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This report contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972
(applies to Appendix A only)

Report to: **Hub Committee**

Date: **11 July 2023**

Title: **Waste and Recycling Services Update**

Portfolio Area: *Natural Environment – Cllr Daniel*

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Upon the expiry of the Scrutiny Call-in period.

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RECOMMENDATIONS:

That the Hub Committee:

- 1) Notes the improvement in performance of the waste and recycling service in the last 8 months.**
- 2) Sets up a Waste Working Group to consider the implications of the Environment Act 2021 and provide oversight of the Waste and Recycling contract with FCC.**
- 3) Notes both the contents of exempt Appendix A and the intention for officers to bring a further report to a future meeting of the Hub Committee on the updated costs that are set out in Appendix A.**

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1. Executive summary

- 1.1 This report updates the Hub Committee on the progress and performance of the waste and recycling service since the variation of the joint contract with South Hams District Council on 3 October 2022.
- 1.2 It sets out the contractual changes that have occurred in the last three years and service improvement in the last 8 months following the successful variation of the joint contract between South Hams and West Devon. Section 4 of the report illustrates the improvement in waste and recycling collection performance.
- 1.3 In doing so, the Council will meet the needs of residents, fulfil its statutory duty but also future proof the service for years to come.
- 1.4 The Hub Committee is also asked to note the contents of exempt Appendix A and the intention for officers to bring a further report to a future meeting of the Hub Committee on the updated costs that are set out in the Appendix.

2. Background

- 2.1. The Council has contracted out its waste and cleansing services for over 20 years and in December 2018 the Council entered into a shared contract with South Hams District Council and its existing provider FCC Environment Ltd. The contract was an 8-year term with a total value of £48 million of which the West Devon value was £18 million. The contract with FCC Environment began on 1 April 2019 and covered waste and recycling, street and toilet cleansing.
- 2.2. The key drivers for awarding the contract included driving value for money and improving service delivery. The report to Council on 4th December 2018 set out how the joint contract delivered an annual saving of £0.25m over the term of the contract.
- 2.3. The Council tips its residual waste at Crowndale in Tavistock and it is Devon County Council as the disposal authority that

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are responsible for sending the waste to the energy from waste incinerator in Plymouth.

- 2.4. The Council leases land from a third party at Hayedown so that the contractor can operate a waste transfer station to tip recyclable materials including food waste. This is standard practice when there are no outlets to direct deliver materials. This allows the materials to be bulked and sent onward for reprocessing.
- 2.5. The Borough operates a kerbside sort recycling service known as the Devon aligned service (DAS) and residents are asked to sort their materials ahead of collection meaning the contractors operatives can load the material much more efficiently.
- 2.6. The current materials collected at the kerbside are shown below:

Reusable White Sack



Household Plastic Packaging	Household metal packaging
<ul style="list-style-type: none">• Detergent and soap bottles (no pumps)• Cleaning product bottles• Skin care product bottles• Pop and water bottles• Milk bottles• Pots (e.g. yoghurt, soup)• Tubs (e.g. margarine, ice cream)• Trays and punnets (meat trays, takeaway trays, fruit and veg trays)• Plant pots (not black ones)	<ul style="list-style-type: none">• Drink cans• Food tins• Biscuit or chocolate tins• Aerosols (empty)• Aluminium Foil• Foil Trays (takeaway trays)• Aluminium tubes (e.g. tomato purée)• Metal lids from jars and bottles


Empty all packaging and rinse clean. Replace bottle lids and tops, and flatten bottles where possible. You can leave labels on all packaging, but place film lids, absorbent pads etc. in your black sack.

Remember, no black plastic.

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Box 1



Paper

- Paper
- Magazine, brochures and catalogues
- White paper (e.g. computer paper, letters etc.)
- Telephone directories
- Envelopes (including those with windows)
- Books

Glass bottles and jars

- Bottles of any colour (e.g. wine, beer, sauce, oil etc.)
- Jars of any colour (e.g. jam, sauce, baby food etc.)
- Non-food bottles and jars (e.g. perfume, aftershave, face creams)

Cartons


- Drinks cartons (e.g. juices, milk, plant-based milk)
- Food cartons (e.g. soup, custard, flour)

Items must be sorted by material type within the box.

Paper must be free of dirt, food or paint. Dirty or greasy paper (such as chip shop wrappers) should go in your black sacks.

Metal lids and caps should go in the reusable sack. Empty and rinse all containers, and where possible, squash or fold containers to save space.

Box 2



Cardboard

- Cardboard boxes (e.g. cereal boxes, dishwasher tablet boxes)
- Corrugated cardboard
- Online delivery boxes and cardboard envelopes
- Greeting cards - no glitter
- Egg boxes
- Brown paper

Batteries and Printer Cartridges

- All household batteries including 'button' batteries from watches, hearing aids etc.
- Battery packs from household tools such as Strimmers.
- Battery packs from laptops or phones.
- All household printer cartridges.

Clothes

- Trousers and skirts
- Jumpers and cardigans
- Coats and jackets
- Shirts and t-shirts


Items must be sorted by material type within the box.

Cardboard must be free of dirt, food or paint. Dirty or greasy cardboard (such as takeaway pizza boxes) should go in your black sacks.

Pieces of cardboard can be placed alongside Box 2 if your box is full, as long as they are under 70 cm long.


Clothes must be clean and dry.

Batteries should be placed in a small clear tied bag, such as a sandwich bag or empty bread bag. Cover the contacts on lithium and button batteries with sticky tape to reduce fire risk.



Food Waste Caddy

Cooked and uncooked food waste including meat, bones & fish should be put into your food caddy, not in refuse sacks. **You can now use any bag to line your caddy.**



food waste

2.7. The Devon Aligned Service enables all Devon District Councils to collect the materials outlined in 2.6. The Council initiated this collection regime in 2019 ahead of the Environment Act 2021. The DAS service aligns with the Act's goals and objectives. (See Section 3 of the report).

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- 2.8. The kerbside collection method means that materials are segregated at source reducing contamination and improving the quality of recycling. This results in more material being recovered for reuse and achieving a higher recyclate value.
- 2.9. The rationale being to improve recycling rates and reduce recyclable materials entering the residual waste stream, ultimately contributing to both the national and local climate change targets.
- 2.10. In October 2019, as part of the new contract the Council introduced the collection of mixed plastic and cans to future proof the service and ensure its compliance ahead of the Environment act 2021 as set as below in section 3.
- 2.11. The South Hams requirement of the Contract was to roll out the Devon Aligned service (DAS) to all households to include a food waste collection.
- 2.12. The contractor began rolling out DAS in May 2021 but had to stop shortly after citing operational challenges with only half of the District receiving the new service.
- 2.13. Performance in both South Hams and West Devon began to deteriorate with full rounds often daily not being deployed in the South Hams.
- 2.14. On 7 June 2022 the Hub Committee received a report which updated Members on waste and recycling performance. It was agreed that in addition to continuing to hold FCC to account for its performance, the Council would consider all available options, including those options available under the contract, to improve the performance of the waste and recycling service in due course if required. (Minute HC 9/22 refers).
- 2.15. South Hams District Council held a full Council meeting on the 14th July 2022 in which an agreement was made to terminate the waste and recycling collection contract by mutual agreement resulting in a transfer of all of the services provided under the contract back to South Hams Council with effect from 3 October 2022.
- 2.16. At the Hub Committee on 12th July 2022 it was agreed that officers enter into a deed of variation from the contract effective from 3rd July 2022 to give effect to final terms so

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that services in West Devon could still continue to be provided by FCC Environment (Minute HC30/22 refers).

3. The Environment Act 2021

3.1.1. The Environment Act 2021 received Royal Assent in November 2021 and has come into force in stages since then. The Act sets out several initiatives to reduce residual waste and increase recycling. These impact manufacturers, retailers, waste disposal and collection authorities and their supply chain. The Act proposes amendments to the Environment Act 1990 relating to the separation of waste. When in force the amendments will require all collection authorities, which includes the Council, to collect the following materials:

- Glass
- Paper
- Card
- Metal
- Plastic
- Food waste (specified as weekly)

3.1.2. The amendments will also enable the Secretary of State to exempt or extend the materials to be collected separately and to issue statutory guidance.

3.1.3. Through DEFRA (Department for Environment, Food and Rural Affairs) the Government has been consulting with manufacturers, retailers, waste disposal and collection authorities about how the new duties are to be discharged; the frequency and consistency of collections; the content of statutory guidance and transitional arrangements. The results of this consultation and how the Government intends to proceed have been expected since November 2022.

3.1.4. West Devon Borough Council is currently compliant with the stipulations set out in the Environment Act.

3.1.5. The Act also sets out ambitions to introduce a deposit return scheme (DRS) by 2025. A Deposit Return Scheme is a system that encourages the return of the packaging to collection points through the incentive of a refundable deposit paid by consumers at the point of purchase. The deposit placed on drinks containers acts

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as an incentive against improper disposal, increasing the recycling rate and reducing the incidence of litter for these materials.

3.1.6. The impact of DRS regarding tonnages and collection materials through the domestic household collection stream is unknown.

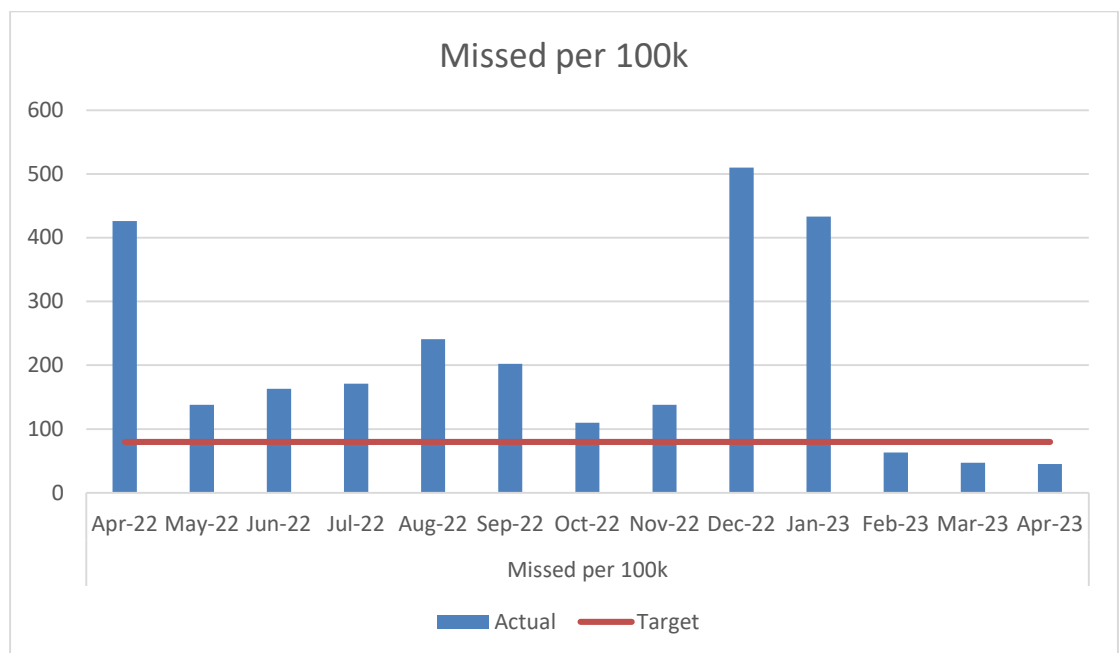
3.1.7. Officers continue to engage closely with DEFRA and Council lobbying bodies such as the Local Government Association (LGA) and the District Councils' Network (DCN) to ensure that the Government is fully aware of the implications of rural Local Authorities implementing the legislation.

4. Service Performance

4.1. The Service has seen significant improvement in performance since the contract was varied and this is partly due to the contractor's management team being able to focus fully on the waste collections and street cleansing for the Borough.

4.2. Table 1 shows the performance of the service since October 2022

Table 1: Misses per 100,000 collections Apr 2022-Apr 2023



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- 4.3. Tables 1 highlights operational issues the contractor faced during December and January, when waste and recycling volumes are their highest combined with some staffing and vehicle issues. However there has been a sustained improvement in performance such that in February 2023, for the first time in over 12 months, the service achieved the national industry standard performance target of no more than 80 missed collections per 100,000. This performance has been maintained.
- 4.4. In addition to improving the collection service since the deed of variation, the team have focussed on maintaining the delivery of the toilet cleaning, litter bin emptying, bottle bank emptying, bulky collections and container deliveries.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The public interest has been assessed and it is considered that the public interest will be better served by not disclosing the information in Appendix A. Accordingly this report contains exempt Information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.
Financial implications to include reference to value for money	Y	The Council has commissioned technical specialist reports on the likely cost, and this will be subject to a further report to Members. However, the current capital budget provision is unlikely to be sufficient in the current market conditions.
Risk	Y	See Appendix A (Section 1.4) for a summary of the key risks.
Supporting Corporate Strategy	Y	Quality Council Services Natural Environment

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Climate Change - Carbon / Biodiversity Impact	Y	Encouraging households to recycle more by increasing the materials they can recycle. Improving recycling rates and reducing residual waste.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Supporting Information

Appendices:

A – Service Costings (exempt paper)

Background Papers: None