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[Department
for Environment
Food & Rural
Affairs](#)

Consultation outcome

Government response

Updated 25 October 2023

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Executive summary

We want to make it easier for people to do the right thing, maximise use, minimise waste and drive up recycling rates.

We have seen household recycling rates in England increase from 11% in the 2000 to 2001 financial year to 42% in 2021 to 2022. However, in recent years household recycling rates have ‘plateaued’ at around 42% to 44%. To address this, we will repeal EU-derived waste collection requirements and introduce improved and simplified requirements through our Environment Act 2021.

Across England, people will be able to recycle the same materials, no longer needing to check what their council will accept for recycling.

We have listened to councils and householders who are concerned about the risk of too many bins cluttering our streets. The intention of the new regulations introduced by the Environment Act 2021 is to drive up our recycling rates across England. However, by only providing an exception to the requirement to separately collect recyclable waste streams where it can be proactively justified, as pointed out by some councils, this could risk unintended consequences where, if services were not properly thought through, householders could be forced to collect each waste stream in a separate bin – plastic, paper and card, glass, metal, food waste and garden waste, as well as residual (non-recyclable) waste.

This was not the intention of the policy, and we know that local authorities can attain high recycling rates with a co-mingled recycling service (collecting all dry recycling together). Having assessed the highest performing councils on recycling rates, we propose to introduce exemptions to allow all councils in England to offer just 3 waste containers (bins, boxes or bags) – for dry recycling, food waste and residual (non-recyclable) waste. An optional garden waste collection will be offered to all households, and councils can choose to co-collect food and garden waste if preferred. Simpler Recycling will ensure that local authorities retain the flexibility to collect the recyclable waste streams in the most appropriate way for their residents. Subject to consultation with relevant parties, the exemptions will be confirmed in regulations to ensure that no council will be required to provide 7 different bins.

Therefore, under the new requirements:

- all local authorities in England must collect the same recyclable waste streams for recycling or composting from households. The recyclable waste streams include paper and card, plastic, glass, metal, food waste, and garden waste
- all non-household municipal premises in England (such as businesses, schools and hospitals), must make arrangements to have the same set of recyclable waste streams (with the exception of garden waste) collected for

recycling or composting, and must present their waste in accordance with the arrangements

Furthermore, the government is committed to delivering comprehensive, frequent rubbish and recycling collections. Through statutory guidance, we propose requiring local authorities to collect residual (non-recyclable) waste at least fortnightly, if not more frequently, to protect local amenity and prevent unintended consequences of cutting residual waste collection frequency. The government actively encourages councils to collect residual waste more frequently than fortnightly – this minimum standard provides a backstop, not a recommendation. The combination of the backstop on residual collections, alongside the new weekly food waste collections, will ensure frequent collections of malodorous waste, and will stop the trend towards 3 or 4 weekly bin collections.

This proposal is subject to consultation with local authorities and will be confirmed in the statutory guidance.

The improved recycling system will support investment in domestic reprocessing facilities, creating UK jobs and increasing resource security. Additionally, these reforms will mean that people can recycle the same items at home, work or school throughout England. This will be supported by the introduction of mandatory recyclability labelling on packaging, a requirement that will be introduced as part of extended producer responsibility (EPR) for packaging. Together, these policies will make it much easier to know what can and cannot be recycled.

Municipal food waste collections will reduce the amount of food waste going to landfill, where it releases harmful greenhouse gases, helping to achieve our Net Zero strategy target to eliminate biodegradable waste sent to landfill from 2028. Instead, where food waste is collected separately, it can be reprocessed to create organic fertiliser and biogas, which can be used to generate electricity, bolstering our energy security.

The 2021 consultation on consistency in household and business recycling in England

The [consultation on Consistency in household and business recycling in England](https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england) (<https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england>) opened on 7 May 2021 and ran for 8 weeks, closing on 4 July 2021.

There was a total of 896 responses to the 2021 consultation. Respondents mostly belonged to the following groups: individuals (39.6%) and local government (28.5%). The remaining responses (31.9%) were from a range of

groups such as businesses, community groups, retailers, waste management companies, packaging processors, charities and others. A detailed breakdown is provided in the accompanying [Summary of consultation responses \(https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england\)](https://www.gov.uk/government/consultations/consistency-in-household-and-business-recycling-in-england) document.

25 October 2023 update: We identified an error in the Executive Summary of the consultation responses report. This caused a discrepancy between the Executive Summary and the main body of the report. We have, therefore, temporarily removed the Executive Summary from the report (while we assess it further for potential errors) to avoid all possibility of a reoccurrence. Along with other factors and evidence, our policy position was informed by the main body of the consultation responses report, rather than the content of the Executive Summary, which had no impact on this consultation response.

Terms used in this document

Where we quote a percentage of respondents to the consultation, that refers to the percentage of respondents that answered the question.

Where we refer to new burdens, we are referring to the new burden payments that will be paid to local authorities to cover the reasonable net costs of any additional duties placed upon them through our reform to make recycling simpler.

The term 'non-household municipal premises' refers to commercial, industrial and relevant non-domestic premises in scope of the legislation.

Government response on key proposals

Collection of dry recyclable materials from households and non-household municipal premises

Materials for collection in the dry recyclable waste streams

The following materials must be collected in the dry recyclable waste streams, from both households and non-household municipal premises.

Glass:

- glass packaging including bottles and jars

Metal:

- steel and aluminium tins and cans
- steel and aluminium aerosols
- aluminium foil
- aluminium food trays
- steel and aluminium jars and bottle lids
- aluminium tubes

Plastic:

- plastic bottles made of polyethylene terephthalate (PET, including amorphous, recycled PET), polypropylene (PP) and high-density polyethylene (HDPE)
- pots, tubs and trays made of PET (including amorphous, recycled and crystalline PET), PP (including expanded PP) and polyethylene (PE)
- PE and PP plastic tubes larger than 50mm x 50mm
- cartons for food, drink and other liquids, including aseptic and chilled cartons
- plastic film packaging and plastic bags made of mono-polyethylene (mono-PE), mono-polypropylene (mono-PP) and mixed polyolefins PE and PP, including those metallised through vacuum or vapour deposition (to be included from 31 March 2027)

Paper and card:

All paper and card except:

- paper and card that contains glitter or foil
- paper that is laminated
- stickers and sticky paper
- padded lined envelopes
- paperback and hardback books
- wallpaper

Cartons for food, drink and other liquids, including aseptic and chilled cartons, will be included in the plastic recyclable waste stream to be collected from households and non-household municipal premises. Where local authorities and other waste collectors opt to collect plastic separately from other dry materials, collecting cartons in the plastic recyclable waste stream will enable more cartons to be effectively sorted and reprocessed.

Be aware that the recyclable waste stream descriptions may be worded differently in regulations. Additionally, the Secretary of State may add to the materials in each recyclable waste stream set out in the regulations in the

future, once there is confidence that the materials are recyclable. To assist waste collection authorities in complying with their duties under the new section 45A of the Environmental Protection Act 1990, we will include additional detail in statutory guidance on what should not be included as part of the dry recyclable waste streams.

As outlined in the [2022 government response on EPR for packaging](https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility) (<https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility>) and the [2023 government response on a Deposit Return Scheme \(DRS\) for drinks containers](https://www.gov.uk/government/consultations/introduction-of-a-deposit-return-scheme-in-england-wales-and-northern-ireland) (<https://www.gov.uk/government/consultations/introduction-of-a-deposit-return-scheme-in-england-wales-and-northern-ireland>), the materials in scope of the DRS for drinks containers in England are:

- steel and aluminium cans
- PET plastic bottles up to 3 litres in size

Once the scheme is operating, these materials can be returned by consumers through the DRS, rather than kerbside recycling. Some materials may continue to be collected at kerbside, although by choosing this method of recycling, the consumer would then be forfeiting their deposit.

Plastic films in scope of collection

Following further engagement with the sector, government intends to include plastic film packaging and plastic bags made of mono-PE, mono-PP and mixed polyolefins PE and PP in the plastic recyclable waste stream, including those metallised through vacuum or vapour deposition.

According to the [Circular Economy for Flexible Packaging \(CEFLEX\) initiative](https://guidelines.ceflex.eu/) (<https://guidelines.ceflex.eu/>), 70% to 80% of consumer flexible packaging placed on the market in Europe is mono-material PE and PP. Mono-material plastic packaging is easier to recycle and more of the material can be recycled effectively, compared to multi-layer flexible packaging. As PE and PP are polyolefins, they are compatible so can be recycled together. While government encourages mono-polyolefin design to improve material quality and film-to-film recycling, mixed polyolefin packaging is within scope for collection.

As set out in the [EPR for packaging consultation response](https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility) (<https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility>), obligated producers will report the tonnage of packaging, including plastic film packaging, that is not commonly collected for recycling by local authorities, and which they have directly facilitated the management of in order for this to be offset against their disposal cost obligations – for example, front-of-store or postal plastic film collections set up by producers.

For more information about the different types of packaging data that producers will need to report for EPR, read [Packaging data: what to collect for extended](#)

[producer responsibility \(https://www.gov.uk/guidance/how-to-collect-your-packaging-data-for-extended-producer-responsibility\)](https://www.gov.uk/guidance/how-to-collect-your-packaging-data-for-extended-producer-responsibility).

To support the implementation of this policy and help address evidence gaps, Defra, UK Research and Innovation (UKRI)'s Smart Sustainable Plastic Packaging Challenge, Zero Waste Scotland, and the Flexible Plastic Fund (FPF) have funded a multimillion-pound pilot project on local authority flexible plastic kerbside collections (the [FPF FlexCollect project \(https://flexibleplasticfund.org.uk/flexcollect\)](https://flexibleplasticfund.org.uk/flexcollect)). Further in-kind support is being provided from industry stakeholders, including Ecosurety, RECOUP, Suez Recycling and Recovery UK, and the Waste and Resources Action Programme (WRAP). The FlexCollect project, launched in spring 2022, has been developed and is being delivered by a consortium of organisations. Research will consider collection methods and efficiencies, costs, behaviour change and communications, reprocessing and end markets, and the impact of EPR for packaging measures.

Non-mechanical (chemical) recycling could potentially play a role in increasing the quantity of recyclable material, particularly difficult-to-recycle plastics. Where mechanical recycling is impractical or uneconomic, this could be complemented by non-mechanical recycling. This technology is classed as recycling if resulting oil or syngas is converted into a non-fuel product, such as replacing virgin materials in new plastic products. However, it is considered recovery if used as a fuel or to create energy. In future, we may be able to recycle more complex or heavily contaminated plastics using non-mechanical recycling to support the collection of a broader range of plastics for recycling. Government recently held [a consultation \(https://www.gov.uk/government/consultations/plastic-packaging-tax-chemical-recycling-and-adoption-of-a-mass-balance-approach\)](https://www.gov.uk/government/consultations/plastic-packaging-tax-chemical-recycling-and-adoption-of-a-mass-balance-approach) on allowing a mass balance approach for calculating the recycled content in packaging made from non-mechanical or chemically recycled plastic waste for the purposes of the plastic packaging tax.

Allowing specific dry recyclable waste streams to be collected together

We want to make recycling as simple as possible for all citizens, avoiding a proliferation of unnecessary bins, and supporting citizens to contribute to reaching national recycling rate and Net Zero ambitions.

We consulted on allowing the following dry recyclable waste streams to be collected together – plastic and metal, and glass and metal. We received support for the provision of these exemptions. For plastic and metal, of the 651 respondents, the majority (72%) agreed, with 5% disagreeing, and 23% not expressing an opinion. For glass and metal, of the 647 respondents, 58% agreed, 12% disagreed, and 30% did not express an opinion. Several respondents noted that these materials are routinely collected together at kerbside for recycling.

On further examination of the evidence base, we consider that there is sufficient evidence that the co-collection of dry recyclable materials will not significantly

reduce their potential to be recycled, so long as dry recycling is collected separately from residual and organic waste. Based on available data, co-collection does not have a significant impact on recycling rates. Six of the top 10 local authorities in terms of 'household waste' recycling rate in England in 2021 to 2022 provided a co-mingled service for dry materials.

The Secretary of State has the power to set an exemption from the requirement to separately collect in relation to 2 or more recyclable waste streams, if satisfied that doing so does not significantly reduce the potential for the waste streams to be recycled or composted.

We propose to provide a further exemption to allow all dry recyclables (paper and card, plastic, glass and metal) to be collected together in one recycling bin. If using an exemption, waste collectors would not be required to produce a written assessment to co-collect. This exemption would apply for both household and non-household municipal premises in England. Subject to consultation with relevant parties, as per the requirements in the Environment Act 2021, we will confirm these exemptions in upcoming regulations.

Collection of food waste from households and non-household municipal premises

Under the new legislation, waste collection authorities in England must arrange a weekly collection of food waste for recycling or composting from households. All non-household municipal premises in England must arrange for the separate collection of food waste and to present their waste in accordance with these arrangements, but they are not required to have weekly collections.

Government's preference is for food waste to be collected for treatment by anaerobic digestion (AD), which presents the best environmental outcome for the treatment of unavoidable food waste, due to the generation of bio-fuel and digestate. This digestate can be spread to land, ensuring nutrients are recycled, creating a more circular economy.

Green Gas Support Scheme: increasing food waste treatment capacity

Government launched the Green Gas Support Scheme (GGSS) to support the construction of new AD facilities. The GGSS will do this by providing a tariff supporting the price of biomethane injected into the gas grid at anaerobic digestion sites. The scheme follows on from the non-domestic Renewable Heat Incentive (RHI) and will pay tariffs to registered producers of biomethane for a period of 15 years.

Further details, including the application and eligibility criteria, are available at: [Green Gas Support Scheme \(GGSS\): open to applications](#)

Materials to be included in the food waste stream

The following materials will be included in the food waste stream:

- all food intended for human or household pet consumption, regardless of whether it has any nutritional value
- biodegradable material resulting from the processing or preparation of food, including inedible food parts such as bones, eggshells, fruit and vegetable skins, tea bags and coffee grounds

The same materials will be included in the food waste stream for households and non-household municipal collections.

To assist waste collection authorities in complying with their duties under the new section 45A of the Environmental Protection Act 1990, we intend to include additional detail in statutory guidance on what should not be included as part of the food waste stream.

Caddy liners

Further evidence is needed before publishing guidance on caddy liner use. We will continue to explore options that promote the best environmental outcomes in this area.

On-site food waste treatment technologies

We are seeking to do further research into food waste treatment technologies to provide greater clarity on this issue.

Collection of garden waste from households

Proposal on free garden waste service for households

During consultation analysis, we considered the environmental benefits and value for money associated with introducing a free minimum garden waste collection service. Modelling conducted for the final impact assessment revises down estimated carbon savings associated with this proposed policy. The final impact assessment will be published alongside regulations. We believe that other government policies now offer higher carbon savings per pound spent than this policy. This includes the far higher savings associated with introducing weekly separate food waste collections.

The economic and environmental case is not strong enough to proceed with the proposal to require waste collection authorities to introduce a free minimum

garden waste collection service.

Local authorities will be required to provide a garden waste collection service where it is requested but, as is currently the case, they can continue to choose to charge for this service. Householders will be able to make their own decision about whether they wish to use this optional service or make other arrangements.

Materials to be included in the garden waste stream

The following items will be included in the garden waste stream.

All organic material from the garden except:

- ash
- full-sized trees
- invasive weeds and species
- soil
- turf cuttings
- waste products of animal origin

To assist waste collection authorities in complying with their duties under the new section 45A of the Environmental Protection Act 1990, we will include additional detail in statutory guidance on what should not be included as part of the garden waste stream.

Additional options for the recycling of garden waste

We will continue to monitor garden waste recycling rates. We will gather further evidence on the additional options we consulted on and how they can be used to minimise the amount of garden waste that ends up in the residual waste stream.

Timeline for implementation from households

Collection of dry recyclable waste streams

The dry recyclable waste streams (excluding plastic films) must be collected from households by the end of the financial year in which payments to local authorities for packaging materials under EPR will commence. This means they must be collected by 31 March 2026.

We will work with local authorities to support them to improve their recycling performance and overcome any difficulties they might face in relation to compliance within the legislative timeframes.

We will require recyclable plastic film to be collected by 31 March 2027. In the lead up to this, front-of-store and postal takeback schemes will continue to be a route for collection.

Collection of food waste

Waste collection authorities will be required to introduce weekly food waste collections to all households in England, including flats, by 31 March 2026 – unless they need longer to transition due to a long-term waste disposal contract (see the next section ‘Collection of food waste: where there are long-term residual waste disposal contracts’ for more detail). We recognise that it is most efficient to make changes to waste services holistically, so the deadline has been aligned with the implementation date for household dry recycling. This single date will ensure a consistent rollout of new requirements across England for most waste collection authorities and avoid confusion for householders.

If a local authority chooses to co-collect food and garden waste from households, they must ensure that food waste is collected for free on a weekly basis by 31 March 2026, where they are continuing to co-collect it with garden waste. We are consulting on providing an exemption to allow food and garden waste to be collected together in one bin. If using an exemption, waste collectors would not be required to produce a written assessment to co-collect. This exemption would apply for both household and non-household municipal premises. Subject to consultation with relevant parties as per the requirements in the Environment Act 2021, we will confirm these exemptions in upcoming regulations.

To ensure local authorities have the time they need to prepare, we have pushed back the date that these reforms come into force from those consulted on, acting on feedback from local authorities and the wider waste and producer sector, to provide additional time to prepare and align with implementation of EPR for packaging.

Government will provide local authorities with funding to meet agreed reasonable new burdens arising from this policy, including up-front transition costs and ongoing operational costs. We will be working with waste collection authorities to allocate funding to local authorities to implement separate food waste collections.

Collection of food waste: where there are long-term residual waste disposal contracts

The government’s position is that all local authorities should implement food waste collections by the end of March 2026. However, we recognise that there are exceptional circumstances in which specific local authorities may need longer due to long-term waste disposal (mechanical biological treatment and energy from waste) contracts that run beyond 31 March 2026. Government is not prepared to meet the costs of breaking long-term contracts.

Defra will proactively work with local authorities to provide transitional arrangements where needed to avoid contract-breaking. Any local authority that does not request a transitional arrangement and is subject to variation or contract break costs must meet those costs itself. The Secretary of State may in certain circumstances specify that an authority should be subject to a transitional arrangement, where the Secretary of State is satisfied that there would be a significant cost to the taxpayer if an arrangement was not in place.

The reduction of food waste collected within the residual waste stream following the introduction of food waste collections could cause increased contractual costs or financial penalties for affected waste disposal or unitary authorities. Our evidence shows that it would not represent good value for money were government to compensate waste disposal authorities and unitary authorities for these costs, as required by the new burdens doctrine. This is because the carbon benefits may be marginal compared to far greater carbon savings per pound spent on other government projects.

We will therefore provide named waste collection authorities with bespoke transitional arrangements, so that they have until existing long-term contracts expire, or at an earlier date as agreed, before they need to bring in separate weekly food waste collections. Following one-to-one engagement with local authorities this year, waste collection authorities who require a transitional arrangement will be listed in the commencement regulations, along with the date by which they are required to provide a weekly food waste collection. This will ensure that there is no uncertainty in respect of the legislation. As separately collecting food waste for treatment by anaerobic digestion (AD) remains the best environmental outcome, we will require these waste collection authorities to introduce a separate, weekly food waste collection service to all households as soon as contracts allow.

We will continue to work with affected local authorities and industry following publication of this response to see what can be done to introduce food waste collections sooner than contract expiry dates. If a local authority contract ends sooner than expected or they can amend it to incorporate separate weekly food waste collections at an earlier date than the contract end date, it might be possible to amend the date in the commencement regulations and/or bring the ongoing new burdens funding forward, subject to ministerial agreement and funding at the time. Government will remain in contact with local authorities that receive a transitional arrangement to assess annually if this date can be brought forward.

Collection of garden waste

Waste collection authorities will be required to collect garden waste in accordance with the new requirements by 31 March 2026, but, as is currently the case, they will still be able to charge for the service. This means that the duty to collect garden waste only arises once the householder has requested its collection and has paid any charge.

Timeline for implementation from non-household municipal premises

Collection of dry recyclable waste streams

Non-household municipal premises, except micro-firms (businesses with fewer than 10 full-time equivalent – FTE – employees), will be required to arrange for the collection of the dry recyclable waste streams (excluding plastic films) by 31 March 2025.

This earlier date for non-household municipal premises reflects the greater flexibility in commercial collection contracts, as well as the fact that commercial collections are not dependent on the delivery of EPR for packaging funding.

We will require recyclable plastic film to be collected by 31 March 2027.

Collection of food waste

Non-household municipal premises, except micro-firms, will be required to make arrangements for separate food waste collections and to present the waste in accordance with the legislation by 31 March 2025.

In cases where a non-household municipal premises does not produce any food waste, it is not required to arrange for its separate collection.

Phasing for micro-firms

Micro-firms will have extra time to bring in the new requirements for dry recyclable waste streams (excluding film) and food waste – they must comply by 31 March 2027.

A micro-firm includes any producer of non-household municipal waste with fewer than 10 FTE employees. FTE employment is measured per enterprise rather than per unit, therefore multi-branch enterprises that employ over 10 FTE across multiple units are not within scope of this exemption.

By providing this exemption, as opposed to a permanent exemption, government still forecasts that significant volumes of recyclable waste will be diverted to the reprocessing sector instead of going to energy from waste plants or to landfill, helping to meet Net Zero, Environment Act residual waste reduction and recycling targets.

This phasing period will provide additional time for micro-firms to prepare, by accessing business support tools being developed by WRAP, which are designed to ensure that businesses transition to the new requirements in the most cost-efficient way.

Biodegradable and compostable plastic packaging materials

Guidance on biodegradable and compostable plastic packaging materials

As set out in the consultation, we do not require the separate collection of biodegradable and compostable plastic packaging materials under the new legislation. This is due to concerns over suitability for recycling, as highlighted by the waste and recycling industry in our [call for evidence on standards for biodegradable, compostable and bio-based plastics](https://www.gov.uk/government/calls-for-evidence/standards-for-biodegradable-compostable-and-bio-based-plastics-call-for-evidence) (<https://www.gov.uk/government/calls-for-evidence/standards-for-biodegradable-compostable-and-bio-based-plastics-call-for-evidence>).

We encourage innovative technologies, having funded ground-breaking research and innovation to make plastic packaging fit for a sustainable future through the £60m Smart Sustainable Plastic Packaging Challenge. We also understand the importance of ensuring any new sustainable products, materials and processes are in line with circular economy principles and fit with existing and readily available waste management practices.

We will continue to engage with the sector as the evidence develops to inform future guidance.

Anaerobic digestion composting phase

Due to concerns regarding the cost of an AD composting phase, as well as planning and space constraints, we currently do not intend to require AD plants treating food waste to include a composting phase.

Statutory and non-statutory guidance

The consultation outlined government's intention to publish statutory guidance on the duties imposed by sections 45 to 45AZD of the Environmental Protection Act 1990. Statutory guidance will help waste collection authorities, waste disposal authorities, other waste collectors, businesses, and relevant non-domestic premises to understand what they must do to comply with the law. This in turn will support our aim to increase the quantity and quality of material collected for recycling. Subject to consultation with relevant parties as per the requirements in the Environment Act 2021, we will publish statutory guidance in due course.

We intend to include in statutory guidance that the minimum service standard should be that local authorities provide a fortnightly collection for residual waste (alongside a weekly food waste collection). However, the government actively encourages councils to collect residual waste more frequently; this minimum

fortnightly standard (alongside weekly food waste collection) provides a backstop, not a recommendation. This minimum standard will help protect local amenity and the local environment from piling residual rubbish, and prevent odours, pests and vermin. It could also prevent unintended consequences of cuts to residual collections that could further undermine local amenity and could encourage fly-tipping.

There is a long-standing principle, since the establishment of local government, that councils should collect residual waste to protect local amenity and the local environment. Councils already receive funding from council tax and from the Local Government Finance Settlement for such essential 'core' services for the public. It would create perverse incentives to give extra funding to the small number of councils that have cut such essential core services. The new burdens doctrine aims to ensure that local government receives the support it needs. Local authorities will receive new burdens funding in respect of all the new recycling requirements, but the doctrine is applied at ministerial discretion and ministers at the Department for Levelling Up, Housing and Communities have decided to waive the new burdens doctrine in respect of any guidance on fortnightly minimum residual waste collection.

We will work with WRAP to develop non-statutory guidance on best practice around collection of a range of different materials and engage further with the sector on the content of this guidance.

Definition of relevant non-domestic premises

We propose to expand the definition of relevant non-domestic premises in section 45AZA of the Environmental Protection Act 1990, to include some additional non-domestic premises that produce household waste, such as prisons or places of worship. This will align the list more closely to the non-domestic premises that produce household waste set out in the Controlled Waste (England and Wales) Regulations 2012.

We are also consulting on this proposal: visit [Consultation on additional policies related to simpler recycling in England](https://www.gov.uk/government/consultations/simpler-recycling-in-england-additional-policies) (<https://www.gov.uk/government/consultations/simpler-recycling-in-england-additional-policies>) to view and respond to the consultation.

Options for reducing the cost of compliance for non-household municipal premises

In light of feedback, we plan to further consider the features and benefits of each of the proposed cost reduction options. We will do this by working with stakeholders to better understand how these options can help limit the costs that businesses face to recycle. Where appropriate, we will explore the possibility of providing guidance on these options as part of the implementation of reforms.

Other areas for consultation

Recycling credits

The introduction of extended producer responsibility (EPR) payments for packaging and new burdens funding for the reforms to improve consistency in recycling in England will alter the funding system for recycling. Because of this, we consulted on options to reform the recycling credits mechanism.

Ahead of finalising the funding available to local authorities through EPR and new burdens funding, we do not intend to change the recycling credits mechanism at this stage. However, we will monitor the mechanism to assess any impacts of forthcoming policy changes and pursue modifications where necessary to ensure funding is not duplicated.

Review of Part 2 of Schedule 9 of the Environmental Permitting (England and Wales) Regulations 2016

Given the support for the recommendations and proposed amendments to the regulations as set out in the EPR for packaging consultation, we are progressing with amending Part 2 of Schedule 9 of the Environmental Permitting (England and Wales) Regulations 2016. The [EPR for packaging government response \(https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility\)](https://www.gov.uk/government/consultations/packaging-and-packaging-waste-introducing-extended-producer-responsibility) sets out further detail. These amendments will incorporate the sampling of non-packaging materials. The amended regulations will come into force from October 2024.

For further information, please visit: [Materials facilities: waste sampling and reporting from October 2024 \(https://www.gov.uk/guidance/materials-facilities-waste-sampling-and-reporting-from-october-2024\)](https://www.gov.uk/guidance/materials-facilities-waste-sampling-and-reporting-from-october-2024).

Further work and next steps

Funding local authorities to deliver simpler recycling collections

In the consultation, government confirmed its commitment to funding the reasonable net additional costs to local authorities arising from the new statutory duties placed on them through the introduction of simpler recycling. New burdens funding must be paid from when the new statutory duty applies. However, given the complexity of local authorities changing existing collection arrangements and geographical scale, we recognise that local authorities will need time to implement the new requirements, as well as funding to support implementation.

In this consultation response, we have confirmed the following new duties for local authorities:

- requirement to deliver weekly food waste collections from households
- requirement to collect garden waste in accordance with the new section 45A of the Environmental Protection Act 1990, where there is a duty to collect garden waste
- requirement to collect a consistent set of dry recyclable waste streams for recycling – plastics (including film), paper and card, metals, glass

The costs to deliver these new duties will be funded through a combination of the following measures.

1. Reasonable new burdens funding to local authorities to provide weekly food waste collection from households. Funding will include capital costs (such as vehicles and containers), as well as resource costs (such as vehicle re-routing, communications and project management) and ongoing service costs (such as collection and disposal costs).
2. EPR for packaging payments will be provided to local authorities, with packaging producers responsible for the costs of collecting and managing packaging waste through efficient and effective services. This includes the collection of additional packaging materials for recycling, such as plastic films and flexibles. Initial estimates are that local authorities in England will collectively receive payments in the region of £900 million per annum for managing household packaging waste. Payments modelling is currently under way to refine this estimate in readiness for the implementation of EPR for packaging .
3. It remains the case that under section 45(3) of the Environmental Protection Act 1990, and the Controlled Waste (England and Wales) Regulations 2012, waste collection authorities may, as they can now, recover a reasonable charge for the collection of garden waste.

New burdens for food waste collections

Government is committed to providing reasonable new burdens funding where local authorities are required to deliver food waste collections from households. This funding will be based on a modelled estimate of costs and savings for local authorities that will result from the new proposals. This includes capital costs, which will fund new vehicles and containers, as well as initial transitional costs.

Ongoing funding and any transition funding for local authorities who are named in legislation as requiring a transitional arrangement for food waste collections will fall outside of the current Spending Review period. Further announcements on funding will therefore be made in due course. We can confirm that all payments will initially be through distinct section 31 grants, and we would expect these to be rolled into the local government settlement in time. The level of new burdens payments that each local authority will receive will be set out in letters sent to each local authority under section 31 of the Local Government Act 2003.

It is our intention that where a local authority does not currently have a food waste service that is compliant with the Environment Act 2021 requirements, and they make a capital investment after 31 March 2023 to implement that service, this investment will be funded in accordance with the new burdens doctrine. We do not intend to retrospectively fund capital investments made before this date.

New burdens costs need to meet reasonable costs. There should be no expectation that government will meet all additional expenditure by local authorities regardless of value for money.

In accordance with the new burdens doctrine, we will meet all reasonable costs that these new duties impose on councils. We have undergone an extensive consultation process with local authorities and will share our funding allocations in due course. We will not be funding expenditure beyond the costs that we have determined are reasonable.

Annex A: Summary of implementation dates

The summary below sets out the dates by which waste collection authorities, non-domestic premises that produce household waste, and producers of relevant waste^{[\[footnote 1\]](#)} must comply with the new requirements in the Environmental Protection Act 1990 as amended by the Environment Act 2021.

Implementation dates

New requirements for collections of dry recyclable materials (except plastic film) from:

- households: by the end of the financial year in which EPR for packaging commences – by 31 March 2026
- businesses and relevant non-domestic premises: by 31 March 2025
- micro-firms: by 31 March 2027

New requirements for collections of plastic film from:

- households, businesses, non-domestic premises and micro-firms: by 31 March 2027

New requirements for collections of food waste from:

- households: by 31 March 2026 – unless a transitional arrangement applies^{[\[footnote 2\]](#)}
- businesses and non-domestic premises: by 31 March 2025
- micro-firms: by 31 March 2027

New requirements for collections of garden waste from:


- households: by 31 March 2026

New requirements for minimum collections of residual waste from:

- households: by 31 March 2026

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1. Relevant waste is waste from industrial or commercial premises which is similar in nature and composition to household waste.
 2. Where long-term waste disposal (mechanical biological treatment and energy from waste) contracts present a barrier to introducing separate food waste collections, a longer implementation period may be required. Defra will continue to engage with affected local authorities.

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