



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Environment & Operations
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	13 June 2024

PORTFOLIO/S AFFECTED:	Environment & Operations
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Food waste collection service

1. EXECUTIVE SUMMARY

The Government, via the Environment Act 2021, has mandated that Councils in England commence weekly food waste collections in 2026.

Under the new legislation, Waste Collection Authorities (WCAs) in England must arrange a weekly collection of food waste for recycling or composting from households from year 2026.

All 'non-household municipal premises', e.g. businesses in England where businesses have 10 or more employees working at the respective site, must arrange for the separate collection of food waste from April 2025. For those businesses with less than 10 persons employed at the site, they must arrange for food waste collections from 2027. Businesses are not required to have weekly collections.

Government's preference is for food waste to be collected for treatment by anaerobic digestion (AD), which presents the best environmental outcome for the treatment of unavoidable food waste, as AD treatment generates biofuel and digestate from the food waste. This digestate can be spread on to land, ensuring nutrients are recycled, creating a more circular economy.

The Council has received capital funding from Government of approximately £1.1M for the purchase of bins, kitchen caddies and vehicles. The funding provided is unlikely to cover the capital needed. New Burdens Funding to cover the ongoing revenue need for the new service is expected to be announced by Government later in 2024.

2. RECOMMENDATIONS

It is recommended that the Executive Board: -

1. Notes the legislative requirements to introduce a food waste collection service from 2026.
2. Notes the indicative capital transitional costs of £1,157,421 which has been provided by Government for the introduction of weekly food waste collections.
3. Gives approval to a supplementary capital estimate of £1,453,000 to fund the estimated capital transitional costs on the provision of vehicles, items, and equipment necessary to enable food waste collections to commence within Blackburn and Darwen in June 2026.

4. Give delegated authority to the Strategic Director Finance and Resources to determine the most appropriate method of finding unfunded additional capital expenditure required to implement this Scheme;
5. Delegates authority to the Strategic Director of Environment and Operations in consultation with the Executive Member for Environment and Operations, to procure the necessary equipment, items, and vehicles.
6. Agree that a further report on the operational costs of operating the Food Waste Collection Scheme is submitted to the Executive Board once the Government has confirmed the New Burdens Revenue Funding;

3. BACKGROUND

The duty of local authorities to collect and dispose of household waste is set out in Section 45 of the Environmental Protection Act 1990.

The Environment Act 2021 was enacted into UK Law in November 2021. This made several changes to the Environmental Protection Act 1990 and mandated that all local authorities in England provide a separate, weekly food waste recycling service to all households.

The scope of the food waste to be collected under the Environment Act 2021 includes 'all household food material that has become a waste, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be consumed by humans and including any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. This includes food scraps, tea bags, and coffee grounds'.

The date by which local authorities must comply with the regulations and implement a separate, weekly food waste recycling service has been confirmed by Government as 31st March 2026. However, Blackburn with Darwen BC has an approved delay to introduce a weekly food waste collection service from 1 June 2026, to coincide with the cessation of the existing residual waste disposal contract.

Currently, all households in Blackburn with Darwen are provided with separate bin collections for non-recyclable waste (burgundy bin), and for the recycling of paper and card (blue bin) and glass, cans, and plastic bottles (grey bin). Households can also choose to recycle garden waste using the chargeable green waste service (brown bin). The introduction of a food waste collection service will result in all households receiving an additional outside bin for the separation of food waste.

As a new statutory service, New Burdens Funding will be made available by Government to local authorities to contribute to the implementation and running costs of the service. However, New Burdens Funding will not be provided for any costs incurred due to the impact the introduction of separate food waste collections has on existing residual energy from waste collection contracts, which is why Blackburn with Darwen BC has an approved ministerial delay for implementation, which is termed a Transitional Arrangement.

The specific Transitional Arrangement for a particular authority will be stipulated in the commencement regulations and the date, being the end of this Transitional Arrangement will be the date by which separate, weekly food waste collections need to be in place. However, as the Government position is that collecting food waste for treatment by anaerobic digestion (AD) remains the preferred outcome, Government will contact local authorities with a Transitional Arrangement on an annual basis to discuss whether food waste collections can be introduced sooner than contract expiry dates.

The 'Simpler Recycling' legislation requires businesses to adhere to stricter recycling practices to simplify recycling nationwide. Micro-firms (businesses with fewer than 10 full-time equivalent employees) will have additional time to update their practices, reflecting the flexibility in commercial collection contracts for non-household municipal premises. By 31st March 2025, non-household municipal premises (excluding micro-firms) must implement recycling practices for all recyclable waste streams, except garden waste and plastic film. By 31st March 2027, micro-firms (businesses with fewer than 10 full-time equivalent employees) must recycle all recyclable waste streams, except garden waste, but including food waste. Additionally, the collection of plastic film from all properties will begin by 31st March 2027.

To provide some indication of the tonnages of food waste produced by households within Blackburn with Darwen, our residents create over 14,000 tonnes of food waste each year. Food waste amounts to over 40% of the contents of the burgundy bin, with half of that food waste either still in date or edible. This information is from the waste analyses which the Council has undertaken every two years and has done for the past six years. The percentage of food waste in the burgundy bin has remained constant at 40% (most other councils are around 25%), this is despite communications campaigns around reducing food waste being undertaken by the Council. The tonnage information has been identified via the waste analysis we undertake every 2 years across the borough, which identifies the type of waste disposed of across varying waste types.

Evidence from Councils that have already introduced food waste collection services across their borough shows that around a third of households participate in the food waste collection service. If Blackburn with Darwen mirror the participation rates achieved in other boroughs, we would expect to collect approximately 4,600 tonnes of food waste per annum from households in Blackburn with Darwen.

Globally, food production is responsible for 30% of total greenhouse gas (GHG) emissions, half of this coming from land conversion to agriculture and the rest from production itself. Though there is uncertainty about the precise figures, around one third of all food is wasted. The UN Food and Agriculture Organization reports that if global food waste was a country, it would be the third largest Green House Gas (GHG) emitting country in the world.

According to WRAP, the UK's avoidable food waste in 2011 gave rise to at least 20 million tonnes of carbon dioxide equivalents per year (an amount of GHGs with a similar warming potential to carbon dioxide, commonly written as CO₂e), out of a UK total of around 500 million tonnes. Approximately three quarters of these emissions arise in the UK and the remainder from overseas. Unavoidable food waste is responsible for at least a further 0.25 million tonnes of CO₂e. These figures do not take into account the food that is wasted on the farm where we do not currently have reliable data.

To highlight the impact on the environment, by taking food waste to an AD plant rather than to landfill, there's a huge carbon saving to be made. Every tonne of food waste that is sent to an AD plant creates less than 10 kilogrammes of CO₂ equivalent. Every tonne of food waste sent to landfill creates 650 kilogrammes of CO₂.

For every tonne of waste sent to energy from waste, each tonne of municipal solid waste incinerated typically releases between 700 and 1700 kilogrammes of CO₂. This includes emissions of both fossil CO₂ (e.g. from burning plastics) and biogenic CO₂ (e.g. from burning wood, paper and food), as the waste sent to energy from waste facilities is invariably pre-mixed prior to incineration.

Simply put, food waste recycling will help the Council towards its carbon neutral strategy.

4. KEY ISSUES & RISKS

The introduction of a new separate food waste collection service would require new diesel or electric

refuse collection vehicles, additional staffing, infrastructure development and the need to secure sufficient food waste treatment capacity.

Households would receive a small kitchen caddy and an outside food waste bin. As a new statutory service, New Burdens Funding would be made available by Government to contribute to the implementation and running costs of the service, although the revenue funding level provided is not yet known and will not be available for scrutiny and review until later in 2024 (no firm date provided by Government).

DEFRA have stated that subject to Ministerial and Cabinet Collective Agreement, local authorities will receive New Burdens Funding to cover: -

- Capital costs for the procurement of new vehicles and containers.
- Ongoing funding to cover the ongoing costs incurred by local authorities to run services, subject to future spending reviews.

DEFRA have confirmed that £295m has been allocated across all local authorities to cover one-off capital funding for vehicles and containers, to be distributed via a funding formula, with payments confirmed to Councils in January 2024 being provided through Section 31 grants.

Letters were sent to local authorities in January 2024 to confirm their allocated funding on a non-ring-fenced basis. The funding has been calculated in collaboration with the Waste Resources Action Programme (WRAP). It has been modelled using a bottom-up modelling approach that has involved creating modules for common service areas, typically operated within each council area. The key modules are kerbside, flatted/communal and remote rural properties. The modules each contain standard groupings to account for variations within each council area to reflect the different cost profiles for each housing stock type.

The cost values are scaled by the numbers of properties reported in each council area to provide a unique cost allocation for each council. The model accounts for several variables including rurality, levels of deprivation, number of kerbside and flatted properties, configuration of flatted properties, food waste yields, vehicle and container unit costs, and average collection round sizes.

Blackburn with Darwen has been allocated capital funding of £1,157,421, comprised of the following breakdown: -

£132,930 for Kitchen caddies (5 or 7 litre small bins to be kept in the kitchen)
£293,181 for Food waste bins (generally 25 litre bins – the standard burgundy bin is a 140-litre bin)
£15,210 for large communal containers for blocks of flats
£716,100 for food waste collection vehicles.

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), discussion has commenced with the 12 district councils in Lancashire, plus the two unitary councils, Blackpool BC and Blackburn with Darwen BC, as part of the Lancashire Wastes Partnership, to consider a joint procurement exercise to enable economies of scale and an opportunity for financial savings. Work on this is ongoing for summer 2024.

Transitional revenue (New Burdens) funding will be provided from the 2024/25 financial year also, with the amount expected to be confirmed late 2024. This money will be provided to waste collection authorities that either need to implement a weekly food waste collection service partially or fully. Additionally, it has been stated by Government that ongoing resource/revenue costs will be provided from 1 April 2026 and will be provided to all waste collection authorities, including those that have already fully implemented a food waste collection service.

The Council would benefit from all available Government New Burdens funding to assist in the implementation and ongoing costs associated with providing the service, however, the Capital provided is expected to be some 20 to 25% short on what is needed, but this will not be known fully until the capital items are tendered for. As such, there is doubt that the revenue New Burdens Funding provided later this year will likely cover the operating costs.

The introduction of separate, weekly food waste collections would provide Blackburn with Darwen residents with additional recycling opportunities. Residents would be able to recycle food waste from their home, in addition to the services already provided for paper, card, glass, cans, plastic bottles and garden waste.

Modelling was carried out using the Waste and Resources Assessment Tool for the Environment (WRATE) and demonstrated that separate food waste collections should increase Blackburn with Darwen's annual recycling performance by 6%.

A letter, jointly signed by the Council Leaders of the district and unitary councils in Lancashire, has been sent to Defra to advise that the capital funding provided does not meet the costs to the councils for the procurement of the vehicles, items and equipment needed to introduce a weekly food waste collection service. A response has not yet been provided by Defra.

In terms of how the food waste collection service will operate from the resident's perspective; residents will be provided with a food caddy, food caddy liners and a larger food waste bin. Residents will place a food caddy liner in the food caddy, the caddy should ideally be placed in the kitchen as a reminder to recycle all food leftovers and peelings. Once the food caddy is full, the caddy liner should be tied by the resident and transferred to the larger food waste bin.

The larger food waste bin would likely be stored outside the property by the residents, the bin has a self-locking lid, to stop animals accessing the food waste. The food waste bin would be placed at the front of the property on collection day by the residents. The in-house collection teams will take the food waste bin to the collection vehicle and the contents of the food waste bin tipped into the vehicle, with the bin then returned to where it was collected from.

A roll of food caddy liners will be provided free of charge to residents prior to the start of the food waste collection service. Residents can request a new roll of liners when required by simply tying an unused liner around the handle of the food waste bin when leaving the bin out for collection and when the bin is emptied, a new roll of liners will be left at the property.

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 if required, although food waste collections are expected to take place from the front of properties, with the food waste bins only 25 litres in size.

The collection vehicle when full, would transfer the food waste load to a suitable site for either transfer onward or processing. This new food waste recycling service will need to be tendered.

A full communications plan will be needed for the introduction of the food waste collection service, with funding from the Transitional revenue funding from Government expected to cover this. Liaison with the Councils' PR and Communications team will be undertaken to identify the best available strategy for the implementation of the scheme, based on the funding available.

The risks of the introduction of food waste collections can be summarised from the following: -

- Recruitment delays as 24 staff would be needed at the same time for the boroughwide commencement of the service.

- Delays from producers in providing kitchen caddies, food waste bins, delivery of these items and collection vehicles, as all councils in England will require the same or similar items at the same time, thus seeing long lead times for delivery to the Council, as well as potentially inflated costs in a sellers' market. Procurement of these items will be necessary.
- The lack of suitable AD plants locally available. Suez has Planning permission for an AD plant at their Goosehouse Lane site, but it is unlikely to be operational for 2026. A tendering exercise will be needed for a suitable service supplier to be available from June 2026.
- The capital funding made available by Defra is not sufficient for the costs of the service, with the kitchen caddies, kitchen bins and vehicles likely to cost some 25% higher than the available funding received by the Council. This figure may change as and when all English councils require the items of equipment and vehicles.
- We do not yet know what level of Transitional revenue, New Burdens Funding will be made available to the council for the delivery of the service.

The move by Government to have businesses with 10 or more persons employed at a site having food waste collections from 2025 does pose an issue for businesses, as the Council whilst having a duty to provide or source a food waste collection service, it will not in Blackburn with Darwen have the collection service potentially available to businesses until June 2026. As such, the Council can meet its legislative needs for businesses by signposting businesses to food waste collection companies from the private sector.

For the introduction of food waste collections, there is a need to review the existing residual collection service operated by the Council, as at present, the clear all policy will impact on the participation level for food waste, plus the soon to be introduced service quality and efficiency targets by Government for waste and recycling will further require a review of the service.

5. POLICY IMPLICATIONS

Food waste collections will supplement the existing recycling of household waste, it will emphasise to households how much food they are wasting each week and will hopefully encourage them to reduce their food waste and save money. Currently in England, the average household spends £70 per month on food which ends up in their bin. It is noted by WRAP that separate food waste collection schemes tend to reduce the total food waste generated by those households who participate in the service.

Food waste collections support the strategic priorities of the corporate strategy: -

- Supporting a strong, resilient local economy by ensuring the environment of the Borough is supported, improved, and protected.
- Acting on the Climate Emergency and protecting the environment.
- Improving the health and wellbeing of our residents and communities.

6. FINANCIAL IMPLICATIONS

The introduction of food waste collections will require significant resources to ensure food waste collections are integrated within an efficient and effective, harmonised waste and recycling service.

The lack of clarity from Government as to the amount of New Burdens funding to be made available is a concern, particularly as it is predicted that the Government has not provided sufficient funding for the procurement of the equipment and vehicles needed to introduce a weekly food waste collection service.

Blackburn with Darwen BC has been allocated capital funding of £1,157,421, which comprises of the following breakdown: -

£716,100 for food waste collection vehicles.

£132,930 for Kitchen caddies (5 or 7 litre small bins to be kept in the kitchen)

£293,181 for Food waste bins (generally 25 litre bins – the standard burgundy bin is a 140-litre bin)

£15,210 for large communal containers for blocks of flats

We estimate that the funding allocated is approximately £295,000 less than the funding required to purchase the equipment and vehicles to introduce a food waste collection service, but this will not be known fully until the items are tendered for.

There is a high risk that the New Burdens funding provided will not cover all the revenue or capital costs associated with the service. Once confirmation of the revenue funding has been received a further report on this matter will be submitted to the Executive Board.

7. LEGAL IMPLICATIONS

Blackburn with Darwen BC as a Unitary Authority has a duty under the Environmental Protection Act 1990 to arrange for both the collection and disposal of household waste, as it is both a Waste Collection Authorities (WCA), and a Waste Disposal Authority (WDA).

The Environment Act 2021 received Royal Assent on 9 November 2021. Section 57 (4) of the Act introduces a new section 45A into the Environmental Protection Act 1990 which requires the separate collection of food waste for recycling, at least once a week. When this section 45A of the Environmental Protection Act 1990 comes into force, the Council has a duty to collect food waste for recycling at least once a week. This new section is expected to be brought into force by some additional Regulations issued by the Secretary of State before the end of March 2026.

The council will be required to find an outlet for the food waste collected, as part of its obligations as Waste Disposal Authority, so a tendering exercise will be needed timed to enable that obligation to be met.

8. RESOURCE IMPLICATIONS

Additional resources have been made available for the procurement of the equipment and vehicles, although as stated above, this is likely to be insufficient. The procurement of the items would be managed within existing resources.

The resources needed for the revenue support for the delivery of the service are not yet known, with more detail expected from Government later in 2024, however, there is a need for additional staff to be recruited to operate and supervise the service. The resources needed for the deliver the food waste collection service will be additional resources, with 6 frontline rounds required, comprising of a driver and 2 loaders each round, plus a pool provision of 2 spare vehicles and a pool of 5 further staff split between drivers and loaders.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Government has consulted a number of times on the environment Act and has determined that there be a mandatory food waste collection service operated by councils across England from 2026, unless Ministerial approval is given to delay the commencement, which can only be based on contractual implications for existing waste disposal contracts.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

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CONTACT OFFICER:	Tony Watson
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DATE:	30-04-24
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BACKGROUND PAPER:	
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