

SURREY ENVIRONMENT PARTNERSHIP - SEP2025

Head of Service:	Ian Dyer, Head of Operational Services
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	<u>Appendix 1</u> : SEP2025 as approved by SEP Members Group on 23 November 2022

Summary

The Surrey Environment Partnership (SEP) has generated a high-level approach document on county-wide waste management for the period 2023 – 2025, which it has called SEP2025.

This report requests that the Committee reviews and endorses SEP2025 on behalf of the Council.

Recommendation (s)

The Committee is asked to:

- (1) Endorse SEP2025 on behalf of the Council**

1 Reason for Recommendation

- 1.1 It is a legal requirement that two-tier waste authority areas, such as Surrey, must from time-to-time generate countywide strategy documents.
- 1.2 These strategies, called Joint Municipal Waste Management Strategies (JMWMS) are generated from time to time by the Surrey Environment Partnership (SEP) on behalf of Surrey's eleven districts and boroughs and Surrey County Council (SCC).
- 1.3 The Committee has always endorsed such strategies on behalf of the Council, including any caveats that the Committee may deem appropriate.

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- 1.4 As detailed below, SEP2025 is an interim, high-level approach document only, rather than a fully-fledged JMWMS. However, SEP has asked that each council reviews and endorses SEP2025 through its usual democratic process.

2 Background

- 2.1 SEP is a cross-Surrey forum that seeks partnership approaches to waste management issues in Surrey. The Council is represented at SEP by the Chair of this Committee.
- 2.2 SEP is non-binding. Individual councils remain autonomous within Surrey's two-tier structure, whereby boroughs and districts are Waste Collection Authorities and SCC is the Waste Disposal Authority.
- 2.3 It is a legal requirement that two-tier waste authority areas, such as Surrey, must from time-to-time generate county-wide strategy documents (JMWMS). SEP generates these on behalf of, and in consultation with, all of Surrey's councils. Any new JMWMS is legally required to go out for public consultation.
- 2.4 A new JMWMS is usually generated every four to five years. However, SEP has not generated a new JMWMS since 2015 because we still await significant announcements from the national waste strategy (which was first proposed in 2018).
- 2.5 Three elements of the national waste strategy will particularly affect councils:
 - 2.5.1 **Extended Producer Responsibility (EPR):** aims to reduce how much packaging councils must collect, and to make it more recyclable. Some announcements have been made, but there remains a great deal of detail yet to be announced. Government has stated that EPR will start on 1 April 2024.
 - 2.5.2 **Deposit Return Scheme (DRS):** aims to independently recycle cans and plastic bottles (and eventually glass bottles as well), reducing what councils will be required to collect. Some announcements have been made but, again, there remains a great deal of detail yet to be announced. Government had stated that DRS would start in 2023 but this has recently been revised to 2025.
 - 2.5.3 **Consistency of Collections ('Consistency'):** aims to tell councils what recyclables we must collect, and how. And it proposes that garden waste collection subscriptions should be removed or severely reduced. These proposals would radically alter the nature, cost and performance of kerbside collections across Surrey. No announcements have yet been made despite repeated assurances from government that they are imminent. SEP and other industry bodies have pressed government to make announcements as soon as possible.

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- 2.6 As a result of these significant issues remaining in abeyance, SEP has felt it inappropriate to generate a new, full JMWMS until outcomes of the national waste strategy are known.
- 2.7 So, with national waste strategy outcomes likely to be both known and starting to impact councils by 2025, SEP decided to develop a high-level approach document for the period 2023 – 2025, which it calls SEP2025.
- 2.8 It may be noted that, unlike a full JMWMS, an approach document such as SEP2025 does not require a public consultation.
- 2.9 Full JMWMSs have many specific actions that underpin their overarching strategy aims. However, SEP2025 is a high-level approach document, only, that contains only high-level aspirations and broad workstream themes:

High-level aspirations	Broad workstream themes
<ul style="list-style-type: none"> • Considering how the national waste strategy might affect Surrey’s councils. • Strategic direction for the next three years, and a longer-term vision for SEP that will follow the waste hierarchy and work towards zero waste. • Work to drive down food waste and plastic waste. • Work to reduce the contamination of recycling bins. 	<ul style="list-style-type: none"> • Reducing refuse, especially food waste thrown away in refuse bins; reducing fly-tipping; reducing litter; promoting re-use. • Reducing contamination of recycling bins. • Understanding greener vehicle options. • Supporting the development of waste disposal infrastructure (although developments in Epsom & Ewell seem unlikely). • Working together to consider what Consistency of Collections means for Surrey councils (when announcements are made), and how we can/should respond.

- 2.10 As a high-level approach document, SEP2025 does not, in itself, propose specific actions:

2.10.1 However, SEP generates an annual work programme, which is reviewed and approved each year by its Members Group. An example of SEP’s 2022/23 work programme is included in the SEP2025 document at [Appendix 1](#).

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2.10.2 SEP will continue to generate annual work programmes, which will be further informed by SEP2025's high-level aims and objectives.

2.11 SEP2025 was approved by the SEP Members Group (including, as previously noted, the Committee Chair) at its meeting on 23 November 2022. A full copy of SEP2025 is shown at [Appendix 1](#).

2.12 Officers consider SEP2025 to be a reasonable, appropriate document with supportable aims.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 SEP2025 is a high-level approach document that carries no inherent equalities implications.

3.2 Crime & Disorder

3.2.1 SEP already considers fly-tipping and littering, and SEP2025 proposes that it should continue to do so.

3.3 Safeguarding

3.3.1 No safeguarding implications.

3.4 Dependencies

3.4.1 SEP2025 does not, of itself, carry any financial implications (other than the control of financial implications inherent in, for example, work to reduce contamination of recycling bins or evaluate the best response to the national waste strategy).

3.4.2 However, an indirect financial dependency brought about by SCC is discussed in section 4, below.

3.5 Other

3.5.1 Overall, SEP2025 is a relatively simple, high-level document, with reasonable content. It considers issues that face all Surrey councils and that are important to our residents. SEP2025 does not seek to change the status of SEP relative to the Council. In itself, therefore, SEP2025 presents little risk.

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3.5.2 As summarised in section 2.5, above, the national waste strategy could significantly change how much waste, of what type, the Council is required to collect, how it collects it and how much that will cost residents. SEP2025 should help to mitigate those risks through its proposed partnership approach to understanding and generating solutions for those issues. Such an approach has served us well before when, in 2015/16, SEP put considerable effort into joint working to navigate the EU Waste Directive. That partnership approach greatly reduced the burden of legislative response required from each individual council, gave consistent advice to all councils and created surety for our respective collection services.

3.5.3 SEP2025 does contain some targets that have yet to be clearly justified, because we do not yet know what the true effects of the national waste strategy will be (nor, indeed, exactly when they will take effect). What is clear, however, is that SEP2025's modelling suggests that – even including predicted effects of the national waste strategy – Surrey, overall, will not achieve the targets proposed within the national waste strategy.

4 Financial Implications

4.1 SEP2025 itself carries no specific financial arrangements. However three indirect implications may be noted, as below.

4.2 Indirect implication (1) – the national waste strategy:

4.2.1 The national waste strategy could have significant financial impacts from such things as:

- How much councils get paid by EPR
- How material volumes may change as a result of EPR and DRS
- The costs of being forced to change our collection services
- Limits on how much we can charge for garden waste collections.

4.2.2 While SEP2025 cannot directly affect these things, its commitments to work together to understand the national waste strategy, and to formulate recommended responses, are likely to be very useful. Previous such joint work has been very productive and efficient.

4.2.3 It is crucial that, when national waste strategy announcements are made, the Council is well placed to understand and respond to them in the most cost-effective way possible. Joint work as proposed in SEP2025 will facilitate that.

4.3 SEP annual work programme:

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4.3.1 Some SEP workstreams (see examples for 2022/23 in [Appendix 1](#)) have limited financial implications for individual boroughs and districts. For example, work to develop recycling infrastructure at flats may involve the purchase of bins and the application of staff resources.

4.3.2 But, in general, most SEP workstreams are either fully or significantly funded by SEP. Thus, SEP2025, in itself, has only limited financial implications, and within existing Council budgets.

4.4 SCC annual waste payments:

4.4.1 Each year SCC makes payments to the boroughs and districts in support of their waste collections. For Epsom & Ewell this currently amounts to some £120k per annum.

4.4.2 These payments are from SCC, not SEP, and have never previously been linked to SEP activities or JMWMSs.

4.4.3 However, after the development of SEP2025 (which is an SEP initiative, not SCC), SCC announced unilaterally that it would be making its payments for the years 2023/24 – 2025/26 conditional on councils' support for SEP2025. For this, SCC announced that it required each district and borough to generate action plans in support of SEP2025 which would be scrutinised each year, and payments made according to how much SCC believed we had supported the aims and objectives of SEP2025 in that year.

4.4.4 It must be clearly noted that this arrangement was proposed unilaterally by SCC after the development of SEP2025. It was never (and still is not) a part of SEP2025 itself, nor was it proposed by SEP.

4.4.5 However, SCC's proposal was significantly objected to by the SEP Member Group at its meeting on 22 November 2022. Consequently, SCC changed its proposal to a trial system as follows:

- **Year 1 (2023/24):** SEP (not SCC) will agree action plans with each borough and district. At the end of the year, outcomes will be reviewed by SEP (not SCC), and any recommendations for improvements the following year will be discussed with each borough and district. This will be seen as a trial year, and no SCC payment deductions will be made.
- **Year 2 (2024/25):** the same arrangements will apply. Again, this will be a trial year and no SCC payment deductions will be made.
- **Year 3 (2025/26):** the same arrangements will apply. But SCC may then – and only then – consider changes to its waste

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payments for 2025/26. However, SCC has committed to reviewing this with SEP at that time, before any final decision is taken by SCC.

- Thereafter, it seems likely that new payment structures will, anyway, have taken effect as a result of the national waste strategy, which may effectively make SCC funding partly or fully redundant.

4.4.6 It must be reiterated that SCC's desire to link its payments to SEP2025 was its own, unilateral, decision made after the development of SEP2025, and neither solicited nor supported by SEP.

4.4.7 Past experience has clearly shown that SCC has the legal power to unilaterally reduce its payments to boroughs and districts if it so wishes. Indeed, it has done so significantly in the recent past. However, after discussion at the SEP Members Group, SCC committed to the more reasonable course of action outlined above.

4.5 **Section 151 Officer's comments:** SEP2025 does not impact existing council waste budgets for 2023/24 and aims to mitigate the financial impact of the anticipated national waste strategy on boroughs and districts. Finance officers will work with waste colleagues to understand the finance implications of any future government announcements.

5 Legal Implications

5.1 SEP is a legally non-binding group. As already noted, SEP2025 is a high-level approach document only, with no legal power.

5.2 **Legal Officer's comments:** Under section 32(1) of Waste and Emissions Act 2003 waste authorities for a two-tier area must, at all times, have for the area a joint strategy for the management of (a) waste from households, and (b) other waste that, because of its nature or composition, is similar to waste from households. Section 32(2) of Waste and Emissions Act 2003 requires the waste authorities for a two-tier area to keep under review the policies formulated by them for the purposes of subsection (1).

5.3 SEP2025 is not the Joint Municipal Waste Management Strategy (JMWMS) so the local authorities are not required to carry out a public consultation before formulating the policy.

5.4 SEP2025 is not a legally binding document and does not create legal obligations.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** SEP2025 supports the Council's theme of Green & Vibrant.

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- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan. This is because SEP2025 is a high-level approach document only.
- 6.3 **Climate & Environmental Impact of recommendations:** SEP2025 aims to support the waste hierarchy of Reduce-Reuse-Recycle-Recover. Therefore, it supports the Council's climate change ambitions.
- 6.4 **Sustainability Policy & Community Safety Implications:** By supporting the waste hierarchy, SEP2025 supports the Council's sustainability ambitions.
- 6.5 **Partnerships:** SEP is a key partnership in terms of waste management. The Council has played an active role within SEP for two decades.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Previous JMWMS strategies have been presented to this Committee for endorsement in 2006, 2010 and 2015 (with an updated version of the 2015 JMWMS reviewed by the Committee in 2018).

Other papers:

- National waste strategy:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765914/resources-waste-strategy-dec-2018.pdf