

REPORT TITLE: Household Waste Recycling Centre Efficiency Savings

Meeting:	Cabinet
Date:	8 th October 2024
Cabinet Member	Cllr Ahmed (Portfolio)
Key Decision Eligible for Call In	No No – Item returning from Scrutiny Call In.
Purpose of Report To seek Cabinet approval to make operational changes to the Household Waste Recycling Centres (HWRC) service, including closures and amendments to opening hours.	
Recommendations <ul style="list-style-type: none"> • That the Nab Lane HWRC is closed in late Autumn / Winter. • That the Bromley Farm HWRC is closed Wed and Th in late Autumn / Winter. • That the Meltham HWRC is closed Mon and Tue in late Autumn / Winter. 	
Reasons for Recommendations <ul style="list-style-type: none"> • The proposed changes meet the Medium-Term Financial Plan Targets for this service. • The remaining service provision remains reasonable under the WRAP Household Waste Recycling Centre (HWRC) Guide 2018. • Eliminates the need for expenditure on repairing or modernising the Nab Lane site. • 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 or other services such as Street Cleansing. • 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. 	
Resource Implications: The proposed changes meet the financial targets with the MTFP set for this service. If the decision to close is not made, then this level of saving will be required from other services with the Directorate.	
Date signed off by <u>Executive Director</u> & name	David Shepherd, Executive Director for Place. 24/9/24

<p>Is it also signed off by the Service Director for Finance?</p>	<p>Graham West, Service Director for Highways & Streetscene. 24/9/24.</p>
<p>Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer)?</p>	<p>James Anderson, Head of Finance & Accountancy on behalf of Kevin Mulvaney, Service Director Finance. 23/9/24.</p> <p>Samantha Lawton, Service Director Legal & Commissioning. 24/9/24.</p>

Electoral wards affected: Birstall & Birkenshaw, Gomersal & Liversedge, Cleckheaton, Denby Dale, Holme Valley North.

Ward councillors consulted: Ward Councillors were invited to the open Scrutiny Meeting and individual meetings held with Officers and some affected Cllrs.

Public or private: Public.

Has GDPR been considered?

1. Executive Summary

Kirklees Council currently provide 5 HWRCs across the borough. All sites are operated by SUEZ under contractual arrangements.

The Council approved its 24/25 budget on the 6th March 24 to deliver a range of savings targets in order that this Council can ‘live within its means’. HWRCs are clearly identified within the report to make savings in this financial year.

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 considered 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.

There is also no statutory guidance for how near a household should be to a HWRC or the minimum level of provision. However, the decision considers the Waste & Resources Action Programme (WRAP) Guidance 2018 which identified framework of what is a reasonable level of service. [WRAP guidance 2018](#).

The design and layout of the facilities was also considered. In the case of Nab Lane the site **does not** comply with current WRAP or HSE Guidance. It can however operate today under a legacy arrangement but in the forthcoming procurement there will be concern from potential contractors over operating it moving forward. At this point the market will expect a level of investment from the Council to bring it up to modern standards. This level of investment has not been deemed affordable in the current financial environment.

The decision also considered available capacity or the HWRCs and took recognition of the new provisions currently under construction at Weaving Lane as part of the TransPennine Rail Upgrade, which will result in a new facility at Weaving Lane. A new facility that will provide residents with a modern, easy to use and safer environment at no cost to the council.

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							

2. Information required to take a decision

WRAP (Waste & Resources Action Plan) Guidance:

There is no statutory guidance or minimum level of provision 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:

The table below identified the directly affected wards. Those residents who live within the Batley East & West areas are a similar distance between the two sites and so have not been included. This change affects approximately 12% of the Kirklees population and will result in approximately 53,522 additional residents visiting the Weaving Lane Household Waste Site.

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%

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

The Wards below have been identified as using the Weaving Lane site, post closure. The total population comparison is 191,494 against a suggested WRAP maximum of 120,000. This is

higher than the guidance however it also states this is measure applies in all but the most urbanised areas, which would include some of the areas served in this instance.

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:

The table below identifies the travel distance and times, to compare against the WRAP Guidance.

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	

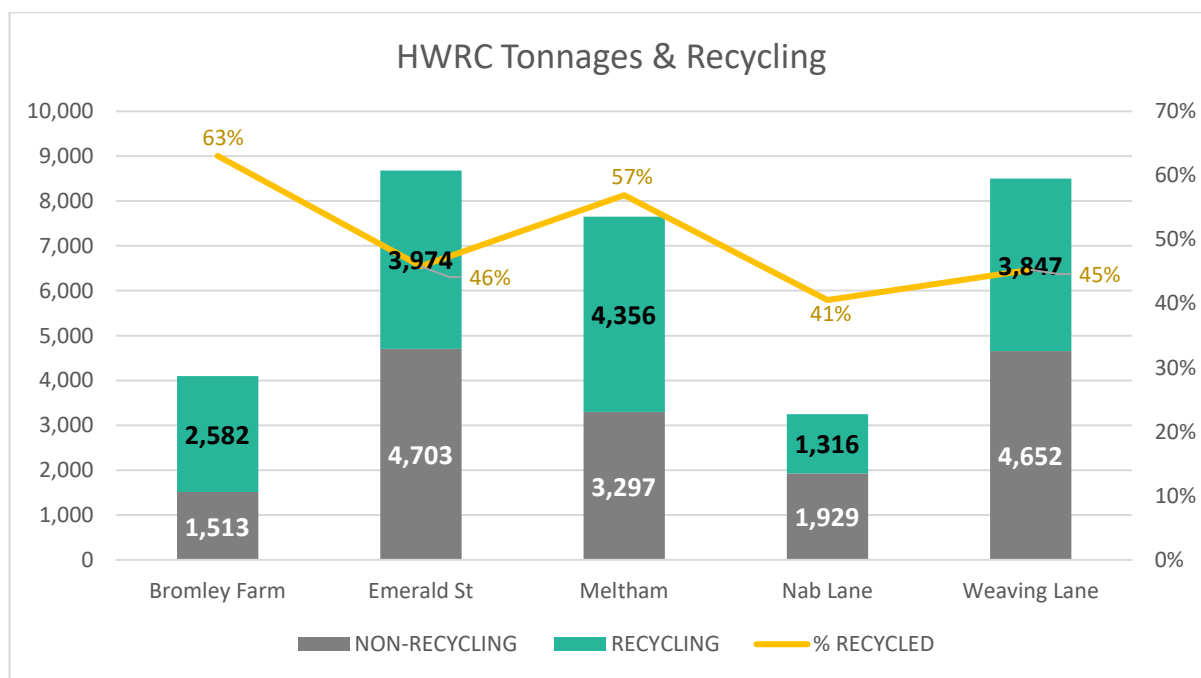
The overall compliance position is summarised below. This shows all wards are compliant under the suggested guidance, except for Birstall & Birkenshaw, which is 1.1 miles further than the 5-

mile target. However, 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.

Area	WRAP Guidance	
	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	✓	✓

Tonnages and Performance:

The table below shows the latest annual 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 Kirklees. 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.

Comparison with West Yorkshire:

The WRAP Guidance has been used as this reviewed national data and included factors such as urban and rural environments. It also reviewed case studies and Local Authority practices, which did include Leeds Council.

When comparing with West Yorkshire neighbours the table below shows the estimated populations and number of sites:

Local Authority	Est. Population	# HWRC Sites	Pop / Site
Wakefield	353,000	3	117,667
Leeds	812,000	8	101,500
Bradford	560,200	8	70,025
Bradford (New)	560,200	5	112,040
Calderdale	208,700	5	41,740
Calderdale (New)	208,700	4	52,175
Kirklees	433,200	5	86,640
Kirklees (New)	433,200	4	108,300

The figures show that Bradford, Calderdale and Kirklees have all proposed a reduction in the number of sites, with Bradford having implemented these changes from April 24. When comparing the density of provision, the level of service is comparable to that of Leeds, Bradford and Wakefield.

It is worth noting that the cross-border use of sites was also considered. The nearest sites to the affected wards are included in the table below:

Site	Council	Approx. Distance (Miles)			
		Nab Lane	Birstall & Birkenshaw	Liversedge & Gomersal	Cleckheaton
Brighouse	Calderdale	8.8	7.3	5.7	4.6
Middleton	Leeds	7.0	7.9	8.2	11.5
Pudsey	Leeds	7.0	7.4	8.4	9.4
Low Moor	Bradford	6.8	5.8	4.9	3.7
Weaving Lane	Dewsbury	-	6.1	4.1	4.8

When comparing the travel distance to the Weaving Lane proposal, the Dewsbury site is either closer or of a comparable distance to any cross-border facility. In addition, any cross-border agreement would require a financial payment, which would erode or potentially eliminate the intended saving altogether. Taking both these factors into account it was concluded that this option was not viable to take forward.

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 HWRCs 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 HWRCs 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.

For the period 2021/22, 2022/23 and 2023/24 there were 20 Near Misses, 2 Personal Injuries and 14 reports of property damage at the Nab Lane site. For the same period there were 9 Near Misses, 9 Personal Injuries and 4 reports of property damage at the Weaving Lane site. This shows that, when factoring in the tonnage throughput, the level of incidents at Nab Lane are nearly 6 times higher than that of Weaving Lane.

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, which as mentioned above, does not comply with the WRAP Guidance and creates H&S concerns. It also creates additional physical burdens for vulnerable users of the sites, who must carry waste up and down stairs.

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.

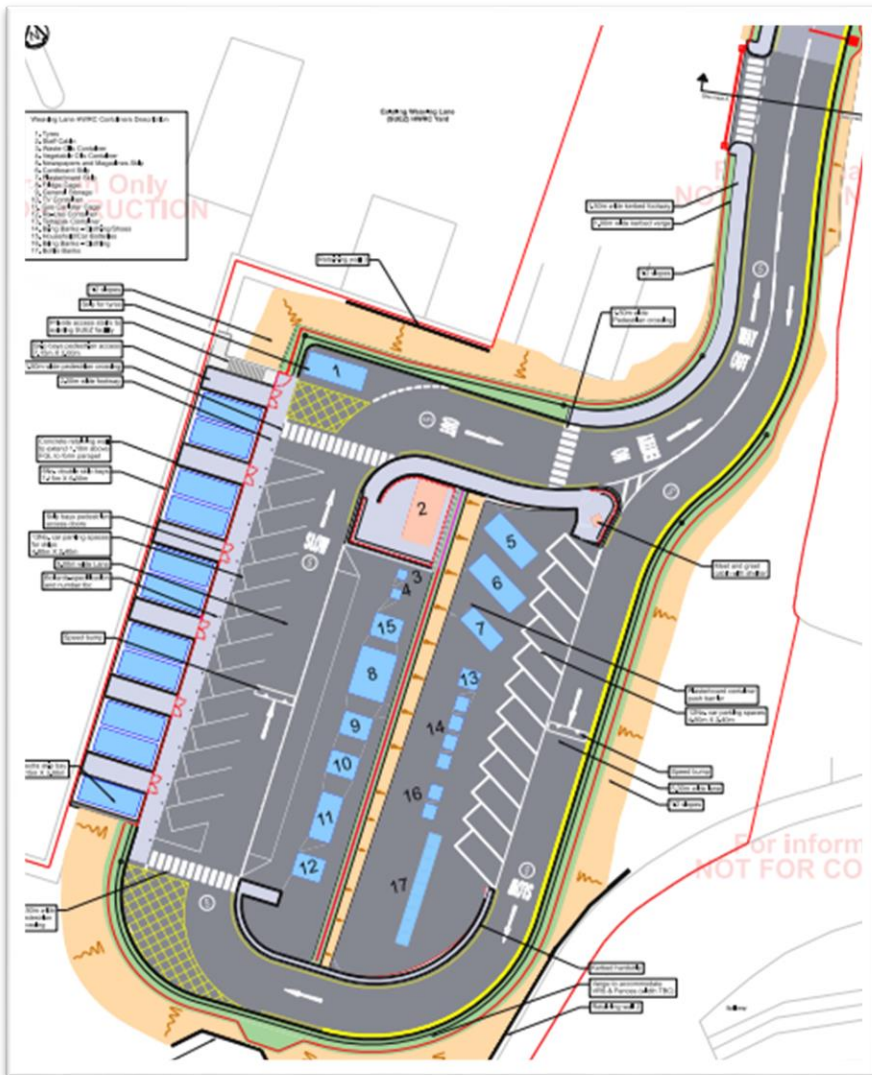
In discussions with SUEZ, and with a view to the upcoming procurement, an estimated price of £7m (rounded up from the £6.3m average for inflation) was provided to redevelop the site into a modern, fit for purpose facility. This was benchmarked as part of the wider waste strategy work and WSP, our technical 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. It should be noted that the Nab Lane site is also a closed landfill, which creates additional complexity.

Future Development of Weaving Lane HWRC:

As part of the ongoing investment within 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:



3. Implications for the Council

3.1 Council Plan

The remaining service would continue to be measured as reasonable under the WRAP Guidance. The remaining sites would be Split-Level, which improve both safety and performance of the sites and help contribute to targets.

3.2 Financial Implications

This proposal was included as part of the Council Budget 24/25:

Directorate	Growth and Regeneration				
Service Area	Operational Services				
Headline Proposal	Household Waste Recycling Centre Opening Hours Review				
Reference number	24EC9				
Forecast Savings	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/2029 £000
Incremental Savings	(56)	(134)	-	-	-
Cumulative Savings	(56)	(190)	(190)	(190)	(190)
FTEs affected	-	-	-	-	-

If this savings is not achieved, then the equivalent amount will need to be found from alternative services.

3.3 Legal Implications

The Council is a Waste disposal Authority (WDA) and has a statutory duty to provide HWRCs under Section 51 of the Environmental Protection Act 1990. The relevant requirements are:

- Section 51(1)(b) provides that it shall be the duty of each waste disposal authority to arrange for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited.
- Section 51(2) (a) provides that each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area.
- Each place must be available at all reasonable times (including at least one Saturday or following day of each week except a week in which Saturday is 25th December or 1st January) (Section 51(2)(b)).
- It must be available free of charge to persons resident in the area (Section 51(2)(c)).

Section 55 provides the legal power to WDAs to make arrangements to recycle waste as respects which the authority has duties under Section 51(1).

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

This change will require an amendment to the contract with SUEZ to reflect the reduction in the number of sites operated and the financial payments.

3.8 Integrated Impact Assessment

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/IntegratedImpactAssessment)

A refresh was also undertaken at the point of DDN decision, overall, the IIA showed a Neutral Impact:

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

4. 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.

5. Engagement

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.

The subsequent 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 request any further information.

Following the publication of the Delegated Decision Notice, the decision was subject to call in by Scrutiny. Officers have met with Ward Councillors ahead of this and attended public Scrutiny to respond to questions. All Councillors and members of the public were welcome to attend this meeting.

The release of information was not undertaken in the way that had been intended, and apologies were provided to ward Cllrs and MPs for this. Details of this meeting can be found here:

[Agenda for Environment and Climate Change Scrutiny Panel on Tuesday 10th September 2024, 4.00 pm | Kirklees Council](#)

Scrutiny resolved that that the decision taken in relation to Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings be referred to the Decision Maker with the following recommendations in relation to the areas of focus as follows:

1. (Openness) That the Decision Maker be requested to refer the matter to Cabinet for determination due to the Panel's view that there was a lack of openness and understanding at the time when the delegation was made to the Executive Director for Place Growth and Regeneration (Cabinet 9th April 2024) and it wasn't clear that closure of a site was an option being considered.
2. (Consultation) The Panel resolved that there was a lack of engagement with Ward Councillors and service users and that more consultation with all relevant stakeholders must take place in the future.
3. (Options) That all alternative options and the reasons they were disregarded be shared as part of the decision-making process in future.

This report is intended to satisfy Point 1 and 3. In terms of Point 2 on future engagement, it is intended, following confirmation of the decision, that further meetings will be held with Ward Cllrs regarding implementation of the decision.

6. Options

6.1 Options considered

Overall, the following options were available to the Council:

- Do Nothing: Given the wider Council finances and the need to balance budgets this was not an option.
- Closure of the MRF and use of a Third-Party Facility: This option could not progress as the Third-Party facility was no longer available.

- SUEZ Options:
 - 1. Closure of Nab Lane only – This alone was unable to raise the efficiency savings necessary.
 - 2. Closure of Nab Lane and reducing hours across the remaining sites – This approach could not be implemented by SUEZ due to the rota requirements.
 - 3. Closure of Nab Lane and reduced hours at Bromley Farm and Meltham (decision) – Data driven (tonnages/recycling) and meets the efficiency target. This also continued to provide a reasonable service under the WRAP Guidance.

6.2 Reasons for recommended option

It is recommended that Option 3 is taken forward as this achieves the MTFP targets as well as continuing to maintain a reasonable level of service.

The overall saving requirements have been balanced across multiple services. If the HWRC one was not achieved, then further reductions in other services would be required. In assessing the impact of the proposal against the WRAP Guidance, this change can be made whilst continuing to provide a reasonable service to residents. Any further increases in charges within the waste services, or reduction in services such as Street Cleaning, were viewed as having a more negative impact than the proposal itself.

The design and layout of the facility was also of concern. The site does not comply with WRAP or HSE Guidance. It can operate today under a legacy arrangement but in the forthcoming procurement there will be concern from potential contractors over operating it moving forward. At this point the market will expect a level of investment from the Council to bring it up to modern standards. This level of investment has not been deemed affordable in the current financial environment.

7. Next steps and timelines

SUEZ have commenced formal discussions with staff as part of the potential redundancy procedures. This is due to conclude late Autumn, and will allow for implementation around this time, subject to this final decision by Cabinet.

8. Contact officer

Will Acornley – Head of Operational Services

9. Background Papers and History of Decisions

We have provided a timeline of briefings and information sharing with Cabinet and Portfolio Holders below:

- 26th September 2023 – Detailed discussion with Portfolio Holder over all proposed saving templates and options/impacts including HWRCs.
- 4th December 2023 – Final options from SUEZ were presented to Portfolio Holder, who selected a preferred one.
- 8th January – Budget Pressure and Savings discussed with Portfolio Holder – Including HWRC proposals.
- 15th January – Waste Procurement was discussed ahead of the Cabinet Report in April.

- 6th March – Arrangement meeting with Portfolio Holder to discuss Waste Performance, upcoming changes and Cabinet decisions.
- 25th March – Portfolio Briefing Scheduled for final Cabinet Report. Portfolio could not attend but was shared electronically.
- 9th April – Cabinet report was presented by the Leader, as the Portfolio Holder could not attend.
- 6th August – Portfolio Holder briefings on waste procurement and forthcoming changes – including HWRCs.
- 12th August – Specific briefing information on the changes to HWRCs was provided to Portfolio Holder and another Cabinet Member.
- 10th September – Scrutiny Call In.

Links to background documents have been included below:

WRAP Household Waste Recycling Centre Guide 2018: [WRAP guidance 2018](#).

Waste Industry Safety & Health Forum (WISH) Managing Health & Safety at HWRC / CA Sites: [WISH-WASTE-26-Health-and-safety-at-HWRC-CA-sites-V2-April-2024.pdf \(wishforum.org.uk\)](#)

Integrated Impact Assessment: [Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](#)

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

Kirklees Council Budget Papers 2024: [Budget and accounts | Kirklees Council](#)

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

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

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

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

Scrutiny Agenda 10th September 2024: [Agenda for Environment and Climate Change Scrutiny Panel on Tuesday 10th September 2024, 4.00 pm | Kirklees Council](#)

10. Appendices

N/A.

11. Service Director responsible

Graham West – Service Director Streetscene & Highways.