

# North Yorkshire Council

## Executive

09 May 2023

### Waste Collection - Separate Collection of Food Waste

#### Report of the Corporate Director – Environment Directorate

#### 1.0 Purpose of Report

1.1 This report seeks member approval of:

1.1.1 The DEFRA transitional arrangement to implement separately collected food waste across North Yorkshire from 01 February 2043; and

1.1.2 To explore options for NYC to implement separately collected food waste at an earlier implementation date and to engage with DEFRA and Government to ensure that an earlier implementation date does not negatively affect our eligibility for funding.

#### 2.0 Background

2.1 The new North Yorkshire Council as a Unitary Authority has a duty under the Environmental Protection Act 1990 to arrange for both the collection and disposal of household waste. Under the previous two tiers of local government these duties were split between the seven District and Borough Councils as Waste Collection Authorities (WCAs), and North Yorkshire County Council as the Waste Disposal Authority (WDA).

2.2 Government published the '*Resources and Waste Strategy*' in 2018 and Department for Environment Food & Rural Affairs (DEFRA) consulted on the '*Consistency in Household and Business Recycling in England*' in 2019 and 2021. In response to these consultations, the Environment Act 2021 introduced a requirement for all WCAs (including Unitary Authorities) in England to arrange for the free collection of food waste, separately and at least once a week for recycling or composting. Secondary legislation will determine when separately collected food waste is mandated and will be accompanied by statutory guidance and to this end DEFRA has sought views from WCAs regarding the potential impacts on Authorities.

#### 3.0 The DEFRA Consultation

3.1 DEFRA issued a consultation to North Yorkshire County Council in December 2022 regarding separate food waste collection and transitional arrangements to help determine the financial impact that separate food waste collections are likely to have on our residual waste contract with Thalia (formerly Amey Cespa). This contract procured the Allerton Waste Recovery Park facility which currently segregates organic waste including food waste from residual waste. The WDA and WCAs held further meetings with DEFRA during February and March 2023 and submitted additional supporting evidence. DEFRA accept that the residual waste contract impacts on our ability to implement compliant food waste collections prior to contract expiry in 2043.

- 3.2 Subject to government clearance, DEFRA have indicated that the likely common commencement date for the compliant service provision of food waste collections will be 31 March 2025. DEFRA accept that, as with other Council's with similar residual waste contracts, the Thalia contract impacts on our ability to achieve this common date and is willing to consider transitional arrangements beyond March 2025. DEFRA has given North Yorkshire Council until 17 May 2023 to confirm when separate food waste collections will be implemented across North Yorkshire and once this is confirmed, DEFRA will transpose these commitments into legislation.
- 3.3 Government recognises that their new duties with regard to separate food waste collections will impose additional costs on local government, and it will 'follow the new burdens guidance to ensure the costs of new statutory duties for local authorities are covered'. DEFRA has secured £295 million from HM Treasury to fund Local Authorities to deliver new burdens, although the distribution of funding will be based on an unseen formula rather than actual costs. New Burdens funding does not cover WDA disposal costs; the only dispensation to WDAs is the potential for transitional arrangements to delay the disposal costs incurred (as described in section 3.2 above). It is also not clear the extent to which New Burdens funding will cover collection costs. Initial consultations indicate that the cost of vehicles and bins are within scope, however further conversations with DEFRA have stated they aim to cover on going costs (fuel, labour, maintenance etc) and transitional costs contingent on securing funding from HM Treasury.
- 3.4 In North Yorkshire, Local Government Reorganisation (LGR) has brought together seven waste collection services that all provide collections differently. Good progress has been made on integrating and rationalising services to achieve service consistency, for example, it has already been agreed to bring the Selby Urbaser service provision in house and to adopt a consistent approach to garden waste charging.
- 3.5 LGR provides an opportunity to harmonise waste recycling and disposal services into a single model. The WCAs and WDA have been working with WRAP and environmental consultancy Eunomia to evaluate the existing approaches and how best to integrate food waste collections.
- 3.6 A decision on separate weekly food waste collection will impact on the options available for a harmonised waste collection service and the timing of when that can be implemented. A weekly food waste collection service allows consideration of a greater number of options with regards to the residual and recycling service.

#### **4.0 Options (Implementation Timing)**

- 4.1 The Council has two options.
- 4.2 Agree with DEFRA to implement food collections prior to the residual waste contract expiry date.  
For an implementation date of April 2030, a phased roll out across North Yorkshire would begin 2027, as it is expected to take up to three years to implement a separate food collection service. As described in this report, there is a great deal of benefit in coinciding delivery of a separate food waste collection service alongside harmonisation of waste collection services for North Yorkshire. Doing so will minimise disruption for residents by changing service once only; it allows consideration of a greater number of options with regards to residual waste; and a practical benefit to the operation of the service by changing once – for staff training, vehicle and receptacle procurement and depot management.
- 4.3 Our preferred option is to combine food waste with a harmonised collection service but are unable to do so by the lack of clarity from Government. The Council cannot commit to incurring expenditure without knowing the extent of New Burdens funding it would receive.

4.4 Agree with DEFRA to implement food collections after the residual waste contract expiry date.

In recognition that New Burdens funding is unlikely to offset all the Council's costs of implementing separate food waste collections, and that New Burdens funding cannot be quantified at this stage, the Council could seek to implement a phased roll out across North Yorkshire from 2043.

4.5 DEFRA have indicated that should the Council agree Transitional Arrangements and then implement food waste collections at an earlier date, that New Burdens funding is only available from the agreed Transitional Arrangement date. However, there is a great deal of uncertainty concerning the scope and distribution of New Burdens funding. Over the next few months and years greater clarity will emerge as funding is distributed to local authorities and the funding formula is published. DEFRA recognise that all funding beyond 2025 is subject to future spending reviews and cannot be guaranteed, so it is possible that the Council agrees a future date and does not receive funding.

4.6 In recognition of the significant financial uncertainty surrounding the scope and distribution of New Burdens funding it is recommended that the Council seeks to roll out food waste collections across North Yorkshire from 2043 and keeps under review the opportunity to roll out separate food waste collections at an earlier date pending greater clarity on the available funding. In recognition of the environmental benefits of introducing separate food waste collection alongside a harmonised waste collection service, the Council will canvass the views of stakeholders in order to inform the timing of the decision and will urgently engage with Government to ensure that when we determine to introduce separate food waste collections, we do not forego funding that enables Councils to deliver new services Government requires of them.

## 5.0 Equalities

5.1 An Equalities Impact Assessment screening has been completed (Appendix A), and a full EIA is not required at this time. Any future proposed service changes will be subject to separate EIA screening.

## 6.0 Finance

6.1 An evaluation has been carried out by environmental consultants Eunomia to compare the options modelled against the seven existing collection methods (the current approach is called the 'baseline'). It is important to note that modelling at this stage should not be used to determine absolute values, but rather to indicate the scale of change and the relative costs of each option modelled compared to the baseline. Once a preferred option is selected then a detailed route optimisation exercise will be conducted to accurately determine the resources needed to deliver the services and associated costs.

6.2 The work carried out by Eunomia indicates that consolidating the existing collection methods into one approach that excludes food waste will reduce the service cost across North Yorkshire by up to £1,315k compared to the baseline although this figure is indicative pending further detailed assessment. The scenario modelled is based on a 'twin-stream' collection approach with fortnightly residual waste collection (see scenario 1 in Table 1 below). This reflects the recommendation in the report to progress with the transitional arrangements.

6.3 The introduction of a new food waste collection service will increase the Council's costs by between £1,050k and £6,420k per annum compared to scenario 1 (see 'Difference' in Table 1 below); the significant variance is due to the amount of New Burdens funding that will be received which at the time of writing is unknown.

Revenue Costs (vs baseline)	Scenario 1	Scenario 2	Difference	Difference
	No Food Waste	With Food Waste	With New Burdens	Without New Burdens
<b>Container Costs</b>	£1,185k	£1,355k	£170k	£170k
<b>Collection Costs</b>	-	£5,200k	£5,200k	£5,200k
<b>Disposal Costs</b>	(£2,500k)	(£1,450k)	£1,050k	£1,050k
<b>New Burdens Funding</b>	-	(£5,370k)	(£5,370k)	
<b>Total</b>	<b>(£1,315k)</b>	<b>(£265k)</b>	<b>£1,050k</b>	<b>£6,420k</b>

*Table 1 – Representative Food Waste Collection Costs*

- 6.4 The capital cost associated with the provision of separate food waste vehicles and containers is included in the above on an annualised whole of life cost basis. As described DEFRA have indicated these costs will be covered by New Burdens funding however this needs a health warning on the basis DEFRA have not yet confirmed the detail of that funding. Therefore, based on the initial assumptions and financial modelling carried out, additional annualised costs in the region of £6,420k (both capital and revenue) could be incurred in relation to the provision of a separate food waste collection and disposal service which are not included in the Council's budget or medium term financial plan – it is anticipated that some of these costs will be funded via New Burdens funding but the extent of the funding is not yet confirmed.
- 6.5 It is likely that DEFRA will either distribute the secured funding by March 2025 or risk returning to HM Treasury. Future funding beyond March 2025 will be subject to future spending reviews. North Yorkshire, like other local authorities securing transitional arrangements is not guaranteed to benefit from New Burdens funding beyond 2025.
- 6.6 DEFRA have confirmed that a local authority must have rolled out food waste collections across the whole area to be eligible for New Burdens funding.
- 6.7 Some practical consideration is also required on how a separate food waste collection service could be implemented. To reduce capital costs (as well as carbon footprint) it is prudent to coincide the purchase of new collection vehicles when the current fleet reaches end of life, on this basis no vehicles are taken off fleet ahead of schedule which maximises the assets the council already has. Similar for waste receptacles, implementation would be based on retaining – wherever possible – bins and other assets for re-use regardless of branding.
- 6.8 Further work is required to gain clarity on the overall financial implications of the implementation of separate food waste collections which will be reported back to Executive for a decision at the appropriate time. However, the recommendation to secure transitional arrangements to implement separately collected food waste across North Yorkshire from 1 February 2043 does not change the current arrangements or costs.
- 7.0 Legal**
- 7.1 North Yorkshire Council as a Unitary Authority has a duty under the Environmental Protection Act 1990 to arrange for the collection and disposal of household waste, and to comply with the waste provisions contained within the Environment Act 2021 and future secondary legislation and statutory guidance.

7.2 Implementation of separate food waste collections prior to the end of the waste contract could have financial implications and a contract variation may be required. Further dialogue with Thalia to model and quantify the impact will be needed in advance of implementing such a variation. Similarly, there is the risk of financial implications arising if food waste collections are implemented from 2043, as there is the opportunity to extend the existing residual contract from the expiry date or procure a new solution.

7.3 In this case the Executive is to make a recommendation to Full Council as any decision on separate food waste collection would be a change to the Council's waste policy which is a matter for the North Yorkshire Council.

## 8.0 Climate Change

8.1 A climate change assessment has been completed as part of the modelling undertaken by Eunomia, and a summary carbon impact assessment is presented in Figure 1 below. Eunomia have their own carbon modelling tool, however, the figures presented use WRAP's more widely recognised WARM factors. WARM's carbon benefits are less than Eunomia's and have been used to provide a conservative approach to quantifying the impact of food waste collections.

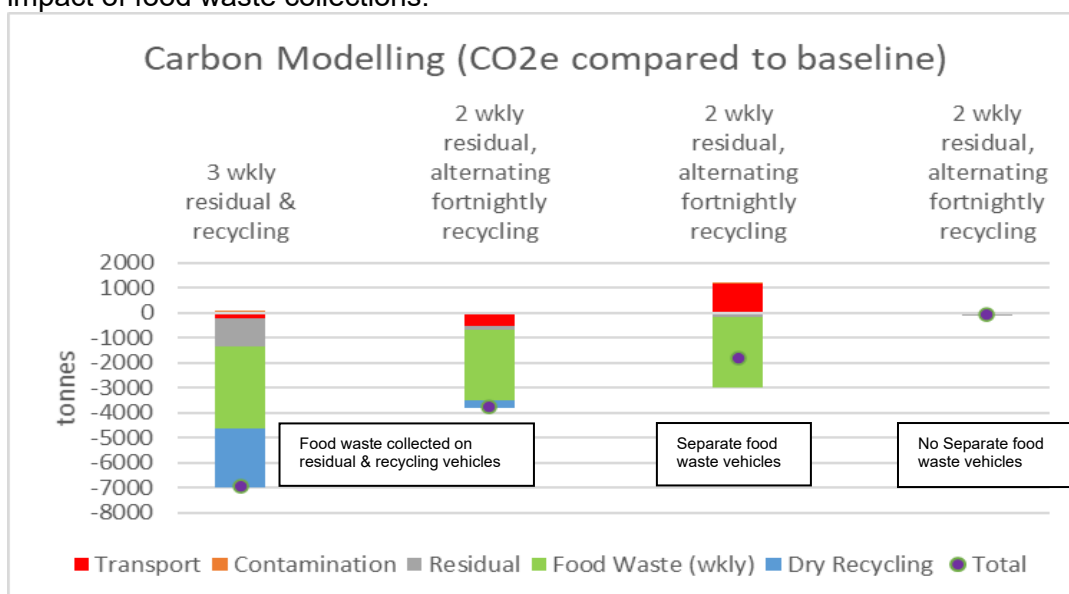


Figure 1 - Carbon Comparison Chart

8.2 The graph shows that there is significant benefit in separately collecting food waste (2,800t to 3,300t reduction in CO2e) compared to the current arrangements where food waste is recovered from residual waste at Allerton Waste Recovery Park. The carbon benefit directly attributable to food waste collections is further enhanced by reduced frequency of residual waste collections which also reduces residual waste arisings and increases dry recycling yields. The carbon benefit of harmonising the recycling service without introducing a new food waste service is negligible. The transport element is generally small or at least outweighed by the treatment destination.

8.3 The environmental modelling work to date suggests that integrating food waste collections into waste and recycling services delivers a significant carbon benefit and contribute towards the Council's net zero carbon target.

- 8.4 If there were clarity around the New Burden funding, it would be preferable to design an efficient and effective waste, recycling and food waste service from the outset, effectively future proofing the service, minimising disruption to residents and limiting the cost of changing the service to the Council. As described in section 6.7, to 'bolt on' a separate fleet of food waste collection vehicles later does not achieve the same carbon benefits or may require all waste and recycling arrangements to be reconfigured for a second time as opposed to harmonising services once at an earlier date.

**9.1 Recommendations**

9.1 That the Executive recommends to the Council:

- i. To accept the DEFRA transitional arrangement to implement separately collected food waste across North Yorkshire from 1 February 2043; and
- ii. To explore options for NYC to implement separately collected food waste at an earlier implementation date and to engage with DEFRA and Government to ensure that an earlier implementation date does not negatively affect our eligibility for funding.

KARL BATTERSBY  
Corporate Director, Environment

Author of Report: Michael Leah, Assistant Director, Environmental Services  
Peter Jeffreys, Head of Service – Waste  
Aimi Brookes, Service Development Manager - Waste

Background Documents: None

Appendix A – Equality Impact Assessment Screening Document  
Appendix B – Climate Change Impact Assessment

<b>Initial equality impact assessment screening form</b>			
<b>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</b>			
<b>Directorate</b>	Environmental Services		
<b>Service area</b>	Environmental Services and Climate Change		
<b>Proposal being screened</b>	Separate Collection of Food Waste		
<b>Officer(s) carrying out screening</b>	Aimi Brookes		
<b>What are you proposing to do?</b>	To obtain approval to confirm with DEFRA that food waste will be collected separately across North Yorkshire by 2043.		
<b>Why are you proposing this? What are the desired outcomes?</b>	To meet the requirements of the Government's Resources and Waste Strategy 2018 and the Environment Act 2021.		
<b>Does the proposal involve a significant commitment or removal of resources? Please give details.</b>	The introduction of food waste collections will require significant resources to ensure that food waste collections are integrated with an efficient and effective, harmonised waste and recycling service. Currently, an assisted collection service is available to anyone who needs additional help with their collections, either on a temporary or permanent basis. When implemented, waste food collections will be added to this existing service.		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</b>			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
<b>NYCC additional characteristics</b>			
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	

<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	No			
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	No			
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	X	Continue to full EIA:	
<b>Reason for decision</b>	The requirements of the Environment Act are to provide free weekly food waste collections to all residents and so no group will be adversely impacted.			
<b>Signed (Assistant Director or equivalent)</b>				
<b>Date</b>				



## Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk)

### Version 2: amended 11 August 2021

**Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:**

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	Introduction of Separate Food Waste Collection
<b>Brief description of proposal</b>	To introduce free separate food waste collections across North Yorkshire from 2043 and explore options to implement earlier, in line with the National Resource and Waste Strategy 2018 and the Environment Act 2021.
<b>Directorate</b>	Environmental Services
<b>Service area</b>	Environmental Services and Climate Change
<b>Lead officer</b>	Peter Jeffreys, Head of Service (Waste)
<b>Names and roles of other people involved in carrying out the impact assessment</b>	Aimi Brookes, Service Development Manager (Waste)
<b>Date impact assessment started</b>	23/03/23

**Options appraisal**

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The requirement to introduce a free separate weekly food waste collection will be statutory. Options that have been considered are around the types of vehicles used to collect the material and the disposal options. These options are still under review as presently we are just asking that members approve the timeline for implementation and not how the collections will be carried out.

**What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

Government recognises that their new duties will impose additional costs on local government. DEFRA has secured £295 million from HM Treasury to fund Local Authorities to deliver new burdens, although it has also emerged that the distribution of funding will be based on an unseen formula rather than actual costs. New Burdens funding does not cover WDA disposal costs; the only dispensation to WDAs is the potential for transitional arrangements to delay the disposal costs incurred. It is also not clear the extent to which New Burdens funding will cover collection costs. Initial consultations indicated that the cost of vehicles and bins were within scope, however further conversations with DEFRA have alluded to potentially covering on going costs (fuel, labour, maintenance etc) and transitional costs.

It is understood that DEFRA must distribute the secured funding by March 2025, and that future funding beyond March 2025 will be subject to future spending reviews. North Yorkshire, like other local authorities securing transitional arrangements, is not guaranteed to benefit from New Burdens funding beyond 2025. Yorkshire Council will be eligible to receive New Burdens funding from 2030 subject to DEFRA successfully securing future funding and North Yorkshire completing their roll out of food waste collections.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel		X		<p>Food waste is not currently separately collected across North Yorkshire so there will be no impact on GHGs prior to 2043. There will be a positive impact post 2043 when organic waste is separately collected and treated at Anaerobic Digestion facilities.</p>		
	Emissions from construction		X		No anticipated impact		
	Emissions from running of buildings		X		No anticipated impact		
	Emissions from data storage		X		No anticipated impact		
	Other						

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise <b>waste</b>: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		X		<p>Food waste is not currently separately collected across North Yorkshire so there will be no impact on waste minimisation prior to 2043. There will be a positive impact post 2043 when organic waste is separately collected and treated at Anaerobic Digestion facilities. Experience elsewhere suggests that waste arisings decrease when food waste is separately collected.</p>		<p>A comprehensive communications and marketing plan will accompany any service changes to maximise awareness and take up of the service.</p>
<p>Reduce <b>water</b> consumption</p>		X				
<p>Minimise <b>pollution</b> (including air, land, water, light and noise)</p>		X				
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
Enhance <b>conservation</b> and wildlife		<b>X</b>				
Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b>		<b>X</b>				
Other (please state below)		<b>X</b>				

**Are there any recognised good practice environmental standards in relation to this proposal?** If so, please detail how this proposal meets those standards.

Officers have been working with WRAP and consultants Eunomia and whilst further modelling is ongoing, we have evaluated the existing approaches and how to integrate food waste collections. The two broad approaches are to either collect food waste on dedicated food waste vehicles, or to collect food waste in containers called 'pods' on the recycling and waste fleet. Both approaches have their merits and are the subject of detailed analysis to be presented to Executive in June 2023.

**Summary** Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The proposal will allow North Yorkshire Council to meet the future requirements of the Resources and Waste Strategy 2018 and the Environment Act 2021.

LGR provides an opportunity to harmonise waste recycling and disposal services into a single model across the county. A full waste service review is under way and aims to ensure future services are efficient, effective and high performing. As that project progresses, further climate change impact assessments will be carried out as appropriate and will give further detail about potential positive environmental impacts and outcomes.

### Sign off section

This climate change impact assessment was completed by:

<b>Name</b>	Aimi Brookes
<b>Job title</b>	Service Development Manager – Waste
<b>Service area</b>	Environmental Services and Climate Change
<b>Directorate</b>	Environmental Service
<b>Signature</b>	
<b>Completion date</b>	

**Authorised by relevant Assistant Director (signature):** Michael Leah

**Date:** 27 April 2023