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| SUBJECT: | STATUTORY FOOD WASTE COLLECTION SERVICE – POLICY PROPOSAL |
| DIRECTORATE: | COMMUNITIES AND ENVIRONMENT |
| REPORT AUTHOR: | STEVEN BIRD, ASSISTANT DIRECTOR COMMUNITIES AND STREET SCENE |

1. Purpose of Report

- 1.1 To provide members with a copy of the draft operational policy for the new statutory food waste service.

2. Executive Summary

- 2.1 This report sets out key details for the delivery of the new statutory weekly food waste collection service from 30th March 2026, and invites comments.
- 2.2 A new food Waste Policy document has been produced to make clear to the public how this service will be delivered, and is attached as an appendix to this report.

3. Background

- 3.1 The requirement for Waste Collection Authorities to provide weekly food waste collections to all households has been mandated by its inclusion in the Environment Act 2021.
- 3.2 This statutory requirement to make a food waste collection service available must be implemented by 31 March 2026 for all households, and collections must be weekly.
- 3.3 This will be the largest change to waste collection services in Lincoln since the introduction of wheeled bins, and as it affects all councils, it is arguably the biggest single change in services the county, and indeed the country, has seen for some considerable time.
- 3.4 The Lincolnshire Waste Partnership (LWP), and its various supporting officer groups have therefore been monitoring developments and seeking to learn from both trial work, and other councils who have introduced food waste collection services already.
- 3.5 Having taken advice from the government's advisors, Waste Resources Action Programme (WRAP), the partnership has identified all the key issues it needs to address, allowing officers to go back to their own Members to seek views on implementation, based on recommendations.
- 3.6 Whilst it is the hope/intention of the LWP that there will be uniformity of services across the county, it is accepted that each council is in a different place in terms of

resources, and so may not feel able to implement all the preferred approaches in full at this time. Therefore, although the basic services are fixed by mandate, there are some aspects of provision that may differ in the county, although these are expected to be relatively minor. It is the aim of LWP that there be as much consistency as possible.

3.7 As this is such a large change to services across the country, there has already been an escalating demand for capital purchase items, such as vehicles and caddies. It is thought possible that some councils will not now meet the 31st March 2026 deadline simply by virtue of not being able to source the required vehicles and bins in time. As Lincoln took clear decisions at the end of last year based on specialist advice, officers were able to order caddies and bins, and reassure the contractor who will provide the service (Biffa) that they could order vehicles. Capital expenditure risks associated with meeting the statutory requirements have therefore been mitigated as far as is possible, and confidence of being able to deliver to timetable is currently high.

3.8 This report therefore sets out the outstanding issue of agreeing the final operational policy, which will of course ultimately influence the final operational costs report to Executive.

4. Key Issues

4.1 A report to the Executive at the end of 2024 set out the key areas for work in order to deliver the service. These remain pertinent as a structure for updating on delivery progress and consideration of the outstanding issues.

4.2 They are:

- provision of staffing for the service
- provision of vehicles for the service
- provision of caddies and communal bins
- other service demands/difficult to access premises

4.3 Provision of Staffing for the Service

4.4 The Council has recently let a new contract for waste and recycling services operable from September 2026. The new contract includes clauses in relation to the provision of this new service in so far as it could, based on what was known of the requirements at the time of drafting. This was drafted so as to ensure that the services could be provided from its start date in September, even if we could not meet the statutory requirements of an April start for contractual reasons. Defra were kept informed. As the current incumbent contractor has been successful in winning the new contract, this has opened-up easier opportunity for introducing the change in line with the statutory date. As such staffing can be considered to have been dealt with either under the existing contract, or under the provisions of the new contract.

4.5 Provision of Vehicles for the Service

4.6 The early decision by the Council to make financial provision (funded through Defra New Burdens capital grant) has enabled Biffa to order the required vehicles.

4.7 Their supplier has confirmed that the vehicles will be provided in February/March 2026, in time for the service commencement.

4.8 **Provision of Bins/Caddies**

Working with the government advisory body WRAP, the LWP-wide agreement has been for a two size caddy system for most households, with a smaller caddy of 5 litre in silver/grey for use indoors, to be decanted into a larger 23litre caddy of black with an orange lid, which is to be presented kerbside each week.



5Ltr



23Ltr

4.9 For those who make use of a communal bin for waste, then the same 5Ltr silver caddy will be provided for indoors, but a larger 140Ltr wheeled bin (black with orange lid) will be provided in the communal bin store areas for decanting.

4.10 As the Council took an early decision on the financing (through Defra New Burdens capital grant) and purchase of these caddies/bins, it was possible to join a county-wide group purchasing framework so that maximum value could be gained from a group purchase.

4.11 The caddies/bins have all been ordered, and delivery dates have been confirmed with the manufacturer.

4.12 **Other Service Decisions**

4.13 Where food waste collections are already in place it has been found that, just like in the mainstream service provision, different councils have chosen to provide slightly adjusted services. This may be based on local need, the priority given to the service for resources, or simply the resources available.

4.14 A good example is that of the use of liners for the kitchen caddies. Some councils provide liners, some 'accept' liners will be used (so are not counted as contamination), and some don't provide and don't encourage the use of liners (they don't want non-food waste materials in the waste stream).

- 4.15 In Lincolnshire the LWP, having operated trials and having taken advice from industry bodies, is convinced that there is reasonable evidence to support the use of liners. This is because it makes the service easier and cleaner to use, and so encourages engagement with the service. Therefore use of a liner is considered acceptable, and the collection and disposal route has been designed/developed to accommodate this material.
- 4.16 In support of this the LWP is suggesting districts in Lincolnshire should provide liners on an initial trial basis and then to assess demand, take-up and environmental impact after that.
- 4.17 The use of thin plastic liners brings an environmental question, which has caused debate, discussion and contemplation. Alternatives to plastic have been considered, but have been dismissed based on the basis that they are not effective (they get wet and collapse) and are very high cost.
- 4.18 The preferred LWP recommendation is therefore for all districts to provide 52 recycled plastic liners (one for each week of the first year), and to review their effectiveness and environmental variability towards the mid point of the year, to permit time to consider if further liners will be supplied after this.
- 4.19 Other anomalies that the Council's collection policy need to take into account include such as assisted collections and properties with more than 6 people in them.
- 4.20 All of these are addressed in the attached draft policy document, which is included here as an appendix for consideration.
- 4.21 As this is a new service it is accepted that there may be issues that have not been anticipated, and if this proves to be the case, then further adjustment of the policy may be required after a period of settlement.

5. Strategic Priorities

5.1 Let's reduce all kinds of inequality

All of the Council's waste/recycling services are managed so as to meet or exceed our statutory obligations. Every effort is made to make sure that all residents have access to the services equitably.

5.2 Let's address the challenge of climate change

The Council strives to contribute positively to addressing the climate change agenda, and has declared a Climate and Environmental Emergency. Whilst this change will not contribute to the Council's own carbon neutral agenda, it is expected to assist in meeting national recycling targets.

6. Organisational Impacts

6.1 Finance

- 6.1.1 The introduction of food waste collections will require significant resources to implement, of both a capital and revenue nature. Under the New Burdens doctrine, the Government have stated that they will provide local authorities with funding to meet agreed reasonable new burdens arising from these new statutory requirements.
- 6.1.2 While capital funding has already been provided to the Council, and used to purchase capital items as set out in the report, to date there has been no further details announced on the level of revenue funding Councils are likely to receive.
- 6.1.3 There is a high risk that the New Burdens funding provided will not cover the revenue costs associated with implementing this new statutory service. Confirmation of the revenue funding, once received, will be set out in the final operational costs report to Executive.

7. Legal Implications including Procurement Rules

- 7.1 The requirement to provide a food waste collection service to every household will come into effect from 31st March 2026, as required under s45A of the Environmental Protection Act 1990, introduced by the Environment Act 2021. The Council intends to launch its new service on 30th March 2026.
- 7.2 All procurement has been undertaken in line with Council's Contract Procedure Rules, and ultimately the relevant Procurement Act (PA23 or PCR2015).

8. Equality, Diversity and Human Rights

- 8.1 The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.
- 8.2 It requires that public bodies have due regard to the need to:
- Eliminate discrimination
 - Advance equality of opportunity
 - Foster good relations between different people when carrying out their activities

- 8.3 An impact assessment taking note of the above is attached.

9. Human Resources

- 9.1 The implementation of this new service has not been taken in isolation by senior managers. Significant additional project development and planning has been required for the management of the letting of the street scene contracts as a whole, as well as the other changes being mandated within waste/recycling services. Mindful of audit requirements, and the need to resource project management adequately, this has necessitated staffing structure adjustments to accommodate

the additional work. This will be required to be maintained until the new contacts are bedded-in, given the significant new administrative legal and contractual requirements.

Assessment is also being made as to the additional impact of extra waste receptacles on streets, and if an additional resource will be required to address an anticipated level of issues/enquiries/complaints.

10. Land, Property and Accommodation

N/A.

11. Significant Community Impact &/or Environmental Impact

11.1 This is a wholesale change to introduce a new service. As such it will have a significant impact on households and communities, not least because they will have to store and present more waste receptacles.

11.2 The change is being introduced by law as it is projected to have a positive impact on the recycling waste stream. Food waste is a serious contaminant of recycling that is collected, despite rejection of cases where contamination is obvious. In addition, having a focus on the amount of food waste presented by each household should bring this to their attention and reduce the overall amount of food waste that is thrown away. There is evidence that the tonnages collected by new food waste services dip in the first few months of introducing a new service as people become aware of how much they are wasting. The government assess that there is an environmental benefit overall, offsetting the extra vehicles and vehicle movements required to deliver the service.

11.3 The output from processing food waste through an anaerobic digester (LCCs preferred option for Lincoln's food waste) is electricity, (as gases from the composting process are used to drive turbines), and compost, which is used as a soil conditioner and fertiliser in farming. These outputs bring an income, helping to keep down the overall cost of food processing for the WDA.

12. Corporate Health and Safety Implications

12.1 Although the introduction of an extra waste service does not, in itself, add any new risks, by the nature of having more vehicle movements and more waste receptacles in circulation there are some inherent additional risks that need to be noted, such as vehicle accidents and trip hazards/obstructions associated with extra receptacles being left on streets.

13. Risk Implications

13.1 (i) Options Explored

This is a statutory requirement, so there is no option but to provide the service. The options for different methods of delivery have been explored and the proposed system is that recommended by LWP and WRAP, taking into consideration all risks.

13.2 (ii) **Key Risks Associated with the Preferred Approach**

- a) Purchasing. This change requires new assets such as vehicles and caddies. If any of these could not be procured in time (mindful that the entire country is under the same obligation) then the service would not be able to operate. This report flags the mitigation actions that have been taken to ensure supply and delivery, but until they have been delivered and actually entered service, the risks are not fully mitigated.
- b) Contractor Staffing. New vehicles will require staff and drivers. The contractor considers this to be manageable and low risk.
- c) While funding has been provided to cover capital and revenue transitional costs, the ongoing revenue allocations for providing the service have yet to be announced. There could be further shortfalls identified with this funding, creating an ongoing revenue budget pressure.

14. Recommendations:

14.1 That members consider the draft policy document and provide comments.

Is this a key decision? Yes

Do the exempt information categories apply? Yes

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? Two

List of Background Papers: None

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