the recyclable waste in each recyclable waste stream can be collected together only if it is not technically or economically practicable to collect separately, or if there is no significant environmental benefit from separate collection.
- Compliance and enforcement
 - Defra proposes to include reference to the type and standard of evidence needed to support a written assessment in statutory guidance, such as the WRAP 'Kerbside Recycling: Indicative Cost and Performance' online tool which is currently being updated.
 - Provide guidance to waste collectors on the type of assessment required, an example template for a written assessment could be provided in statutory guidance.
 - To avoid unnecessary burden on local authorities, Defra proposes that local authorities should only be required to complete a single written assessment for their service area, which will take account of the different exceptions, rather than multiple assessments for the same service area. It may also be appropriate for a single assessment to be completed across more than one authority. For example, for two-tier authorities, partnerships, or authorities that share treatment infrastructure.
- Minimum service standards for the separate collection of dry recyclable materials from households and non-domestic premises and premises producing commercial or industrial waste
 - In circumstances where it is not technically or economically practicable to collect the recyclable waste streams separately Defra expect waste collectors to consider whether a multi-stream system is practicable in the first instance. If any of the above exceptions

apply, and it is not practicable to offer a multi-stream system, local authorities should consider whether a twin-stream collection system can be offered. Justification for this approach should be provided through a written assessment.

- If a twin-stream collection approach is not practicable, a co-mingled collection service could be considered as a last resort.
 - Defra are minded in statutory guidance to recommend that fibres (paper and card) are kept separate from all other recyclable waste streams, where practicable.
- Minimum service standards for the collection of residual waste from households
 - Defra will consider whether a recommended minimum service standard of alternate weekly collection for residual waste (alongside weekly food waste collection) might be appropriate, subject to an assessment of affordability and value for money.
 - Local authorities that currently collect residual waste on a fortnightly basis should not need to reduce their capacity of collection or frequency further because of consistency measures.
 - Minimum service standards for the separate collection of food and garden waste from households
 - Defra will be mandating weekly separate food waste collection. Following this consultation, Defra will provide further information on recommended minimum service standards for the collection of food and garden waste in guidance.

Recycling Credits

Section 52 (1) of the Environmental Protection Act 1990 introduced recycling credits as a mechanism for incentivising recycling and composting of household waste by Waste Collection Authorities operating with a Waste Disposal Authority (i.e., non-unitary authorities) and third parties. It requires Waste Disposal Authorities to pay waste recycling credits to a Waste Collection Authority in its area when the Waste Collection Authority diverts waste from the household waste stream for recycling.

From April 2006 credit payments have not been obligatory where Waste Collection Authorities and Waste Disposal Authorities have agreed other financial arrangements within their local partnerships.

The major reforms proposed for both Extended Producer Responsibility and for consistency in recycling will transform the incentives for collection and recycling of waste as follows:

- Consistency in recycling will require all Waste Collection Authorities to collect six recyclable waste streams including glass, metal, paper and card, plastics, food waste, and garden waste.
- Full net cost recovery under Extended Producer Responsibility will bring in a new funding stream to cover the collection and treatment costs for all packaging material collected by local authorities.
- Government has also committed to paying the costs of additional new burdens arising from statutory duties imposed on local authorities in relation to consistency reforms. This commitment would cover new statutory duties in relation to food waste collections.

These reforms call into question the continued need for recycling credits and review is necessary to ensure they remain fit for purpose and do not duplicate other funding arrangements.

Defra proposes that Extended Producer Responsibility payments in two tier areas should be made where costs are accrued unless a separate payment arrangement has been agreed between the two authorities.

Defra are interested in views on whether the option to pay recycling credits should be retained in the longer term. An alternative would be to require local authorities in two tier areas to make local arrangements as necessary for sharing costs and/or savings arising from management of waste other than packaging. However, where agreement cannot be arrived at it may still be necessary to have some legally based backstop for payments. Any substantive change to the current system is likely to require primary legislation.

The theory is that the value of producer payments will be greater than the value of recycling credits, so that under EPR collection authorities will have a net gain in funds despite losing recycling credits. And disposal authorities will have a saving by not having to pay credits. In two tier areas this should then leave both tiers in a better financial situation under EPR payments than currently.

Part 2 – Measures to improve the recycling of Non-household (business and non-domestic waste)

This is applicable to all local authorities that operate a trade waste service with some potential implications for those authorities who do not currently operate trade waste services. It covers the following main areas:

Dry materials to be collected from non-household municipal premises for recycling

Defra proposes that;

- Dry recyclable waste streams collected should include the same materials (including plastic films) as those in the equivalent recyclable waste streams from households, in the financial year 2023/24
- Food waste to be collected for recycling from beyond 2024/25

Separate collection of food waste from non-household municipal premises

The Environment Bill requires food waste to be collected from all non-household municipal premises that produce food waste. Food waste must always be collected separately from the dry recyclable waste streams of glass, metal, plastic, paper and card, as well as residual waste.

It is proposed that the description of food waste from non-household municipal premises should be consistent with the proposal for food waste produced from households and this requirement will be mandatory from the 2023/24 financial year

Proposals on reducing barriers to recycling for non-household municipal waste producers

Through responses to the first consultation and other stakeholder engagement, Defra recognises that some businesses and small and micro-firms face higher barriers to recycling. These barriers might include financial; contractual; space for segregation of waste, particularly at smaller premises; engagement to segregate waste; services offered by waste contractors; and knowledge of recycling at work.

The Environment Bill includes a regulation-making power for the Secretary of State to set exemptions from the requirements relating to the collection of waste from non-household municipal premises either completely, or with respect to a particular waste stream.

Given a significant cost burden that micro-firms would experience as highlighted by the impact assessment, Defra are consulting on an exemption for micro-firms to reflect on the higher barriers to recycling that they often face. The two options being consulted on are as follows:

- Option 1: Micro-firm producers of non-household municipal waste should be exempt from the requirement to arrange for the collection of five recyclable waste streams (glass, metal, plastic, paper and card, food waste) for recycling and to present this waste in accordance with the arrangements.
- Option 2: Micro-firm producers of non-household municipal waste are phased into the new recycling consistency requirements in the Environment Bill, two years after the recycling consistency go live date.

Local franchising of waste services

Local franchising would allow local authorities or other partnerships to issue contracts for the collection of waste from businesses and other similar organisations in particular areas of a town or city. This would give rights to the operator(s) awarded the contract(s) to collect recyclables, food, and residual waste in the designated zones.

The franchising would likely be managed by local authorities and cover all non-household municipal waste producers in a defined area with funding made available for council administration and direct support. At the same time, it might be beneficial for the local authority to undertake business support activities, often in partnership with non-household municipal sector bodies. If local authorities were involved in a zoning scheme, any new burdens would be fully funded in line with Government guidance on new burdens.

Defra is consulting on which recyclable waste streams should be included under a potential zoning scheme and the different types franchising. At this stage, Defra recognises that this is a general approach and would require further development, assessment and legislative change to become operational. Any substantive change to the current system is likely to require primary legislation.

Separate collection of recyclable waste streams from non-household municipal waste producers

Defra are seeking views on exemptions for the following waste streams to be collected together from non-household municipal premises:

- plastic and metal
- glass and metal

Compliance and auditing of waste management companies

In cases where it is not technically or economically practicable to collect recyclable waste streams separately, or cases in which separate collection does not have significant environmental benefit, waste collectors are required to complete a written assessment. The Environment Agency is responsible for ensuring compliance with the duties set out in in the Environment Bill in England and would be able to request and audit a proportion of written assessments.

As a result, the producer of non-household municipal waste (and anyone subsequently involved in presenting the waste for collection such as a landlord) has a legal requirement to separate out the recyclable waste in accordance with the arrangements. If they fail to do so, the Environment Agency will have the power to serve a compliance notice.

Defra is consulting on ways to reduce unnecessary burdens on waste collectors and waste producers in terms of the format and detail of the required written assessment

Proposals on the costs and benefits of implementing the changes proposed in this consultation

This consultation is supported by an [impact assessment](#), which sets out the potential costs of expanding dry recycling collections and adding food and garden waste collections.

Defra is seeking views and additional evidence on:

- familiarisation and ongoing costs to households and businesses of sorting waste for new collection requirements
- impact assessment assumptions and identified impacts including both monetised and unmonetized and
- comments on how to improve their approach to accounting for uncertainty in LA and business-related costs

Implementation timetable

All local authorities are expected to be able to collect the core set materials from October 2023. This is however an indicative timeline, as it is subject to Extended Producer Responsibility payments and new burdens funding starting from 2023 and the Environment Bill reaching Royal Assent in 2021. The exception is for plastic films, proposed to phase in with a defined 'end date' of the financial year 2026/27

Summary and Next Steps

The size, scale and speed of the changes proposed, especially by the CiC and EPR are more impactful than we had considered likely, some aspects we are already compliant with or can be easily, others introduce significant operational and political challenges.

Going forward, assuming much of the proposals move forward on the timescales set by Defra, there is a need for a significant project to take this forward, starting slowly for now but building towards the end of this year and getting very full on through 2022. We will need significant and appropriately experienced resources to ensure this is delivered, ideally working in partnership with the SEP, other authorities, and Surrey as appropriate.

Other risks which also need to be considered and accounted for are the potential for additional depot space for vehicles and staff to deliver the potential changes in the delivery of waste services.