
**OPTIONS FOR LOCAL AUTHORITY STATUTORY PERFORMANCE
STANDARDS ON RECYCLING AND COMPOSTING IN 2007/08:
RESPONSE TO CONSULTATION PAPER**

**Responsible Cabinet Member(s) - Councillor Stephen Harker,
Consumer and Environmental Services Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To respond to the Government's consultation paper on statutory performance standards on recycling and composting in 2007/08.

Background

2. In 2000 Government set statutory performance standards for individual local authorities on recycling (including composting) for the years 2003/04 and 2005/06. These were designed to meet the national target to recycle 25% of household waste by 2005. Further national recycling targets were set for 2010 (30%) and 2015 (33%).
3. Good progress has generally been made on the 2003/04 and 2005/06 targets and the consultation paper issued in October 2005 by DEFRA seeks views on new targets for 2007/08. The consultation paper does not consider targets beyond 2007/08. These are expected to be included in the outcome of the ongoing review of the National Waste Strategy.
4. The 2003/04 targets varied from 8% to 33% and in 2005/06 18% to 40%. The 2005/06 upper level was capped in December 2004 to 30% to prevent undue hardship to high performing authorities.

Information and Analysis

5. The consultation paper outlines four options for new targets for 2007/08 (targets for 2006/07 are not considered as local authorities need time to plan for new targets).
6. The four options are:
 - (a) Do nothing - this option leaves authorities with no targets to achieve and could result in recycling performance falling, although the impact of Landfill Tax and Landfill Diversion should act against this.

- (b) Set statutory performance standards in 2007/08 for recycling for all local authorities equal to the level of their targets in 2005/06 – this option secures a standstill position on recycling, which given annually increases in waste generation, will necessitate modest increases in recycling activity.
 - (c) Set statutory performance standards for recycling in 2007/08 for all local authorities equal to the level of their targets in 2005/06 except for those with a target of 18% in 2005/06 who would be required to raise their standard to 20% - this is the Government's preferred option and increases the floor level from 18% to 20% leaving higher performing authorities with standstill targets.
 - (d) Set statutory performance standards for recycling in all local authorities as in option (c) but including the removal of the 30% cap on the highest recycling targets which was imposed in December 2004 – this option is as option (c) but also pushes higher performing authorities to increased targets, in some cases as high as 40%.
7. In addition to seeking views on the four options outlined above the consultation paper seeks responses to a number of related questions. The deadline for receipt of responses to the consultation paper is 20 January 2006.
8. A draft response to the consultation paper is attached as **Appendix 1** to this report. The response supports Option (c) to raise the floor target to 20% and leave authorities with existing (2005/06) targets above this level to retain their 2005/06 performance standard. Justification for this is that low performers must be encouraged to contribute more to the national target. National targets are set for milestone years rather than on an annual basis, but the Council sets its own local and annual recycling targets. The Council has already set its own targets for recycling for 2007/08 (22%) that are in excess of the proposals in the consultation paper and officers fully anticipate that the target for Darlington that would result from the implementation of the supported option can be met, and with existing resources.

Outcome of Consultation

9. No consultation has been carried out for in preparation of this report.

Legal Implications

10. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

11. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in

its area. It is not considered that the contents of this report have any such effect.

Financial Implications

12. Support of the option to increase recycling targets to 20% will have no additional financial costs.

Council Policy Framework

13. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

14. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Recommendation

15. It is recommended that the response to the consultation paper as detailed in Appendix 1 be endorsed.

Reasons

16. The recommendation is supported as additional recycling targets will contribute to meeting national and local waste strategies.

John Buxton
Director of Development and Environment

Background Papers

Options for Local Authority Statutory Performance Standards on Recycling and Composting in 2007/08: A Consultation Paper – DEFRA October 2005

Appendix

Draft response to Consultation Paper

Bill Westland : Extension 388552
BAH

**Darlington Borough Council's Response to the Consultation Paper:
 'Options for Local Authority Statutory Performance Standards on Recycling and
 Composting in 2007/08'**

	Question	Response
1	Do you agree with the assessment that it is not a realistic proposal to set any further recycling and composting targets for local authorities? (Option 1)	No. Recycling and composting targets still have a valid role in driving recycling forwards and complementing the Landfill Tax and Landfill Diversion targets (LATS).
2	Do you agree with the proposal to maintain the 2005/06 recycling and composting targets for 2007/08? (Option 2)	No. The majority of local authorities will meet their 2005/06 targets this year. To leave these targets in place for 2007/08 sends the wrong message to the public and to authorities.
3	Do you feel that any further modification should be made to this proposal (Option 2) to focus targets for 2007/08?	No. This option should not be pursued.
4	Do you agree with the Government's preferred option to maintain the level of recycling performance at 2005/06 levels and increase the floor recycling target from 18% to 20% for 2007/08? (Option 3)	Yes. This focuses the need to improve performance on the lower performers and will lead to a greater degree of consistency of performance across authorities. Coupled with the Landfill Tax and Landfill Diversion targets this should provide an appropriate incentive to continue to drive recycling.
5	Do you feel that any further modifications should be made to the proposal to focus any future targets?	No.
6	Do you agree with the recommended approach to not remove the 30% cap on recycling and composting for 2007/08?	Yes. The additional cost of removing this cap to authorities that are already performing well cannot be justified.
7	Do you feel that any further modifications could be made to the proposal to make it more acceptable to Government and local authorities concerned?	No.
8	Do you agree with the proposal to allow pooling arrangements similar to those previously deployed?	Yes, as this can only encourage joint working as well as share burdens.

	Question	Response
9	Do you agree that any local authority failing to meet its statutory performance standards for recycling and composting can expect to receive some form of engagement or intervention from Government?	Yes. It is important that failure to meet standards is investigated and that intervention is carried out if necessary.
10	Do you have any specific comments on the form of engagement or intervention used?	Yes. Government must accept that factors specific to any one region or locality can create particularly difficult challenges to some local authorities in meeting standards and these have to be considered before intervention measures are carried out. Such factors include regional recycling infrastructure, local demographic profile, income and employment levels, housing types etc.
11	Which of the Options (one of four) is your preferred approach to setting targets in 2007/08?	Option three is Darlington's preferred approach. This option maintains pressure on low performing authorities without placing an undue burden on those authorities that are performing well. It provides an appropriate balance of drivers in combination with Landfill Tax and the LATS scheme.