

**Report to:** Cabinet  
**Date of meeting:** 26 June 2018  
**By:** Director of Communities, Economy and Transport  
**Title:** Household Waste Recycling Site (HWRS) Service Review  
**Purpose:** To consider proposed changes to the HWRS service

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***RECOMMENDATIONS:***

**Cabinet is recommended to agree to:**

1.
    - i) introduce disposal charges for rubble, soil, plasterboard, asbestos and tyres and delegate authority to the Director of Communities, Economy and Transport, in consultation with the Chief Finance Officer, to set appropriate charges to cover the disposal costs incurred by ESCC for non household waste;
    - ii) close the two part time Household Waste and Recycling Sites at Forest Row and Wadhurst with effect from 30 September 2018;
    - iii) reduce opening times at Lewes and Mountfield to 9am-4pm daily;
  2. ask the ESCC Waste Team to continue to engage with Charitable Organisations currently using ESCC facilities for the disposal of their waste to understand the sources of this waste better and the impact the introduction of any restrictions may have on their organisations, and to report to Lead Member Communities Economy and Transport on the findings and options for a Charity Waste Policy in the Autumn of 2018
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**1. Background Information**

**Waste Services in East Sussex**

1.1 The collection and disposal of waste is one of the most visible services that councils provide. It is one of a small number of services that every resident benefits from on a weekly basis. Whether its rubbish or recycling or garden waste being collected from residents' homes, streets being swept, or visiting a Household Waste and Recycling Site (HWRS), everyone uses the service on a regular basis. Because of this reach, it is also a complicated and expensive service. It is the biggest single contract held by East Sussex County Council and does not include the collection of waste and recycling or street cleaning, which is handled by our five Districts and Boroughs. Controlling what East Sussex spends on waste and recycling has some significant limitations. We have a legal duty to dispose of or recycle all of the household waste our residents create. As residents we all, to a greater or lesser degree, create waste and recycling for councils to collect and dispose of.

1.2 Using forecasting techniques we can predict with some limited certainty how much waste residents will produce. Each East Sussex household produces about a tonne of waste and recycling every year. The state of the economy and residents' spending power both influence the level of waste created. Weather patterns also influence the quantity of garden waste and street sweepings that are collected. The effect of a small change is significant. Just a 0.5% change in waste levels can have a £100,000 impact on the waste budget.

1.3 The Council, which has already made savings of around £112 million this decade, needs to make savings of £17m in 2018/19 and will need to continue to make further significant savings for the foreseeable future. At the same time we need to protect services for the most vulnerable. County Council agreed in February a reduction of £720,000 in the waste budget to help meet this target.

1.4 One area of waste management where the County Council has more direct control is the Household Waste and Recycling Sites, which it is responsible for providing. However, in order to make the savings required there are some areas of this service which would have to change.

## Legal duties

1.5 Waste is managed in the county across the two tiers of local government. The District and Borough Councils are Waste Collection Authorities (WCAs) who arrange for waste and recycling to be collected from residents. The County Council, as Waste Disposal Authority (WDA), provides sites for the Collection Authorities and residents to deliver waste and recycling. Brighton & Hove City Council is ESCC's partner in the Private Finance Initiative (PFI) funded Integrated Waste Management Service Contract (IWMSC). The total value of this disposal contract is £38m per year, £26m per year of which is paid by ESCC. £2.5m of the £26m pays for upgrades, operation and management of HWRSs, and £7.5m to recycle and dispose of the waste brought to them. The PFI contract runs until 2033.

1.6 East Sussex County Council is required, under the Environmental Protection Act 1990, to provide residents with reasonably accessible Household Waste and Recycling Sites (HWRSs) for the free disposal of household waste. There is no specified minimum number of sites or mandatory opening times, although they must be open for part of either Saturday or Sunday. There is also no obligation to accept waste other than household waste, delivered by our residents, for free at the HWRSs.

## 2. Household Waste Recycling Site Review 2017

2.1 The network of 12 sites in East Sussex is a well used service. The sites receive 1.6 million visits per year and handle about a quarter of the total waste that East Sussex residents produce. The sites also recycle, compost or reuse almost 60% of the materials that are brought to them and provide containers for up to 36 different materials.

2.2 The strategic review of our HWRS network in 2017 (attached as Appendix 6) benchmarked the service provided in East Sussex against national data, other authorities and our statutory duties. From this, we were able to consider whether residents needs are being met in terms of appropriate access to a Household Waste Site.

### Number of sites provided by ESCC

2.3 Whilst there is no nationally recognised steer on the acceptable level of HWRS provision, WRAP<sup>1</sup> continue to cite the National Assessment of Civic Amenity Sites (NACAS)<sup>2</sup> recommendations for minimum levels of HWRC provision. These recommendations are based on journey times, catchment areas, waste tonnage throughput at sites and households/population per HWRS.

2.4 The NACAS recommendation suggests a maximum driving time to a site for the great majority of residents of 20 minutes in urban areas, and 30 minutes in rural areas. 98.4% of residents in East Sussex are currently able to reach a site within 20 minutes.

2.5 A further NACAS recommendation is a maximum catchment radius of three miles in urban areas and seven miles in rural areas covering the great majority of residents. Assessing East Sussex provision, the map on page 8 of section 3 of the HWRS Service Review (attached as Appendix 6) shows that the great majority of residents are adequately covered.

2.6 The third element of the NACAS recommendations aligns HWRS provision with population per site (at least one site per 143,750 residents recommended) and maximum tonnage throughput for any site (17,250 tonnes per annum recommended). Page 6 of section 3 of the HWRS Service Review (attached as Appendix 6) illustrates that East Sussex is well within the NACAS guidelines.

2.7 East Sussex currently offers an above average service in terms of the number of sites; the number of residents per site; and households per site, compared with other English councils with similar population sizes and geographical areas.

2.8 The waste team analysed the data from all of the sites including the number and frequency of visits, tonnage deposited, costs and performance. The conclusion was that Forest Row and Wadhurst HWRSs could be closed and that the visitors and waste could be managed at the nearest alternative HWRSs.

### Habitats Regulation Screening

2.9 The Forest Row HWRS is within close proximity to the Ashdown Forest, part of the European Natura 2000 network and a site with European statutory designations as a Special Area of Conservation (SAC) and

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<sup>1</sup> The Waste & Resources Action Programme (WRAP) works with businesses, individuals and communities to achieve a circular economy through helping them reduce waste, develop sustainable products and use resources in an efficient way

<sup>2</sup> The 2004 National Assessment of Civic Amenity Sites, NACAS, was the largest research project to have been carried out into Civic Amenity (CA) sites in the UK and is still considered relevant for benchmarking purposes

a Special Protection Area (SPA). A Habitats Regulations Assessment (HRA) screening was undertaken in April 2018 (attached as Appendix 3) and evidences where we have undertaken this study. This resulted in the conclusion that there would not be a likely significant effect on the Ashdown Forest SAC or SPA as a result of the HWRS closure proposals.

### **Acceptance of non household waste at ESCC HWRSs**

2.10 The review considered the range of materials that residents bring to the sites. Residents are able to bring 36 different types of waste and recycling to the sites free of charge, but not all of these are classified as household waste. The Controlled Waste Regulations (2012) specifies that waste from construction or demolition works is industrial waste, irrespective of where it is produced. Other waste types such as automotive waste are also not household waste. Residents do not generate these wastes as often as general waste and recycling. Very often these non-household wastes can be a by-product of a landscaping, repair or building project.

2.11 Waste types that are not household waste and are within the scope of the HWRS review and proposals include –

- Rubble and soil
- Plasterboard
- Tyres
- Asbestos

2.12 Chargeable Waste Schemes for non-household waste at HWRSs are well established across England and Wales. A 2017 WRAP survey showed that 37% of responding authorities, who are responsible for 421 HWRSs, either charge already or are about to implement a charging scheme. A further 14% of the responding authorities had schemes under consideration.

2.13 Legal advice supports East Sussex County Council's ability to introduce these disposal charges and in doing so this would align East Sussex County Council's HWRS service with nearby authorities such as Surrey County Council and Hampshire County Council, who both charge for non-household waste.

2.14 Following the government's 2017 Litter Strategy, DEFRA is scheduled to release updated guidance on charging for non-household waste. The Litter Strategy referred to DIY waste being classed as household waste if it results from work that a householder would normally carry out. However, the Litter Strategy also referred to guidance being produced that would clarify what authorities could charge for at HWRSs. The guidance is expected in summer 2018. We are in contact with officials at WRAP and DEFRA and at this point we have no reason to believe that the ability for councils to charge for non-household waste will be removed. It is likely that the new guidance may indicate what can and cannot be charged for and this may impact some authorities who currently charge for a wide range of materials.

### **Opening times of ESCC HWRSs**

2.15 The review identified that two of our twelve sites do not open all day Saturday and Sunday. We are awaiting proposals from Veolia on the intended alterations to opening and closing times. Veolia will be submitting planning applications to extend opening times at Eastbourne and Crowborough HWRSs to all day Saturday and Sunday, where they currently close for the day at lunchtime. Residents will be able to comment upon the Planning Applications in the normal way. This can be achieved on a cost neutral basis by reducing opening hours at these sites slightly during the week. The Lead Member for Communities, Economy and Transport will consider changes to opening times once firm proposals have been agreed.

2.16 We have also investigated where there might be opportunities to adjust opening hours and days at other sites. Based on current information, some HWRSs are more important strategically as they contain a waste transfer station and/or deal with a large volume of waste and their location serves a high number of residents or large area (Pebsham, Eastbourne, Newhaven, Maresfield, Heathfield and Crowborough). Seaford is already part time. Hailsham is a small, but very busy site and there are concerns that reducing hours at this site would cause significant difficulties to the management of the site. It would be possible to shorten opening hours at Lewes and Mountfield HWRSs, without significantly impacting operations or service levels. The consultation did not ask how residents felt about full day closures, but some residents did suggest that this might be a way of securing further savings and through discussion with our contractor Veolia, this has been raised as an alternative to shorter opening days as it may deliver further operational and financial efficiencies.

## **Payment of a small charge to enter HWRSs**

2.17 As an alternative to closing sites, the review looked at whether it would be possible to make a small charge for entering sites. The Government, however, prohibited such charges in 2015.

## **Hailsham HWRS improvement**

2.18 The review identified an opportunity to improve the site at Hailsham. Hailsham is a small site that cannot accommodate the full range of materials that residents are offered at most other sites. As a result the recycling rate is lower than other sites and material sent to landfill is higher.

2.19 Two options are being considered. The first is to slightly enlarge and improve the existing site. This option has been costed and will deliver annual savings and increased performance. The second option is to move the site to a yard opposite the existing site which may come at greater cost, but will help the site better manage future demand. The Wealden Local Plan anticipates 10,000 new homes being built in the area by 2037. This option is currently being investigated with the landowner (Wealden District Council) and Veolia.

2.20 Funding has been agreed to assist with the improvement work through Section 106 contributions towards waste infrastructure.

## **3. Results of the public consultation on proposals at the HWRSs**

3.1 As the review identified some significant potential changes to the HWRS service, in February 2018 a public consultation was launched and ran from 22 February 2018 until 15 May 2018. The consultation report is included as Appendix 1.

The consultation asked for views on –

- Charging for rubble, soil, plasterboard, tyres and asbestos
- The closure of part time sites at Forest Row and Wadhurst
- Changing opening times to better suit demand
- The principle of charging a small fee for entry to sites

3.2 In total 3,385 consultation questionnaires were returned, although not all respondents answered all questions. 49 of these were paper copies and 3,336 were completed online. The vast majority of respondents to the consultation questionnaire (99%) were users of the Household Waste Site network and a large proportion of respondents (48%) cited one of the two HWRS we proposed to close as the site they used most often. A further 50 representations were made by email and letter from members of the public during the consultation period, interested organisations, Parish Councils, MPs and a neighbouring County Council. There were also 4 petitions, totalling 7,035 signatures.

3.3 Overall, 30% of respondents felt that the proposals were acceptable or completely acceptable with a further 15% of respondents choosing neutral. 55% of respondents found the proposals either unacceptable or completely unacceptable.

## **Charging for non-household waste**

3.4 56% of respondents thought that charging for non-household waste was acceptable or completely acceptable. 14% of respondents were neutral. 30% of respondents thought that charges were unacceptable or completely unacceptable. Respondents were then invited to comment on the proposal. The most common responses to this proposal were concerns that there would be an increase in fly tipping (654), comments around the items charged for and the level of charge (288), concerns that the effect of the proposal will cost the council more than it will save (142), respondents agreed with the proposal (104) and respondents did not want to pay for any waste brought to the HWRSs (103).

## **Site Closures**

3.5 Respondents were first asked if they agreed whether the 10 remaining sites would provide a reasonably accessible service, if Forest Row and Wadhurst closed. 25% agreed or strongly agreed. 21% were neutral and 54% disagreed or strongly disagreed. Through engagement with the affected Parish Councils we have begun to discuss how sites might be run by the local community, detailed in 3.23 below.

## **Forest Row**

3.6 19% of respondents thought that closing Forest Row was acceptable or completely acceptable. 34% of respondents were neutral. 47% of respondents thought that closing Forest Row was unacceptable or completely unacceptable.

## **Wadhurst**

3.7 19% of respondents thought that closing Wadhurst was acceptable or completely acceptable. 36% of respondents were neutral. 45% of respondents thought that closing Wadhurst was unacceptable or completely unacceptable.

## **Responses from users of Forest Row and Wadhurst**

3.8 It is important to note that the views of local users of both sites are very different to the views from all respondents above, as they would be most affected by the proposal to close. As a result, they are shown below.

### **Forest Row site users**

3.9 Less than 1% of respondents (Forest Row site users) thought that closing Forest Row was acceptable or completely acceptable. Less than 1% of respondents were neutral. Almost 99% of respondents thought that closing Forest Row was unacceptable or completely unacceptable.

### **Wadhurst site users**

3.10 Almost 1% of respondents (Wadhurst site users) thought that closing Wadhurst was acceptable or completely acceptable. Less than 1% of respondents were neutral. 99% of respondents thought that closing Wadhurst was unacceptable or completely unacceptable.

3.11 All respondents were then invited to comment on the proposals to close the two sites. The most common responses to this proposal were concerns that there would be an increase in fly tipping (537), positive comments about the site, how busy it is and the impact on the community if it closed (451), concerns that there would be a negative impact on the environment and recycling (441), comments that the remaining sites are too far away (351) and concerns about increasing traffic and congestion (188).

## **Shortening opening times**

3.12 Respondents were asked if shortening opening times at the sites would be acceptable. 70% thought that this was acceptable or completely acceptable, 12% were neutral and 18% thought this was unacceptable or completely unacceptable.

## **Eastbourne and Crowborough weekend opening**

3.13 52% of respondents thought that opening Eastbourne and Crowborough for longer at the weekend and for less time during the week was acceptable or completely acceptable. 16% of respondents were neutral. 6% of respondents thought this was unacceptable or completely unacceptable and 26% did not visit the sites. The views of local users of both sites are very different to the views from all respondents above as they would be most affected by the proposal to open for longer at the weekend and close them at quieter times in the week. As a result, they are shown below.

### **Eastbourne site users**

3.14 79% of respondents thought that opening Eastbourne later at the weekend and for less time during the week was acceptable or completely acceptable. 4% of respondents were neutral. 17% of respondents thought this was unacceptable or completely unacceptable.

### **Crowborough site users**

3.15 86% of respondents thought that opening Crowborough later at the weekend and for less time during the week was acceptable or completely acceptable. Almost 7% of respondents were neutral. Almost 7% of respondents thought this was unacceptable or completely unacceptable.

3.16 All respondents were invited to comment on the proposals to change opening times at the HWRSs. The most common responses were suggestions for alternative opening hours/days (230), agreement with the proposal (212), disagreement with the proposal (131), the current or proposed times are inconvenient (84) and agreement with the proposal if it means threatened sites remain open (49).

## **Prepared to pay a small fee to enter the Household Waste Recycling Sites**

3.17 34% of respondents thought it was acceptable or completely acceptable to pay a small fee to enter the HWRSs. 10% of respondents were neutral. 56% of respondents thought it was unacceptable or completely unacceptable.

## **Ranking the proposals**

3.18 Respondents were asked to rank the proposals in order of acceptability. It should be noted that many residents have strong feelings about all of the proposals. The purpose of this question was not for respondents to pick a favourite, but to rank based on how acceptable they are. 56 respondents expressed clear dissatisfaction with being asked to rank the proposals or did not properly understand the requirement. The result of this question was that introduction of an entry charge was the least acceptable proposal, very closely followed by site closures, then charging for non-household waste and lastly changes to opening times.

## **Respondent suggestions for savings**

3.19 Respondents were asked if they had any suggestion that the council could consider to achieve savings. The most common suggestions were that the items brought to the sites should be sold to increase revenue (184), alternative opening hours/days (121), introduce charges for other items (82), to cut down on staffing at the sites (71) and for East Sussex to find other ways of recycling more and reducing waste (70).

## **Consultation response themes**

3.20 All comments about the proposals received, either through the consultation questionnaire or made directly to the Council, have been read and grouped according to the frequency of common themes. The three most frequently raised themes were that:

- there will be an increase in fly-tipping
- positive comments regarding a particular site, how busy it is, and that there will be a negative impact on the community if proposals go ahead
- there will be a negative impact on the environment/recycling as a whole

3.21 The Public Consultation Analysis report (Appendix 1) provides more detail of all the comments and the Council's consideration of and response to the issues raised. Copies of all the responses received as part of the consultation, together with a report of all the verbatim responses received, have been placed in the Members' Room and Cabinet Room. Comments received were largely in response to the specific questions consulted upon rather than any issues with the wider HWRS Review as a whole.

3.22 During the consultation period we primarily engaged with East Sussex County Council elected members, Parish Councils and members of the public. We have discussed the rationale behind the proposals with our neighbouring authorities. We have also continued our engagement with key stakeholders and met with some charitable organisations to better understand how they use our HWRS network.

## **HWRSs Operated by Alternative Organisations**

3.23 We engaged with stakeholders during the consultation and were asked to consider how proposals for community-run and community-funded HWRS sites could be supported by the authority if Cabinet approve the recommendation to close the part time sites at Forest Row and Wadhurst. Some examples of this have been seen elsewhere with varying degrees of success. Appendix 5 provides further information on examples of where Waste Disposal Authorities have closed sites and their use has transferred to alternative organisations.

3.24 Suffolk County Council closed seven HWRS sites in 2011, all of which were reopened by other organisations. Three of these since have since closed. Of the four that remain, three are operated by the private sector and often on a part time or ad-hoc basis. One of the four sites, which is now operated by a local charity, closed after several years of operation but later it reopened funded by a Local Authority grant. Suffolk continues to provide financial and technical support.

3.25 Warwickshire County Council carried out a tendering exercise relating to a number of its HWRSs and reuse shops. By appointing a franchisee, Warwickshire was able to use the franchise fee to contribute towards the other waste disposal costs of the sites. Warwickshire retains the site waste permits and arranges the onward movement of material from the sites. The model is based on 13 reuse shops and 4

HWRSs sites being managed by the same franchisee and thereby providing it with greater volumes and income from recycling and reuse.

3.26 The Medium Term Financial Plan (MTFP) does not include an ongoing financial contribution from the Council for the HWRS if the operation of the sites transferred to another appropriate organisation. If Cabinet approve the recommendation to close the two sites, we will assist in terms of advice around aspects such as permitting and regulation, site competence cover, duty of care, etc.

3.27 Forest Row Parish Council has expressed an interest in retaining their local site and developing a business case with support and advice from ESCC. The Parish Council has not had sufficient time to develop their business case and has therefore not identified how a community-funded HWRS might operate. Should any viable proposals come forward, they will be considered by the Lead Member for Communities, Economy and Transport.

3.28 If a proposal from the community were to be accepted and East Sussex were to assist by offering peppercorn rent for the site, we would forego the capital value of the land at Forest Row (£175,000-£200,000) and Wadhurst (£150,000-£200,000), or potential rental income which could be in the region of £10,000 per site per year.

#### **4. Review of HWRS evidence**

4.1 Our consultation on proposed changes to the HWRS service encouraged respondents to make comments at a number of points including each individual proposal, and our overall approach. These comments have been extremely helpful in showing what is important to residents and what concerns would be raised by potential changes to the service.

4.2 Some of this feedback challenged work and evidence that we presented in our HWRS Review. We have used this information to reconsider our HWRS Review documentation and assess whether or not our own assumptions are correct.

4.3 The most common concern raised was whether changes to the service would cause an increase in fly tipping in East Sussex. We recognise that a change to the service may raise justifiable concerns over what the impact might be. We gathered information relating to other authorities including some of our closest neighbours, who have implemented charging schemes at their sites, and found that fly tipping tonnages do not directly increase as a result of those changes.

4.4 In addition, we analysed the impact of changes to the HWRS service that we made following our last review. In 2014 three of our twelve sites moved from full time to part time opening hours and we found that by cross referencing our own tonnage data, and reports made to the government by our district and boroughs, fly tipping incidents and tonnages have both reduced.

4.5 Many respondents commented that there will be a negative impact on recycling or the environment as a result of any changes made. Residents in East Sussex recycle 43% of their waste. This is a great achievement and in line with the national recycling average. In addition, East Sussex sends only 5% of waste to landfill. This makes us one of the highest performing authorities in the country for minimising waste to landfill. Our review showed that the network of sites can be reduced and still provide reasonable access to the service for residents. Some residents would be more inconvenienced by changes, especially residents who currently use Forest Row and Wadhurst. This would reduce residents' access to a HWRS within 20 minutes from 98.4% to 98.2% of homes, as detailed in the HWRS Accessibility Study. The journey time calculations were carried out using a software package called Visography TRACC. Other organisations that use this software include the Department for Transport and the NHS. We can be confident that the Accessibility Study is a suitable and robust basis upon which to determine reasonable journey times for travel to Household Waste Recycling Sites.

4.6 Respondents raised concerns about the impact of closures on the Ashdown Forest. We undertook an independently verified screening report in 2018 and the conclusion was that there would not be a likely significant impact on the Ashdown Forest as a result of the HWRS closure proposals.

4.7 Some respondents raised concerns about the effect on the local community if the proposals go ahead. Most of these concerns were in relation to the closure of Forest Row and Wadhurst. We recognise that both sites are highly thought of by residents in both areas and that these residents would be most affected if the sites were to close. One purpose of the HWRS review was to identify which sites were of the greatest strategic importance to the county. Forest Row and Wadhurst currently open three days per week and are the least busy sites in the network in terms of visitors per hour. Both sites are comparatively more expensive to operate based on the lower tonnage throughput. If both part time sites were to close, 5% of the

materials collected by the network of HWRSs would be displaced into the surrounding sites and kerbside collections. If both sites were to close, it is estimated that 200 residents in Forest Row and 540 residents in Wadhurst would have to travel for more than 20 minutes to reach an alternative HWRS. However, affected residents of Forest Row and Wadhurst would still be able to access the normal kerbside collection services for waste, bulky items, recycling and garden waste in addition to the remaining available HWRSs.

4.8 We analysed all of the consultation responses and our HWRS review evidence. We do not consider that any new information has been presented that would lead us to withdraw any of our three proposals. This would result in the introduction of charges for non-household waste at all sites, the closure of the part time sites at Forest Row and Wadhurst and subsequent reduction in network size from 12 to 10 sites, and the reduction in opening times at suitable sites. Through discussion with our contractor, Veolia, we are exploring whether a full day closure at certain HWRSs would offer additional efficiencies over and above shorter times. Through discussions with Parish Councils we are also exploring how a HWRS could be operated by another organisation.

## **5. Charity Waste**

5.1 One area that did not form part of the consultation is the management of charity waste at HWRSs. The Council operates a permit scheme which allows charities to dispose of household waste at HWRSs free of charge. However, East Sussex has no defined policy on how this type of waste should be treated.

5.2 The permit scheme is currently used by 102 charities including large furniture reuse organisations, charity shops, social care and education providers, independent schools, churches, meeting halls and environmental organisations. It is estimated that they deliver 1,021 tonnes of waste to the County Council at a cost of £141,473 per annum.

5.2 Appendix 4 sets out in detail how charity waste is managed by East Sussex County Council. It is proposed that the Waste Team continue to engage with Charitable Organisations currently using ESCC facilities for the disposal of their waste to better understand the sources of this waste and what the impact the introduction of any restrictions may have on their organisations. A report will be submitted to Lead Member for Communities Economy and Transport on the findings and options for a Charity Waste Policy in the autumn of 2018.

## **6. Equality Impact Assessment**

6.1 Members must have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty or PSED).

6.2 An Equalities Impact Assessment (Appendix 2) has been carried out to identify adverse impacts that may arise as a result of the proposals for those with protected characteristics. This assessment details potential actions to help minimise, avoid or mitigate negative impacts of the proposals. Members must read the Equalities Impact Assessment and take its findings into consideration when determining these proposals.

6.3 Three main groups have been identified as likely to be more affected by the proposals. These are people aged 75 and over, people with certain disabilities, and people in rural communities. Rurality is not a protected characteristic under the Equality Act 2010, but is an additional factor that ESCC takes into account.

6.4 In terms of site closure, this may mean that these groups may travel less frequently to an alternative site that is further away. Although residents of all ages who live in close proximity to one of the sites proposed for closure would be impacted by the inconvenience of having further to travel to an alternative site, a relatively small number of our current service users overall would be affected. Analysis of journey times also showed that many site users within the catchment area of the sites proposed for closure would not need to travel more than an extra 10 minutes each way to an alternative site.

6.5 People on lower incomes, such as some young working families, and some elderly residents and disabled people may be more impacted by the proposal to charge for non-household waste or in the case of site closures it may mean that they will incur additional fuel costs. However the impact will be less for those who link their visit to a recycling site with a trip for another purpose where possible such as work, shopping or visiting friends and family.

6.6 Overall, the potential impacts of the service changes are likely to be small. The current network of 12 sites and free disposal of non-household waste provides residents with a level of service that is higher than

is legally required. The charges proposed for non-household waste have been calculated in order to cover the costs of the scheme and of disposal of the waste, and no income is intended to be generated.

6.7 To help avoid negative impacts on these groups, the County Council will work with the District and Borough Councils to ensure that residents are well informed of the ranges of other ways that they can dispose of their waste, including the comprehensive kerbside recycling and refuse collections and the 'assisted collection' service which gives extra help for elderly and infirm residents. We will continue to promote other alternatives to visiting a household waste recycling site including the local recycling points, clinical waste collections, kerbside garden waste, bulky waste collections and home collections of reusable furniture by charities.

6.8 Prior to the introduction of any changes, we will clearly advertise the changes to ensure that site-users are well-informed. We will continue to work with site staff to ensure that additional help on site is provided when requested and continue to advertise this additional support that is already available, and we will continue to listen to feedback from site users to try to continue to improve the accessibility of our HWRS.

## **7. Implementation**

7.1 Subject to agreement by Cabinet, implementation of the proposals would be carried out as follows.

### **Charging for non-household waste**

7.2 It is proposed that the chargeable waste scheme would be communicated to residents over the summer and would start on Monday 3 September 2018.

### **Closure of the part time sites at Forest Row and Wadhurst**

7.3 The two sites proposed for closure would be subject to a contractual notice period and it is therefore proposed they would close at the end of business on Sunday 30 September 2018. This will provide time for customers to be informed of the changes and to be provided with information on alternative HWRS services that are available to them.

### **Changes to site opening times**

7.4 It is proposed that changes to opening times at Lewes and Mountfield HWRSs are communicated to residents over the summer and would begin on the 1 October 2018.

### **Hailsham HWRS improvements**

7.5 The option to relocate is still being assessed. However, the option to upgrade the existing site will continue if the relocation is not possible. Subject to planning permission being granted to slightly extend the existing site, it is anticipated that work will commence towards the end of 2018 and may continue into early 2019. This will coincide with the quietest time of the year for the site and minimise inconvenience to residents who use the site.

## **8. Financial Analysis**

8.1 The Medium Term Financial Plan (MTFP) reduces the waste service budget by £558k in 2018/19 and a further £162k in 2019/20. The service review was carried out to identify options to help achieve these savings.

8.2 Implementation of all recommendations would enable East Sussex to deliver against the proposed savings agreed by Full Council in February 2018. There are risks associated with the precise level of savings that might be delivered. These arise in relation to negotiations and also uncertainty over demand levels once changes are implemented. Whilst the consultation assists in being able predict the effects of the proposed changes, until they are implemented and have been in place for a period of time it is not possible to know precisely what impact they will have in terms of tonnage that passes through the system. Consequently while it is anticipated that the savings target of £720,000 will be met, or even potentially exceeded, there is also the potential for a shortfall, which would have to be met in other service areas.

## **9. Waste Contract Savings Scrutiny Review Board of the Economy, Transport and Environment (ETE) Scrutiny Committee**

9.1 At the ETE Scrutiny Committee meeting held on 14 June 2017 the Committee agreed to establish a Scrutiny Review Board to examine in detail the opportunities for savings and efficiencies in the Waste Contract. The board has subsequently met four times since and is due to meet and consider this report on 18 June 2018.

9.2 The Board understood that it might be necessary to close a limited number of HWRS sites as well as introducing charging for certain types of non-household waste in order to achieve the required savings for 2018/19 and in the future. The Board recommended that it would be better to include both measures in the forthcoming consultation, rather than having to consult separately on the issues. The Board recommended that ESCC consult on firm proposals regarding specific sites, if closures and reduced hours together with charging are the only way to achieve the necessary levels of savings.

## **10. Conclusion and Reasons for Recommendations**

10.1 It is estimated that the savings target will be met if all the proposals are implemented. It is also known that there will be additional revenue budget pressures as funding levels decrease in future years. Therefore, this report recommends that the following changes are made to the HWRS service –

- Charges are introduced for rubble and soil, plasterboard, asbestos and tyres at all HWRSs
- Closure of the two part time HWRSs at Forest Row and Wadhurst
- Reduction in opening times at Lewes and Mountfield HWRSs to 9-4pm

10.2 We have considered all of the feedback and concerns received during the consultation process and do not feel that the proposals should be withdrawn as a result of the information that our stakeholders have provided. We have learnt of the strong desire for the community to investigate whether they can run a site and we will support by giving advice and guidance. We will also explore whether a full day closure at certain HWRSs might offer further efficiencies beyond a shorter working day. The proposed changes to the HWRS service will enable East Sussex County Council to deliver required savings against its reduced waste budget.

10.3 The implementation of the proposals resulting from the Household Waste Recycling Site Review would enable the waste service to continue to provide high quality sites and a wide range of materials for recycling and disposal. The changes would also mean that East Sussex County Council continues to comply with its statutory obligations to provide sites that are reasonably accessible to residents of East Sussex and available for the free disposal of household waste.

10.4 East Sussex County Council only has a duty to accept residents' household waste free of charge at a HWRS. This duty does not extend to rubble and soil, asbestos, tyres and plasterboard. Charging for a limited number of non-household waste types has been implemented by over a third of Councils and aligns the authority with a number of close neighbours. The likely charge of £4 per bag and £2 per tyre is in line with charges that other authorities make for these types of material, and the proposal relates to materials that most residents do not generate on a regular basis.

10.5 Analysis from the HWRS review shows that 98.4% of residents have access to a site within a 20 minute drive from their property. The proposed reduction in the network shows that 98.2% of residents would still have access to a HWRS within a 20 minute drive from their property.

10.6 East Sussex County Council will provide advice to other organisations who may wish to present a business case to take over the operation of the sites proposed for closure and seek to offer the land at peppercorn rent if appropriate.

10.7 Residents expressed the highest level of support for reducing opening times at the HWRSs, although this proposal delivers a smaller saving. Initially two sites have been identified as suitable for reduced opening. Discussions with Veolia have indicated that a full day closure at each site may offer higher savings, but full day closures did not form part of the public consultation.

10.8 ESCC wants to continue to be able to offer local Charities reasonable levels of support with waste disposal, but this should be framed by an agreed policy. Options will be presented to Cabinet later in the year when engagement with East Sussex charities has been completed.

10.9 ESCC will continue to closely monitor levels of flytipping and take appropriate action with all relevant partner authorities and agencies to ensure implementation of any proposals does not have a negative impact on the environment.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None