

CABINET

20 SEPTEMBER 2024

REPORT OF THE PORTFOLIO HOLDER FOR ENVIRONMENT

A.3 ADOPTION OF WASTE STRATEGY FOR ESSEX (2024-2054)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

Following consultation, undertaken by Essex County Council, this report seeks the agreement of Cabinet to endorse the adoption of the Waste Strategy for Essex 2024-2054.

EXECUTIVE SUMMARY

- The Waste and Emissions Trading Act 2003, (section 32) obliges authorities in ‘two-tier’ areas to have a Joint Strategy at all times, for the management of waste from households and other waste similar to household waste. The strategy policies must be kept under review and consulted on as appropriate. Essex County Council (ECC) as the waste disposal authority and the 12 waste collection authorities are therefore jointly obliged to maintain a Joint Strategy setting out how household and similar wastes are to be managed. The Joint Strategy currently in place is not fit for purpose and may not be in conformity with the requirements set out by the WET Act 20031.
- The 13 councils have worked together at Officer groups of the Essex Waste Partnership and also at member groups, attended by the Leader of the Council and Portfolio holder for Environment for Tendring as the Essex Waste Partnership (EWP), to jointly develop a new Waste Strategy for Essex to comply with this duty.
- The strategy provides a 30-year framework for how Essex councils are seeking to manage the waste collected by local authorities from homes, businesses and street cleansing. The focus of the strategy is to protect the environment whilst delivering high quality, value for money services that align fully with national policy and meet local needs. The strategy identifies the key areas of work to deliver the aims and ambitions of the partnership, shared targets and approaches for the management of waste. Following strategy adoption decisions, work will be undertaken to develop the required countywide and local action plans to deliver the aims and aspirations of the strategy.
- A draft Waste Strategy for Essex was developed and endorsed by the EWP for public consultation in June 2023. The consultation methodology was designed in line with the HM Government code of practice and the Gunning principles. The design and delivery of the Waste Strategy for Essex consultation has been externally validated by The Consultation Institute (TCI) as best practice and the public consultation commenced on 13 September 2023.
- The 10-week public consultation was facilitated by ECC on behalf of the EWP. Its purpose was to provide residents, businesses and communities with an opportunity to have their say on the priorities and approaches proposed in the draft strategy.

Respondents were also able to provide feedback on the Strategic Environmental Assessment published alongside the draft strategy. Over the consultation period 4,545 consultation questionnaire responses were received from across the County. The findings of the consultation exercise have been independently analysed and used by the EWP to develop a final strategy.

- The Waste Strategy for Essex sets a clear ambition and commitment to reduce the impact on our environment from dealing with the things we throw away. It is a 30-year strategy for the county of Essex that has been jointly developed by the Essex Waste Partnership, comprising the Borough, City and District Councils and Essex County Council.
- It provides a framework for waste management informing the future design of waste services and our joined-up approach to waste treatment and disposal.
- The final strategy is being submitted to each partner council for a decision on adoption and a copy of the Waste Strategy for Essex is attached (Appendix 1).

RECOMMENDATION(S)

It is recommended that Cabinet:

- (a) agrees to the adoption of the Waste Strategy for Essex 2024-2054 in the form appended to this report (Appendix 1); and**
- (b) notes that other Councils in the Essex Waste Partnership will be taking individual decisions on the Waste Strategy for Essex 2024-2054 during 2024.**

REASON(S) FOR THE RECOMMENDATION(S)

The recommendations will ensure that the Council continues to progress the future of this important statutory service whilst complying with the Waste and Emissions Trading Act 2003, (section 32) which obliges authorities in 'two-tier' areas to have a Joint Strategy at all times, for the management of waste from households and other waste similar to household waste. The strategy policies must be kept under review and consulted on as appropriate. Essex County Council (ECC) as the waste disposal authority and the 12 waste collection authorities are therefore jointly obliged to maintain a Joint Strategy setting out how household and similar wastes are to be managed.

ALTERNATIVE OPTIONS CONSIDERED

Option 1: The Joint Municipal Waste Management Strategy for Essex 2007-2032 is retained and is not subject to any significant update.

This option is not recommended as the Joint Municipal Waste Management Strategy for Essex 2007-2032 is no longer aligned with local ambition or national policy.

A strong policy framework is needed to support future decisions and system design within waste management to ensure opportunities and benefits can be delivered. The current waste

strategy is no longer aligned to national waste policy, nor does it reflect ECC's or the EWP's targets and ambitions. The previous strategy does not reflect feedback from the public consultation, which identifies the need to do more and at pace to reduce waste and maximise reuse and recycling.

Option 2: Adopt the Waste Strategy for Essex 2024-2054.

Tendring District Council has a statutory responsibility along with the other Borough, City, District and Essex County Council to maintain a joint waste strategy for the management of local authority collected waste.

The updated strategy allows the EWP to drive significant change to reach ambitious targets and ensure alignment with national policy. The strategy has been realigned to ensure respondents' comments and feedback have been fully considered in policy development and delivery. This strategy, covering the period up to 2054, brings a new focus on how we will deliver an effective, efficient and sustainable service for the future.

The strategy will form part of the journey to delivering key commitments published in Everyone's Essex: Zero waste to landfill by 2030 and contributing to the ECCs ambition to be net carbon neutral by 2050.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This decision will contribute to the Corporate Plan 2024 – 28 (Our Vision) themes of:

- Pride in our area and services to residents
- Championing our local environment
- Financial sustainability and openness

It also feeds into Cabinet's Highlight Priorities for 2024-25 and the development of future waste and recycling collection and street cleaning services for the district from 2026 when the current contractual arrangement expires.

OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

- Over the consultation period 4,545 consultation questionnaire responses were received from across the County. In addition, 45 emails relating to the draft strategy were submitted, which have been reviewed as part of the independent consultation analysis. ECC also ran an extensive event programme and focus group sessions. Although these were not formal consultation responses, they have been built into the consultation consideration process by the partnership.
- The consultation provided an opportunity for respondents to indicate their level of agreement with the draft strategy, its priorities, targets, and approach to the management of waste. Respondents to the consultation were also able to provide

comments and suggestions on the strategy and its approach. This has enabled quantitative and qualitative analysis of the consultation responses to be undertaken to inform the final strategy content. A summary of the consultation findings is detailed below.

Quantitative Findings Summary

- The level of agreement or disagreement with each element of the strategy was sought from respondents to assist the partnership in the development of the final strategy. Respondents were able to indicate their level of agreement or disagreement on a five-point scale, with the option to indicate if they were unsure on each distinct element of the strategy approach. A full breakdown of responses by a range of demographic factors such as location, age and gender are contained in the Final Consultation Report (Appendix 2)
- At a county wide level there were very good levels of support for all the elements of the strategy. The level of agreement for each distinct element of the strategy ranged from between 61% and 86% with the levels of disagreement between 11% and 26%. Although views differed across the county, the level of agreement exceeded the levels of disagreement in all cases.
- With respect to the waste technology approaches proposed within the strategy 78% of respondents agreed that we should reduce the use of landfill and 69% agreed that using Energy from Waste (EfW) after we have recycled all we can was the right solution. Enhancing services to maximise reuse and recycling was also strongly supported with agreement from 71% and 77% of respondents respectively. The use of anaerobic digestion for the treatment of separately collected food waste achieved the lowest level of support (61%). However, as this question also attracted the highest level of 'not sures' (26%) it is likely this response is due to a lower level of public understanding and awareness of the technology.
- The consultation also provided respondents with an opportunity to indicate their views on the proposed targets and level of ambition. 48%, nearly half of respondents, thought the targets were about right. 28% of respondents indicated a preference for more ambitious targets.

Qualitative Findings Summary

- Respondents to the questionnaire were able to provide additional contextual information in the form of comments on all aspects of the draft strategy. Over 16,000 comments were made by those responding to the consultation. These comments were grouped into common themes by the independent evaluator to enable analysis and to inform the development of the final strategy by the EWP. The detailed analysis of comments is contained in the Final Consultation Report (Appendix 2).
- Further qualitative insight was also gained from the focus group sessions. This activity and the outputs are summarised in the Final Consultation Report (Appendix 2) and were considered by the partnership in the development of the final strategy.
- The comments made by respondents included broad support for the strategy, suggestions for action planning, and raised some areas that respondents felt needed to be addressed in the final strategy or action planning. Similar comments and themes

were identified across the different sections of the strategy and are summarised below:

- General support for the strategy proposals, aims and ambitions
- A suggestion to include clearer actions and commitments from the partnership to deliver the necessary change and to enable progress to be monitored
- Residents are supportive of strategy proposals to provide further information and guidance on how to reduce waste
- Residents are supportive of the strategy proposals to provide accessible and expanded reuse and recycling services
- Questioning whether the strategy aims were achievable and affordable
- Respondents wanted to understand more about the environmental and local impacts of waste infrastructure, particularly EfW facilities, and where such facilities may be located
- Suggestion that the partnership should be more active in lobbying government and ensuring businesses reduce waste and packaging
- Asking for the final version of the strategy to be clear and easy to understand, avoiding the use of jargon

Post Consultation Strategy Amendments

- The consultation responses, insight and government policy updates have been fully considered by the EWP when reviewing what revisions to apply to the Waste Strategy for Essex prior to a decision on adoption. As the public have been broadly supportive of the strategy it has not been necessary to make any substantive changes to the final version proposed for adoption. However, the insight obtained via the consultation has highlighted several areas requiring minor amendment, update or enhancement. The strategy document appended to this report is the output of the post-consultation consideration process and is the version of the Waste Strategy for Essex 2024-2054 proposed for adoption (Appendix 1).
- Details of how the consultation response, insight and government policy updates have been considered and reflected in the Waste Strategy for Essex are detailed in the EWP Response to Consultation (Appendix 3). Detailed below are the key changes that have been made in response to the feedback received.
 - Language has been simplified and unnecessary technical terms or jargon have been removed to ensure the strategy is easy to understand
 - The vision statement has been updated to ensure it more strongly aligns with the strategy focus on waste reduction, reuse and recycling.
 - The commitments and high-level actions proposed by the partnership have been updated to make them easier to understand. These will be used by the partnership as the basis for the development of detailed action plans.
 - The targets and ambitions have been updated and consolidated to ensure only things which can be quantified and measured are included.
 - The strategy position on landfill has been strengthened by committing to ceasing the use of landfill by 2030.

- Interim steps to achieve a target have been removed from the strategy. These will be incorporated into future action plans to ensure progress can be consistently measured.
- A commitment has been added to regularly review the strategy to ensure it is fit for purpose and to publish progress reports to ensure continued transparency.
- A commitment has been added to work together to increase recycling in public spaces, reduce litter and fly tipping.
- The strategy now includes an enhanced commitment by the partnership to lobby government for better regulation to tackle waste at source, ensuring manufacturers and retailers play their part to reduce waste.
- The strategy has been updated to better reflect the role of business and communities and the need for the partnership to support them to reduce the impact of waste.

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- The strategy has been updated to better reflect the role of business and communities and the need for the partnership to support them to reduce the impact of waste.

A small number of respondents within Essex raised concerns, via the consultation, regarding the location of any new waste facilities that may be required to deliver the strategy ambition. The Waste Strategy for Essex is a non-locational strategy and makes no assessment of whether new waste facilities are required, or where such facilities might be located. As these issues fall outside the remit of the strategy no change has been made to reflect this consultation feedback. If new facilities are required in the future, the siting of such facilities will be subject to a separate engagement and consultation process.

Strategic Environmental Assessment

- A Strategic Environmental Assessment ('SEA') was undertaken in accordance with the SEA regulations. This assessment considers the environmental impacts of the strategy and the approaches proposed to ensure a high level of protection for the environment and that sustainability is at the forefront of the draft strategy.
- In accordance with the SEA regulations statutory consultees were invited to give responses to the SEA. Responses were received from Natural England and the Environment Agency. Natural England confirmed that, in their view, the proposals contained within the plan will not have significant effects on sensitive sites that it has a statutory duty to protect. The Environment Agency had no comment to make on the documents.
- Feedback on the Strategic Environmental Assessment was also received from 288 respondents via the public consultation. Of those that responded to the SEA, 54% thought the Environmental Report correctly identified the likely significant effects of the draft strategy. Full details of consultation response to the SEA is included in the Final Consultation Report (Appendix 2).
- An SEA Post Adoption Statement has been produced in accordance with the provisions of SEA Regulations which describes:
 - How environmental considerations have been integrated into the final Waste Strategy
 - How the Environmental Report has been taken into account
 - How responses to the consultation have been taken into account
 - The reasons for choosing the final Waste Strategy as adopted, in the light of the

- other reasonable alternatives dealt with
- The measures that are to be taken to monitor the significant environmental effects of implementation of the final Waste Strategy

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES	If yes, indicate which by which criteria it is a Key Decision	X Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	7 May 2024.

The Waste and Emissions Trading Act 2003, (section 32) obliges authorities in ‘two-tier’ areas to have a Joint Strategy at all times, for the management of waste from households and other waste similar to household waste. The strategy policies must be kept under review and consulted on as appropriate. Essex County Council (ECC) as the waste disposal authority and the 12 waste collection authorities are therefore jointly obliged to maintain a Joint Strategy setting out how household and similar wastes are to be managed.

Under the Environmental Protection Act 1990 Tendring District Council is designated as a Waste Collection Authority (WCA) and as such has a statutory duty to collect household waste and recycling from homes in the District.

The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

FINANCE AND OTHER RESOURCE IMPLICATIONS

There are no financial implications from this decision requesting to adopt the Waste Strategy for Essex. Any financial implications resulting from the action planning to deliver the priorities and commitments within this strategy will be subject to future governance, after a detailed action planning workstream is conducted by the EWP.

X The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

There are no significant comments to make over and those set out elsewhere in the report. However, it is acknowledged that any future financial implications will be subject to further consideration / decision making which in turn will need to balance any commitments with the

Council's wider financial position as set out within associated forecasts etc.	
USE OF RESOURCES AND VALUE FOR MONEY	
The following are submitted in respect of the indicated use of resources and value for money indicators:	
A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	There are no financial implications from this decision requesting to adopt the Waste Strategy for Essex. Any financial implications resulting from the action planning to deliver the priorities and commitments within this strategy will be undertaken in accordance with the constitution.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	These are important long term decisions for the Council and as such will be undertaken in accordance with the constitution, making use of delegated powers where appropriate.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Waste and recycling services are significant budget areas for the Council and also ones where we have good levels of information both in respect of operational delivery and cost. This data will be used as part of the decision making processes going forwards.
MILESTONES AND DELIVERY	
A decision on the strategy will be taken individually by each council that is a member of the Essex Waste Partnership during 2024. Following agreement on the strategy, the partnership will work together to develop and deliver the necessary action plans required to achieve the strategy ambitions. Progress and performance against the strategy targets will be published on an annual basis.	
ASSOCIATED RISKS AND MITIGATION	
Adoption of the Waste Strategy for Essex will promote the Council's ambition to be compliant with the Environment Act 2021 and Simpler Recycling by April 2026.	
EQUALITY IMPLICATIONS	
The equality impact assessment appended to this report indicates that the proposals in this report will not have a disproportionately adverse impact on any people with particular characteristic. (Appendix 4 Equalities Comprehensive Impact Assessment (ECC)).	
SOCIAL VALUE CONSIDERATIONS	
Social value will be built into the future contract associated with the Council's street cleaning, waste and recycling contract to be commenced in 2026.	
The social value themes, outcomes and measures (TOMs) will be selected from Essex County Council's TOMs.	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
A Strategic Environmental Assessment ('SEA') was undertaken in accordance with the SEA	

regulations. This assessment considers the environmental impacts of the strategy and the approaches proposed to ensure a high level of protection for the environment and that sustainability is at the forefront of the draft strategy.

In accordance with the SEA regulations statutory consultees were invited to give responses to the SEA. Responses were received from Natural England and the Environment Agency. Natural England confirmed that, in their view, the proposals contained within the plan will not have significant effects on sensitive sites that it has a statutory duty to protect. The Environment Agency had no comment to make on the documents.

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- How the Environmental Report has been taken into account
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- The measures that are to be taken to monitor the significant environmental effects of implementation of the final Waste Strategy

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	None
Health Inequalities	None
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	None
Area or Ward affected	All wards within the District will be affected

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Essex County Council (ECC), together with the borough, city and district councils, has a legal duty to maintain a joint strategy for the management of waste. The thirteen councils have worked together, as the Essex Waste Partnership (EWP), to jointly develop a new Waste Strategy for Essex to comply with this duty.

The current joint municipal waste management strategy (JMWMS) for managing household and similar wastes was adopted in 2008 and was a 25-year strategic plan for recycling and managing household waste in Essex (expected to be in place until 2032). The waste strategy covered collection activities, Recycling Centres for Household Waste (RCHW) and Waste Transfer Stations (WTS) as well as waste treatment and disposal facilities.

The current JMWMS has not been subject to further significant review since adoption in 2008; however, in recent years there have been substantial changes to national policy and legislation which have the potential to impact substantially on the current Strategy. These changes include:

- The introduction of the Environment Act 2021
- The publication of the Resources and Waste Strategy for England in 2018 that contains national targets for certain waste streams between now and 2050
- Recent consultations commenced by Defra in 2021 relating to:
 - A Deposit Return Scheme (DRS) for drinks containers where consumers will be incentivised to take empty drinks containers to return points.
 - Extended Producer Responsibility (EPR) requirements for packaging where manufacturers will pay the full cost of managing and recycling their packaging waste.
 - Introducing requirements for consistency in household and business waste recycling collection systems, known as Simpler Recycling.

The UK government have also announced a Net Zero carbon ambition by 2050 which impacts on generation of GHG emissions from waste management activities

Consequently, the proposed strategy provides a 30-year framework for how Essex councils are seeking to manage the waste collected by local authorities from homes, businesses and street cleansing. The focus of the strategy is to protect the environment whilst delivering high quality, value for money services that align fully with national policy and meet local needs. The strategy identifies the key areas of work to deliver the aims and ambitions of the partnership, shared targets and approaches for the management of waste. Following strategy adoption decisions, work will be undertaken to develop the required countywide and local action plans to deliver the aims and aspirations of the strategy.

PREVIOUS RELEVANT DECISIONS

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

APPENDICES

Taken from Essex County Council's Cabinet report (June 2024).

Appendix 1: Waste Strategy for Essex 2024-2054

Appendix 2: Final consultation report

Appendix 3: Essex Waste Partnership Response to Consultation

Appendix 4: Equalities Comprehensive Impact Assessment

Appendix 5: Strategic Environmental Assessment -SEA- Scoping Report

Appendix 6: Strategic Environmental Report (SEA) - Full report

Appendix 7: Strategic Environmental Assessment Post Adoption Statement

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