

**PRESENT:**

Councillor G Hazelwood representing North Kesteven District Council (Chairman)

Councillor C L Strange	Lincolnshire County Council
Councillor A H Turner MBE (Executive Support Councillor for Waste)	Lincolnshire County Council
Sean Kent	Lincolnshire County Council
Ian Taylor	Lincolnshire County Council
Richard Wills	Lincolnshire County Council
Councillor S Newton	East Lindsey District Council
Mark Humphreys	East Lindsey District Council
Councillor M Brookes	Boston Borough Council
Phil Drury	Boston Borough Council
Councillor F Smith	City of Lincoln Council
Steve Bird	City of Lincoln Council
Mark Taylor	North Kesteven District Council
Councillor R Gambba-Jones	South Holland District Council
Glen Chapman	South Holland District Council
Councillor J Smith	South Kesteven District Council
Tracey Blackwell	South Kesteven District Council
Councillor I Parrott	West Lindsey District Council
Glynn Pilkington	West Lindsey District Council
James Brackenbury	Environment Agency
Chief Inspector Mark Housley	Lincolnshire Police

The Chairman welcomed Councillor S Newton (East Lindsey District Council) and Richard Wills (Lincolnshire County Council) to the meeting.

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from George Bernard from Boston Borough Council.

18. MINUTES OF THE MEETING HELD ON 1 DECEMBER 2011

RESOLVED

That the minutes of the Lincolnshire Waste Partnership meeting held on 1 December 2011, be agreed and signed by the Chairman as a correct record.

19. POLICE UPDATE ON METAL THEFT

The Chairman welcomed Chief Inspector Mark Housley, from Lincolnshire Police to the meeting.

LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012

The Partnership received an update from Chief Inspector Housley regarding the current situation with metal thefts in the County, and what steps were being put in place to reduce this type of crime.

It was reported that metal theft was a national issue, and was prevalent in Lincolnshire. Incidents were measured by calendar year, and it was reported that in the previous year there had been 150 lead thefts in the county, this had increased to 346 in this year, but there had been diversification as thefts of catalytic converters and thefts of garden equipment from sheds were also being reported. The motivation behind this type of crime was that it was high value, for example one offender who was arrested was making £20,000 per month. The risk of getting caught was also fairly low.

There had always been a low level of metal theft in the county, but in 2011 an increase in the attacks on church roofs was noticed, particularly those which were medieval. These thefts started in North Kesteven and South Kesteven and gradually migrated across the county to the rest of Lincolnshire and Nottinghamshire. During the summer, people's properties started to be targeted and farmers also began to suffer. It became clear that these thefts were organised as torches were being used to cut up pieces of machinery. There was then a move to cable thefts, as the Police started to crack down on the attacks on churches. West Lindsey was one of the areas to suffer due to cable thefts. Sheds and allotments were also targeted for garden equipment.

The Police started to work with churches and the communities to clamp down on these crimes, and these crimes had now virtually been eradicated. There was also work being carried out with the public to get people to take responsibility and mark their property, in the event that if it was stolen, it would be able to be returned to its owner and the thief arrested. It was necessary to be able to prove where the metal had come from in order to prosecute.

It was thought that schools and museums were particularly vulnerable at this time and the Police were working with the British Transport Police, utility companies and the benefits agency to cut down on these crimes. It was noted that organisations such as the benefits agency were being engaged with, as civil legislation could also be used to prosecute offenders, as well as the proceeds of crime act.

The Police were working with scrap yards, identifying legitimate yards and ensuring that they had the correct licenses and permits and insurance.

The Partnership was provided with the opportunity to ask questions and some of the points raised during discussion included the following:

- Operation Brompton was ongoing;
- There was a lot of national progress on cutting down the number of cash transactions, which may discourage illegal activity;
- More markets were being created and good quality scrap had a high value and could be out of the country in less than 48 hours. There were two companies which were the main exporters and were legitimate and did provide assistance to the Police;
- Smart Water, a product which was used to mark and identify property, could be purchased by an individual over the internet;
- Smart Water was being used on church roofs;
- There was a need to be able to identify property when it was recovered;

**LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012**

- The Environment Agency was working with the Police on this issue and been involved in a few of the operations;
- There was an interesting change in legislation which meant that a conviction for metal theft could be used to take away waste carrying permits;
- The Police were also working with Fire and Rescue, Health and Safety, Customs and Excise, Revenue and Customs as well as other partners;
- It was suggested that the Police liaise with the courts to remind them of the maximum sentences which could be used for these crimes;
- Some offenders had the opinion that metal theft was a victimless crime;
- One other aspect which had increased was public involvement, and providing the police with information. Members were urged to ring the police if they saw anything which was suspicious in order to provide the Police with intelligence.

The Chairman thanked the Chief Inspector for attending the meeting.

RESOLVED

That the update be noted.

20. ENERGY FROM WASTE FACILITY AND WASTE TRANSFER STATIONS UPDATE

The Partnership received a verbal report from the Head of Environmental Management which provided Members with an update on progress made towards the delivery of the Energy from Waste Facility and the Waste Transfer Stations in the past three months.

The following was reported in relation to progress with the new Waste Transfer Stations:

Grantham – work was progressing very well and the road surfacing work should be starting around the site shortly. The Authority was hopeful that work would be completed in May 2012. The only outstanding issue was around the Section 38 agreement.

Sleaford – the detailed design work had been completed, and work was expected to start on site in early March 2012, with a build time of 6 months. Leadenham landfill would close in November 2012, so completion of the Waste Transfer Station at Sleaford would be a priority.

Boston – officers were pleased to report that planning permission had been awarded, and the detailed design work had been completed. It was hopeful that work on site would also commence in March 2012. It had been agreed to build a new cell at Slippery Gowt landfill. It was emphasised that there would be no impact on rounds.

Gainsborough – it was reported that planning permission had been awarded the previous week, and work was likely to start on site in August/September 2012.

It was reported that the Waste Transfer Stations would be operational from 1 April 2013, and officers were pleased with the way they were progressing.

**LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012**

In relation to the actual Energy from Waste facility, the Partnership was advised that work on the main bunker had been completed, and Councillor Strange and Councillor Hill MBE would be visiting the site in the week following this meeting of the Partnership. The project was on programme and budget. It should be fully operational from 2014, with hot commissioning from July 2013.

In relation to the future arrangements for East Lindsey, it was noted that officers were working with WRG to construct a new cell at the landfill in Middlemarsh, and in 18 months time, a tender would go out for a service contract

RESOLVED

That the updates received in relation to the Waste Transfer Stations and the Energy from Waste facility be noted.

21. FUTURE COMPOSTING CONTRACTS

The Partnership received a report from the Environmental Services Team Leader (Waste) which provided members with information in relation to the future of composting contracts in Lincolnshire. It was noted that the County Council sent over seventy thousand tonnes of garden waste for composting every year. This went to eleven different operators around the county and made up nearly half of the total tonnage which makes up the 52% recycling performance for Lincolnshire.

It was reported that within the composting industry there was an acknowledged standard for producing material after composting that was suitable to be sold to the general public. This was known as Public Acceptance Standard (PAS) 100.

The Partnership was advised that at a meeting of the National Association of Waste Disposal Officers (NAWDO), Defra had presented a proposal that from 2015, at the latest, only garden waste that was processed to PAS 100 standard would be allowed to count toward overall recycling performance.

There were a number of operators already operating to this standard in Lincolnshire, but there were a number who did not, who were typically farmers who used the composted material on their land. Under the current contract, it was not a requirement to process material to PAS 100. The Partnership was informed that approximately 28,000 tonnes of green waste was being sent to non-PAS 100 sites.

The Partnership was advised that if the proposals were adopted, it would not stop the use of non-PAS 100 sites, but it would mean that any material processed by these sites would not count towards the recycling performance for the county. The impact of this would be that the recycling performance of the county would reduce to 46%. The main benefit of operating to PAS 100 standards was that it produced a material which could be sold.

A discussion followed in which the members of the Partnership were provided with the opportunity to ask questions to the officers present and some of the points raised included:

**LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012**

- It was thought that there should be a move to PAS 100 operators, but this would cause problems for East Lindsey and so there would be a need to talk to the operators;
- The PAS 100 standard would need to be in place by April 2013;
- It looked optimistic that the operator at South Elkington would move to PAS 100;
- The County Council was paying a gate fee of £20-25 per tonne to dispose of the green waste and the quality of material was very good;
- Operators would have 14 months to convert to PAS 100 standard;
- The recycling target was important, as the LWP had an aspirational target of 55%, and there was a UK target of 50% of waste being recycled by 2020, which Lincolnshire would be expected to contribute towards;
- Farmers would be able to continue to take green waste and operate as a composting facility, but they would not get the business from the local authority;
- PAS 100 was an auditable standard and quality of compost product, and would be an improvement in material going onto the land;
- Only using PAS 100 operators would not necessarily cause an increase in cost of gate fees to the authority, as currently the most expensive was a non PAS 100 site;
- Achieving PAS 100 did not require specialist equipment, it was more about the methodology used to produce the compost;
- There was not any scope to extend existing contracts further, as they had already been extended;
- It was likely that there would not be any clarification on whether only material processed to PAS 100 standard would be included in recycling performance until 2014/15;
- It would be an option to let a contract for non-PAS 100 material as a fall back option, but authorities would need to be prepared to accept that any material sent to these operators would not be included in recycling performance;
- Recycling targets were important to residents and they would not want to see them reduced;
- Lincolnshire was a flagship county when it came to recycling, and as such should aspire to delivering a better quality of waste;

It was suggested that the LWP to write to DEFRA, as they did not yet have a clear position in relation to these proposals. It was also suggested that this issue should be discussed in more detail by the Officers at their next Working Group, and then report back to members, to enable a full discussion to take place at the next meeting of the Partnership.

RESOLVED

1. That the Lincolnshire Waste Partnership write to DEFRA regarding its position the proposal for only PAS 100 standard material being included in recycling performance;
2. That this be discussed further by the Officer Working Group at its next meeting, and the officers report back to the next meeting of the Lincolnshire Waste Partnership

22. PROVISION OF HOUSEHOLD WASTE RECYCLING CENTRES

The Partnership received an update from the Head of Environmental Management which provided them with information relation to the provision of Household Waste Recycling Centres (HWRC) in Lincolnshire.

It was reported that no decisions had yet been made in relation to opening days and times for the HWRC's, but it was agreed at Full Council on 17 February 2012, that all 13 HWRC's would remain open. A report would go to the Environmental Scrutiny Committee on 2 March 2012, before going to the Executive on 6 March 2012 on the Operational Policy for Household Waste Recycling Centres. Any comments made by the Scrutiny Committee would be passed on to the Executive. The final decision on opening hours would be made by the Executive at its meeting on 6 March 2012.

It was commented that the budget setting had been a very difficult exercise due to the £1.2m reduction in budget. However, it had become apparent how valuable the HWRC sites had become to residents. It was likely that the opening hours of each site would vary, with smaller ones being open for fewer hours than the larger well used sites.

The Partnership was informed that a strategy had already been developed for how residents would be informed of changes to the opening hours, and officers had been very closely with the Communications Team on this. It was also noted that if the levels of usage differed from what was expected then the opening hours would be looked at again.

The councillor representing South Kesteven District Council thanked the County Council for the recent consultation and was very grateful that all sites would now be kept open.

RESOLVED

That the update in relation to provision of Household Waste Recycling Centres be noted.

23. REVISED WASTE FRAMEWORK DIRECTIVE

Consideration was given to a report presented by the Environmental Services Team Leader (Waste) which provided the Partnership with information relating to revised Waste Framework Directive (rWFD) which had been released by the EU. This was a classification system for waste and the background to EU waste law, which Defra was required to transpose into UK law.

This had been brought to the attention of the Partnership as the interpretation placed by Defra on the existing practice of the co-mingled collection of recyclable materials where paper, tins, card, plastic etc was all collected in one bin and then sorted at a Materials Reclamation Facility, had been challenged through a judicial review granted to the Campaign for Real Recycling (CFRR). They argued that co-mingled collections should not be allowed under the WFD and only source separated into single material streams would meet the legal requirement of the rWFD.

**LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012**

If this was allowed it would effectively stop the co-mingled collection of recyclables. This would have a significant impact on Lincolnshire, as all the WCA's operated some sort of co-mingled collection, this would also require significant investment in vehicles, crews, boxes, bags or bins in order to keep materials separate and ensure the current levels of performance and recycling were maintained.

It was highlighted to the Partnership that the emphasis of this challenge seemed to be on providing an increased quality of recycle. This issue was discussed by the Partnership and it was felt that if these changes came into effect there would be a large financial impact for rural areas. It was suggested that the Lincolnshire Waste Partnership should lobby Defra on this issue, but that districts should also respond individually as this would act more weight to the case.

It was noted that the Executive Councillor for Economic Development sat on the LGA Environment Board, and it was suggested that he be asked to bring this issue up at a future meeting. There were also regular meetings of the Leaders and Chief Executives where this issue could be discussed further.

RESOLVED

That the Lincolnshire Waste Partnership write to DEFRA expressing their concerns over the need for source separation of recyclable materials.

24. DEFRA CONSULTATION – PRESENTING HOUSEHOLD WASTE FOR COLLECTION

Consideration was given to a report presented by the Head of Environment and Public Protection at North Kesteven District Council which provided the Partnership with information in relation to a consultation launched by DEFRA on proposed amendments to Section 46 of the Environmental Protection Act 1990, which set out the penalties which local authorities could apply to householders who presented their waste incorrectly for collection.

The Partnership was advised that the consultation had been considered by the Officer Working Group and they had drafted responses to each of the 11 questions within the consultation document.

The Executive Director for Communities commented that he had raised this at a recent LGA meeting, and one particular issue raised by colleagues had been the issue of anti-social behaviour in relation to waste and the hope that high fines could be retained, as there would be need to distinguish between anti-social behaviour and risk to amenity.

The City of Lincoln informed the Partnership that they received a lot of complaints about people leaving their bins out on the streets after they had been emptied, and currently the powers were used to minimise this behaviour, and also to reduce the potential risk of contamination of waste streams and improve the quality of recycling.

The Partnership was advised that the reasoning behind the lowering of the penalty was due to it being compared with the penalties for other offences such as shoplifting, which was a maximum of £80. It then needed to be decided whether the

LINCOLNSHIRE WASTE PARTNERSHIP
23 FEBRUARY 2012

offence of incorrectly presenting waste for collection was more or less serious than shoplifting, which resulted in the lowering of the maximum fine to £80.

RESOLVED

That the Lincolnshire Waste Partnership respond to the consultation as indicated in Appendix 1 of the report.

25. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act, as amended.

26. DRY RECYCLABLES CONTRACTS TENDERING PROCESS – NORTH KESTEVEN, SOUTH HOLLAND AND SOUTH KESTEVEN DISTRICT COUNCILS

Consideration was given to a report presented by the Head of Environment and Public Protection at North Kesteven District Council which provides the Lincolnshire Waste Partnership with information in relation to the dry recycling contracts tendering process for North Kesteven, South Holland and South Kesteven District Councils.

RESOLVED

That the report presented be noted.

The meeting closed at 11.40am.