

CABINET

Subject Heading:

Adoption of the East London Joint Resources and Waste Strategy

Cabinet Member:

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SLT Lead:

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Policy context:

The East London Waste Authority (ELWA) and its constituent Boroughs (the 'Constituent Councils') are statutorily required to produce a Joint Strategy for East London's Resources and Waste to replace the existing strategy which is expiring. Waste management is a key topic within Havering's Climate Action Plan.

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?

By 2028, and thereafter at intervals of not more than 10 years.

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

SUMMARY

- 1.1 As Waste Collection Authorities (WCAs) the London Borough of Havering and the other 3 constituent Boroughs of the East London Waste Authority (ELWA) (Barking and Dagenham, Newham, and Redbridge – the ‘Constituent Councils) collect household and other waste that is subsequently treated and/or disposed of by ELWA as the Joint Waste Disposal Authority (JWDA).
- 1.2 ELWA and its Constituent Councils are statutorily required to produce a Joint Strategy for East London’s Resources and Waste (“Joint Strategy”) to replace the existing strategy which is expiring.
- 1.3 The new Joint Strategy has been developed in close cooperation between officers and Members of the Constituent Councils (Appendix 1).
- 1.4 The context around the Constituent Councils delivering waste management services is subject to considerable change over coming years, with changes to national waste policy, obligations through the London Environment Strategy (LES), and the ending of ELWA’s current treatment contract in 2027 with the need to develop successor arrangements.
- 1.5 The Preliminary Draft of the Joint Strategy was agreed by Cabinet in July 2021, and was then subject to public consultation for eight weeks to September 2021 to understand the public opinion on its priorities and actions. The results of this are provided in Appendix 2. Future service changes will be subject to consultation as appropriate in line with statutory obligations.
- 1.6 Background information relating to the following areas accompanied the July 2021 Cabinet report and will therefore not be repeated:
 - Current and Future Government and Mayoral Waste Policy and Targets
 - Strategy Development Process
 - Individual Borough Local Authority Collected Waste (LACW) Recycling Rate Targets
 - Draft Strategic Environmental Assessment (SEA) Screening
 - Public Consultation Plan
 - Timeline for Consultation and Adoption
- 1.7. Additionally, the following documents are available for viewing at www.eastlondonwaste.gov.uk/jointstrategy
 - Joint Strategy for East London’s Resources and Waste
 - Consultation Report
 - Joint Strategy Consultation Report Appendices
 - Equalities Impact Assessment (also attached to this report as Appendix 3)
 - Strategic Environmental Assessment – Screening Report
 - Strategic Environmental Assessment – Statement of Determination
 - Joint Strategy Technical Report 1 – Baseline
 - Joint Strategy Technical Report 2 - Forecasting
 - Joint Strategy Technical Report 2 – Forecasting – Appendix A
 - Joint Strategy Technical Report 3 – Waste Reduction and Reuse Modelling

- Joint Strategy Technical Report 3 – Waste Reduction and Reuse Modelling – Appendix A
- Joint Strategy Technical Report 4 – Collections Modelling

RECOMMENDATIONS

- 2.1 Cabinet is recommended to approve the adoption of the East London Joint Resources and Waste Strategy (Joint Strategy).

REPORT DETAIL

3. Background

3.1 Current Waste Management Arrangements

3.1.1 As a Waste Collection Authority (WCA) the London Borough of Havering has a statutory obligation to collect household waste arising from homes and other premises, alongside commercial waste at the request of individual businesses. It is also responsible for undertaking street cleansing and other public realm management duties, which result in the collection of other waste streams.

3.1.2 The ELWA is a 'Joint Waste Disposal Authority' and is responsible for providing treatment and disposal for the waste and recycling collected by the Constituent Councils, and the operation of Reuse and Recycling Centres (RRC's) the contract of which started in 2002 and ends in December 2027.

3.1.3 Waste Authorities in London, and their associated strategies, are required to deliver waste services in 'general conformity' (subject to some caveats) with the Mayor of London's 2018 London Environment Strategy (LES).

3.1.4 The Resources and Waste Strategy for England (2018) sets out the Government's vision for future waste management policy.

4 Key Elements of the Joint Strategy

4.1 Recycling Rate Targets

4.1.1 Targets outlined in section 4.3.3 of the Joint Strategy are respectively national targets for England and London-wide targets, not targets on individual local authorities within these areas. It is acknowledged that individual local authorities will over or under achieve against these targets depending on local circumstances.

4.1.2 The shared Local Authority Collected Waste (LACW) recycling rate target within the Joint Strategy is 35% for 2030, with Havering's individual target being 45%. This is substantially higher than the other Constituent Councils due to the larger proportion of green waste recovered for composting contributing towards the overall recycling rate as well as a lower proportion of flatted properties in the Borough, which traditionally produce lower levels of recycling.

4.1.3 The targets and modelling assumptions included in the Joint Strategy can be viewed in the appendices to the previous July 2021 Cabinet report.

4.2 ELWA's Successor Post-2027 Waste Treatment and Disposal Solution

4.2.1 The end of the current waste treatment contract in 2027 will mean that ELWA needs to make new arrangements to manage the waste and recycling collected by the Constituent Councils. This is a process that can take several years to plan because of the large investments for new infrastructure and because of the lengthy procurement / development times.

4.2.2 Section 4.4.2 of the Joint Strategy contains a series of priorities and actions to guide the process of developing successor arrangements. Given that ELWA's successor contracts could last for up to 30 years in line with standard waste industry contracts, the Joint Strategy period is 2027 to 2057.

4.2.3 The Joint Strategy does however still set out a range of actions that the Constituent Councils are committed to undertake to improve services prior to 2027 and commits the Constituent Councils to review of the Strategy by 2028 and thereafter at intervals of not more than 10 years.

4.3 Contents of the Joint Strategy

- **Chapter One – Introduction** - sets the context, aims and objectives of the strategy.
- **Chapter Two – What Is Our Current Situation?** – sets out the context of the Constituent Councils' area, current waste management arrangements, a description of the waste managed, and the current performance.
- **Chapter Three – What Might The Future Look Like?** - describes how the area will change, impacts of national and regional policy on waste generation, and likely other factors such as changes in consumer behaviour.
- **Chapter Four – Where Do We Want to Be?** - sets out the vision for how the Constituent Councils will work together to help reduce waste and reuse and recycling. Sets out recycling targets and priorities and actions for ELWA's post-2027 arrangements.
- **Chapter Five – How Do We Get There** - outlines how the Constituent Councils will work together to achieve the aims and ambitions set out in the Joint Strategy including provisions for future review; and
- **Chapter Six – Measuring Success** - describes how the performance indicators outlined will be used to measure success.

5 **Key stakeholders**

5.1 Engagement with the Greater London Authority

5.1.1 Officers from ELWA and the Constituent Councils have been engaging with the Greater London Authority (GLA) since project commencement, to chart a course towards achieving general conformity with the LES.

5.1.2 The engagement has been productive and positive, and the Constituent Councils appear to be on track to achieve this. This will be confirmed during formal consultation with the GLA.

5.2 The Need for a Strategic Environmental Assessment (SEA)

5.2.1 An SEA Screening Report was produced for the Joint Strategy for review by statutory consultees - the Environment Agency, Historic England and Natural England. General comments were received back from Historic England, whilst Natural England confirmed that no SEA would be required for the Joint Strategy. A Statement of Determination has been produced and is available on the ELWA website.

5.3 Wider Stakeholder Engagement Process

5.3.1 Due to the aforementioned constraints and uncertainties, the Joint Strategy largely sets out broad directions of travel and general principles for future waste and resource management.

5.3.2 Whilst there is no statutory requirement to do so, a public engagement process has been undertaken to determine local priorities around how the Constituent Councils plan to meet the targets and ambitions set out in the Joint Strategy.

5.3.3 In Havering, responses included both national and local issues, some within the Council's control, and others that would need to be dealt with on either a regional or national basis. The main areas of interest for respondents were:

- More consistency in collections between boroughs
- Recycling a wider range of materials at home, including glass and plastic
- Introduction of bins for households
- Education and enforcement
- Encouraging businesses to use less single-use plastic
- Better labelling on packaging
- More local repair outlets

5.3.4 A summary of the consultation exercise is provided in Appendix 2, with further appendices available at www.eastlondonwaste.gov.uk/jointstrategy.

REASONS AND OPTIONS

6. Reasons for the decision:

6.1 The WCAs and WDAs in 'two tier' areas (i.e. areas with separate WCAs and WDAs) in England are required under s32 of the Waste Emissions Trading Act to have in place a joint strategy for the management of household and similar wastes. The Act also obligates these Authorities to:

- Ensure that the policies in the joint strategy are kept under review;
- Have regard to the relevant government guidance; and
- When formulating a joint strategy "carry out such consultation as they consider appropriate".

6.2 Other options considered:

- 6.3 Not produce a new strategy. However, given the above statutory requirements, this is not considered a viable option.

IMPLICATIONS AND RISKS

7. Financial implications and risks:

- 7.1 The targets and priorities within the Joint Strategy do not bind the Council to any specific expenditure, but there will need to be investment in recycling and waste services in the future to meet performance expectations, both within the strategy, as well as local and national legislation in the form of the London Environment Strategy and Environment Act respectively.
- 7.2 Further analysis of financial implications will need to be undertaken as more specific proposals are brought forward for the Council's collection services as well as the wider infrastructure solutions for ELWA. These financial implications will be considered and funding agreed prior to proposals being executed. Havering's future waste collection services will be designed flexibly with expected requirements and funding in mind.

7.3 Legal implications and risks:

- 7.3
- 7.3.1 The role of Newham as a Waste Collection Authority (WCA) and ELWA as Waste Disposal Authority (WDA) is set out in the Waste Regulation and Disposal Authorities Order 1985.
- 7.3.2 The Waste Collection Authorities and Waste Disposal Authorities in 'two tier' areas (i.e. areas with separate WCAs and WDAs) in England are required under s32 of the Waste Emissions Trading Act to have in place a joint strategy for the management of household and similar wastes.
- 7.3.3 Waste Authorities in London are required to deliver waste management services in 'general conformity' (subject to some caveats) with the Mayor of London's Resources and Waste Strategy – currently the waste policies of the Mayor's wider 2018 London Environment Strategy (LES). This requirement extends to the policies of any Joint Waste Strategy.
- 7.3.4 There is a general duty to consult set out in s.3 of the Local Government Act 1999 ('LG Act'), requiring Best Value Authorities to consult with 'representatives' of taxpayers, business rate payers, service users and others who would be impacted by proposals. The Waste and Emissions Trading Act 2003 ('WET Act'), from which the requirement for waste authorities in two-tier areas to produce a joint strategy arises, states that consultation should be undertaken as 'appropriate'.
- 7.3.5 The Council may rely upon the General Power of Competence ("general power") provided for in Section 1 of the Localism Act 2011. The general power is a wide power, which allows the Council to do anything that an individual may do, subject to public law principles and certain statutory limitations.

7.4 Human Resources implications and risks:

7.5 There are no specific HR implications arising from the contents of this report.

7.6 Equalities implications and risks:

7.7 An Equalities and Health Impact Assessment has been completed for the Joint Strategy and is attached to this report (Appendix 3). There are no specific equality implications relating to the content of the Joint Strategy. Local collection arrangements are already in place to meet the needs of mobility-impaired residents and any change in service will be subject to an appropriate EQHIA. The cultural diversity of the Borough will inform the development of any communications or education programmes arising from the Joint Strategy. The EQHIA highlights the fact that positive benefits are expected to result from increased awareness of waste and environmental issues and plans to reduce waste and develop community partnership arrangements. There are no specific impacts envisaged for any persons falling under the protected characteristics as outlined in the Equalities Act. Any specific service changes would, in themselves, require further separate EQHIAs.

7.8 Health and Wellbeing implications and Risks

7.9 There are no specific negative health and wellbeing implications arising as a result of the publication of the Joint Strategy. Havering's policy team will be consulted to ensure relevant stakeholders are given the opportunity to respond to any further consultations, and an EQHIA will be undertaken when planning any future service changes. As outlined above, the EQHIA highlights the fact that positive benefits are expected to result from increased awareness of waste and environmental issues and plans to reduce waste and develop community partnership arrangements. The reduction in waste is expected to provide a key environmental benefit to the Borough. However, any actual future service changes would require a further well-being assessment where applicable.

BACKGROUND PAPERS

N/A