

**Report to:** Cabinet

**Date:** 17 July 2024

**Title:** Preparations for the introduction of Weekly Food Waste Collections in Eastbourne - managing capital transitional funding.

**Report of:** Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning

**Cabinet member:** Councillor Colin Swansborough, Cabinet member for enterprise, community spaces and heritage assets.

**Ward(s):** All

**Purpose of report:** To introduce the new service and to set out how capital funding for food waste collections will be deployed.

**Decision type:** Key decision

**Officer recommendation(s):** That Cabinet acknowledges the receipt of new government capital transitional funding to meet the requirements of the Environment Act relating to weekly food waste collections and approves the plans presented and authorises the Chief Executive:

- (1) To undertake an assessment of the most effective and efficient way to structure the use of the funding and to implement the chosen route or routes, working with SEESL.
- (2) To work with SEESL Board to commission the delivery of weekly food waste collections from April 2026.
- (3) To work with the SEESL Board to begin procurement of vehicles and receptacles as required.
- (4) To carry out all acts and to enter into or authorise the signature or sealing of all documents, necessary for the delivery of items (1) to (3) above.

**Reasons for recommendations** The Department for Environment Food & Rural Affairs (Defra) has provided Eastbourne Borough Council (EBC) with capital transitional costs for vehicles and receptacles to assist preparations for the introduction of weekly food waste collections in 2026. EBC will work with SEESL to make arrangements for the appropriate use of the funds to support the acquisition of vehicles and receptacles , as the procurement timeline requires.

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## **1 Introduction**

- 1.1 The Environment Act 2021 included a requirement that household food waste is to be collected weekly and government committed to making 'new burden funding' available for this purpose.
- 1.2 Defra has allocated capital transitional costs for a new weekly food waste collection service, to begin from April 2026. This funding has been provided to waste collection authorities that need to implement or extend a weekly food waste collection service, as required by the Environment Act 2021.
- 1.3 The capital funding is intended for the purchase of food bins (this includes internal kitchen caddies and external kerbside caddies) and food waste collection vehicles.
- 1.4 Defra provided £857,480 in funding to support the new service. Funds were received by Eastbourne Borough Council in March 2024 and this report deals with the financial arrangements between the council and SEESL, the company which provides the waste collection service, and the route to procurement of food bins and vehicles thereafter.

## **2 Proposal**

- 2.1 That EBC holds the capital funding in its account and allocates the funds in accordance with the optimal route, having undertaken an options appraisal with Finance and Legal input.
- 2.2 That the procurement process for food bins and food waste collection vehicles is begun in summer 2024 in preparation for the collection service launch in 2026.

## **3 Background**

- 3.1 SEESL has been making appropriate arrangements for the introduction of this service, due to begin from April 2026.
- 3.2 Preparations have included a review of vehicle parking space and electric vehicle (EV) infrastructure for Courtlands Depot and early discussions with fleet providers, noting that the current lead in time (i.e. from placing an order to delivery of a vehicle) is approx. 50 weeks. This timeline is likely to be even

longer with multiple local authorities and private sector companies placing their orders for FW fleet, hence expediting the procurement process is critical.

3.3 As Lewes District Council has offered a food waste collection service for many years, Environment First has knowledge of the operational implications of running food waste collections and SEESL is able to benefit from the LDC experience.

3.4 Examples of food waste receptacles (caddies) and an EV are set out in Appendix 1 for illustrative purposes.

#### **4 Outcome expected and performance management**

4.1 A well-managed capital budget, performing in the interests of the council.

4.2 The detail of how the service will be organised is to be determined. However, the overarching aim is to deliver an efficient and effective service collecting food waste from domestic properties in Eastbourne:

- Efficient collections that meet the expectations of residents
- Reduced residual waste and increased recycling
- A fit for purpose ultra-low emission or EV fleet

4.3 Activity following approval of this report:

- Procurement activity – fleet and receptacles.
- Logistics around delivery of receptacles (either in-house or third-party), anticipating new transitional revenue funding for this exercise.
- Preparing for future recruitment (2025/26) for the new food waste service – drivers and operatives – anticipating new ongoing revenue funding for staff and operations.
- A range of communication and community engagement activities.

There will be a further report and decisions about implementation of the new service at a future meeting of the Cabinet.

#### **5 Corporate plan and council policies**

5.1 This report reflects the ambitions within the Corporate Plan 2024-28, namely:  
-Promote waste reduction and encourage people to recycle more, as part of a 'Reduce, Reuse, Recycle' approach.  
-We will work to replace our waste and recycling vehicles with new versions with lower emissions, to reduce our contribution to green-house gases.  
-Our waste and recycling service will respond positively to up and coming changes in waste legislation to ensure we provide a sustainable and sufficient service for our residents.  
(See 'background papers')

5.2 An electric fleet for food waste collections is in line with the vehicle replacement strategy approved by Cabinet in June 2022, see 'background papers' below.

## **6 Business case and alternative option(s) considered**

- 6.1 Resource transitional funding has been provided, March 2024. This money has been provided to waste collection authorities that either need to implement a weekly food waste collection service partially or fully.
- 6.2 The following is according to Defra:
- The funding provided is for the cost of bins and vehicles.
  - Distribution costs are not a capital cost and so are not included.
  - Depot costs are also not a capital expense and therefore not included.
- 6.3 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.
- 6.4 Defra has indicated: We are currently calculating transitional and ongoing resource costs and will be writing to you on these in due course.
- 6.5 As the government has not set down secondary legislation to confirm requirements, officers are unable to provide details of the impact on revenue costs for this service, noting there will be an additional cost pressure in 2025/26 relating to the cost of food waste collection. A subsequent budget setting process will have to address any cost implications arising in subsequent years, but Defra has also indicated ongoing revenue support for the service, which is not yet certain at the time of writing this report.

## **7 Financial appraisal**

- 7.1 The council has included the £857k within the 2024/25 Capital Programme. There is likely to be an additional cost pressure in 2025/26 and again in 2026/27 relating to the cost of food waste collection. Defra has indicated there will be future revenue support but the details of the funding arrangements for councils are not currently known. Any cost implication arising in subsequent financial years will need to be addressed as part of the 2025/26 budget setting process and agreed between EBC and SEESL once the level of additional Defra funding is known.

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## **8 Legal implications**

The Council will need to ensure that the proposed structure for the use of funding is within the terms of any requirements imposed by Defra and legal advice on any funding structure or agreement will be taken.

The Council will take legal and financial advice on the basis for structuring the use of funding to ensure that this is undertaken in the optimal manner. The Public Contracts Regulations (PCR) will govern the procurement whether it is undertaken by EBC or by SEESL as both organisations are “contracting authorities” for the purposes of the PCR. Contracting authorities include “bodies

governed by public law". These are bodies that have all of the following characteristics:—

(a) they are established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character;

(b) they have legal personality; and

(c) they have any of the following characteristics:—

(i) they are financed, for the most part, by the State, regional or local authorities, or by other bodies governed by public law;

(ii) they are subject to management supervision by those authorities or bodies;

or

(iii) they have an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law

*12926-EBC-KS 3<sup>rd</sup> and 22<sup>nd</sup> May 2024*

## **9 Risk management implications**

9.1 The risks associated with not providing a weekly kerbside food waste collection service include:

- Recycling performance would remain at around 38%, (the percentage of household waste sent for reuse, recycling & composting, NI192)
- Non-compliance with a new statutory requirement.

9.2 There are clear financial risks to the council associated with not keeping within the Defra new burden funding allocation. In addition, the Government's new burden transition funding may not be as expected from 2024/25. The council has increasing financial pressures across the whole system, which creates potential for incurred costs to be passed on to other service areas.

9.3 The service is engaging with suppliers currently to avoid procurement delays: many councils will be purchasing caddies and food waste fleet within the same time frame which is likely to result in demand being greater than supply, in turn resulting in a longer lead in time to the current 50-week average.

## **10 Equality analysis**

10.1 This report is concerned with the technical financial arrangements to enable EBC to make best use of the capital funds to ensure timely procurement of vehicles and receptacles for the future implementation of a food waste collections service. There are no equality implications arising from this report.

Proposals relating to implementation of the service will be the subject of a future report once confirmation of financial revenue support from government is received and the roll out can be planned.

## **11 Environmental sustainability implications**

11.1 A food waste collection service will deliver:  
Increased recycling  
Reduced residual waste

The new weekly food waste collection service will have a dedicated electric fleet in line with the waste vehicle strategy approved in 2022.

## **12 Appendices**

- Appendix 1 – Food waste receptacles and electric vehicle, examples

## **13 Background papers**

The background papers used in compiling this report were as follows:

- **Eastbourne Corporate Plan 2024-28**  
[EBC Corporate Plan 2024-2028 - final.pdf \(lewes-eastbourne.gov.uk\)](https://www.lewes-eastbourne.gov.uk/EBC_Corporate_Plan_2024-2028_-_final.pdf)
- **Waste and recycling services – fleet, Cabinet papers 1 June 2022**  
 [\(Public Pack\)Agenda Document for Eastbourne Borough Council Cabinet, 01/06/2022 13:00 \(lewes-eastbourne.gov.uk\)](https://www.lewes-eastbourne.gov.uk/01/06/2022_13:00)