

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Samantha Lawton

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Jodie Harris

Email: jodie.harris@kirklees.gov.uk

Monday 2 September 2024

Notice of Meeting

Dear Member

Environment and Climate Change Scrutiny Panel

The **Environment and Climate Change Scrutiny Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 10 September 2024**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "S Lawton".

Samantha Lawton
Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Panel Members are:-

Member

Councillor Andrew Cooper (Chair)

Councillor Susan Lee-Richards

Councillor David Longstaff

Councillor Matthew McLoughlin

Councillor Will Simpson

Councillor John Taylor

Jane Emery (Co-Optee)

Garry Kitchin (Co-Optee)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Declaration of Interests

1 - 2

Members will be asked to say if there are any items on the Agenda in which they have any disclosable pecuniary interests or any other interests, which may prevent them from participating in any discussion of the items or participating in any vote upon the items.

3: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Panel.

4: Call-in of Executive Director Decision in relation to Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings

3 - 22

The Panel will review the decision of the Executive Director, Place in respect of the Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings.

Contact: Sheila Dykes, Principal Governance Officer

*Note: Members of the public may attend to give evidence in respect of the areas of focus. Any members of the public that wish to do so are asked to **register by 11:59 p.m. on Thursday 5th September 2024** using the email address:*

executive.governance@kirklees.gov.uk.

KIRKLEES COUNCIL

COUNCIL/CABINET/COMMITTEE MEETINGS ETC

DECLARATION OF INTERESTS

Environment & Climate Change Scrutiny Panel

Name of Councillor

Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed:

Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



REPORT TITLE: CALL-IN OF DECISION IN RESPECT OF THE WASTE DISPOSAL CONTRACT – HOUSEHOLD WASTE AND RECYCLING CENTRE EFFICIENCY SAVINGS

Meeting:	Environment and Climate Change Scrutiny Panel
Date:	10 September 2024
Cabinet Member (if applicable)	Councillor Munir Ahmed – Environment and Highways
Key Decision Eligible for Call In	No Not applicable
<p>Purpose of Report To provide the Committee with the information considered by the Executive Director, Place when making the decision and the validated areas of focus for the call-in.</p>	
<p>Recommendations Members of the Panel are asked to consider all the evidence and make a recommendation, in accordance with the provisions of the Overview and Scrutiny Procedure Rules (Part 4.5 of the Constitution).</p> <p>Reasons for Recommendations The decision of the Executive Director has been called-in for review by the Panel.</p>	
<p>Resource Implications: Not applicable</p>	
Date signed off by <u>Executive Director</u> & name	Not applicable
Is it also signed off by the Service Director for Finance	Not applicable
Is it also signed off by the Service Director for Legal, Governance and Commissioning (Monitoring Officer)	Leigh Webb, Acting Head of Governance on behalf of Samantha Lawton 2-9-24

Electoral wards affected: Not applicable

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 On 23 August 2024, the Service Director for Legal, Governance & Commissioning received written notification from six councillors of their wish to call-in a decision of the Executive Director, Place, published on 16 August 2024. The decision was in relation to the Household Waste Recycling Centre Efficiency Savings.
- 1.2 Following a validation exercise of the call-in request form by the Chair of Scrutiny and the Service Director for Legal, Governance and Commissioning, a document has been produced, which sets out the validated areas of focus for the call-in (Appendix 1).
- 1.3 The Panel will have access to all papers considered by the Executive Director when making the decision and will be able to question the relevant officers and the Cabinet Member. The Panel is also able to hear from other interested parties, including other councillors and members of the public. A timetable for the Panel meeting is attached at Appendix 2.
- 1.4 The Panel and interested parties should focus attention and questions on those issues that are set out in the validated areas of focus for the call-in.
- 1.5 Once the Panel has considered the points raised and all supporting information and evidence, it must resolve either to:
 - (1) Free the decision for implementation
 - (2) Refer the decision back to the Executive Director with a recommendation for amendment.
 - (3) In exceptional circumstances, refer the issue to the next Council meeting if the decision is not consistent with the budget or any policy previously agreed by the Council. This can only be done with advice from the relevant senior officers and the Service Director for Legal, Governance and Commissioning.
- 1.6 If the decision is referred back to the Executive Director, the options available will include:
 - Accept the recommendation of the Scrutiny Panel, in full or in part, and amend the decision;
 - Decide that further work needs to be done and defer the item until this is completed. The Scrutiny Panel/non-executive members should be kept informed of the work as it progresses and be formally notified when it is to be reconsidered;
 - Not accept the view of the Scrutiny Panel and confirm the original decision;
 - Refer the issue for discussion at the next appropriate Council meeting.
- 1.7 If the Executive Director confirms the original decision, it can be implemented immediately as there is no scope for further review and challenge. A decision may only be reviewed once.

2. Information required to take a decision

The Panel will have access to all the information considered by the Executive Director when making the original decision.

3. Implications for the Council

There are no specific implications for the Council within this report as the Panel does not have decision making powers. However, as a result of hearing the call-in evidence, recommendations may be made to the Executive Director to amend the decision which, if accepted, could result in implications for the Council.

3.1 Council Plan

Not applicable

3.2 Financial Implications

Not applicable

3.3 Legal Implications

Not applicable

3.4 Other (eg Risk, Integrated Impact Assessment or Human Resources)

Not applicable

4. Consultation

Not applicable

5. Engagement

Not applicable

6. Options

6.1 The options for the Panel are set out in paragraph 1.5 of this report.

7. Next steps and timelines

Following consideration of all the information and evidence, the Scrutiny Panel will make a recommendation, in accordance with the Council Procedure Rules. This recommendation will then be actioned as appropriate.

8. Contact officer

Sheila Dykes, Principal Governance Officer
Tel: 01484 221000
email: sheila.dykes@kirklees.gov.uk

9. Background Papers and History of Decisions

Overview and Scrutiny Rules – Council Constitution

10. Appendices

Appendix 1 - Areas of Focus
Appendix 2 - Hearing Timetable
Appendix 3 – Decision, dated 14/8/24
Appendix 4 - Information considered in making the decision

11. Service Director responsible

Samantha Lawton, Service Director, Legal, Governance and Commissioning

Scrutiny Areas of Focus following Call In request relating to Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings – Decision published 16 August 2024

Following consideration of the call in request form, the following areas have been validated as the focus of the call in review meeting.

Decision making principle	Area of focus
<p>1. Consultation</p>	<p>The decision notice states that there has been consultation with the provider of the service however no consultation has been carried out, prior to the decision, with ward councillors or residents on closure or any other option. No engagement has been carried out with users of the Nab Lane site to ascertain whether they could or would travel to the Weaving Lane site. The cabinet report refers to consultation on the Waste Strategy. Whilst this strategy directs the work on the overarching waste contract, there is no mention of any engagement or consultation on the closure of a HWRC site and therefore the strategy consultation cannot be seen as being appropriate for closing a site. The strategy itself does not indicate closure of a site. The WRAP guidance (2018) gives a list of what to do if considering closing a site – which it indicates should be a last resort. The list includes obtaining support from council members early in the process, communication with residents and council members is listed as vital and discussions with stakeholders regarding the available options (WRAP, 2018, p.93). As there has been no consultation with ward councillors before the decision nor any engagement/surveys undertaken with residents/users of the Nab Lane facility as to options then no consultation/engagement has been undertaken. In fact, ward councillors had to learn about the proposed decision from sources external to the council.</p> <p>List supporting evidence:</p> <p>https://www.wrap.ngo/sites/default/files/2021-02/HWRC_Guidance_2018_4.pdf</p> <p>https://democracy.kirklees.gov.uk/ieDecisionDetails.aspx?Id=12181</p>
<p>2. Openness</p>	<p>The Budget papers give savings in the current and next financial years for a review of HWRC opening times. There is no reference in the budget papers that this review would include closure of a site (budget line 24EC9). At a scrutiny meeting, subsequent to the Budget Council, a cabinet report was discussed at which there was verbal reference to the review and one site closure mentioned but no detail given as to which site. At the April cabinet meeting the proposal to close one site was not mentioned in the information read out about the report nor was it mentioned in the cabinet report. The April cabinet paper refers to HWRC capital pipeline projects of c£27m that are not currently in the capital plan but would be kept under review, it was recommended to keep the HWRCs under the waste contract but did not mention that the number would be reduced. However, the relevant recommendation that has been used for this decision is:</p>

Appendix 1

	<p>“Approval is also sought for a future delegated officer decision to progress with any potential further efficiency opportunities, such as HWRC and MRF operations, and the Network Rail Infrastructure Limited (NRIL) replacement of the Weaving Lane HWRC.”</p> <p>In the delegated authority recommendation, there was no mention of closure of a HWRC site or which site that would be. Neither was this mentioned in the detail of the cabinet report. Therefore, there was a lack of public openness when the decision was being made to delegate authority as to what efficiencies were part of the consideration. There was also a lack of public openness in relation to the budget papers and what the review was involving. Therefore, the decision notice is the first public information from the Council in respect of the closure of Nab Lane site.</p> <p>List of supporting evidence: https://democracy.kirklees.gov.uk/documents/s56076/Budget%20Motion%202024.pdf</p> <p>https://democracy.kirklees.gov.uk/documents/s56619/2024-04-09%20Waste%20Disposal%20Contract%20Procurement%20-%20Cabinet%20Report.pdf</p>
3. Options	<p>The WRAP guidance is referenced in the decision notice in relation to accessibility and it is recognised that the site needs to be made more accessible for users and an assessment carried out as to whether this would improve use. The decision notice states that there is no statutory guidance for level of provision and drive time however there is guidance. The WRAP document also provides standards for minimum levels of provision with a catchment radii of 3 miles in urban areas and 7 miles in rural (WRAP, 2018, p.13). A specific example of Leeds having at the time of publication a 20-minute drive time standard is given. There is also a maximum throughput for a site given in the guidance however because there is no public information on what the options are and what the data indicates, the resulting throughput for the Weaving Lane site is not known. The drive time standard that the WRAP recommends is not assessed in the decision information as to whether this can be met from all parts of North Kirklees. There are also population recommendations for HWRC sites, and the population of North Kirklees is greater than the recommendation for at least one site. Whilst reasons for decision have been given, the options considered have not been laid out nor has the reason for not following the guidance in relation to drive time been explained.</p> <p>List supporting evidence: https://www.wrap.ngo/sites/default/files/2021-02/HWRC_Guidance_2018_4.pdf</p> <p>https://www.kirklees.gov.uk/beta/information-and-data/area-and-ward-profiles.aspx</p>

Appendix 2

Call-In Hearing Timetable Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings

Meeting	Timetable ¹
<p>1. Introduction by Chair of Panel</p> <p>Explanation of the conduct of the meeting</p>	4:00 p.m.
<p>2. Lead Signatories Statement</p> <p>Explanation of reasons set out in call-in request and any supporting evidence.</p> <p>Clarification: Panel Members may seek clarification on anything that has been said.</p>	Up to 20 minutes
<p>3. Public Participation (Councillors)</p> <p>Councillors who are not signatories may attend to give evidence relevant to the validated areas of focus (up to 5 minutes each)</p> <p>Clarification: Panel Members may seek clarification on points raised by Councillors</p>	Up to 20 minutes
<p>4. Public Participation (Public)</p> <p>Members of the public may attend to give evidence in respect of the areas of focus (up to 5 minutes each. It is recommended that pressure groups are represented by 1 speaker)</p> <p>Clarification: Panel Members may seek clarification on points raised by members of the public</p>	Up to 30 minutes
<p>5. Decision-Makers Statement</p> <p>The relevant decision-makers, with support from appropriate officers, will:</p> <ul style="list-style-type: none"> - respond to the validated areas of focus - Have the opportunity to respond to any information that has been raised during the discussion at the meeting. <p>Clarification: Panel Members can raise issues of clarification with the decision-makers</p>	Up to 40 minutes

Call-In Hearing Timetable Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings

6.	<p>Final Panel Clarification</p> <p>If required, Panel Members can ask any outstanding questions of anyone who has presented information at the meeting</p>	Up to 10 minutes
BREAK – COMMITTEE WITHDRAW TO FORMULATE DECISION		
7.	<p>The Panel will reconvene to read out their decision and the reasons for this which will be in accordance with the options set out in the Council Procedure Rules:</p> <p>(1) take no further action and free the decision for implementation *</p> <p>(2) refer it back to the decision maker with recommendation/s for amendment</p> <p>(3) in exceptional circumstances, refer to the next meeting of Council - only if the decision is not in line with the budget or any policy previously agreed by the Council**.</p> <p><i>* The Panel may identify areas of learning for the decision-maker to consider which do not require the original decision to continue to be suspended from implementation.</i></p> <p><i>** This can only be done with advice from the relevant senior officers and the Service Director for Legal, Governance and Commissioning</i></p>	

1. Please note that the timings are for guideline purposes only and are subject to change on the day, at the discretion of the Chair of the meeting.

Officer Delegated Decision Proforma

Issue Manager ID:

1. Name or title of the decision	Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings
2. Brief description of the reason and why it has been taken <u>and</u> any alternative options that were considered and rejected by officers.	<p>The budget saving proposals listed in the 2024/25 Budget that were approved by Council on the 6th March 2024, included a review of HWRC's opening hours.</p> <p>The closure of the Nab Lane site is based on the need for investment in the site that is not built to modern standards of a split level that is safer and easier to use which benefits recycling. The Nab Lane site receives the lowest tonnages of recycling and waste, the results of a consultation exercise also showed it to be one of the least used by the respondents.</p> <p>The rationalisation of the opening hours for the Meltham and Bromley sites is based on a review by SUEZ of usage. This identified days where resources could be shared more efficiently between sites, whilst maintaining opening hours at peak times.</p>
3. Please state which Scheme of Delegation and Officer is responsible <i>Please refer to the Scheme of Delegation for the relevant service –</i> Kirklees Council	<p>Directorate name: Growth & Regeneration</p> <p>Section of Scheme: Delegated decision following a previous Cabinet report.</p> <p>Job Title/Decision maker (from delegation scheme):</p> <p>Executive Director of Place (Formerly Strategic Director). The decision was delegated in the following Cabinet reports:</p> <p>6th March 2024 - Council Budget Report 2024/25</p> <p>9th April 2024 - Waste Disposal Contract Procurement</p>
4. Has this Officer delegated decision had sign off from your Strategic Director?	<p>Date: 14/08/2024</p> <p>Signed off by Strategic Director Yes</p>
5. Decision <i>Brief description of the decision that was taken.</i>	<ol style="list-style-type: none"> To close the Household waste recycling centre at Nab Lane Birstall. To change the opening days at the Household waste recycling centres located at Bent Ley Road, Meltham to Wednesday to Sunday and Bromley Farm, Upper Cumberworth to Friday to Tuesday.
6. Wards in Kirklees affected by the decision	<p>Wards Affected: All Wards</p> <p>List Wards: N/A.</p>

7. Background information

The decision and info in this form **will** be a matter of public record.

Please describe and attach any additional background documents.

Standards of Site Design

4 of the 5 HWRC sites are constructed on a split-level design that is in line with [WRAP guidance 2018](#), these types of sites have fewer manual-handling issues, as people do not need to carry bulky loads up steps to put it in the skips, or attempt to throw materials from ground level. Nab Lane is the only site that is not built to the modern standards of a split-level, and there have been previous H&S incidents on the site.

The current operator of the HWRC sites, SUEZ, have identified a number of repairs and upgrades that are required at Nab Lane, this includes re-surfacing and work to the stair and gantries used by the public to access the skips. This would cost an estimated total of c£55k. This would also not alleviate any ongoing concerns over the design.

The Council has been exploring proposals for developing a split-level site and a similar level of work could be required to bring Nab Lane up to a modern standard, the estimates for this have come in at up to c£7m. This level of investment is unaffordable.

Operator Review

The current operator, SUEZ, is experienced in delivering HWRC services across several waste contracts around the UK, and they were asked to consider the options for making efficiency savings. They held internal meetings with their operational teams on the ground and their bid team to identify what was operationally feasible. This took into account their insight of site usage, peak times of demand and the positions on other local authority HWRC contracts where recent reductions in provision of sites or hours had delivered operational savings.

The proposal of closing Nab Lane and reducing the open days at Meltham and Bromley Farm by two days per week was the preferred option. This was to balance the need to meet financial savings target, whilst maintaining accessibility at peak times for residents who live in more rural locations.

Distance of travel

There is no statutory guidance for how near a household should be to a HWRC or the minimum level of provision.

Benefits of the Decision:

- Eliminates the need for expenditure on repairing or modernising the Nab Lane site.

	<ul style="list-style-type: none"> • Maintains the opportunities for recycling at alternative sites that are split level. • Allows the peak opening times to be maintained at the remaining sites for rural residents. • Avoids the need to make savings by restricting the waste types or removing containers across all 5 sites. • The Nab Lane site can be retained for future waste requirements or added to the Councils landbank. • Weaving Lane has capacity and avoids increasing the pressure on queue times at Emerald Street. • The waste strategy consultation overall rating of the HWRC Service was good.
<p>8. Date when the decision was made</p>	<p>Date: 14/08/24</p>
<p>9. Officers involved in taking the decision? Please identify key consultees <i>For example –</i> <i>- Your Strategic Director or your Service Director</i> <i>- Monitoring Officer and Service Director – Legal, Governance and Commissioning</i></p>	<p>David Shepherd – Executive Director - Place Graham West – Service Director Will Acornley – Head of Service</p>
<p>10. Please list the names of any councillors who were consulted directly before this decision was taken. Also give brief details regarding any consultation which has taken place.</p> <p><i>- List names of the councillors who were consulted</i> <i>- Did any of the Cabinet Members declare a conflict of interest in the topic? Yes or No?</i> <i>- If a conflict of interest was declared, had a written dispensation been granted? Yes or No?</i></p>	<p>Cabinet and Portfolio Holder for Environment.</p>
<p>11. Lead Contact officer for more information</p>	<p>Nigel Hancock – Programme Manager</p>
<p>12. Lead Cabinet Member</p>	<p>Portfolio Holder Tick all that apply:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Cllr C Scott– Leader of the Council <input type="checkbox"/> Children – Cllr V Kendrick <input type="checkbox"/> Learning & Aspiration – Cllr E Reynolds <input type="checkbox"/> Health & Social Care – Cllr J Ramsay <input type="checkbox"/> Housing & Highways – Cllr M Crook <input checked="" type="checkbox"/> Culture & Greener Kirklees – Cllr M Ahmed <input type="checkbox"/> Finance & Regeneration – Cllr G Turner <input type="checkbox"/> Corporate – Cllr Paul Davies <input type="checkbox"/> Communities – Cllr M Pervaiz

13. Authorised by relevant Strategic Director or Service Director	Name: David Shepherd Date: 15/08/24
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A full guide to Decision Making can be found on the Intranet [here](#)

Call In request relating to Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings – Decision published 16 August 2024

The below information was considered by the Executive Director for Place, when considering his decision regarding the amendment of HWRC opening hours and the closure of Nab Lane

Consultation:

There is no statutory requirement for a consultation on these services, statutory guidance or minimum level of service provision.

Previous consultation on the Waste Strategy did gain a level of feedback from residents which confirmed Nab Lane as the least used site within Kirklees, which was evidenced further by the tonnage information.

The consultation on the proposal was integrated as part of the budget consultation, this was held on our Involve website and was widely communicated at the time. This is undertaken every year and puts forward proposed changes to budgets and resulting service impacts.

Residents were able to take part ahead of the final budget being agreed in the Cabinet report in March. Information can be seen here:

[Budget and accounts | Kirklees Council](#)

And specific templates are available here:

[2024/25 Budget Saving Proposals - Growth and Regeneration \(kirklees.gov.uk\)](#)

These reference both a review of opening hours and efficiencies from the HWRC service. The opening hours of a facility can range from zero to the limits of the Environmental Permit, depending on operational requirements.

Decision Making Process:

The Councils budget setting process identified a target saving from the district's HWRC sites (Budget report 6th March 2024, Item 24EC9).

[Microsoft Word - Cover Letter - Despatch Budget Motion 2024.doc \(kirklees.gov.uk\)](#)

To meet the saving, a data led review was undertaken with SUEZ, and ultimately the primary option identified was to reduce opening hours on 2 HWRC and close Nab Lane. This review was also identified in the Cabinet report on Waste that was presented on 9th April:

[Agenda for Cabinet on Tuesday 9th April 2024, 1.30 pm | Kirklees Council](#)

The following were resolved at this meeting:

4) That authority be delegated to the Strategic Director Growth and Regeneration, Service Director Legal Governance and Commissioning and Service Director for Finance to:

(iii) Take a decision following a further review to identify if efficiency opportunities could be made by mothballing the Kirklees Materials Recovery Facility and using a third-party facility and/or changes to household waste recycling centre services.

SUEZ presented several options including:

- Closure of Nab Lane only – Unable to raise the efficiency savings necessary.
- Closure of Nab Lane and reducing hours across the remaining sites – This approach was not supported by the demand data and would be more expensive to operate (multiple closure one day per week).
- Closure of Nab Lane and reduced hours at Bromley Farm and Meltham (decision) – Data driven (tonnages/recycling) and meets the efficiency target.

The changes to the HWRC sites resulting from the decision are set out in the table below:

Site	Mon	Tues	Wed	Thu	Fri	Sat	Sun
Nab Lane	Closed	Closed	Closed	Closed	Closed	Closed	Closed
Bromley Farm			Closed	Closed			
Meltham	Closed	Closed					
Emerald Street							
Weaving Lane							

The DDN notice is published here:

[Decision - Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings | Kirklees Council](#)

The closure of a site was also specifically discussed at a scrutiny meeting ahead of the April Cabinet, and can be viewed here:

[Agenda for Environment and Climate Change Scrutiny Panel on Wednesday 27th March 2024, 2.00 pm | Kirklees Council](#)

At the time Scrutiny did not choose to expand further on the discussion.

Integrated Impact Assessments:

This is the original IIA Sept 23 when the Budget proposal went forward and carried into the March / April Cabinet reports:

[Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/Integrated_Impact_Assessments_-_IntegratedImpactAssessment)

This is the refresh done at the point of DDN decision:

[Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/Integrated_Impact_Assessments_-_IntegratedImpactAssessment)

WRAP(Waste & Resources Action Plan) Guidance

There is no statutory guidance or minimum level of proposition for HWRCs. WRAP Guidance states in practice individual local authorities should reach their own conclusions in terms of minimum acceptable levels of HWRC provision.

The same Guidance suggests the following points as a reasonable minimum:

- Maximum catchment radii for a large proportion of the population: 3 to 5 miles (very rural areas: 7 miles).
- Maximum driving times for the great majority of residents in good traffic conditions: 20 minutes (very rural areas: 30 minutes).
- Maximum number of inhabitants per HWRC (in all but the most urbanised areas): 120,000.
- Maximum number of households per HWRC (in all but the most urbanised areas): 50,000.

Wards and Population Affected by Nab Lane Closure:

Ward	Population (2021 Census)
Liversedge & Gomersal	19,418
Cleckheaton	17,187
Birstall & Birkenshaw	16,917
Total	53,522
Total Kirklees	433,216
% of Kirklees	12%

Travel Distance for Affected Wards:

Area	Nab Lane, Birstall		Weaving Lane, Dewsbury		Variance	
	Distance (Miles)	Travel Time (Min)	Distance (Miles)	Travel Time (Min)	Distance (Miles)	Travel Time (Min)
Liversedge	3.4	11	3.7	14	0.3	3
Cleckheaton	3.4	11	4.8	19	1.4	8
Gomersal	2.3	7	4.4	15	2.1	8
Birkenshaw	3.6	10	6.4	20	2.8	10

East Bierley	3.8	10	6.9	21	3.1	11
Birstall	1.4	5	4.9	18	3.5	13
Average	3.0	9	5.2	18	2.2	9

Population of Wards proposed to use Weaving Lane HWRC, Dewsbury:

Ward	Population (2021 Census)
Birstall & Birkenshaw	16,917
Cleckheaton	17,187
Heckmondwike	18,153
Batley East	18,904
Dewsbury South	19,261
Liversedge & Gomersal	19,418
Mirfield	19,771
Dewsbury East	20,086
Batley West	20,109
Dewsbury West	21,688
Total	191,494

Average Distance and Travel Time for Weaving Lane HWRC, Dewsbury post closure:

Area	Weaving Lane, Dewsbury		Population (2021 Census)
	Distance (Miles)	Travel Time (Min)	
Birstall & Birkenshaw	6.1	20	16,917
Cleckheaton	4.8	19	17,187
Heckmondwike	2.8	9	18,153
Batley East	2.9	12	18,904
Dewsbury South	1.0	5	19,261
Liversedge & Gomersal	4.1	15	19,418
Mirfield	3.0	12	19,771
Dewsbury East	1.0	5	20,086
Batley West	2.9	12	20,109
Dewsbury West	1.0	5	21,688
Average	3.0	11	

Comparison of proposed change vs. WRAP Guidance:

Area	WRAP Guidance
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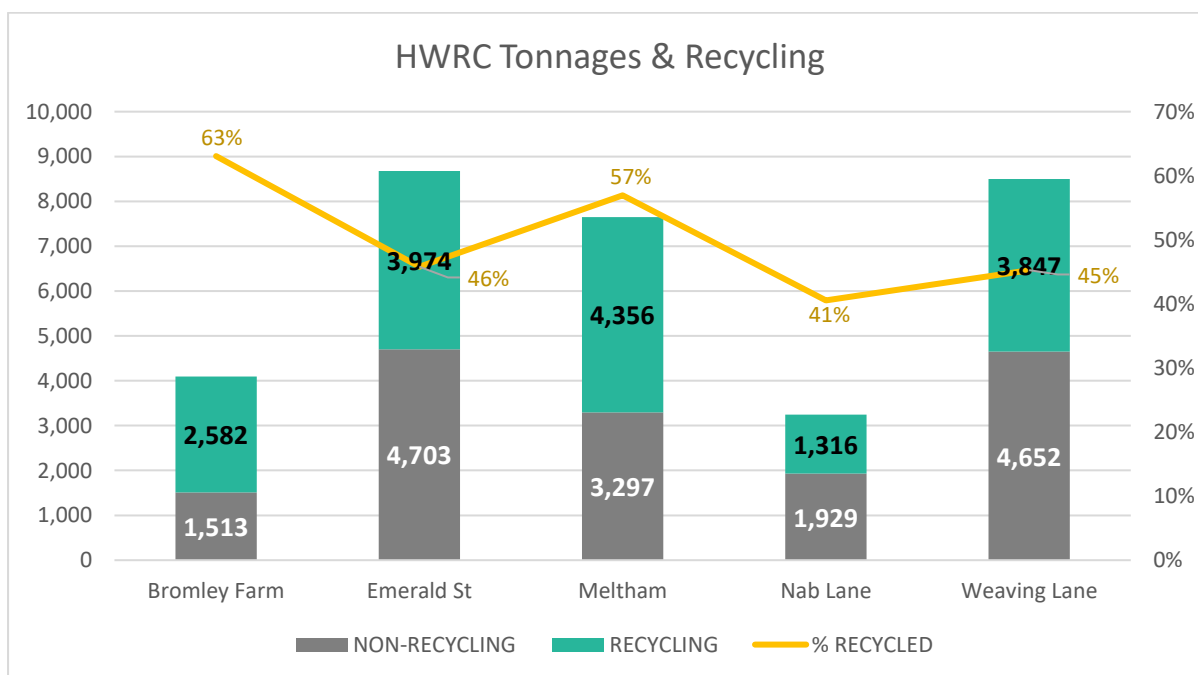
	Distance (< 5 Miles)	Travel Time (< 20 Min)
Birstall & Birkenshaw	X	✓
Cleckheaton	✓	✓
Heckmondwike	✓	✓
Batley East	✓	✓
Dewsbury South	✓	✓
Liversedge & Gomersal	✓	✓
Mirfield	✓	✓
Dewsbury East	✓	✓
Batley West	✓	✓
Dewsbury West	✓	✓
Average	✓	✓

This shows all wards are compliant under the suggested guidance, except for Birstall & Birkenshaw, which is 1.1 miles further than the 5-mile target. It is worth noting that the guidance uses the terms 'large proportion' and 'great majority', recognising that there will be some variation, and the guidance is not an absolute position. The overall average position is compliant.

The total population comparison is 191,494 against a suggested maximum of 120,000. However, the guidance also states this is in all but the most urbanised areas, which would include some of the areas served in this instance.

Tonnages and Performance:

The table below shows the latest information for all HWRCs within Kirklees:



The Nab Lane HWRC receives tonnages of 3,245 per annum and has a recycling performance of 41%. This is the lowest for both measures in the district. Bromley Farm has the next lowest usage and receives 4,095 tonnes per annum but has the highest recycling rate of all HWRCs at 63%.

The total tonnages per annum that would be received at the Weaving Lane HWRC post closure would be 11,744, which is significantly under the WRAP suggested maximum of 17,250.

Regulator Positions:

HWRCs are regulated by the Environment Agency under the environmental permitting regulations, and the Health and Safety Executive. The change is principally around a review of the waste procurement strategy, initially the household waste recycling centres (HWRCs) were going to be brought back in-house for the Council to operate at their risk. Due to the Council's budget position, it was found to be more efficient to keep the HWRC's within the integrated and modernised waste disposal contract, and a transfer of the permit has the potential to trigger a review of the permit conditions.

Nab Lane is not a split-level site and the Waste Industry Safety & Health (WISH) forum published V2 of a formal guidance document in April 2024 [Health & Safety at HWRCs](#), that states split-level sites should be utilised to segregate pedestrians and traffic, avoid significant slip & trip hazards and minimise the risk of falls from height.

The standards are also set out in the WRAP Guidance for HWRCs [WRAP guidance 2018](#). Government and Council Recycling Targets for HWRC's are set to increase under the new contract, and the WRAP guidance evidences that Split-level sites can improve their efficiency, help increase recycling, enhance the experience of the public, and make it easier for both users and staff to focus on recycling.

HWRC Capital Development Costs:

The Nab Lane HWRC is the only one within Kirklees that requires users to walk up gantry steps to disposal of items, as can be seen in the photograph below, which as mentioned above, does not comply with the WRAP Guidance and creates H&S concerns.

Any new facility would be required to have split levels, which means users can park their vehicles on the same level as the top of the containers, allowing passage over an even surface and minimising any risk of injury.

In discussions with SUEZ, and with a view to the upcoming procurement, an estimated price of £7m (rounded up from the £6.3m average for inflation) was



provided to redevelop the site into a modern, fit for purpose facility. This was benchmarked as part of the wider waste strategy work and WSP, our technical advisors, provided the following cost estimate:

DESCRIPTION	OPTION 1
DEMOLITION AND SITE CLEARANCE	£82,409
EARTHWORKS	£595,954
DRAINAGE	£91,610
RC WALLS TO RAMPS AND UNLOADING AREA	£329,366
RC WALLS Lower Unloading Area	£36,610
HARDSTANDING	£575,189
SAFETY FENCING & BARRIERS	£277,107
BUILDINGS & UTILITIES	£218,800
MISCELLANEOUS WORKS	£103,924
CANOPY	£609,000
ALLOWANCE FOR UNMEASURED ITEMS	£218,998
PRELIMINARIES / GENERAL ITEMS	£1,098,638
CONTINGENCY	£423,760
CONSTRUCTION COST SUB-TOTAL	£4,661,363
CONSTRUCTION COSTS (EXCLUDING VAT) Rounded upto nearest £100K (GBP)	£4,700,000
PROJECT ON-COSTS (Allowance)	£1,410,000
CONTINGENCY	£141,000
Project On-Cost Sub-Total	£1,551,000
CAPEX TOTAL (EXCLUDING VAT) Rounded upto nearest £100K (GBP)	£6,300,000
EST. ACCURACY LOWER LIMIT (GBP) AACE Class 4	£5,355,000
EST. ACCURACY UPPER LIMIT (GBP) AACE Class 4	£8,820,000

This provided a cost envelope of £5.3m to £8.8m as of November 2023, and an actual estimate of £6.3m, which was comparable.

Future Development of Weaving Lane HWRC:

As part of the ongoing investment with Kirklees by the TransPennine Rail Upgrade, the Council will benefit from a brand-new facility being development adjacent to the current Weaving Lane site. This facility design has been developed in partnership with the TRU, the Council and SUEZ, to provide a modern, fit for purpose facility that will be more than capable of servicing the increased demands on it. A general layout drawing is included below. This investment is coming at no cost to the Council:

