

## **Appendix 2: Environment Act Update**

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Within the Environment Act, the Consistency and Packaging Reforms (CPR) Programme includes:

- Food waste
- Extended Producer Responsibility
- Deposit Return Scheme
- Consistency

### **Food waste**

The proposed deadline date for implementing the new service is currently March 2025. This requires approval from Ministers prior to the official announcement.

Transitional arrangements i.e., an application for a later start only applies to the disposal arrangements. Vehicles and container procurement, which is likely to be challenging is out of scope to delay implementation. The consequences of not meeting the implementation deadline are to be announced, with work currently taking place on an associated Compliance and Enforcement Strategy. It will contain 'reasonable time to implement' clauses which could be a few months but not years.

Funding for the service is subject to Ministerial and Cabinet Collective Agreement and Defra confirm Waste Collection Authorities (WCAs) will receive New Burdens funding, which is expected to cover:

- Capital funding for the procurement of vehicles, containers etc. to implement or expand services to households not currently receiving weekly separate food waste collections
- Transitional funding to support the transition to the new service
- Ongoing funding for the ongoing costs incurred by WCAs to run services, subject to future spending reviews

New burdens funding will be based on a yet-to-be determined funding formula. At this stage, further information on exactly what the funding will cover is not available, nor when it will be issued.

The ability to plan for implementation relies on the announcements of the new Consistency duties (see below), as well as New Burdens funding as this will impact costs, infrastructure and operational models required. However, some progress has been made where possible.

Following an assessment of planning and permit restrictions, a suitable tipping point for food waste has been identified. A location within the Hollingdean Waste Transfer Station will be used to place a large, sealed container, where the waste can be tipped. Haulage from the tipping point to the In-Vessel Composting Facility (the IVCF is where the council's garden waste is currently taken) will need to be negotiated with the contractor.

Disposal of food waste can currently be accommodated at the IVC, but only seasonally. The mix required means an alternative tipping point may be required in winter, due to the lack of garden waste, which is in high supply during summer. Options are being explored.

More vehicles will be required. Cityclean is exploring the implications of this, both in terms of the Operator's Licence and space at Hollingdean Depot.

The introduction of food waste collections is a large complex project and recruitment will start shortly for a Project Manager to take forward this work.

### **Extended Producer Responsibility (EPR) packaging**

The consultation outcomes were released 2022 but guidance on areas, such as local authority payments, is still outstanding.

The scheme aims to reduce unnecessary packaging, enable more recycling, and assist consumers to recycle better through a labelling system.

It includes packaging producers paying the full net costs for councils managing litter and collections from street bins. Fees are to be chargeable from 2025 which will be collected by the Scheme Administrator (SA) who is also responsible for paying local authorities the *necessary* costs incurred to collect household packaging and packaging placed in street bins. The pay to authorities will reflect the costs of providing an 'efficient and effective service'.

Defra are currently developing the payment calculations, modelling the efficient and effective service criteria as well as defining the local authority groupings.

### **Deposit Return Scheme (DRS)**

The consultation outcomes and government response to the DRS was published on 20 January 2023.

The key points are:

- The DRS will be introduced from October 2025
- Single-use drinks containers from 50ml to 3 litre containers will be in-scope
- Materials to be captured are Polyethylene terephthalate (PET) bottles, steel cans and aluminium cans
- A Deposit Management Organisation (DMO) will be appointed to manage overall operation of the Deposit Return Scheme
- Local authorities can sort items intended for DRS when in the household waste stream and redeem deposits
- Retailers selling in-scope containers in store will be required to host a return point for consumers deposit refund
- Reverse Vending Machines will be included as permitted developments under planning rules
- The consultation response presents further detail that will be set out in legislation. This legislation will place obligations on producers of in-scope drinks containers, retailers and the DMO
- The deposit amount will be set by DMO and variable (20p-50p or more)

The council will be modelling the in-scope material movements to help understand the impact on collections, the contract and income.

Consideration is also being given as to whether changes are required to sort the in-scope material that ends up in the household stream to redeem deposits, to maximise income.

### **Consistency**

Local authorities will be mandated to collect a consistent range of dry materials, including pots, tubs & trays, cartons/tetrapaks, foil and plastic film.

Local authorities are awaiting confirmation of materials, methods and burdens funding. The government response will be made available in due course with a consultation on the statutory guidance to be launched sometime during 2023.

What is known is that these reforms will require major infrastructure change for the collection and sorting of materials.

Once the government has published further information, further updates can be provided.

