

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	4 th March 2014
Report of:	Kevin Melling, Head of Environmental Protection and Enhancement
Subject/Title:	Cheshire East Waste Strategy 2030
Portfolio Holder:	Cllr David Topping – Environment

1.0 Report Summary

- 1.1 The Council's waste strategy will drive change in the treatment of waste, utilising it as a resource, delivering leading environmental performance and innovation for the residents of Cheshire East. The strategy will aim to utilise waste for energy production, removing the need for landfill and helping to alleviate fuel poverty. In the processing of organic waste, the Council will pursue the use of sustainable bio technologies such as Anaerobic Digestion to provide heat, power and a compost product. The authority has already achieved a recycling rate of 54% and will continue to strive to exceed the national recycling target. To minimise the total amount of waste produced the Council will promote waste prevention, reuse and recycling through its waste prevention volunteers and partners. All of which, will make a significant contribution to creating a sustainable environment within Cheshire East.
- 1.2 As part of the authorities transition to providing services through alternative service delivery vehicles the Council will deliver its strategy through the creation of ANSA Environmental Services Ltd, a Wholly Owned Company (WOC) of the Council. In order to set up the objectives of the WOC and inform procurement decisions, the Council needs the direction of an overall waste strategy. Additionally, this strategy will form the link between the strategic aspirations of the Council, the formation of the WOC's business plan and the final delivery of services. This in turn will inform and be informed by the Waste Local plan.
- 1.3 Furthermore, the future strategy will help to build confidence in the public sphere and waste management industry, demonstrating the Council's ambitious and forward thinking approach whilst at the same time conveying to the wider waste community the considered and well thought out long term strategy for waste management. The industry needs to

understand the strategic direction of the authority to inform its own decisions and build confidence in the future procurement of recycling and waste processing being undertaken as part of the Environmental Operations Major Change Programme.

2.0 Recommendations

- 2.1 To approve the appended high level Waste Strategy Objectives (Appendix 1)
- 2.2 To give delegated authority to the Head of Environmental Protection and Enhancement acting in consultation with the Head of Legal Services, the Monitoring Officer and the Portfolio Holder for Environment, to develop a waste strategy for Cheshire East. This will be based on the high level objectives in Appendix 1 and developed into a waste strategy document for Cheshire East.
- 2.3 To give delegated authority to the Head of Environmental Protection and Enhancement acting in consultation with the Head of Legal Services, the Monitoring Officer and the Portfolio Holder for Environment, to procure technical advisors and, in parallel with the development of the waste strategy, to scope and carry out a Strategic Environmental Assessment (SEA). This will include carrying out a public consultation on the waste strategy and the SEA utilising electronic media, the citizen's panel and public road shows.
- 2.4 To return to Cabinet for the adoption of the waste strategy in Spring/Summer 2014.

3.0 Reasons for Recommendations

- 3.1 A clear, coherent strategy is vital for such a major area of spend, especially in an area of changing technologies and practice. The formation and adoption of a strategy will enhance the Council's reputation and hence its ability to procure cost effective contracts going forward for the WOC to deliver on its behalf.
- 3.2 The strategy will provide the Council with a long-term strategic policy and offer protection against the possibility of challenge from the waste industry over its waste and recycling activities; it will also assist the long term sustainability of its operations.
- 3.3 A long term strategy will build confidence in the waste management industry. This confidence is vital because the Major Change Project involves the re-letting of the Council's contracts for waste disposal, treatment and recycling. In order to gain best value for the Council and

residents of Cheshire East in this procurement exercise, bidders need to have confidence in the Council's long term waste strategy and aspirations.

- 3.4 The strategy will provide a vehicle to be able to set measurable objectives for the WOC in accordance with the aims, objectives and priorities of the Council.

4.0 Wards Affected

- 4.1 All wards

5.0 Local Ward Members

- 5.1 All members

6.0 Policy Implications

- 6.1 The waste strategy is in line with section 5 'ensure a sustainable future' of the Councils Sustainable Community Strategy. The strategy objectives will also ensure the delivery of Outcome 4 of the Councils 3 year plan: Cheshire East is a green and sustainable place.

7.0 Financial Implications

- 7.1 The strategy is in line with the overall aspirations of the Environmental Operations Change Programme and the cost savings associated with it. As reflected in the medium term financial strategy, elements of the waste strategy will result in both expenditure and savings proposals, either through operational delivery, contracts or waste prevention activities; such changes are being reflected in the current business planning process.
- 7.2 The cost of producing the strategy and any related environmental assessments required has been included within the 2013/14 approved budget.

8.0 Legal Implications

- 8.1 There is no statutory requirement for a unitary authority to have a waste strategy; however it is considered good practice. Since 2010 a number of high profile residual waste management procurements have been abandoned following the withdrawal of Private Finance Initiatives (PFI) credits. As a result, the pool of potential contractors from whom the Council might wish to procure future waste management services is cautious in assessing which procurements to participate in. Having a newly developed waste strategy should enhance the attractiveness of the

Council's offering resulting in better competition and enhanced value for money.

- 8.2 Given that there is no legal requirement for a unitary authority to have a waste strategy, it follows that there is no legal requirement for a strategic environmental assessment ("SEA") to be carried out. However, the 2004 guidance issued by the Department of the Environment, Food and Rural Affairs encourages authorities to carry out a SEA.
- 8.3 One aspect of the SEA is that it involves consultation with statutory consultees and the public thereby offering a minimum level of consultation.
- 8.4 If the Council were to need to develop new facilities in connection with its waste management function, a detailed strategy together with a properly scoped SEA and full consultation would be useful tools to support and associated application for planning permission.
- 8.5 Throughout the drafting of the waste strategy, careful planning and thought would need to be given, at a timely stage, to the possible regulatory implications of any proposed new facilities that may be required following the adoption of the strategy, including, but not limited to planning permission, and environmental permitting. A draft of a robust project plan to ensure that any such implications were fully complied with would need to be drawn up parallel and followed after adoption, allowing sufficient time for any necessary steps.

9.0 Risk Management

- 9.1 That the strategy will not be completed in the time scales required and the Council will lack credibility when attempting to realise the benefits of a clear and coherent waste strategy, such as greater competition and interest from private sector providers.

10.0 Background and Options

- 10.1 Cheshire East Council currently operates under a waste policy in line with the Community Strategy 2010-2025 and Joint Municipal Waste Management Strategy to 2020. Since the production of those documents however, two changes now require a new waste strategy.
- 10.2 The removal of credits from the former PFI solution for residual waste and the current service delivery changes proposed mean that the Council now needs a waste strategy to guide future service delivery changes and contract procurement for residual and recycling processing to 2030 in line with waste and mineral planning.

11.0 Access to Information

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