



CABINET

Subject Heading:

East London Joint Recycling and Waste Strategy Aims and Objectives – Formal Adoption by Constituent Councils

Cabinet Member:

Councillor Dervish

SLT Lead:

Barry Francis

Report Author and contact details:

Jacki Ager, Ext. 3363,
jacki.ager@haverling.gov.uk

Policy context:

Havering's Municipal Solid Waste Strategy is due for renewal. The previous Strategy fell in line with ELWA's last Strategy, and should therefore reflect the upcoming one.

Financial summary:

ELWA has set up a Strategy Reserve to cover the costs arising out of the development and planning for post 2027 waste disposal arrangements. Consequently, there is no separate strategy expenditure included in the budget and levy approved by the Authority on 4 February 2019.

Is this a Key Decision?

Yes

(c) Significant effect on two or more Wards

When should this matter be reviewed?

N/A. Once the Strategy Aims and Objectives have been agreed, phase A of the strategy will then be presented to Cabinet for approval.

Reviewing OSC:

Environment OSC

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

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SUMMARY

1. This report provides an overview of the rationale for developing a new East London Joint Resources and Waste Strategy (ELJAWS) that will set out how waste and recycling services in Barking and Dagenham, Havering, Newham and Redbridge will be developed leading up to and beyond the end of the existing waste disposal contract in 2027.
- 1.1. The East London Waste Authority has formally approved a set of Aims and Objectives for the joint strategy, and these are now being brought to Cabinet and the Cabinets in the other three Constituent Councils for consideration, to confirm that all five Partner Authorities are in accord. The draft Aims and Objectives set out what it is we might aim to achieve together and provide a frame work within which the Partners can broadly seek to determine such factors as:
 - East London's waste is going to look like in the future;
 - How much of it there will be;
 - How much that can be reduced by;
 - How much can be diverted for reuse;
 - How much can be collected for recycling in a condition that meets market needs, and;
 - What treatment solutions will be used to deal with what is left over.

RECOMMENDATIONS

2. The Cabinet is recommended to:
 - (i) agree the Aims and Objectives for the East London Joint Resources and Waste Strategy as set out in this report; and
 - (ii) note the progress on developing the joint resources and waste strategy, and the indicated timescales for its drafting, consultation, finalisation and adoption in 2020.

REPORT DETAIL

3. Introduction and Background

- 3.1. Havering Council is a 'waste collection authority' under the Environmental Protection Act and is required to deliver the wastes it collects to facilities as directed by the East London Waste Authority, the 'waste disposal authority'

under the same Act for the Council and three other London Boroughs (Barking and Dagenham, Newham and Redbridge).

- 3.2. The initial term of ELWA's twenty-five year Integrated Waste Management Services (IWMS) contract ends during December 2027, and it is therefore necessary to plan for successor arrangements, which will require a reconsideration of the nature of these services in order to achieve new objectives in relation to such matters as resource management, climate change mitigation/adaptation, social value and, of course, financial cost.
- 3.3. The background to the proposals in this report is set out in greater detail at Appendix A, which provides information on the background to waste management services in East London, including:
 - 3.3.1. the roles and responsibilities of the four borough councils (Barking and Dagenham, Havering, Newham and Redbridge) and the East London Waste Authority (ELWA), including the IWMS contract;
 - 3.3.2. background and information on the IWMS contract for waste treatment and disposal (noting that reviewing this contract is not within the scope of this report.); and the rationale and background to the development of a new East London Joint Resources and Waste Strategy (ELJRWS), and its proposed three-part structure.
- 3.4. Current Status of Strategy Development
- 3.5. Work is progressing on Part A of the ELJRWS, which will lead to the development of a joint Waste Reduction, Reuse and Recycling Strategy for East London.
- 3.6. ELWA is leading on the project, with directors and waste officers from the Constituent Councils sitting on the Project Board and Project Team respectively.
- 3.7. An environmental consultancy called Ricardo Energy and Environment ('Ricardo') has been engaged by ELWA to deliver much of the work on the development of this Part A strategy. The consultancy services are being funded from ELWA's Strategy Reserve.
- 3.8. Waste officers from each borough have been closely involved in the procurement of Ricardo's services and in the waste forecasting and modelling work, and it is planned that there will be further close working with the Constituent Councils to build a consensus informed by stakeholder engagement and Member workshops, and to then successfully deliver the public consultation work in 2020, leading to adoption of Part A of the ELJRWS, ideally by the end of 2020.
- 3.9. Ricardo is initially undertaking forecasting and modelling work, and will subsequently be drafting the strategy and impact assessment documents,

supporting engagement work with key stakeholders, and coordinating public consultation activities.

- 3.10. The Waste Reduction, Reuse and Recycling Strategy will be brought forward for formal adoption by ELWA and the Constituent Councils before the end of the 2020/21 financial year. The current plan is for this to happen during the December 2020 cycle of Authority and Cabinet meetings.

4. Proposals and Issues

4.1. Aims and Objectives

- 4.2. A set of draft Aims and Objectives for the ELJRWS was brought to the 28 June 2019 East London Waste Authority Meeting for consideration by the ELWA Members, with a minor amendment approved at its 2 December 2019 meeting. ELWA has approved the following Aims and Objectives.
- 4.3. As the ELJRWS is to be a joint strategy, these Aims and Objectives are being taken to the Cabinets of the four Constituent Councils for approval. This will demonstrate to stakeholders that the development of an ELJRWS is supported by all five waste authorities, and will pave the way for a successful adoption of the ELJRWS (and its constituent Part A, B and C strategies) from late 2020 onwards.

4.4. The Aims of the ELJRWS are:

- a) to promote and implement sustainable municipal resources and wastes management policies in East London;
- b) to minimise the overall environmental impacts of resources and wastes management;
- c) to engage residents, community groups, local business and any other interested parties in the development and implementation of the above resources and wastes management policies; and
- d) to provide customer-focused, cost-effective, best value services.

4.5. The Objectives of the ELJRWS are:

- e) to minimise the amount of municipal wastes arising;
- f) to maximise reuse, recycling and composting rates;
- g) to maximise the diversion of resources and wastes from landfill, particularly organic wastes that would produce greenhouse gases;
- h) to co-ordinate and continuously improve municipal wastes minimisation and management policies in East London;

- i) to manage municipal wastes in the most environmentally benign and economically efficient ways possible through the provision and co-ordination of appropriate resources and wastes management facilities and services;
- j) to ensure that services and information are fully accessible to all members of the community;
- k) to maximise all opportunities for local regeneration; and
- l) to ensure an equitable distribution of costs, so that those who produce or manage the waste pay for it.

4.6. Cabinet is asked to consider these Aims and Objectives for formal approval.

REASONS AND OPTIONS

5. Reasons for the decision:

- 5.1. The ELJRWS is being developed primarily to inform the nature of future local authority services for the minimisation, collection and treatment of resources and wastes in East London. It will itself contain a number of options appraisals as it considers the optimal ways of developing and implementing such services.
- 5.2. As such, it is important that all Partner Authorities are clearly in agreement about their Aims and Objectives from as early a stage as possible, and that such consensus is maintained as the options are considered and decided upon. Structured input from key stakeholders and the community will be a key part of this process.
- 5.3. It is further proposed that the ELJRWS will be developed through a structured process of stakeholder engagement and public consultation in order to ensure it meets the needs and aspirations of all locally in the best way possible.

5.4. Other options considered:

- 5.5. Aims and Objectives have been formed through consultation with all ELWA Board Members and Partner Authorities, taking into account London and national strategies.
- 5.6. Given the cost of the current Levy to Boroughs, the option to do nothing would cause the constituent Boroughs to potentially incur increasing costs year on year, whilst allowing their recycling rates to stagnate.

- 5.7. Whilst additional consultation is likely to take place, proposals within the national Resources and Waste Strategy are likely to be legislated. Should the Constituent Councils opt to do nothing, this may risk contravening

IMPLICATIONS AND RISKS

6. Financial implications and risks:

- 6.1. ELWA's annual budget is set in February each year, and its operational costs factored into an annual Levy, payable by the Constituent Councils. Apportionment of the levy is based on tonnes of household waste collected and delivered to ELWA, and the proportion of Band D properties in each Borough. Havering's levy apportionment for 2019/20 was circa £17m, although set to reduce in 2020/21 to £16.7m.
- 6.2. ELWA has set up a Strategy Reserve to cover the costs arising out of the development and planning for post-2027 waste disposal arrangements, including procurement and other costs of transitioning to a new post-IWMS contract services. Consequently, there is no separate strategy expenditure included in the budget and levy approved by the Authority on 4 February 2019.
- 6.3. ELWA's audited accounts are published in June/July each year and include the forecasted vs actual tonnage of waste processed that would then inform the levy position. Any underspend enables the Strategy Reserve and Business Risk Reserve to be increased.

6.4. Legal implications and risks:

- 6.5. The Environmental Protection Act 1990 places a duty on a waste collection authority to deliver its waste to location(s) specified by the waste disposal authority. It is the waste disposal authority's duty to arrange for the disposal of controlled waste within its area. It is clear from this that the duties of the two authorities are closely intertwined, and that the governance and funding of ELWA as a levying body are also fully integrated with Havering and ELWA's other three Constituent Councils. Working in partnership on future services for the management of resources and wastes is the best way to arrive at optimal 'whole-system' solutions for East London.
- 6.6. The development of a joint resources and waste strategy is itself a way of ensuring that the risks associated with these services are clearly identified and managed at the most appropriate level, with all parties having a clear understanding of their roles and interactions / co-dependencies with others.

6.7. Proposals within the Government's Resources and Waste Strategy 2019 and the London Environment Strategy 2018 indicate a desire to increase recycling rates through additional materials being collected from households, via more standardised collection systems. Whilst it will not be within ELWA's gift to dictate collection systems to individual boroughs, it is important that options are reviewed and recommendations made that will help the Constituent Councils make informed decisions to fulfil future requirements.

6.8. Human Resources implications and risks:

6.9. At the current time, Havering has commenced the procurement for its Integrated Public Realm Contract (IPRC). Whilst clearly the IPRC and ELJWRS will not be aligned at the start, the IPRC seeks to build in flexibility to assist in fulfilling requirements laid out by the GLA, which will also be reflected within the ELJRWS. Staff transferred through the IPRC contract will be protected under TUPE regulations.

6.10. There are therefore no HR implications envisaged at this stage of the ELJRWS. The Council will continue to review this position, where current officer resource to feed into the strategy development may become more stretched as the project progresses.

6.11. ELWA contract matters are outlined at Appendix A. The outcome of Havering's IPRC Procurement is due to go to Cabinet for approval around December 2020, about the same time as Phase A of the ELJRWS. Any overlapping matters will therefore be considered accordingly, and covered off in those respective reports to Cabinet.

6.12. Equalities implications and risks:

6.13. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

6.14. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In

addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

- 6.15. Equalities issues will be considered within the Integrated Impacts Assessment proposed as part of the Strategy development process; the Integrated Impact Assessment will also cover social value, finance and environmental impacts.

6.16. Health and Wellbeing implications and Risks

- 6.17. Health and wellbeing issues will be considered within the Integrated Impacts Assessment proposed as part of the Strategy development process.

BACKGROUND PAPERS