



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Environment & Communities
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	Thursday, 12 December 2024

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

SUBJECT: Food waste collection pilot introduction

EXECUTIVE SUMMARY

In July 2024, Executive Board approved a report about the introduction of food waste collections in the borough commencing in 2026. The former Government, via the Environment Act 2021, had mandated that Councils in England commence weekly food waste collections by 2026, under the Consistency in Household and Business Recycling in England: Simpler Recycling.

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 2026, unless they have a transitional arrangement agreed delaying the introduction, usually due to contractual restrictions in the disposal of waste.

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. The list of premises in scope of these requirements has been expanded to include Places of worship, penal institutes, charity shops, hostels and public meeting places will all come under the scope of the Simpler Recycling regulations.

The 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 Blackburn with Darwen Borough Council (Council) has received capital funding of approximately £1.1M for the purchase of bins, kitchen caddies and vehicles. The funding provided is unlikely to cover the capital needed, although tendering for the caddies, bins, vehicles etc has been provided in the July report approval from which full clarity of the true cost will be known once a tendering exercise has been completed.

New Burdens Funding to cover the ongoing revenue need for the new service is expected to be announced by Government later in 2024.

To enable the Council to learn from the introduction of a food waste collection service, it is proposed to introduce one of the six proposed collection rounds in late April 2025 as a pilot, with funding for the collections to be funded from the Council's revenue account, if the New Burdens revenue funding is not available by the time the pilot commences.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the early introduction, from April 2025, of a pilot food waste collection service to specific, localised areas of the borough.
2. Approves the development of a communications campaign for the early introduction.
3. Delegates authority to the Strategic Director of Environment and Communities in consultation with the Executive Member for Environment and Communities to procure the necessary items and services to implement the pilot food waste collection service.
4. Notes that at the time of writing, the New Burdens Funding commitment for food waste collections has not yet been confirmed and provided.
5. Gives approval to a budget of £223,200 (comprising £23,600 for the additional set up costs and £199,600 being the annual operating costs) to be included in the Council's budget for 2025/26 (and, where necessary, to be funded by way of a contribution from the Council's Budget Strategy Reserve);
6. Agree that a further report on the implementation of the Food Waste Collection Service is submitted to the Executive Board in due once full details of the funding package are made available by the Government.
- 7.

3. BACKGROUND

The food waste report approved by the Council's Executive Board in July 2024 provided an overview of the legislative duty of local authorities to collect and dispose of household waste is set out in Section 45 of the Environmental Protection Act 1990, with the Environment Act 2021 making several changes to the Environmental Protection Act 1990, that included mandating that all local authorities in England provide a separate, weekly food waste recycling service to all households by April 2026.

The detail behind this mandate was made under the legislation via the Consistency in Household and Business Recycling in England: Simpler Recycling, May 2024. The legislative change also requires all non-household municipal premises, such as businesses, schools and hospitals, etc with 10 or more employees to arrange:

- to have the recyclable waste streams, with the exception of garden waste, collected for recycling or composting. The deadline for dry recyclables is 31 March 2025, except the collection of plastic film for which the deadline is 31 March 2027.
- the separate collection of food waste by 31 March 2025, but non-household premises are not required to have weekly collections.

By 31st March 2027, businesses with fewer than 10 full-time equivalent employees must recycle all recyclable waste streams, including food waste but excludes garden waste.

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

As a new statutory service, New Burdens Funding will be available 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 on existing residual energy from waste collection contracts, which is why the Council has an approved ministerial delay for implementation, until June 2026.

Collecting food waste for treatment by anaerobic digestion (AD) remains the preferred outcome, local authorities will be contacted with a Transitional Arrangement on an annual basis to discuss whether food waste collections can be introduced sooner than contract expiry dates.

In order to introduce a boroughwide weekly household food waste collection service by June 2026, the Council must have procured and have delivered the required kitchen caddies, caddy liners, and food waste bins. Additionally, there will need to be available vehicles, disposal outlet for the food waste via an anaerobic digestion plant, plus a communications campaign around the service introduction, plus a change to its IT systems to cater for missed collections and new caddy, liner and food waste bin requests.

The boroughwide introduction of food waste collection would be easier to manage if the service could gain some experience of an earlier limited introduction of the service, from which lessons could be learnt which would help to shape service delivery for the wider introduction from June 2026.

Evidence from other 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, and for the pilot areas, this is expected to be a maximum of 1,000 tonnes.

Whilst six food waste collection rounds have been mapped, the rounds do have varying participation levels in recycling, with some areas achieving 50% presentation of recycling bins, and some achieving up to 100%. An early introduction of a food waste collection round would provide valuable insight into the wider communications strategy to be employed across the whole borough for June 2026. The areas selected for the pilot include parts of the following wards:-

Billinge and Beardwood
Roe Lee
Shear Brow and Corporation Park
Livesey with Pleasington
Mill Hill and Moorgate
Wensley Fold
Blackburn South and Lower Darwen
Darwen West
Darwen East.

The early introduction of a pilot food waste recycling round will also 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 collection vehicles, additional staffing, infrastructure development and the need to secure sufficient food waste treatment capacity.

An early introduction of one collection round would see a need for 2 new collection vehicles (one being a spare), 12,000 kitchen food waste caddies to be delivered, 12,000 food waste bins to be delivered, 30,000 rolls of liners (50 liners in each roll) to be delivered, 4.5 FTE staff employed, an end processing and treatment process route identified, and a communications campaign established.

Defra has provided capital funding of £1,157,421 for the boroughwide introduction in January 2024, 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.

However, the capital funding provided is expected to be 20-25% short on what is required, but this cannot be confirmed until the capital items are tendered for.

New Burdens revenue funding will be made available to contribute to the implementation and running costs of the service. However, the revenue funding to be provided is not yet known and will not be available for scrutiny and review until later in 2024 (no firm date has been provided by Government). As such, given the perceived gap in capital funding, there is doubt that the New Burdens revenue funding provided will cover the operating costs, since the same organisation, the Waste and Resources Action Programme, is working on providing the details to Government for both the capital and revenue payments.

It is unclear if the New Burdens revenue funding will be able to help with the early introduction of one of the six food waste collection rounds, so funding for this will need to be identified from the Council's revenue budget to cover any failure in availability of the New Burdens revenue funding.

The in-house service estimate that the annual cost to operate a boroughwide collection of food waste from households each week is £1,114,000, which does not include the cost of end processing and disposal of the food waste. It is expected that there will be a reduction in disposal costs on the assumption that the processing cost for food waste end disposal is much lower than the cost per tonne for the disposal of residual waste, currently at £154.38 per tonne.

A price for the handling and processing of the proposed pilot scheme's food waste is priced by Suez at £55.50 per tonne, and we expect there to be approximately 1,000 tonnes of food waste collected per annum. The cost of the food waste for handling and processing for the pilot would be £55,500 per annum. It is assumed the food waste is presently placed in the burgundy bin, which if so, there would be a saving of 1,000 tonnes not being disposed of via energy from waste at a price of £154.38 per tonne, which would have cost £154,380 per annum, thereby giving a reduction in the waste disposal budget of £98,880 per annum when the 1,000 tonnes is diverted to a food waste collection service.

The cost of implementing one of the food waste collection rounds 12 months early, based on current prices would be:

Implementation cost of 12-month food waste collection pilot		
Communications campaign	£7,000	New cost
Provision of bins	£32,500	New Burdens capital allocation
Provision of caddies	£13,000	New Burdens capital allocation
Provision of liners	£13,000	New cost
Delivery of bins, caddies, liners	£3,600	New cost
Set up cost	£69,100	

The total set up cost of the 12-month food waste pilot is £69,100, of which £23,600 is a new cost to the Council. It should be noted that 2 x vehicles will be required for the pilot, these are currently being procured and will be funded from the New Burdens capital allocation.

Annual operating cost of 12-month food waste collection pilot	
Replacement caddies	£5,000
Replacement bins	£9,200
Replacement liners	£2,000
Vehicle maintenance	£30,000

Fuel	£10,400
Accidental damage to vehicles and new tyres	£6,000
Staffing	£132,000
Ongoing communications	£5,000
Annual cost for year 1	£199,600

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 for the bins, caddies and liners. Work on this is ongoing for autumn 2024.

The procurement of vehicles for food waste collections has been discussed with Legal and Procurement colleagues, who believe a direct award via an existing framework provider that the Council has used for previous vehicle supplies, will be the best option. The framework does have the vehicle supplies evaluated and scored, with the Council looking to procure the top scoring vehicle types.

The outlet for the early implementation of a food waste collection round is being discussed with Suez UK, as part of the current Residual Waste contract which is in place and runs until June 2026. The Council's procurement team believe there is flexibility within the contract for Suez UK to provide a separate disposal outlet. Suez UK are planning on setting up a transfer facility at their Darwen depot prior to a proposed anaerobic digestion plant being operational at the Darwen site for 2028. The need for a temporary transfer facility is due to Suez UK purchasing 17 refuse collection vehicles to collect commercial premise food waste from 1st April 2025. Suez has confirmed the handling and processing cost per tonne for the pilot collection service to a value of £55.50 per tonne.

A full communications plan will be required for the introduction of the food waste collection service in 2026, 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 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. Additionally, the ability to have collected and recycled 40% of the content of the residual waste bin would see the Council have the opportunity to no longer take side waste and bin it being presented, given the additional bin space available. To stop taking side waste would see the Council have to develop an education element of the communication strategy for the introduction of the food waste service, which could be focussed on driving up the current unsatisfactory recycling rate for the borough.

An additional benefit from a pilot introduction of a food waste collection service in April 2025, will be that the Council can meet the legal requirements at its non-household premises, for food waste collections at its schools and other municipal buildings, as the collections can be built into the pilot service from April 2025. Any spare capacity can also be considered as a business opportunity for other-non municipal commercial premises that need to have a food waste collection.

The risks and issues of the introduction of food waste collections can be summarised as following: -

- Recruitment delays as 4.5 staff would be needed for the early implementation of one round and then the remaining 19.5 staff would be required at the same time for remainder of 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, but it is believed we can achieve the delivery of the numbers required for an early implementation of one collection round by April 2025.
- 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, along with separate tenders for the processing, treatment and disposal of the Council's residual waste and the recycling materials collected from households. Suez believe they can provide an outlet for food waste from April 2025 to the Council, as a variation under the terms of the existing Residual Waste Contract.
- 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 New Burdens revenue funding will be made available to the Council for the delivery of the service, or whether it would be available to fund an early implementation of one round. Should the New Burdens funding not be available, then the Council would have to fund the early implementation, with cost estimates detailed above.
- 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 or provide the service in-house by way of using the resources provided for the early one round pilot implementation from April 2025.
- 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 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 on the amount of New Burdens revenue funding to be made available is a concern, particularly if insufficient funding is provided 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 £171,000 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 risk that the New Burdens funding provided will not cover all the revenue or capital costs associated with the service, with the Council having to provide the initial funding for a pilot food waste collection service. The estimate for early set up of one collection round, based on current prices, for the service set up are £69,100, of which £23,600 is a new cost to the Council. There is then the annual cost of a round estimated at £199,600, which will need to be funded by the Council, unless any New Burdens revenue funding is provided to cover the earlier introduction of the service prior to July 2026.

A price for the handling and processing of the proposed pilot scheme's food waste is priced by Suez at £55.50 per tonne, and we expect there to be approximately 1,000 tonnes of food waste collected per annum. The cost of the food waste for handling and processing for the pilot would be £55,500 per annum. It is assumed the food waste is presently placed in the burgundy bin, which if so, there would be a saving of 1,000 tonnes not being disposed of via energy from waste at a price of £154.38 per tonne, which would have cost £154,380 per annum, thereby giving a reduction in the waste disposal budget of £98,880 per annum when the 1,000 tonnes is diverted to a food waste collection service.

7. LEGAL IMPLICATIONS

The 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, 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. The new duty imposed on English councils in May 2024, by the Consistency in Household and Business Recycling in England: Simpler Recycling, brought into force additional regulations for weekly food waste collections for domestic premises to commence by June 2026 in Blackburn with Darwen.

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 from June 2026, but the existing Residual Waste Contract between Suez UK and the Council is understood to allow for a contract variation for the pilot collection service, from April 2025.

The procurement of caddies, food waste bins, liners, delivery of same and vehicles will be sourced through existing frameworks, with direct awards used where required from the framework.

The procurement process will be in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations, and the contract documentation will in a form approved by legal officers.

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 for the delivery of the bins and for the commencement of the pilot service from April 2025. The additional resources needed for the delivery of a pilot food waste collection service will be, 4.5 FTE staff, for 1 frontline round, comprising of a driver and 2 loaders, plus a pool provision of 1.5 loader/drivers.

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.

VERSION: 3

CONTACT OFFICER:	Tony Watson/Joanne Byrne
DATE:	20-11-24
BACKGROUND PAPER:	<p>The following papers are available from the report author:-</p> <p>Food Waste Report July 2024 to Executive Board</p> <p>Consistency in Household and Business Recycling in England: Simpler Recycling May 2024.</p> <p>Environment Act 2021</p>