

Report to: Place Scrutiny Committee

Date of meeting: 28 March 2023

By: Director of Communities, Economy and Transport

Title: Food Waste – Environment Act 2021 requirements

Purpose: To provide the Scrutiny Committee with an update on East Sussex County Council preparations for future food waste collection services.

RECOMMENDATIONS: The Place Scrutiny Committee is recommended to:

- 1) note the report; and
 - 2) consider whether to carry out any further scrutiny work on this topic.
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1 Background Information

1.1. Currently, most of the food waste produced by the residents in East Sussex goes in the black bin or bag and is taken to Newhaven Energy Recovery Facility (ERF). Some food waste will be composted at home by residents, but we do not have any data on how much this might be.

1.2. Newhaven ERF burns all waste that is not recycled, to produce electricity and creates enough energy to power over 25,000 homes, which it supplies to the National Grid.

1.3. In East Sussex residential waste and recycling services are provided by the five borough and district councils.

Responsibilities of East Sussex authorities

1.4. East Sussex district and borough councils as the waste collection authorities (WCAs) are responsible for the following activities:–

- collection of black bag waste
- collection of recycling
- street cleaning
- litter bins
- on street recycling bins
- removal and investigation of fly tipping
- beach cleaning

1.5. The County Council, as the Waste Disposal Authority, is responsible for:

- recycling and recovery and disposal of collected material
- providing Household Waste and Recycling Sites (HWRSSs) for residents
- providing Waste Transfer Stations (WTSSs) for WCAs
- Disposing of waste from coastal pollution incidents
- Management and aftercare of closed landfill sites

Environment Act and introduction of food waste collections

1.6. The 2019 Resources and Waste Strategy for England proposed that all WCAs who did not already offer a weekly food waste collection, should have one in place by 2023.

1.7. Government then introduced the Environment Act in 2021, with the Act aiming to improve air and water quality, halt the decline of species, improve our natural environment, and makes several big changes to how we manage our waste and recycling, including collecting food waste separately every week.

1.8. The other main changes to waste and recycling that come with the Environment Act are –

- Introduction of a Deposit Return Scheme for plastic and metal drinks containers (this will not be operated by local authorities)
- Extended Producer Responsibility for packaging (this will mean packaging producers will pay for their waste)
- Consistency of collections including –

1.8.1 Standardisation of recycling collected (a common set of materials that have to be recycled)

1.8.2 Potential cap or removal of charges for garden waste (to be confirmed, although we understand this is likely to be a cap on charges rather than removal of charges)

1.9. Lewes District Council is the only authority in East Sussex that currently collects food waste. Historically, increased costs associated with the additional vehicles, staff and bins has prevented our other authorities from introducing food waste collections.

1.10. For several years Government has been consulting on the detail of food waste collections, and several other changes to how waste and recycling is managed. The consultation process has been long and lots of detail on changes to how we work is still to be confirmed. Government is expected to provide feedback soon on consultation responses, clarifications on potential funding, and final details of changes to be made to waste services. This information is expected in early 2023. When these details are known, authorities will be able to plan and adapt or roll out new services.

1.11. Commencement regulations then will bring the requirement for weekly food waste collections into force. Whilst not officially set by Government, a revised start date for weekly food waste collections is likely to be March 2025, although it will be challenging for many authorities to plan and roll out new collection services by this date.

1.12. In December 2022, the Department for Environment, Food and Rural Affairs (Defra) wrote to and met with East Sussex County Council and several other disposal authorities with long-term waste contracts as it is felt these may present challenges that prevent the introduction of weekly separate food waste collections to households. In specific circumstances, if Ministers decide it is appropriate, Defra will include specific transitional arrangements for named WCAs in the commencement regulations, setting out when they will need to introduce weekly food waste collections.

1.13. East Sussex County Council (ESCC) officers consulted with colleagues in Brighton & Hove City Council (BHCC) and all five district and borough councils and confirmed to Defra that the contract with Veolia does not prevent the weekly collection of food waste from going ahead or pose significant challenges that would result in food waste collections having to be delayed. During these meetings, Defra verbally informed East Sussex officers that no funding will be available for any changes required to manage separate food waste collections. Defra stated that the legal requirement to collect food waste lies with the WCAs and they will be able to access funding for

initial capital investment (such as vehicles and additional bins) and potentially, ongoing revenue costs (such as additional staffing costs). Defra expects ESCC and other disposal authorities to make a net saving as food waste will be composted instead of being sent for energy recovery, where the cost of composting is cheaper than energy recovery.

1.14. This Council's contract with Veolia runs until 2033 and includes infrastructure to compost food waste at the In-Vessel Composting (IVC) facility at Woodlands, in Whitesmith. Woodlands IVC currently takes Lewes District Council's food waste and all of the garden waste generated by East Sussex and Brighton and Hove residents.

2 Supporting Information

What will happen to food waste in East Sussex?

2.1. Woodlands IVC can compost around 60,000 tonnes of food and green waste every year. Veolia considers the ideal ratio for the facility is around 70% green waste and 30% food waste.

2.2. The facility works on a 6-week process with the incoming material shredded and batches put into one of 8 tunnels. The composting process is started by the naturally occurring micro-organisms already in the waste. These break down the material, releasing the nutrients and in doing so increase the temperature of the material to the 60-70°C needed to kill pathogens and weed seeds. Oxygen levels, moisture content and temperature are carefully monitored and controlled during this stage to ensure the material is fully sanitised.

2.3. The next part of the process is maturation. The material is transferred from the tunnels to the maturation hall until the organic material has fully composted.

2.4. The compost is finally screened into two grades: 10mm is used for Pro Grow for gardens and 20mm is used by farmers.

2.5. The material produced by the facility is a high-quality compost, is PAS 100 certified, and Veolia sell it as Pro Grow at our HWRSSs. They also supply local farmers who collect the compost produced by the facility.

2.6. The application of compost improves soil health and soil drainage, creating healthier, more resilient environments for crops to thrive, as well as capturing carbon in the soil. Digestate from anaerobic digestion, another form of food waste treatment, produces a fertilizer which has a more limited application potential due to the levels of nitrogen. It can only be used on certain types of land, and at particular times during the agricultural year.

2.7. The recycling of organic waste through the IVC serves as an example of how the Private Finance Initiative (PFI) contract with Veolia is delivering local, circular solutions for resident's waste. Green waste and food waste is collected from households and then returned, after composting, to East Sussex's gardens and fields as a high-quality soil improver.

How much food waste is there?

2.8. The results from a 2017 waste composition study showed that 36.9% of the black bag waste across East Sussex was found to be food waste. A further study is planned for the first half of 2023 to provide more up to date data.

2.9. Food waste services capture a small proportion of total food waste, and modelling by the waste team suggests that total ranges from 16,000 tonnes per year to 18,000 tonnes per year.

2.10. Whilst the potential to recycle 16,000 to 18,000 tonnes of food is a good thing given the cost to the resident of wasted food in the household, it would be even better to reduce food waste by preventing or minimising it. This provides not only savings for residents, but also savings to the taxpayer from the reduced costs of managing waste.

2.11. It is possible that food waste tonnages will eventually exceed the capacity of Woodlands IVC, and it is estimated that excess food waste generated by residents of East Sussex and Brighton and Hove might be up to 5,000 tonnes per year. East Sussex County Council will be working with Veolia and other partners to secure alternative treatment facilities.

Implications of food waste collection services for East Sussex County Council

2.12. East Sussex County Council is working with Veolia to introduce food waste delivery points at some of the contract Waste Transfer Stations (WTSs). The table below shows where each of our districts and boroughs (and Brighton & Hove) are anticipated to deliver and tip their food waste.

Food waste delivery point	Delivering authority
Woodlands IVC, Whitesmith, Lewes, BN8 6JB	<ul style="list-style-type: none"> • Wealden DC • Eastbourne BC • Lewes DC
Pebsham TS, Freshfields, Bexhill on Sea, TN40 2SA	<ul style="list-style-type: none"> • Hastings BC • Rother DC
Hollingdean TS, Upper Hollingdean Road, BN1 7BB	<ul style="list-style-type: none"> • Brighton & Hove City Council

2.13. Some changes to the PFI contract will be required to enable food waste to be received at Hollingdean WTS and Pebsham WTS and for haulage arrangements from those sites to Woodlands IVC.

2.14. Composting food waste at Woodlands IVC is cheaper than taking it to the Newhaven Energy Recovery Facility (ERF). Moving food out of the black bin and composting it should provide some savings.

2.15. However, there are some additional costs too. Several facilities need to be adapted to receive food waste deliveries. The food waste will need to be managed and transported separately to Woodlands IVC. Specialised sealed containers will be required and extra vehicles to transport them, may be required. There may be other unforeseen costs that materialise as the service changes are being made.

2.16. As a new piece of legislation, the Environment Act will have cost implications on our waste disposal contract, although at this time these costs are uncertain. Certainly we would expect some additional costs to be picked up by the contractor and others by the contracting authority. We will be able to proceed with more detailed commercial negotiations once we receive feedback and clarification from the Government on the changes, and input from our colleagues in legal services.

2.17. It is possible that following all of the changes there will be a small net saving for East Sussex County Council, but it is too early to predict this with certainty. Food waste is one of several significant changes required by the Environment Act and it is difficult at this point to model the combined impact of all changes on the waste disposal budget.

2.18. Any modifications to the PFI contract will be subject to the Council's normal governance arrangements.

2.19. Whilst food waste can already be accepted at Woodlands IVC, it is anticipated that the WTSs will be ready to accept separated food waste by mid-2025. Due to the unforeseen delays in Government consultation feedback and clarifications, and the knock-on effect on governance and procurement cycles, district and borough councils may not be able to deliver new food collection services before mid-2025.

3 Conclusion and Reasons for Recommendations

3.1. East Sussex County Council is in a good position by already having Woodlands IVC for the composting of food waste. Lewes District Council's food waste is already composted at Woodlands IVC.

3.2. The Council's Waste team is awaiting final details and clarifications on arrangements from Government and will continue to negotiate with Veolia on changes necessary to prepare for the introduction of food waste collections across the county.

3.3. The Waste team will continue to work with district and borough councils to provide the necessary service changes at our facilities, to cater for weekly food waste collections.

3.4 The Place Scrutiny Committee is recommended to note the update report and consider whether it wishes to carry out any further scrutiny work on this topic, such as receiving further update reports at future meetings.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None