

MAYOR & CABINET		
Report Title	Consultation on Potential Waste & Recycling Service Collections	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director Customer Services	
Class	Open	Date: 15 July 2015

1. Summary

- 1.1. This paper provides background information on a proposed consultation programme for potential options on Lewisham's waste services and, should approval be granted, will run from August to October 2015.

2. Purpose

- 2.1. The purpose of this report details a recommended approach to consultation with the general public and key stakeholders on the development and future of Lewisham's Waste Services.

3. Recommendations

The Mayor is recommended to:

- 3.1. Approve the proposed consultation approach and timetable.

4. Policy Context

- 4.1. Engagement activity is a core part of the Council's business. It is a tool through which policy and decision making can better reflect the priorities and aspirations of citizens, and services are better positioned to meet the needs of all users. In light of the recent years of government budget restrictions it is also a device to understand how difficult decisions can be made with the least detrimental impact caused. This culture of providing more, from less resourcing will continue to be a part of what local authorities are required to do going forward.
- 4.2. The most recent Census, which took place in Spring 2011, has highlighted the continuing rich diversity of the borough. As the number of residents has grown, so has the number of national identities, languages spoken, occupations held and other characteristics which need to be considered in terms of service provision. This reemphasises the Council's belief that there can be "no quality without equality", as we continue to address the diversity of need within the vibrant communities we serve through inclusive engagement activity. This in turn means engagement also plays an important role in the way the Council looks to provide services.
- 4.3. Lewisham recognises that engagement is not a single type of activity but a whole host of tools which aim to get citizens involved in the decisions that shape their community, consulting where appropriate but always keeping residents informed. All activity is focused on bettering outcomes for Lewisham's residents.
- 4.4. The review and consultation on Lewisham's future waste services also contributes towards delivering the council's corporate priorities, especially in respect of 'clean, green and liveable' and 'inspiring efficiency, effectiveness and equity'.

5. Background

- 5.1. Although 'recycling' is cited as the key activity in relation to sustainable waste management, Lewisham operates within a broader regulatory framework. The Waste Hierarchy (shown in this diagram) dictates how we should structure our services and focus attention on those activities at the top of the diagram, with the least amount of waste going for disposal at the bottom of the upturned pyramid.



- 5.2. Historically Lewisham took the lead in diverting waste from landfill by entering into a contract with SELCHP, the local Energy from Waste (EfW) plant. Not only does this generate electricity for approximately 48,000 homes, this has saved the Council millions of pounds in landfill tax and charges. As an example if Lewisham had land filled all of the waste it incinerated in 2014-15, it would have cost the Council over an additional £2m more than what the disposal costs for that year actually were.
- 5.3. Our proposals for future services need to reflect and respond to present and future waste regulations as well as our citizen's interest in recycling. As such there are a number of drivers for change, which are detail below.

Improved Environmental Outcome

- 5.4. Preventing waste means reducing the amount of waste generated, therefore reducing its impact on the environment. It is based on the simple concept that if you create less waste, you consume fewer resources and you don't have to spend as much money to transport, treat or dispose of your waste. In particular avoidable food waste prevention has huge impacts on the environment, greenhouse gas emissions and global food security.
- 5.5. There are a number of benefits to recycling more than we currently do, including reducing the amount of waste sent to incineration, conserving natural resources such as wood, water and minerals, and preventing pollution by reducing the need to collect new raw materials. Lewisham does have a good range of materials that can be recycled, however, not all residents are using the services to their full potential. There could also be significant gains both in performance and environmental impact on collecting food waste. By the very nature of collecting food waste people often see how much is being wasted and change their habits to reduce their waste accordingly. Further, collecting food waste produces biogas providing a source of renewable energy that is carbon neutral and a fertiliser rich in nitrogen.

- 5.6. The way in which waste is treated and disposed of can have a huge impact on carbon emissions. Reducing, reusing or recycling waste is an essential step in the move to a sustainable low carbon economy.
- 5.7. Finally waste materials are increasingly being viewed as a resource rather than something to be disposed of, and there is now a significant move from treating waste in a linear model of production and consumption to a more circular model, known as the Circular Economy.

Legislative

- 5.8. There are two key regulations in the Waste (England and Wales) (Amendment) Regulations 2012, as detailed below:
- Regulation 12 - places an ongoing requirement for local authorities to apply the waste hierarchy;
 - Regulation 13 – from 1 January 2015, waste collection authorities must collect waste paper, metal, plastic and glass separately and imposes a duty on waste collection authorities, from that date, when making arrangements for the collection of such waste, to ensure that those arrangements are by way of separate collection. These duties apply where separate collection is necessary (the Necessity Test) to ensure that waste undergoes recovery operations in accordance with the directive and to facilitate or improve recovery; and where it is technically, environmentally and economically practicable (The TEEP Test).
- 5.9. Further, the authority needs to contribute to the national recycling target to reach the 50% recycling rate by 2020. Failure to do so could lead to fines imposed by central Government.

Financial

- 5.10. The financial drivers are around the need to make savings in the current budget climate, whilst at the same time running effective and efficient services.
- 5.11. Reductions in government funding, combined with increased costs of collection and disposal and a volatile recyclable market has significantly increased pressure on waste budgets in recent years. A review of the council's waste strategy presents an opportunity to review the costs drivers of the service and look for more cost effective collection and disposal models with the flexibility to meet current and future challenges.

Future Waste Planning

- 5.12. With only nine years left until the SELCHP contract ends in 2024, it is important to look at a future strategy for dealing with waste that doesn't necessarily depend on energy from waste. The reason for this is that there could be issues around future capacity for Lewisham's waste at SELCHP and there could be increased disposal costs, which may become more in line with the market conditions than at present.
- 5.13. Further, whilst waste per household is falling overall waste will increase due to population and household growth. The population is expected to reach over 300,000 in September 2016 and, household numbers having increased by over 5,000 in the past five years, are expected to grow by a projected 7,000 more by 2019.
- 5.14. A waste services efficiency review has been undertaken with funding from the London Waste & Recycling Board (LWARB). From this review, the Council is contemplating a number of options for managing waste in Lewisham, initially focussing on street level properties. It is committed to engaging with the local community, stakeholders and the wider general public to ascertain the optimum solution, taking into account financial, environmental, economic and legislative practicalities.

6. Potential Changes to Waste & Recycling Collections

- 6.1. The consultation will garner residents' views about how Lewisham might change the way in which waste & recycling services are collected from houses and flats in houses (i.e. all households that typically have collections from a wheelie bin).
- 6.2. New Waste Regulations were introduced on 1 January 2015 stating that all collection authorities need to separately collect paper, glass, metals and plastics unless it is not necessary to do so or it's technically, environmentally and economically impracticable to do so. This is to ensure that the quality of collected recyclables is as high as it can be as well as an attempt to improve the quantity of materials collected to ensure that the UK meets its target to recycle 50% by 2020.
- 6.3. At present the Council collects refuse and recycling weekly and offers a garden waste collection service at a charge. The recycling is co-mingled and collected together in one bin.
- 6.4. It is becoming more expensive to dispose of waste and it costs the Council less to dispose of material through recycling and composting compared with incineration. The Council could also get an income from selling some good quality materials that are recycled, for example paper.
- 6.5. To comply with the regulations, there are a number of actions the Council could consider that might also help increase the amount of material that is collected for recycling. This includes options for collecting different materials for recycling separately rather than altogether as the Council does now, introduction of food waste collections and a subscription based garden waste service. Some changes could mean more bins and boxes for residents and some changes could also mean changing the frequency of collections.
- 6.6. The Council does not have a preferred option and decisions regarding the future of waste management services will be influenced by the outcomes of the consultation programme detailed within this paper. It will also have to consider the practicalities of operating such services, environmental impact, financial considerations and meeting legislative requirements, in particular compliance with the Waste Regulations 2012 as mentioned above.
- 6.7. Given the possible extent of service changes, this necessitates a considered and well-managed approach to this consultation programme. Most importantly it needs to be accompanied by a robust communications strategy, which will ensure that any future service changes are communicated as effectively as possible to ensure correct participation in the potential new services. The next section details the proposed consultation approach.

7. Consultation Approach

- 7.1. There are a number of considerations that have shaped the final design of the consultation plan for the proposed waste strategy options, and are detailed below.

Purpose – why are we consulting?

- 7.2. The key objective is to keep the decision-making process around the future of Lewisham waste services open and transparent. It must provide a variety of methods and opportunities for all interested parties to share their views and contribute to the final decision on the most appropriate option.
- 7.3. The Council is interested in gaining residents views as to what they think and feel about potential service changes. At the end of the consultation process there should be a clear idea of which services are preferential and any differences in opinion will need to be balanced in the final decision-making process.

People – who are we consulting?

7.4. The Council's guidance on consultation, which includes relevant information and analysis from the 2011 Census, emphasises the importance of engaging, involving and informing residents and partners but specifically details about engaging with specific groups. A robust approach to consultation is for the local authority to understand their target audience and ensure that all stakeholders are consulted. The consultation for the future of waste services will include the following groups:

- **Recycling & Refuse Operatives:** It is important to get the views of all stakeholders and this includes people with experience of operating the service. The refuse and recycling crews have valuable knowledge of the borough and this would help guide the type of services that could be operated or otherwise in specific locations.
- **Residents in street level properties:** These are the residents that are likely to be affected most by the proposed service changes and will be the target group for the more in depth consultation activities.
- **General Public:** The Council would also like to gain the views of the wider public as these residents are likely to also have valid contributions. This would particularly be the case with regards to the subscription based garden waste service as this will be available to any property with a garden.
- **Targeted and Hard-to-Engage Groups:** Those who struggle to get involved or are difficult to attract may include older people, young people, minority ethnic groups and disabled people. These groups may have distinct views and priorities which may not be identified through consultation with the general public. Targeted and hard to engage groups, although this list is not exhaustive, are outlined below:
 - Campaign for Independent Living
 - Young Mayor of Lewisham
 - Positive Ageing Council
 - Lewisham Ethnic Minority Partnership
 - Staff Forums

Pacing – when are we consulting?

7.5. The period allocated for consultation activities have been planned between August and October 2015. The results of the consultation will be presented to the relevant committees from November 2015, after which, should approval to commence be given, service development and implementation can begin.

7.6. The timeline for consultation is as follows:

Options	2015				2015-16
	August	Sept	October	November- January	January - September
	Consultation activities				Report to relevant C'tees

Process – how are we consulting?

7.7. It is important to utilise a variety of methods in order that a range of public opinion is tested. This will also help prevent results being distorted by a few vocal people or groups. Throughout the process, the Cabinet Member for Public Realm will need to be kept abreast of all activities and be provided with the opportunity to help shape the approach.

7.8. Due to the extent of possible changes to universal services, it is recommended that Lewisham draw upon a range of consultation tools at its disposal. With this in mind, the following consultation methods would be utilised:

Citizens' Forum

7.8.1. A representative panel of 50 residents from street level properties will be recruited to attend a Citizens Forum event. Quotas on age, disability and ethnicity would be set to match the borough demographic. To ensure that it is statistically representative, all invites will be randomly selected. This would be a one day event where a panel of expert witnesses would present to the Citizens Forum on various aspects of the proposed options. The Citizens Forum will then discuss their opinions on the aspects and proposed options and these opinions will be collated and fed back into the consultation process.

Waste & Recycling video

7.8.2. A waste & recycling animated video would be produced to help illustrate what is currently in a person's bin and what could happen to that waste and recycling in terms of potential future service options.

7.8.3. This animated video could be used in a variety of the consultation methods, and in addition to the online surveys, it could be used with the focus groups and at the Citizen's Forum. It would also help a broader communications campaign and would be particularly useful on social media.

uEngage

7.8.4. Results of the 2012 Lewisham Residents' Survey indicate that 85% of residents have personal access to the internet. Increasing numbers would now prefer to be consulted via online mechanisms. In response to this, it is proposed that an online survey be developed for residents to respond to the outlined options. This survey would take two forms:

- i. **Short Online Poll** – to try and capture as many residents' views as possible, a short online poll would be developed which could take 2-3 minutes to complete. This would set out the headline points and request that people tick their favoured response.
- ii. **Longer Survey** – the Council's online polling tool, uEngage, will provide an opportunity for those residents who wish to answer more detailed questions to do so.

Ward Assemblies

7.8.5. Some of the ward assemblies will be visited to promote the online surveys during September and October. Whilst not all the ward assemblies can be visited in the consultation period, information on the surveys will be promoted through the ward assembly network.

Focus Groups

7.8.6. Focus groups consist of 8-12 people that explore an issue in depth over a 1-2 hour period with the guidance of a facilitator. This would be an ideal way to engage with hard to reach groups that have not participated in any of the other consultation methods. This could be targeted at particular groups e.g. refuse & recycling operatives, older people, people with disabilities, BAME, people living in certain

housing types and people who tend not to participate correctly in the recycling services. These would take place towards the end of the consultation period, to ensure that any key points that result from the early stages of the consultation could be addressed during the consultation process.

Lewisham Life

7.8.7. The Council's magazine for residents is delivered door-door to all households four times a year. The autumn edition would carry an article about the consultation and encouraging feedback. The winter edition could carry the results of the consultation. More than 26,000 people are now subscribed to receive regular news and information from the Council by email. This media will be used during the consultation phase to encourage engagement.

Local and Social Media

7.8.8. The Council will try and maximise engagement by using local media and by promoting the consultation through the Council's social media channels, on its own website and through community websites and blogs.

Marketing

7.8.9. We will use truck side livery to promote the consultation and street side poster sites.

Product – what are the required outputs?

- 7.9. Essentially the consultation programme will result in a statistical breakdown of answers to each of the questions. The required outcome is that the Council can make an informed decision on the future of Lewisham's waste services with the confidence that their decision will have the backing of the majority of stakeholders and the general public.
- 7.10. From the public perspective there is the requirement that there has been sufficient opportunity for their voices to be heard (both in terms of method and scheduling of consultations activities) and that there is a feeling that the outcome has been community-driven.

Recommended Approach

- 7.11. The recommended approach is that a variety of methods is used so that stakeholders, including directly affected residents, the wider public and targeted and hard to engage groups, all have had the opportunity to voice their opinion on the future of Lewisham's waste services during the consultation window of August to October 2015.
- 7.12. The table below illustrates the methods that will be utilised to target each of these groups during the consultation process:

	Recycling & Refuse Operatives	Residents in street level properties	General Public	Targeted and Hard to Engage
August		Animated video uEngage Surveys	Animated video uEngage Surveys Truck Livery JCD Poster sites Lewisham Life Social, local media & other promotions	
September	Animated video uEngage (Survey & Poll) Focus Groups	Animated video uEngage Surveys Citizens Forum	Social, local media & other promotions Ward assemblies	Animated video uEngage Surveys
October		Animated video uEngage Surveys Focus Groups	Animated video uEngage Surveys Social, local media & other promotions Ward assemblies	Animated video uEngage Surveys Focus Groups

7.13. To test the effectiveness of the consultation the evaluation mechanisms could include:

- % that completed quantitative elements;
- Representative nature of those participating (against borough profile);
- Impact consultation has on final decision.

7.14. Many of the consultation activities will be conducted in-house, including the focus groups and uEngage. The Citizens' Forum would be organised, facilitated and the final report produced by a consultant with experience of undertaking such activities. This would have the added benefit of being run independent of the Council, which may give participants more confidence in the outcome.

7.15. This consultation would be led by Strategic Waste Management with assistance from consultants and from Policy & Partnerships, Communications Team and other identified officers.

7.16. A final report with results and recommendations will be produced and brought back to the relevant committees later in the year.

8. Financial Implications

8.1. As can be seen from paragraphs 7.14 and 7.15, the majority of the consultation work will be conducted in house. Some external costs will be incurred, including consultancy support and other expenses such as marketing and publicity, participant incentives, venue hire and catering.

8.2. The estimated cost for this is £25k. This can be met from grant monies set aside for waste strategy purposes.

9. Legal Implications

9.1. The revised Waste Framework Directive (2008/98/EC) (“The Directive”) requires EU member states to set up separate waste collection where necessary and practicable. Where waste paper, metal, plastic or glass has been collected separately all reasonable steps must be taken to keep that stream separate from other waste streams wherever this is necessary to provide high quality recyclables.

9.2. Article 4 of The Directive sets out five steps for dealing with waste, ranked according to environmental impact – the ‘waste hierarchy’. The ‘waste hierarchy has been transposed into UK law through The Waste (England and Wales) Regulations 2011 (as amended by the Waste (England and Wales) (Amendment) Regulations 2012). Consequently, from 1st January 2015, waste collection authorities must collect waste paper, metal, plastic and glass separately. It also imposes a duty on waste collection authorities, from that same date, when making arrangements for the collection of such waste, to ensure that those arrangements are by way of separate collection.

9.3. The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.4. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

9.5. The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

9.6. The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

9.7. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty

4. Equality objectives and the equality duty
5. Equality information and the equality duty

9.8. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

10. Equalities Implications

10.1. The Equalities implications will be addressed as part of the consultation programme and any service options chosen will have an Equalities Impact Assessment conducted.

11. Environmental Implications

11.1. There are no direct environmental implications in this report. Environmental considerations will be taken into account in looking at any potential service changes.

12. Crime & Disorder Implications

12.1. There are no direct crime and disorder implications.

13. Conclusion

13.1. Waste management is a large service area that affects all Lewisham residents. Given the legislative and economic pressures that are facing the Council, waste services are currently being reviewed to be more efficient and effective, at the same time as identifying savings moving forward. Ensuring we make the correct strategic choices that fit with the needs of our residents will ensure we deliver this aim, and this proposed consultation approach and timeline should help deliver this.

14. Background Papers and Further Information

14.1. There are no background papers to this report.

14.2. For further information relating to the report, please contact Sam Kirk, Strategic Waste & Environment Manager on 020 8314 2076 or email sam.kirk@lewisham.gov.uk.