

Cabinet

18 April 2012

Review of Access to and Provision of Household Waste Recycling Centres (HWRCs)



Key Decision NS/08/11

Report of Corporate Management Team

**Terry Collins, Corporate Director for Neighbourhood Services
Councillor Bob Young, Cabinet Portfolio Holder for Strategic Environment**

Purpose of the Report

1. To report the outcomes from the public consultation of the Household Waste Recycling Centre Review.
2. To recommend, based on the outcomes of the public consultation exercise, the level of HWRC service in County Durham that will form the basis of the upcoming re-procurement of contracts to operate the sites through a competitive tender process.
3. To recommend alterations to current operational policies in relation to HWRC Permits, acceptable vehicles and opening hours.

Background

4. Durham County Council is facing unprecedented financial pressures with medium term financial plan savings of £159.2m planned over the five year period 2011/12 to 2015/16. It therefore remains a priority for services to review the potential to reduce costs and ensure value for money. It is within this context that a review of the HWRC provision across the County was carried out in 2011 in preparation for the re-procurement of the operational service contract, which will take place during 2012.
5. On 27 October 2011 the results of this review of the council's current provision of HWRCs were presented to Cabinet. The review included a strategic analysis across the county to assess the current provision, in terms of the number and distribution of sites, including a comparison to the service provided elsewhere and a comparison against national standards. The report also provided a site-by-site technical and strategic analysis in which each current site was assessed against criteria including planning, licence and environmental issues, traffic analysis, site layout, recycling performance, customer satisfaction, health and safety and asset condition

6. The review was also informed by standards set by the National Assessment of Civic Amenity Sites which establishes nationally acceptable 'drive-time' for access to a HWRC, together with the population that they should serve. These standards, together with benchmarking of the provision made by similar councils, demonstrated that Durham County Council currently has an over provision. Some residents living in the centre of the County, for example, have up to five sites within the suggested 20-30 minute drive time. However, this overprovision does not reflect the demographic distribution within the County.
7. The technical and strategic assessment was used to inform a recommendation in the October report to carry out a public consultation on the proposed closure of Broomsdene, Cragwood, Hett Hills, Stainton Grove, Thornley and Todhills sites, with affected users and communities and the wider public. This proposal represented a potential reduction in the number of sites from 15 to 9.
8. In addition to consideration of potential site closures, the 27 October report also addressed the issue of permits for the use of trailers, and proposed that these are reduced from five to three per month. It presented tightened criteria for the type of vehicles that are allowed to access the site with the aim of reducing abuse of the site by those depositing trade and commercial waste. It also presented revised summer and winter opening hours of summer; 1 April until 15 October 9:00am until 6:00pm and winter 9:00am until 3:30pm.
9. The proposed service provision would still result in over 96% of the population living within five to 10 miles of the nearest fixed site HWRC and would increase the service in Weardale due to the introduction of a new mobile service. This compares to 98.8% coverage under existing arrangements.
10. The Peer Group Comparison shown in Appendix 2 clearly demonstrates Durham County Council offers an overprovision of HWRC currently compared with a high proportion of comparable Authorities. Durham provides over three sites per 100,000 population compared to Oxford providing 1.26 and Cambridge 1.51. Regionally the picture is similar providing the second greatest number of sites per 100,000 population marginally less than North Yorkshire. (It is understood North Yorkshire are intending to consult on HWRC provision in the future). Nationally comparing Authorities of a similar geographical area also shows Durham to provide one HWRC per 148km² compared to East Riding at one per 241km² and Northumberland at one per 236km².
11. The 27 October report recommended the commencement of a public consultation on:
 - a revised Household Waste Recycling Centre service provision of nine fixed sites supplemented by mobile facilities.
 - obtaining service user views on alternative mobile provision for Household Waste Recycling facilities in the lower Teesdale and Weardale areas.
 - revisions to Household Waste Recycling Centre policies, particularly a reduction in permit numbers issued per application from five to three, adjustments to vehicle acceptance criteria, clarification of commercial waste acceptance policy and revisions to opening times.

12. The proposals were subject to a three month consultation exercise from 28 October 2011 – 20 January 2012 to determine the impact the review of household waste recycling centres would have on service users and to identify mitigating measures that could be put in place.
13. The consultation also sought to engage service users in shaping the development of a future mobile provision.
14. Consultation was targeted at the users of specific HWRC sites via targeted mail outs and specific consultation events with stakeholders and affected communities, as well as the wider population of the county via an internet questionnaire and media releases. Stakeholders specifically consulted included Area Action Partnerships (AAPs), Elected Members, Town and Parish Councils, the Environment Agency, the voluntary sector and specific organisations for example, Furniture Forums. During the consultation period, numerous direct comments were made to the Council and six petitions were received, one of which included 5,000 signatures.
15. During the consultation exercise, information relating to the impact that the proposal would have on vulnerable groups was gathered, which included a workshop with the council's Disability Partnership. This information also informed proposals for mitigation of impacts associated with proposed closures.
16. A full Equality Impact Assessment (EqIA) has also been completed; this is attached as Appendix 3 to this report. In particular, the assessment identified a potential impact on older and disabled customers in relation to possible increased travel distances should a site close.

Consultation

17. The results of the consultation exercise are presented in the report entitled "Consultation on the Review of Access to and Provision of Household Waste Recycling Centres 28 October 2011 – 20 January 2012" a full copy of which is available in the Member's Library.
18. A summary of the responses is provided below:
 - 780 online questionnaires returned
 - 178 comments from 114 individuals made via letter, telephone calls or email
 - feedback from seven consultation events
 - six petitions one of which exceeded 5000 signatures

Key findings and Outcomes

19. Analysis of the response data show the following as being the key issues raised by the consultation exercise:
 - Fly-tipping
 - Travelling distance to nearest site
 - Introduction of mobile provision
 - Value for Money in relation to the recent capital improvement works
 - Service Access

20. **Fly Tipping:** During the consultation period, and through local meetings held in the vicinity of sites proposed for closure, concerns were raised over the likelihood that closures would result in increased levels of fly tipping.
21. **Mitigation: Fly Tipping.** The Council currently works closely with the Environment Agency to investigate and prosecute fly tipping incidents.

The memorandum of understanding between the two organisations has recently been refreshed, reaffirming the commitment of each to tackling the issue through collaborative working.

22. Fly tipping is a criminal act. Environment Agency statistics show that more than 70% of fly-tipping in the UK is carried out by businesses and 'rogue traders' to avoid paying for legitimate waste disposal. Fly-tipping incidents nationally have decreased by 13.5% between the financial years 2009-10 and 2010-11 to 820,000 incidents. Although the perception of fly tipping levels is high, reported fly tipping incidents have decreased within County Durham over the past three years and between 2009/10 to 2011/12 there was a reduction in the tonnage of fly tipping by some 2000 tonnes.
23. **Travelling distance to nearest site:** Results of consultation demonstrated a high level of concern over possible increased journey distances, and the Equality Impact Assessment identified this issue as the top concern of old and disabled people.
24. **Mitigation: Travelling distance to nearest site:** Primarily, it should be noted that the maximum increased journey distance between sites is in the order of five miles and for most customers it is much lower. Compared both to national standards and the service provided by councils in other areas this remains low. The impact of increased journey distances is therefore not considered to be considerable. Non-the-less, the perception among the affected public remains high and various measures have been introduced to mitigate this impact.
25. The council will signpost affected users to alternative and mobile provision. The mobile facilities will be used to target communities most detrimentally affected by the closures in terms of the increased journey distances they have incurred. Changes to the frequency and opening hours of the provision will be informed by the consultation findings.
26. The council will publicise information on mobile provision describing frequency of opening, hours of operation, facilities on site, provision for disabled and availability of on-site assistance.
27. **Introduction of a mobile service:** During consultation a range of comments were made reflecting concern over the adequacy of the proposed mobile provision, and in particular the capacity of the service and the potential for these to become untidy. Survey responses showed that 51.5% of respondents would prefer to use the next nearest available site instead of a mobile facility, with 48.5% of respondents supporting the use of mobile provision.

28. **Mitigation: Introduction of a mobile service** It should be noted that while the mobile provision provides a reduced level of service to a fixed site in terms of the range of materials collected, the facilities would be staffed at all times ensuring a high standard of on-site assistance, protection of customers' health and safety, and site cleanliness.
29. The use of mobile provision represents a significant measure through which the council can mitigate the impact of site closure, and improve the overall flexibility of the service, providing an increased level of service to communities that currently travel greater distances to fixed centres.

This is of particular value to those communities within the Weardale area who don't currently have a fixed facility.

30. The council will publicise information on mobile provision describing frequency of opening, operating hours, facilities on site, provision for disabled customers and availability of on-site assistance.
31. **Value for money in relation to the recent capital improvement works:** Various comments were received during the consultation period expressing concern over the cost of upgrading the sites during a refurbishment programme completed in 2010 and the value obtained from expenditure of public money to support the sites that subsequently became at risk of closure.
32. **Mitigation: Value for money in relation to the recent capital improvement works:** Capital works were carried out at the HWRC sites between April and December 2010 in response to a health and safety audit which identified essential refurbishment works. The site works followed months of planning and design work 2009/10. The work was partly funded through external grant with the remainder being met through council allocated capital.
33. The works were restricted to addressing the points raised in the audits, which included a lack of signage, unprotected gantries, missing guardrails and fences, resurfacing and improvements to staff welfare provisions. This health and safety work was essential, and had it not been undertaken then the affected sites would most likely have had to close before the new contract start date in May 2013. Additionally, the use of capital funds in the past to mitigate against site deficiencies does not represent, in itself, a justification for continuing to operate deficient sites in the future where those deficiencies can not readily be overcome.
34. **Service Access:** The consultation exercise has shown that a higher proportion of disabled people would not use the mobile provision, and it is likely that this reflects their concern over accessibility issues.
35. Feedback from consultation with the Durham Disability Partnership informed that assistance was sometimes not offered at some sites although the facility is available.
36. **Mitigation: Service Access.** When entering into a new contract for the provision of HWRCs, the council will ensure that the new contractor undertakes the following on-site activities for both fixed site and in particular for mobile provision:

- Ensure that site staff offer assistance pro-actively when a customer would appear to need help.
- Ensure signage is sufficiently prominent on all sites encouraging visitors to ask for assistance if required.

Site Based Analysis and Proposals

37. In addition to the above key issues, each site has been assessed on an individual basis, taking into account the results from the public consultation.

Hett Hills HWRC

38. During public consultation 214 respondents or 30% of the total responses were in relation to the proposed closure of the Hett Hills site. 42% of these respondents stated that they used the site on a monthly basis, which was the highest response given and three quarters stated that they were happy with the proposed change in opening times. In addition to these responses, 45 individuals expressed concern over the proposed site closure through direct contact to the Authority and out of the six petitions received during the consultation process; three were in relation to this HWRC.

Technical constraints

39. Hett Hills ranked reasonably well in the initial technical analysis (seventh out of 15). Despite this it currently fails to meet regulatory requirement for discharge of surface water. The Authority has investigated mitigation works which would cost in excess of £50k to resolve. In addition the site is small and 'landlocked', without opportunity for extension and most significantly is in close proximity to both Annfield Plain (5.3 miles) and Potterhouse (5.4 miles) which both provide alternatives for users.

Concerns over increased fly-tipping

40. The Chester-le-Street AAP public meeting highlighted that there is strong opposition for the closure of this site. Increased levels of fly-tipping were stated as one of the main concerns.

Objections to increased travelling distance to nearest site

41. Nearly two thirds of public consultation respondents' stated that they would use the Potterhouse Lane centre at Pity Me as an alternative site should Hett Hills close; the next highest response (around two out of five) was to use Annfield Plain HWRC. A majority of 88% recognised the distance to drive as a "very important" issue. At the public meeting in the Chester-le-Street area, concern was shown towards people who may not be able to afford to travel to an alternative site as Hett Hills is located in the middle of three deprived areas. The Chester-le-Street public meeting also identified concern that the number of residential properties being built in the area is increasing however residents would have to use a reduced number of sites in the North Durham area following site closures.

Issues over proposed introduction of mobile provision

42. The results of the public consultation showed that just over half of site users would use a mobile service if provided, with just under half preferring to use the next nearest site.

Site Specific Mitigation:

43. The public meeting held in the Chester-le-Street area, suggested that rather than fully closing the site, reducing the opening hours to possible weekends should be considered as an option.
44. In recognition of the significant support shown to retain Hett Hills and given that 42% of respondents use this site on a monthly basis, it is proposed that the site is operated on reduced opening hours as an alternative to closure. The results of consultation and site usage data demonstrate that Saturday, Sunday and Bank Holiday opening will cover peak site usage.
45. It should be noted that the estimated cost associated with surface water discharge control (£50k) as well as HWRC permit costs will have to be met irrespective of the finally agreed operational hours.

Todhills HWRC

46. The Todhills HWRC serves the Crook area and limited parts of Weardale. During public consultation a 116 responses (16% of all responses) were received in relation to the potential closure of the Todhills site as well as one petition. 36% (or over a third) of the respondents indicated they used this centre on a monthly basis. Nearly two thirds would use the Romanway centre as an alternative; the next highest response (one in four) was to use Tudhoe HWRC.

Technical constraints

47. The technical assessment of the site presented to Cabinet on 27 October identified a number site based concerns that resulted in a low score during site evaluation (tenth out of 15). In particular: planning permission for use of the site as an HWRC expires in September 2012; the site is small and 'landlocked' therefore no further expansion is possible; and, due to the size and shape of the site it is not possible to completely segregate customers from Heavy goods vehicles (HGVs) servicing the site.

Concerns over increased fly-tipping

48. The public meetings held at Byers Green and Willington identified strong opposition for the closure of this site. Increased levels of fly-tipping were stated as one of the main areas of concern, with a potential impact on Town and Parish Council staff having to deal with incidents and related expenses.

Objections to increased travelling distance to nearest site

49. A majority of 88% identified the distance to drive as a "very important" issue.

With a majority recognising that they would have to travel further as a consequence of the proposals. Attendants of the local meeting held in this area also expressed concern over the fact that increased transport costs would be an issue for residents.

Issues over proposed introduction of mobile provision

50. Just over half the residents who responded to the public consultation stated they would use a mobile site if provided, with just less than half stating that they would use the next nearest centre. The public meeting in this area confirmed that residents would prefer to use the Todhills site, (even if it were to operate on reduced opening times e.g. weekends), however suggestions were also provided as to where a possible mobile site could be located.
51. It was also stated that if mobile provision were to be introduced, it would need to operate at least three occasions per week. The preference of residents in the area however was for a fixed site to remain in operation. Some concern was shown over whether or not the use of a mobile provision would reduce levels of recycling.

Satisfaction with proposed opening hours

52. Around two thirds of residents who responded to the consultation were happy with the proposed opening times, however one in four preferred later opening hours.

Site Specific Mitigation

53. Since the initial review and consultation took place an opportunity has arisen for the development of a new HWRC to be built in association with a new streetscene depot to be developed at Crook. This opportunity arises from a commitment entered into by the former Wear Valley District Council to dispose of the Queen Street depot site along with the former TSB building on Elliott Street in connection with a proposed supermarket development. Since this commitment was made the developer has secured other property interests around the depot site in order to provide a site large enough for the proposed development and the project is now planned to proceed.
54. A suitable location for the new Crook depot has now been located using Council owned land at Roddymoor Farm where 5.3 acres of the site has been allocated to facilitate the building of the new depot. Initial outline planning for the site has been agreed and a Project Board has been created to facilitate the development of an inception and feasibility design for the site. The first stage of the project will focus on the initial development of the site as a depot, with the design and build program completed over 18 months :
55. A number of options are being investigated and the provision of a new HWRC has been identified a priority within the depot development project as a result of the consultation process. As an alternative to immediate closure therefore, it is proposed that the Todhills site remains operational on reduced opening hours strictly as an interim measure until the new site is investigated; this is in place of the proposed mobile service as mitigation.

The results of consultation and site usage data indicate that Saturday, Sunday and Bank Holiday opening will cover peak site usage.

56. It should also be noted that residents have the option of accessing alternative sites at Tudhoe and Romanway.

Broomsdene HWRC

57. During consultation 112 responses were received in relation to the proposal to close this site. In addition, 11 individuals expressed concern directly to the Local Authority and one petition was received which was presented to Council as there were more than 5,000 signatures. 37% or over a third of the respondents from the consultation indicated they used this centre on a monthly basis. Nearly all respondents (93%) stated that they would use the Annfield Plain centre as an alternative site should this centre close.

Technical constraints

58. The technical assessment of the site presented to Cabinet on 27 October identified a number site based concerns that resulted in it gaining one of the lowest scores during site evaluation (twelfth out of 15). Infrastructure costs to bring the site into compliance have been estimated at over £1m. The site is located on the front of an old landfill site and was not originally designed to be an HWRC. Full reconstruction and expansion would be required to develop a fit for purpose site that meets current environmental and health and safety standards. This would involve substantial civil engineering work to develop a split level site with two traffic lanes and a segregated HGV operating area including expansion on top of the old landfill site, earthworks, foundations, incorporation of a fully contained drainage and interceptor system, introducing public utilities onto site from the nearest available mains source, installation of a septic tank due to a lack of a main foul drain in the vicinity of the site, extensive concreting and new gantries, skips and signs.
59. It should also be noted that planning permission for this site expired in November 2011 and the site remains operational only by agreement with the planning section until finalisation of this review process. New planning permission would be required to develop the site whilst officers are aware that the planning section does not consider the location to be suitable for HWRC activities.

Objections to increased travelling distance to nearest site

60. A majority of 85% recognised distance to drive as a “very important” issue with many respondents informing that they would have to travel further as a consequence of the proposals. Just over half would use the next nearest permanent site should the Broomsdene site close

Issues over proposed introduction of mobile provision

61. Just under half of the respondents to the consultation stated that they would use a mobile service if it were introduced.

Satisfaction with proposed Opening Hours

62. Around two thirds of respondents were happy with the proposed opening times suggested in the consultation, however nearly a third preferred later hours should the site remain in operation.

Site Specific Mitigation

63. Results from the public consultation have confirmed residents would use their next nearest site as an alternative (Annfield Plain HWRC is located less than three miles away) and that closure would not disproportionately affect a protected group. While the site was heavily supported during consultation, the difficult technical issues attached to the site and the strategic proximity to a more suitable but underused facility leads to a recommendation that Broomsdene HWRC be closed in 2013.
64. There are specific remediation requirements upon closure forming part of the sites planning conditions. These include: "within three months of the cessation of operations as required by Condition 2, all buildings, structures and fencing provided by this permission shall be removed, all areas of hard standing broken up and removed and within six months the site recontoured and restored in accordance with the approved restoration scheme. It is estimated that this work would cost £9,200 and funding is available via the council's capital programme.

Stainton Grove HWRC

65. During consultation 74 responses or 10% of the total responses from the public consultation were in relation to the closure of the Stainton Grove site. A third of the respondents indicated they used this centre on a monthly basis. A total of 22 individuals contacted the Authority separately expressing their concerns of the proposal to close the Stainton Grove facility. Nearly all (93%) respondents recognised distance to drive as a "very important" issue. The public meeting held at Stainton Grove during the consultation process confirmed that residents think this site is fit for purpose and that it is well managed. Residents in the area also stated concern over the reduction in services which rural areas received from the Local Authority.

Technical Constraints

66. The Stainton Grove facility provides for the town of Barnard Castle and a diverse rural population, and the conservation status of the area restricts planning opportunities for extension and development of additional facilities. Unfortunately, technical issues associated with the site resulted in its ranking of fourteenth out of the 15 during the evaluation process. In particular, due to the size and shape of the site it is not possible to completely segregate customers from HGVs servicing the site.

Objections to increased travelling distance to nearest site

67. The majority of residents expressed concern during the consultation process that they would have to travel further as a consequence of the proposals which would result in increased transport costs. Nearly three out of five residents stated that they would use the next nearest permanent site as a result of the proposals.

Issues over proposed introduction of mobile provision

68. Two out of five residents confirmed during the consultation process that if introduced, they would use a mobile facility. The public meeting however, held in the area during the consultation highlighted that residents would prefer to use the Stainton Grove site or an alternative fixed site location rather than a mobile facility. It was stated in the public meeting that the expansion of the Stainton Grove depot could be investigated in order to retain a fixed facility.
69. Once the description of a mobile unit was fully understood, it was suggested that any introduction of a mobile facility would have to service the area at least three times per week and possible locations of siting this facility were suggested. In further support of the value of this mitigatory measure, the consultation process showed that around three out of five respondents (59%) would use a new mobile facility in Barnard Castle and Weardale areas as an alternative, the next highest response being nearly half prepared to use the Middleton-in-Teesdale site.

Satisfaction with Opening Hours

70. Around three out of five respondents (61%) stated via the consultation process that they were happy with the proposed opening times should the site remain open, however nearly a third (31%) preferred later hours.

Site Specific Mitigation

71. Planning permission was granted for the Stainton Grove Waste Transfer Station in 2004 and this included approval for a new HWRC adjacent to it. In the face of significant public opposition at the time the development of a new HWRC was not taken any further. However, in response to this consultation, and the possible closure of the current HWRC site, considerable support has now been given to this option. In the light of this whole-scale review of HWRC provision, it is recommended that officers investigate the feasibility of establishing new HWRC provision on the land which already benefits from planning permission.
72. It is considered strategically important to retain HWRC service provision in this area and therefore recommended that the Stainton Grove HWRC remain open on reduced opening hours as an interim measure in place of the proposed mitigatory measure of a mobile facility, until the deployment of an alternative facility. The results of consultation and site usage data indicate Saturday, Sunday and Bank Holiday opening only will meet peak site usage demands.

Cragwood HWRC

73. During the consultation process 42 responses or 6% of the total were in relation to the proposed closure of the Cragwood site. 11 individuals contacted the Authority directly opposing to the closure of the site. A third of all respondents indicated they used this centre on a monthly basis, which was the most popular frequency of use for the centre. The consultation process also identified that residents would use the Romanway and Tudhoe HWRC's as alternative sites in the event of closure.

Technical constraints

74. Technical issues associated with the site resulted in its ranking of fifteenth out of the 15 during the evaluation process and for this reason the site had been considered imminent closure. In particular; due to the size and shape of the site it is not possible to completely segregate customers from HGVs servicing the site; Cragwood has limited space due to the servicing arrangements on site and this often causes traffic congestion and does not meet best practice guidance for traffic management.
75. Infrastructure costs to bring the site into compliance have been estimated at over £1m. The site is located on the front of an old landfill site and was not originally designed to be an HWRC. Full reconstruction and expansion would be required to develop a fit for purpose site that meets current environmental and health and safety standards. This would involve substantial civil engineering work to develop a split level site with two traffic lanes and a segregated HGV operating area including expansion on top of the old landfill site, earthworks, foundations, incorporation of a fully contained drainage and interceptor system, introducing public utilities onto site from the nearest available mains source, extensive concreting and new gantries, skips and signs. Expansion of the site is extremely difficult as it is at a significantly lower elevation than the surrounding land and extensive earthworks would be required involving digging into the old landfill site in order to widen the base to make the site an adequate size.

Concerns over increased fly-tipping

76. The public meeting held in the Cockfield area highlighted that potentially increased number of fly tipping incidents was of concern to residents.

Objections to increased travelling distance to nearest site

77. A majority of 88% recognised the distance to drive as a “very important” issue with a majority recognising that they would have to travel further as a consequence of the proposals. Around two thirds (66%) would use the Romanway centre as an alternative site, the next highest being Tudhoe with 38%. Again, increased transport costs and the concern over reduced services in rural areas were stated as areas of concern at the public meeting.

Issues over proposed introduction of mobile provision

78. Around two thirds of residents responded during the consultation process to say they would use the next nearest permanent site should Cragwood HWRC close, with around a third that would prefer to use a mobile service instead. The public meeting held in this area highlighted that any introduction to mobile provision would need to operate at least twice per week. Strategic and technical analysis of the Cragwood site shows that most people use this existing facility at limited times (mainly Thursdays and Saturdays on a monthly basis).

Additional Information

79. Attendants of the public consultative meeting held at Cockfield expressed concern that they would have nowhere to dispose of their garden waste if the Cragwood site were to close. (The Rotters scheme based in the Teesdale does not cover the Cockfield area).
80. A majority of 62% were happy with the proposed opening times, however a third preferred later hours should the site remain in operation.

Site Specific Mitigation:

81. Due to the considerable technical constraints associated with the Cragwood HWRC, and the availability of alternative provision at Bishop Auckland, (five miles) and at Stainton Grove, the site is recommended for closure.
82. There are specific remediation requirements upon closure forming part of the sites planning conditions. These include: "that soil and other suitable material shall be built up around the three outside walls of the waste compound, to reach the top of the compound and graded out from there into the surrounding land, at an angle agreed to be acceptable by the County Planning Officer, covered with an adequate layer of topsoil and seeded with grass". The scheme must be completed in full within twelve months of closure. This work would be funded via the council's capital programme and is estimated to cost £9,000.

Thornley Station HWRC

83. 8% (59 people) of all those responding to the wider consultation exercise opposed the closure of the Thornley HWRC and six individuals contacted the Authority to directly express their opinions. The Authority received one petition in relation to the closure of this site. Nearly half of the respondents indicated they used this centre on a monthly basis, which was the most popular frequency of use for this site.

Technical constraints

84. Thornley HWRC is ranked sixth lowest in the technical evaluation of sites. The site has no segregation of public vehicles and HGV service vehicles. The site is small and an awkward shape and access to the skips is by gantries at ground level. In addition, due to the size and shape of the site it is not possible to completely segregate customers from HGVs servicing the site.

Concerns over increased fly-tipping

85. Flytipping was perceived to be a serious issue in the area around the existing site and it was felt that this would only worsen should the site become unavailable.

Objections to increased travelling distance to nearest site

86. A majority of 86% of respondents identified distance to drive to the facility as a "very important" issue, with a majority identifying that they would have to travel further as a consequence of the proposals.

Three quarters of respondents also stated that issues such as parking / unloading freedom and a wide range of recycling facilities were “very important” issues during the consultation process. The public meeting held at Wingate Station confirmed that there may be capacity issues if residents were asked to make use of alternative sites, especially when sites such as Horden and Coxhoe are busy.

87. Over two thirds (68%) of residents stated that should the Thornley HWRC close they would use the Horden centre as an alternative, the next highest being Coxhoe with 23%.

Issues over proposed introduction of mobile provision

88. During the consultation process over half (56%) of respondents stated that they would use the next nearest permanent site, with just under half (44%) stating that they would prefer to use a mobile service instead.
89. A majority of 78% (higher than the other affected sites) were happy with the proposed opening times, with only 16% preferring later hours.

Site Specific Mitigation:

90. Thornley HWRC shares the site of the Waste Transfer Station. This facility is due to be substantially re-developed in 2014/15 as part of the Council’s overall waste solution. The nearest sites are Horden (five miles) and Coxhoe (six miles). As an alternative to closure it is proposed that the demand and site availability be balanced between the three HWRC sites in the area. To achieve this each of the three sites of Horden, Coxhoe and Thornley would continue to operate but on shortened hours. The consultation process highlighted that often residents found the idea of sharing opening hours between sites preferable to closing sites entirely and the geographic and demographic arrangement of these three sites makes this a potential solution in this area.
91. It is further proposed that this arrangement would be further reviewed as part of the planning and design for the Thornley WTS development. It should also be noted that as this arrangement has developed as mitigation through consultation with those affected by the potential closure of Thornley, it would a need further but focussed consultation involving those affected by the revised proposals at all three sites.

Rural Provision – Upper Weardale

92. The upper Weardale area lost its only HWRC site in 2003 when the Browns Houses facility was closed due to expiry of the planning permission. Since then over 22 alternative sites have been investigated, all but one of which have failed to satisfy planning and highways requirements. One potential site, the former Windy Nook picnic site was sold by Wolsingham Parish Council to a private landowner, which prevented further development. There is an identified need for HWRC provision to service the Upper Weardale area and the potential development of a site in the Crook area would largely meet this need.

Mitigation

93. Prior to the development of a potential new facility at Crook it is recommended that mobile provision is deployed within the Upper Weardale area as an interim measure.

Summary of Proposals

94. The following table identifies the revised proposals for the six sites originally recommended for full closure, along with the proposal for Upper Weardale.

Table 1 - HWRC Proposals - post consultation

	Recommendations	
HWRC	Short term	Long term
Hett Hills	Remain open on reduced opening hours. Weekend and Bank Holidays only.	Remain open on reduced opening hours. Weekend only.
Todhills	Remain open on reduced opening hours as an interim measure. Weekend only	Seek capital to develop a new site in the Crook area in the future.
Stainton Grove	Remain open on reduced opening hours. Weekend and Bank Holidays only	Seek capital to develop a new site in the Stainton Grove Area
Cragwood	Close (Residents use Romanway or Stainton Grove plus mobile provision to be provided at times agreed following consultation with local members)	
Broomsdene	Close (Residents use Annfield Plain)	
Thornley	Remain open on reduced hours, while also reducing hours at Horden and Coxhoe. Subject to further consultation with affected residents.	Further review as part of the waste transfer station redevelopment.
Upper Weardale	Mobile provision	Assess long term need if future development in Crook takes place.

95. Appendices 4 & 5 show the HWRC provision for the County both pre and post the review process and subsequent public consultation.

96. Subject to approval of this report, the arrangement described in Table 1 will form the basis of the service that would be re-tendered, along with those other HWRC sites that were unaffected by the original review.

Proposed Policy Changes

97. In addition to the proposed review of HWRC facilities, the 27 October Cabinet Report also identified the need to make various adjustments to operational policies associated with the following issues:

- *Waste permits*

These are issued for use of trailers, and it was proposed that these are reduced from 5 to 3 per month. Consultation resulted in broad support for this proposal, with just over half of residents accepting the proposed reduction in the permit numbers attained by individuals. A third of residents stated during the consultation process that they had “no opinion” on the subject.

- *Vehicle Acceptance Criteria*

The October report presented tightened criteria for the type of vehicles that are allowed to access the sites with the aim of reducing deposited Trade / Commercial waste. Again, the proposed changes received broad support from consultation respondents with around three out of five residents accepting this proposal.

- *Opening Hours*

The October report proposed revised Summer / Winter opening hours of summer; 1 April until 15 October 9:00am until 6:00pm and winter 9:00am until 3:30pm. These proposals received broad support from consultation respondents and nearly two thirds of respondents were happy with the proposed opening times. Around one in four however preferred later opening hours.

The current policy that all sites are closed on Christmas Day and New Year's Day will continue.

Cost of Future Provision and Procurement

98. The current integrated waste management contract with Premier Waste, of which the HWRC provision is part, comes to an end in 2013 and therefore the service must be re-procured. A competitive tendering process will be carried out with the objective of achieving best value in the market for the service going forward.
99. The current contract has now been in place for circa 19 years and was let at a time when expectations from HWRC sites in terms of recycling provision and customer service were quite different from those for the sites in the future. As a result the contractual arrangements for the existing service have been amended numerous times over the period and are in need of updating. The new contracts will put issues of customer service, health and safety and staff welfare in greater focus, and also bring greater visibility and cohesion to costs.

100. To make an estimate of the likely costs of the new service and the potential savings that may be available from the rationalisation in service a benchmarking process was carried out utilising publicly available information on recent contract awards and HWRC costs for other authorities as well as taking advice from professional advisors experienced in tendering HWRC contracts.
101. The nature of the service means that each authority has local issues that affect contract costs, including the number and the size of sites, and the demographic properties of the area. As a result benchmarking can only give broad comparisons and not definitive costs.
102. The benchmarking information showed that a selection of recently awarded contracts in other authorities varied from £181k to £408k per site per year with an average of £311k. The budget advice from consultants who are involved in the re-tendering of sites ranged from of £250k to £500k per site per year, depending on size.
103. From this analysis a figure of £300k has been used as a working estimate of the costs per site of the new contracts, however it is recognised that the real costs will only be ascertained through the competitive tendering exercise.
104. The benchmarked data also suggests the savings that may be available through the combination of site closures and reduced hours are likely to fall within the range of £1.1m to £1.6m per annum.
105. The overall objective of the re-procurement will be to provide an HWRC service that is compliant with environmental, planning and health and safety legislation and that provides the best possible service to the public while remaining within the available budget constraints. Procurement through competitive tender provides the most effective way to deliver this objective. The tender process will also allow the market testing of alternative options through the pricing mechanisms.
106. The new contracts delivered through the tender process will cover the operation and maintenance of the HWRC sites, including the relevant customer service requirements, and the disposal and/or recycling of the waste delivered by the public. Contracts will include service standards and recycling targets as contractual requirements.
107. The procurement exercise will be subject to further cabinet approval before award of the final contract, once all of the costs of the revised service are fully known.
108. It should be recognised that the provision of HWRC site numbers and service levels may be subject to further review in the future should this become necessary in the light of the continuing financial challenges faced by the Council.

Recommendations

109. It is recommended that Cabinet approve:

- Further, focussed consultation with the users of Horden, Coxhoe and Thornley HWRC sites with regard to the new proposals, with the final decision, post-consultation delegated to the Corporate Director for Neighbourhood Services and the Cabinet Portfolio Holder for Strategic Environment.
- That subject to the above consultation, the recommended changes to HWRC provision to be taken to re-procurement as described within this report and set out in Table 1.
- The proposed policy changes in relation to permits, vehicle acceptance criteria, commercial waste and revisions to opening times.

Background Documents

Report to Cabinet 27 October, 2011- Review of Access to and Provision of Household Waste Recycling Centres

Contact: Alan Patrickson

Tel: 0191 370 8953

Appendix 1: Implications

Finance

To make an estimate of the likely costs of the new service a benchmarking process was carried out utilising publicly available information on recent contract awards and HWRC costs for other authorities as well as taking advice from professional advisors experienced in tendering HWRC contracts. This showed site costs varying from £181k to £408k per site per year with an averaging at £311k/site/year. From this analysis, and the advice of advisors, a figure of £300k has been used as a working estimate of the costs per site of the new contracts.

This will be subject to the competitive tendering process.

Staffing

The HWRC site operatives are not direct employees of Durham County Council. Premier Waste Management Ltd. chooses to sub-contract the management of the sites. This arrangement will change with the re-tendering of services. Transfer of Undertakings (Protection of Employment) (TUPE) will apply but no Durham County Council employees will be involved.

Risk

The principal risks involved relate to:

- Environmental and regulatory risks around continued operation of sites in accordance with Environment Agency permit conditions.
- Commercial risks around the tender pricing of the new service being in excess of budgets available as disposal costs increase, or lack of market interest in the service.
- Capacity of the remaining service to handle the waste volumes produced.

Risk management is overseen by the Waste Management Board who review detailed risk register and mitigation plans on a monthly basis.

Equality and Diversity/ Public Sector Equality Duty

An Equality Impact Assessment (EqIA) has been carried out as part of the consultation exercise and is attached in Appendix 3.

Accommodation

Not applicable

Crime and disorder

Not applicable

Human rights

Not applicable

Consultation

The detail of the consultation process and results associated with this subject is within the content of this document.

Procurement

Not applicable

Disability Issues

Not applicable

Legal Implications

Not applicable