

FOOD WASTE COLLECTION

REPORT OF: Assistant Chief Executive
Contact Officer: Rob Anderton, Divisional Leader – Commercial Services and Contracts
Email: robert.anderton@midsussex.gov.uk Tel: 01444 477374
Jo Reid, Business Unit Leader- Waste, Landscapes and Leisure
Email: jo.reid@midsussex.gov.uk Tel: 01444 477374

Wards Affected: All
Key Decision: No
Report to: Cabinet
29 November 2021

Purpose of Report

1. On the advice of the Scrutiny Committee for Community, Customer Services and Service Delivery this report seeks Cabinet's approval to trial a 1-2-3 food waste collection, and absorbent hygiene products collections, in three areas in Mid Sussex. The Scrutiny Committee also asked Cabinet to consider making a long-term commitment to rolling out a District wide food waste service subject to Government policy and West Sussex County Council (WSSC) being able to support such a service.

Recommendations

2. That Cabinet:
 - a. Agrees to trial a 1-2-3 food waste collection and absorbent hygiene products collections in three areas in Mid Sussex, and
 - b. Provides a longer-term commitment to the District wide delivery of food waste collections in Mid Sussex when Government policy on waste collections has been settled, West Sussex County Council as the collection authority have the facilities to deal with that District wide collection and the financial implications have been given full consideration.

Background

3. On 28 January 2020, the Scrutiny Committee for Community, Customer Service and Service Delivery recommended to Cabinet that the Council, in partnership with WSSC, trial a food waste and absorbent hygiene products collection in three areas in Mid Sussex.
4. At its meeting on 10 February 2020, Cabinet agreed with the Scrutiny Committee's recommendation; committing to undertake a food waste and absorbent hygiene products collection trial, alongside a restructured residual waste collection frequency across approximately 3,000 properties in three areas in Mid Sussex, commencing in April 2020.
5. However, following the onset of the Coronavirus pandemic at the end of March 2020, in order to protect core waste services, and to adhere to lockdown and social distancing rules, the trial was postponed.
6. In September 2020, Council approved a Revised Corporate Plan and Budget. The Plan included a decision not to proceed with a food waste and absorbent hygiene product collection trial; and to instead work with Serco to deliver a business case for the future operation of the service with the aim of addressing forthcoming legislative requirements and delivering improved value for money.

7. In October 2020, in anticipation of the Government's Resources and Waste Strategy, West Sussex County Council (WSSCC) commissioned a strategic review of its disposal contract with their Mechanical and Biological Treatment Plant (MBT) operators. This work has identified that the physical changes required to the MBT to enable food waste to be separately processed would take around 12 months to implement and that work can only start on this once commitment has been secured from a 'critical mass' of Waste Collection Authorities across the county. WSSCC remain keen to trial the introduction of a food waste collection service in Mid Sussex, under the same arrangements outlined to the Scrutiny Committee in January 2020. However, they have indicated that they would not be able to continue to dispose of the food waste from the trial for an 'indefinite' period.
8. In July 2021, the Government carried out a much-delayed second round of consultation on its National Resources and Waste Strategy. This represented a shift in direction which potentially has a significant bearing on this Council's work to date.
9. In the recent budget announcement (October 2021), the Government made £295m of capital funding available 'to allow local authorities in England to prepare to implement free separate food waste collections for all households from 2025.' Whilst this is obviously welcomed, the Government are clearly indicating a move away from their original introduction date of 2023/24.
10. The Council's Corporate Plan priority to deliver a business case for the future operation of the service has been significantly impacted by the aforementioned events and new information.
11. At its meeting on 17 November 2021, the Scrutiny Committee for Community, Customer Service and Service Delivery considered an update on the Council's work to introduce a weekly food waste collection service alongside a restructured residual waste collection frequency in Mid Sussex.
12. The Committee was asked to give careful consideration to the complexities and interrelated issues outlined in this report, and to provide advice to Cabinet about the proposal to trial a 1-2-3 food waste collection and absorbent hygiene products across 3,000 households in Mid Sussex.
13. The comments provided by the Scrutiny Committee are set out below.

Scrutiny for Community, Customer Service & Service Delivery – 17 November 2021

14. The Scrutiny Committee had a full and robust discussion. The key comments and outcomes from the discussion, for Cabinet to consider are outlined below.
15. The Committee was supportive of starting the trial acknowledging the risks, alongside the opportunities to make a contribution towards improving recycling and to encouraging other Councils in West Sussex to move to collecting food waste.
16. The Committee were keen that alongside any food waste collections, the Council should encourage people to compost at home. Accepting that not every household has a garden, it would nonetheless help to reduce the amount of waste in the food waste bins. In addition, there should be a focus on supporting those who are not in the trial area to compost where possible.

17. It was confirmed that the Council works in line with the waste hierarchy and encourages residents to avoid producing food waste where possible; and where they do, to compost it if they can. It was also confirmed that the provision of a food waste service is one means through which to do that because it draws attention to the volume of food that is being thrown away, and thus encourages people to reconsider their shopping and eating habits.
18. It was observed that many residents want to be much greener in their living habits and public attitudes are changing; and we should do what we can to support that.
19. The Committee raised concerns about residual waste capacity if a 3-weekly collection is introduced; and the challenge around the volume and nature of packaging being outside of a residents' control. It was explained that if residents had a food waste collection service alongside the existing extensive dry recycling service, there would be very little left in the residual waste bin other than plastic film and non-recyclable plastics such as polystyrene. Recent waste analyses indicate that over 40% by weight of the capacity of an average Mid Sussex residual waste bin is currently food. If this were collected separately, on a weekly basis, there would be sufficient residual waste capacity for the majority of households; and where this did present a problem, support would be provided.
20. There were further questions about whether the proposed 23 litre kerbside caddy would provide sufficient capacity for all households given the volume of food they throw away on a weekly basis. It was confirmed that experience from elsewhere demonstrates that this would be sufficient capacity for most households; however, the Council would be happy to provide additional caddies if and where needed.
21. There was a question regarding the provision for flat dwellers; seeking clarity on whether flats would be included in the trial, and how they would be serviced. It was confirmed that there would be some flats in the trial, and they would be provided with a small kitchen caddy and a communal food waste bin.
22. There were a number of requests for very clear communications and education to accompany any trial, to encourage residents to minimise the waste they produce, not only in respect of food waste, but across all waste streams. It was confirmed that the Council already provides a lot of information across its website, social media platforms, and via the Mid Sussex Matters Magazine; and that the trial would be supported by a comprehensive communications campaign.
23. The Committee acknowledged that there are many 'moving parts' outside of the Council's control in taking food waste forward. However, there was a strong desire to demonstrate progress, initially through a trial but also through a longer-term commitment to a district-wide roll-out at the appropriate time. This would not only demonstrate that this Council was serious about recycling but would also help in respect of encouraging other waste collection authorities in West Sussex to do the same thing.
24. It was agreed that it would be very helpful to validate how a 1-2-3 collection would work through a small trial, so the Council is in a strong position to roll the service out more widely when that becomes possible.
25. There was a consensus among the Committee that the Council should proceed with the trial; and in addition, ask Cabinet to make a longer term commitment to a full roll-out when possible.

1-2-3 Trial in Mid Sussex

26. County-wide modelling carried out in 2018/19 indicated that a move to a '1-2-3' waste and recycling collection system across West Sussex could be achieved at no cost across the whole waste system. This work acknowledged that additional costs would fall to collection authorities and savings to the disposal authority, and that an adjustment would therefore be required to share the costs and savings and to ensure no Council was worse off.
27. Based on this information, in February 2020, this Council agreed to work in partnership with WSCC to trial a weekly food waste and absorbent hygiene product collection alongside a restructured residual waste collection frequency (a '1-2-3' service) across approximately 3,000 properties in Mid Sussex.
28. The operational details of this trial, and the principles agreed between this Council and WSCC are set out in the Scrutiny and Cabinet reports of January and February 2020 respectively. Any reinstatement of the trial would be on the same basis as outlined in these reports.

Other Trials in West Sussex

29. During 2021, two other small trials commenced within the County. These are both smaller than the trial proposed in Mid Sussex, and are both time-limited; but will provide valuable learning for the wider WSWP:
 - a. Arun District Council embarked on a 1-2-3 collection trial in May 2021, initially rolling the service out to 1,150 Houses and flats before introducing it to a further 250 properties from Sept 21 (just over 1,400 properties in total). The trial is due to run for 12 months.
 - b. Subsequently, Horsham District Council announced a very small, time-limited trial across approximately 100 properties. This went live on 29 September and is due to run for a period of 12 weeks, before services revert to normal.

Government Resources and Waste Strategy

30. The Government's Resources and Waste Strategy (originally published in December 2018) outlined the Government's intention to introduce new statutory responsibilities in respect of waste and recycling. An initial consultation was undertaken in 2019, and in July 2021 the Government concluded a much-delayed second round of consultation on a range of specific proposals; some of which represent a major shift in the Government's direction and potentially have a significant bearing on the County and this Council's Waste Service Redesign. These are summarised below:
 - A minimum service standard of fortnightly residual waste collections (potentially ruling-out a 1-2-3 collection model).
 - A core set of dry recycling material streams must be collected separately unless it can be demonstrated this is not possible for technical, environmental, or economic reasons (meaning fully commingled collection of dry recycling which this Council currently operates may no longer be permitted).
 - Mandatory weekly food waste collections from all properties by 2023/24.
 - Mandatory free collection of garden waste from all properties (meaning charges would no longer be levied for garden waste collections, resulting in a significant loss of income and a substantial increase in costs) or;

- Introduction of statutory guidance on ‘reasonable charges’ for garden waste (meaning the charge levied by this Council would potentially be much reduced, resulting in a significant loss of income).
 - Potentially new funding to be made available directly to waste collection authorities from 2023 via an Extended Producer Responsibility scheme, to cover the net cost of collecting packaging waste.
31. In addition, the Government confirmed its intention to make New Burdens funding available for the introduction of new statutory responsibilities for weekly food waste and fortnightly garden waste collections. The funding will provide capital and revenue related to transitional costs and, in the case of garden waste, the loss of income. It is currently unclear how much, when and to whom this funding will be made available and therefore the Council should not rely on this funding.
32. It would appear the Government supports the collection of food waste and is likely to be mandating this in the near future; however, it is not clear what collection method they will support or potentially mandate for other waste streams. Currently it would appear that they favour a fortnightly residual waste collection service. Based on our modelling work to date, this is the least economic and most inefficient method.
33. WSCC and other WSWP partners provided a [joint response](#) to the Government’s consultation, and given the potentially significant implications of the proposals, MSDC also submitted a [separate local response](#).

West Sussex County Council Disposal Contract Review

34. In October 2020, to support the delivery of a countywide food waste service and in anticipation of the Government’s Resources and Waste Strategy, WSCC commenced a strategic review of its disposal contract with their Mechanical and Biological Treatment Plant (MBT) operators Biffa.
35. The introduction of a food waste service would divert waste away from the MBT, unless the plant is modified to take this material in separated form. The current contract requires WSCC to pay financial penalties to Biffa in the event of a reduction in the amount of waste going to the plant; and termination of the contract would also give rise to significant financial penalties. Therefore, to protect the taxpayer, the County is looking to renegotiate its contract with Biffa to convert the MBT to support the disposal of food waste.
36. These negotiations have been lengthy, and the situation remains extremely fluid. However, we are advised these are nearing completion. The full extent of the implications on the provision of a food waste service are still emerging. However, recently WSCC has indicated that the physical changes required to the MBT would take around 12 months to implement and that any disposal savings associated with the provision of a food waste collection service would only be realised if and when the service was rolled out across a ‘critical mass’ of households across the whole county.
37. Without a critical mass, WSCC would be required to provide and finance a short-term alternative outlet for food waste collected by the “early adopter” Councils whilst continuing to process residual waste still containing food from any later adopters. There would also be a need to financially compensate Biffa for the additional energy costs and/or loss of revenue that would result if there was not sufficient organic waste delivered to meet the energy demands of the plant.

38. WSCC are hoping to finalise their negotiations with Biffa in early 2022, but as outlined above they would not be able to commence work on reconfiguring the plant until a commitment has been secured from most, if not all Waste Collection Authorities in West Sussex. This means that at this stage there are no guarantees that the County will be able to support a district wide roll out of the food waste service. However, WSCC are hoping that once their negotiations are completed the other districts in West Sussex will have more confidence to plan for the introduction of food waste.

MSDC Service Redesign

39. Following the decision to work with Serco to deliver a business case for the future operation of the service, extensive modelling was carried out and Serco identified a service model that both provides the best value for money and enables the Council to achieve the Government's recycling targets as follows:

- Weekly food waste collections via dedicated vehicles
- Fortnightly dry recycling collections
- Three-weekly residual waste collections
- Scope to expand garden waste capacity from 23,000 to 28,700
- 61% recycling rate by 2028

40. The costs of providing this standalone district wide service are provided in the Appendix to this report. This appendix is exempt from publication because the costs are regarded as commercially sensitive by Serco and were supplied to the Council on that basis. They are significant, and without certainty from the Government, and from West Sussex County Council about their ability to support a district wide service, there is a significant risk to this Council of proceeding with the business case.

41. Members will be aware that as a result of the pandemic the Council has a significant gap in its Medium Term Financial Plan and as currently forecast, notwithstanding the risks around the national and county strategy, the Council could not afford to implement a district wide food waste service without making commensurate significant savings and service cuts in other Council services.

Next Steps

42. The introduction of any service change is complex and lengthy; however, the introduction of a food waste service has been further complicated by changes that impact on the Council's direction of travel, over which we have had no control.

43. To date our work has been based on a range of sound assumptions about the WSCC strategy and the emerging direction of the Government's Resources and Waste Strategy. During this year, it has become clear that there is no certainty over the outcome of either of these, and without this certainty there is a significant risk to the Council's resources. This impacts on the approach this Council takes to the trials and/ or the implementation and timing of a district wide food waste/ 1-2-3 service.

44. In summary, the provision of a food waste service is predicated on:

- The Government's Resources and Waste Strategy and any adjustments in collection and disposal methodologies it may require.

- Successful renegotiation of WSCC's contract with Biffa, subsequent conversion of the MBT and an understanding of the financial implications.
 - Agreement of all the Districts and Boroughs in West Sussex to roll-out food waste collections and the revision of the Joint West Sussex Waste Strategy to reflect this agreement.
45. If the Council decide to either trial or roll out a district wide service, based on a 1-2-3 collection model, there is a risk that this may need to change in 2023/24 (or possibly 2025) subject to the Government national strategy and West Sussex's negotiations. This could be both costly and disruptive for residents.
 46. However, the Council could re-instate the trial now and run it until the beginning of 2024/25 at no additional cost other than a top up of approximately £56k. This may however leave a gap of a year before the national roll out of food waste collection, based on the most recent Government announcement. The annual cost of providing the service from 2024/25 onwards would be approximately £160k; however there is currently no guarantee that WSCC would be able to continue to provide temporary support with the disposal of food waste until a permanent facility is established.
 47. It is anticipated that by the middle of 2023 there will be greater clarity on both the Government's and WSCC's strategies. In addition, New Burdens Funding (revenue) may be available to finance roll out across the district by that time, although this is not guaranteed, and the Council should not rely on this being available.
 48. It is important that Members appreciate that starting a trial does not mean the Council will be able to move to a full roll out of the service because of the uncertainties outlined in this report.
 49. If the trial is re-instated there is a nine-month lead in. This is to enable Serco to provide the necessary vehicles and staff, and for WSCC to put in place the necessary disposal infrastructure to support the trial.
 50. Alongside the implementation of a 1-2-3 trial, it would also be sensible to start to prepare for a wider service redesign, by putting in place those aspects of the business case that would both improve service delivery now and prepare the way for the introduction, in due course, of a district-wide food waste collection service (and any other new/ amended services) as mandated by the Government.

Communications

51. A key aspect of the project is the development and implementation of a comprehensive communications plan. Work was previously at the advanced stages on this. This will be updated and refreshed to ensure that all those taking part in the trial, and other key stakeholders are fully informed and provided with all the support they need to participate in, and get the most out of, the new services they are being offered.

Monitoring and Review

52. The success of the trial will be closely monitored against an agreed set of key deliverables, looking at a range of aspects from recycling rates and residual waste reduction to customer perception/feedback and participation rates.
53. Analysis and evaluation will take place throughout the trial, and these findings will be used to inform the future shape of the service.

Legislative / Policy Context

54. The Government's Waste and Resources Strategy outlines the Government's intention to legislate and introduce new statutory responsibilities.

Financial Implications

55. WSCC have confirmed that the previously agreed funding of £364k remains available to finance a food waste and absorbent hygiene products (1-2-3) collection trail in Mid Sussex.
56. The picture in respect of funding a district-wide service (or sustaining the service in the trial areas) beyond the two-year trial remains unclear.

Risk Management Implications

57. Key risks and issues related to the trail have been captured and will be managed through a Project Risk Log Document.

Background Papers

Report to Scrutiny Committee for Community, Customer Service and Service Delivery - Food Waste and Absorbent Hygiene Products Collection Trial- 28 January 2020:

[Food Waste and Absorbent Hygiene Products - Collection Trial.pdf \(moderngov.co.uk\)](#)

Report to Cabinet- Food Waste and Absorbent Hygiene Products Collection Trial - 10 February 2020:

[Food Waste and Absorbent Hygiene Products - Collection Trial.pdf \(moderngov.co.uk\)](#)

Report to Council - Revised Corporate Plan - 30 September 2020:

[Revised Corporate Plan 2020-21.pdf \(moderngov.co.uk\)](#)

Report to Scrutiny Committee for Community, Customer Service and Service Delivery - Food Waste Collection – 17 November 2021:

[Food Waste Collection.pdf \(moderngov.co.uk\)](#)