

Joint Municipal Waste Management Strategy (JMWMS)

Introduction

The Waste and Emissions Trading Act 2003 set out the duty that:

"The waste authorities for a two-tier area must... have for the area a joint strategy for the management of... waste from households, and... other waste that, because of its nature or composition, is similar to waste from households",

and that they:

"must keep under review the policies formulated by them".

The Lincolnshire Waste Partnership's most recent JMWMS was published in June 2008, meaning that some form of review is now necessary. This could take the form of:

1. An informal "refresh" of the existing JMWMS – Some authorities have done this to simplify the process, but it provides limited scope for significant change, or
2. A formal review of the JMWMS, including formal consultation and a Strategic Environmental Assessment (SEA), to take account of changes in the waste management landscape over the intervening years.

Option 2 seems preferable given that a key focus in 2008 was to divert residual waste away from landfill – Something we have achieved almost entirely through the construction of an Energy from Waste (EfW) facility. Furthermore, Defra recommend that a review is undertaken every five years – unless there has been no major change in circumstances. However, this needs to be considered in the light of available resources and time to undertake the work.

The requirement to produce a Waste Strategy falls jointly on the County Council as Waste Disposal Authority and the seven Waste Collection Authorities. However, it is accepted that the WDA is best placed to take an overall strategic view. Consequently the County Council should be driving it through to adoption and subsequent implementation. It is acknowledged that the WCA are our partners and we will require some commitment from the WCA to enable the objectives to be achievable.

Recommendation: *That LCC works with the Districts in agreeing the strategy objectives on a consultation and information sharing basis. Ultimately, although we will certainly need significant input from our WCAs and (e.g. for an SEA) some consultancy support, that we take the view that the Strategy is produced by the WDA, and to ensure its objectives meet our requirements and are delivered in a timely manner, we take robust control over its production and delivery.*

Process, Resources and Timetable

Consideration needs to be given to the delivery of the strategy and who will be contributing to this, and what additional evidence is required to support its delivery. A revised timescale for producing the Strategy is attached, updating the one produced by WYG in Autumn 2016 to reflect information gathered from other authorities who have undertaken a JMWMS review.

A detailed timeline is attached but, in summary, the JMWMS process includes:

	Done by?	Estimated Timescale
Review of Current Waste Management Arrangements	LCC / WCAs	2 months
Analysis of waste arisings (e.g. sampling of residual waste)	LCC / Consultant	2 months
Review of Legislation and Policy	LCC	1 month
Formation of Strategy Objectives (including stakeholder consultation)	LCC / WCAs	6 months
Writing of Strategy Document (including public consultation)	LCC	7 months
Strategic Environmental Assessment (SEA)	Consultant	11 months
Publication and Adoption	LCC / WCAs	3 months

It should be noted that some parts of the process are likely to require significant consultancy support with the following:

- Analysis of waste arisings – The last audit undertaken on our residual waste was prior to the development of the EfW. A new audit (sampling at our Waste Transfer Station Network) is essential to our understanding of what waste we are being presented with.
- Strategic Environmental Assessment – Passing this to a consultant, as we have done with other similar projects, will enable the SEA to be undertaken simultaneously with other parts of the JMWMS process.

In preparing the JMWMS, in order to ensure a holistic approach and to identify possible synergies, the process also needs to take into account links between:

- The JMWMS as a whole and Lincolnshire County Council's strategic approach to other related matters, including (but not limited to):
 - Other environmental matters (e.g. Natural Environment Strategy)
 - Public health
 - Economic growth.
- Our JMWMS and those of neighbouring local authorities, and
- Each individual Objective and all other Objectives within the JMWMS.

Establishing Principles to be observed in the development of this Strategy

In developing a strategy, a balance needs to be struck between reducing costs and "doing the right thing" environmentally. It is proposed that this is achieved as follows.

Where "Technically, Environmentally and Economically Practicable" (TEEP)

The Waste (England and Wales) (Amendment) Regulations 2012, in transposing the revised EU Waste Framework Directive, introduced the UK waste industry to a new acronym – "TEEP". The Regulations stated that a particular action (the separate collection of specified recyclable materials, covered elsewhere in this document) was required "where Technically, Environmentally and Economically Practicable" (TEEP). This seems an eminently sensible approach to addressing a whole range of issues for our Strategy, in that it requires us to consider options in the light of whether they are practicable:

- Technically – Whilst we may wish to have the option to recycle any waste stream, there are some materials where this is either impossible or unacceptably difficult to do.
- Environmentally – Whilst recycling is a good thing in theory, for some wastes the overall environmental impact of the recycling process may be worse than Energy from Waste (or even landfill), particularly if the nearest suitable recycling facility requires long-distance transportation to get to it.
- Economically – In some cases we will need to choose the option that is most economically advantageous to the public purse.

It should be noted, however, that "practicable" doesn't simply mean "possible" (there is little that is actually impossible), neither does it mean (in the case of "economically") simply doing what is cheapest. However, by balancing these three aspects, we have a powerful tool to help us in choosing between different options.

Implementing the Waste Hierarchy

Article 4 of the revised EU Waste Framework Directive lays down a five-step hierarchy of waste management options which must be applied by Member States in this priority order. In order of preference, these options are:

- Prevention
- Preparing for re-use
- Recycling
- Other recovery – e.g. Energy from Waste
- Disposal – e.g. Landfill

Regulation 12 of the Waste (England and Wales) Regulations 2012 asserts the need for us to consider the Waste Hierarchy in choosing how to handle all our waste streams, so this directs the principles under which our JMWMS must be written.

Proposed Principles

We will, where technically, environmentally and economically practicable:

1. Minimise the quantity of Local Authority Collected Waste, including facilitating re-use where appropriate.
2. Ensure that as much as possible of what does become waste is sent for recycling.
3. Recover as much value as we can, such as producing energy, from any waste which is not recycled.
4. Seek to encourage the availability of sufficient local capacity as is necessary for each tier of the Waste Hierarchy.

Strategic Considerations for Inclusion in the Joint Municipal Waste Management Strategy

This paper seeks to set out options for the strategic objectives for the County Council as Waste Disposal Authority to be included in the Joint Municipal Waste Management Strategy (JMWMS).

As is the case for all public services, Waste Services faces considerable pressure to reduce costs and explore new more cost effective ways of operating in this challenging financial climate. To stand the best chance of achieving this it is necessary for strategic objectives to be established and implemented so that a coherent vision is followed to avoid the need for knee jerk responses to provide a quick fix to short-term events. The Strategic Operational Options paper and the audit report of the workings of the Lincolnshire Waste Services Partnership recommended that the existing JMWMS be renewed to provide this strategic direction for the County Council and the Waste Partnership.

Resources have now been created to enable the County Council to take the lead in producing this strategy with project management and technical support from a consultant. As detailed work commences on the strategy, it is necessary to agree the County Council's strategic waste options to ensure these are captured in the process and provide a benchmark for the development of the objectives with other members of the Partnership.

The objectives that the strategy is required to capture can be grouped into four different areas;-

1. Governance ;
2. Legislative ; and
3. Operational
4. Measuring Performance

1) Governance

In terms of governance the Lincolnshire Waste Partnership (LWP) has recently resolved to continue with its current governance model with little appetite at this time to adopt a governance model that moves the LWP to more of a decision making body. There was some recognition amongst other members of the LWP that this should be the direction of travel but at this time it was felt that it could not be supported.

Objective i – LWP to move to a governance model that provides for closer integrated working as this provides the best opportunity to bring together closer integration and the implementation of the objectives set by the strategy.

The proposed principles for undertaking the JMWMS include the consideration of whether each option is "economically practicable". Whilst this does not simply mean doing what is cheapest, it is essential that all decisions are taken in the light of decreasing budgets across local government.

Objective ii – Ensure that all services provided under the JMWMS represent the best possible value for money.

2) Legislative

There is a requirement that the strategy has regard to European Legislation, National Waste Strategy and the strategic planning framework at the local level which is set out in the Lincolnshire Minerals and Waste Local Plan.

Items to consider include:

- Environmental Protection Act 1990
 - WCA duties to collect waste
 - WDA duty to provide places for residents to bring their waste
 - WDA duty to dispose of the waste collected under both those duties
- EU revised Waste Framework Directive (transposed in the UK as the Waste Regulations 2011 & 2012)
 - Requirement for separate collections (subject to "TEEP") of paper, metal, plastic or glass. The Environment Agency have the power to enforce this.
 - Duty to apply the Waste Hierarchy
- EU Circular Economy Package. Early indications are that this will be retained by the UK despite Brexit, and it includes various stretching targets.
- Defra's upcoming "25 Year Environment Plan" – Originally scheduled for the end of 2016 but postponed following the Brexit vote (see <http://www.ciwm-journal.co.uk/defra-delays-25-year-environment-plan/>)

Thus, possible objectives arising from this legislation include:

Objective iii – *Ensure that all LWP authorities have done, and keep updated, an assessment of the Waste Regulations requirement for applying the Waste Hierarchy to all waste streams, and for the separate collection of paper, metal, plastic and glass.*

Objective iv – *Seek to contribute to the EU recycling targets for household waste of 50% by 2020 (Waste Framework Directive) and 65% by 2030 (Circular Economy Package).*

NB – This proposed Objective iv needs to be considered in the light of the proposals in the below section on Measuring Performance to use a different type of target.

3) Operational

The specific issues that have the biggest impact on the County Waste Services budget and therefore are of significant importance and of greatest priority to the Council are set out below.

Increasing Recycling

Currently, high levels of non-recyclables are being observed in the dry recyclables collected throughout the County and, whilst there was some resistance from the WCAs to accept this, following the publication of the report by consultants WYG on this, there is now an acceptance that there is a problem.

Our WCAs continue to seek potential solutions to this issue, and are working with WRAP who have proposed to support them to consider how to achieve "Greater Consistency in Household Recycling".

Objective v – *To reduce the levels of non-recyclables collected with dry recyclables in Lincolnshire.*

At some point during the strategy process, work is likely to need to commence on a new contract for the processing of kerbside dry recyclables. This contract would need to be clear so the County Council has better control over issues such as the payment mechanism, growth in waste streams, levels of non-recyclables affecting quality and suitability for cost effective recycling. This requires close collaboration with waste collection authorities to ensure levels of non-recyclables are

effectively managed. This needs to be reflected in the strategy to ensure future contracts are procured to enable the objective of reducing non-recyclables levels to be achieved.

Objective vi – *To agree a common set of materials for recycling for the benefit of the contract and to enable an effective communication strategy to be implemented so that it is clear to residents what materials can be recycled.*

Handling Residual Waste

The strategy should consider the use of waste as a resource looking at its energy potential through energy from AD plants and use of heat from the EfW. This will contribute to each partner's carbon management/reduction strategy.

Objective vii – *Explore the opportunities of using waste as a resource where appropriate.*

Food waste collection and disposal is a high priority for the Council. It is clear from Government announcements and recognised by some other members of the LWP is the need for separate collection and disposal of food waste. It is clear to all that there are advantages of operating separate food waste collection service but the challenge faced is to how to deliver this.

Objective viii – *key objective of the strategy is to consider a separate food waste collection and disposal operation. Such an pivotal requirement that whilst this is included as an objective of the strategy a sub-group is formed now to start to look at how this can be achieved. This to include representatives of the LWP and at an appropriate stage to consider inviting industry representatives as whichever solution is agreed will require industry commitment to make this work.*

It is recognised that the amount of residual waste continues to grow and is expected to grow further over the period the strategy is in place as the number of residential properties in the County increases. The EfW is at capacity and, whilst a successful outcome to other objectives will assist in reducing the amount of residual waste collected, the combination of the time taken to deliver, for example, separate food waste collections, with the expected increase in residential properties the amount of residual waste above the capacity of the EfW will become an issue in its own right. Whilst there is, in theory, adequate landfill capacity in the County to absorb this waste the issue is that the operator with control of this landfill capacity is likely to take a commercial decision not to make this landfill available at an acceptable cost to the WDA.

Objective ix – *To consider if further EfW capacity is required, either through a second line at North Hykeham or an alternative location for another EfW.*

Objective x – *To engage with landfill operators to bring forward existing landfill capacity. Any action on this would need to be complementary to that in the Minerals and Waste Local Plan.*

Other County Council Operations

The County Council has responsibility for the after care of former landfill sites that remain under its control. Consider if this requirement be captured as an objective within the strategy.

Objective xi – *address the Council's responsibility for maintaining the County Council's former landfill sites.*

The County Council is responsible for operating Household Waste Recycling Centres across the County. Consider whether a review of this provision can be captured as an objective within the strategy.

Objective xii – *Review the County Council's provision of Household Waste Recycling Centres.*

4) Measuring Performance

The strategy will be required to set out the strategic recycling rates that are to be achieved. A figure will need to be agreed and clarified as to what it will be measured against. Currently the figure is 55%. Do we continue with this universal rate and if so agree what that figure is. Or an alternative is to break this into different waste streams or use different measurement criteria – e.g. a carbon metric as per proposed Objective xiii.

Objective xiii – *agree on an objective for a recycling target. Should this be an ambitious target based on circular economy expectations or a lower aspiration? Also agree if this is a universal figure for all recycling and composting rates across all the Districts or break this figure down for different waste streams?*

According to CIWM (see <http://www.ciwm-journal.co.uk/brexit-presents-unique-opportunity-drive-resource-productivity/>):

It was admitted [in a recent speech written by Defra's resources minister, Dr Thérèse Coffey] that up until now, much of the UK's resources policy has been driven by the need to meet EU waste targets, with a focus on recycling "heavy things", without necessarily thinking about the "value or environmental impact of those materials, or the best process for maximising the benefits we get from them".

In view of this, all partners of the LWP should have carbon management/reduction strategies in place and the strategy should reflect these targets and objectives and take into account the carbon impact of waste collection, recycling and disposal operations.

Objective xiv – *Seek to introduce carbon management targets.*

Action Plans

Defra's guidance indicates that a JMWMS "should clearly set out agreed objectives and provide a route-map of how these will be achieved", and that "Authorities should... develop a series of action plans (generally more short term) that set out how they will meet set aims and objectives".

Whilst a separate action plan will need to be developed by each LWP authority, possible actions might include the following.

Food Waste

If it is agreed that food waste collections are to be introduced, what is the best way for this to happen? It is suggested that a strategy sub-group is set up to consider this.

Collection scheme(s)

Defra/WRAP are encouraging "consistency" in recycling collections. How might we reflect this in Lincolnshire?

- One countywide scheme or several schemes (e.g. urban and rural?) but not based on WCA boundaries?
- Dry recyclables – Single stream? Dual stream? Kerbside-sort? Something else?

"Similar" Wastes

The duty to have a JMWMS includes consideration of "waste from households, and... other waste that, because of its nature or composition, is similar to waste from households". We need to consider what we want to do with regard to:

- Commercial waste
- Charity waste
- "Schedule 2" waste – i.e. waste from schools, hospitals, etc.

Household Waste Recycling Centre (HWRC) Review

LCC need to consider what direction of travel they would like to see in HWRC provision. For example:

- Number of sites? More/same/fewer?
- Type of sites? Do we want some to be different (e.g. with reuse shop)?
- How do we want to run them? Separate contracts/integrated contract/in-house/etc.?
- Do we want to accept "similar" wastes (as per the above)?

Communications

Good communications will be vital to achieving our objectives. Messages might include:

- "If in doubt..." – If unsure of whether something is recyclable or not, which side do we want the public to err on?
 - Put it in the recycling bin and we'll recycle it if we can?
 - Put it in the residual bin so that it doesn't end up as contamination?
- Green/food/etc. – Depending on the material, what do we promote?
 - Home composting?
 - Green bin collections?
 - Residual bin for some things?
 - A new bin – e.g. food waste collections?
- Ensuring that collection operatives HWRC staff know what the messages are, and what they're expected to do about them!