

**Open Report on behalf of the Executive Director for Communities**

Report to:	<b>Executive</b>
Date:	<b>10 January 2012</b>
Subject:	<b>Revision of policy for the Provision of Household Waste Recycling Centres</b>
Decision Reference:	<b>01976</b>
Key decision?	<b>Yes</b>

**Summary:**

To allow the Executive to consider and make a policy decision to revise the current policy of the distance of a household from a Household Waste Recycling Centre (HWRC). The current policy provides that the majority of households (90%) should be within 7 miles radius of a HWRC. The proposed revision provides that the majority of households (95%) should be within 12 miles radius of a HWRC.

To make a policy decision to continue to support South Kesteven District Council (SKDC) and East Lindsey District Council (ELDC) financially, by way of supplementary payments for the Stamford and Mablethorpe areas respectively.

**Recommendation(s):**

1. To adopt a policy to provide for the majority (95%) of households to be within a 12 mile radius of a HWRC. This change to take effect from 1<sup>st</sup> April 2012.
2. To discontinue all supplementary payments with the exception of supplementary payments to ELDC and SKDC to provide an on the ground recycling service at Mablethorpe and Stamford respectively. This change to take effect from 1<sup>st</sup> April 2012.

**Alternatives Considered:**

The alternatives considered were:

1. The continuation of the 7 mile radius policy.
2. The continuation of supplementary payments.
3. No supplementary services to be provided.

**Reasons for Recommendation:**

The proposed new policy provides for a HWRC service that 95% of residents can access within 12 miles from their home; this is considered reasonable and affordable.

The continuation of the supplementary services payments to Mablethorpe and Stamford are considered an appropriate measure.

**1. Background**

Following due consideration and recommendation from the Waste Policy Development Group, the Council adopted a policy in 2007 that 90% of households in Lincolnshire should be within a 7 mile radius of a HWRC.

For the County Council to comply with this policy there was a requirement for an additional four facilities to be built at Middle Rasen, Stamford, Mablethorpe and Long Sutton.

Construction has been completed on the Middle Rasen site and this was opened in March 2011.

Despite the consideration of numerous different locations, it has not proved possible to acquire suitable land for a HWRC at Stamford, Mablethorpe or Long Sutton.

With the changing economic circumstances that are now facing the County Council, that being pressures on its Capital Programme and the need to meet core offer savings it is now appropriate for the Council to review its HWRC policy.

**Distance to HWRCs**

Appendix A shows the current 7 mile radius policy.

This highlights the requirement for the four additional HWRCs that were identified when the policy was adopted in 2007.

Appendix B shows the coverage of the County based on both the proposal of a 12 mile radius and supplementary payments.

The adoption of this 12 mile radius policy ensures that over 95% of the population will fall within a 12 mile radius of a HWRC. There would be a choice of HWRCs available to residents in certain areas where there is overlap.

### Supplementary Service Payments

As a part of the 2007 policy, it was also agreed on the recommendation of the former Waste Policy Development Group to make payments to the District Councils, related to the households falling outside the seven mile radius to a HWRC, until such time as the additional facilities were provided. These payments were based on the number of properties outside of the 7 mile radius and on the provision that the District Council used the funds to increase recycling of household waste.

This resulted in the following payments in 2011/12:

East Lindsey DC	£51,170
South Holland DC	£40,284

The payment to West Lindsey was stopped as the Rasens HWRC facility opened in March 2011.

The County Council also pays for a supplementary service in Stamford on a weekly basis. The cost of this service for 2011/12 is expected to be £49,600.

It is appropriate that the Council should now review whether to continue to make these payments.

### Proposed Supplementary Service Payments

If the present 7 mile policy is retained, then the County Council in principle would continue to make supplementary payments. If the adopted policy is for 12 mile radius, then the logic would be that the Council would no longer continue to pay Supplementary Service Payments

However, in recognition of the large towns of Stamford and Mablethorpe, it is recommended that they will be offered direct support from the County Council through supplementary payments to both South Kesteven and East Lindsey District Councils respectively. The justification for doing so being, that both towns are sizeable in population, are on the margins of the 12m radius, and if the Council had sufficient funds it could justify the development of new HWRCs in both of these towns. This direct support is proposed to be given to SKDC and ELDC, for the provision of supplementary operational services in lieu of a HWRC in these towns.

It is recommended that save for the two locations above, all other previously agreed Supplementary Service Payments are stopped. It is proposed to implement this change from 1<sup>st</sup> April 2012.

Under the Equality Act 2010, in its decision making, the Executive must be aware of the special duties the Council owes to persons who have a protected characteristic. In particular the Executive must take into account the risk of any adverse impact arising from the decision on people with protected characteristics and any measures to mitigate that impact before it takes its decision.

An initial impact analysis has been written and is attached at Appendix C that indicates that there are no concerns that a change in policy would have an adverse impact on people with protected characteristics. The rationale being that the policy continues to provide the opportunity for residents to gain reasonable access to a recycling centre, albeit that some residents in certain areas may have to continue to travel further than was expected under the current policy. The service will still continue to provide help for residents by way of on-site staff.

## **2. Conclusion**

The County Council is facing a challenging future in terms of allocating increasingly scarce resources to capital schemes, and especially towards facilities such as HWRCs.

The proposals outlined in this report will enable the County Council to continue providing first class recycling and disposal opportunities for Lincolnshire residents, whilst recognising current financial restraints and achieving budget targets.

## **3. Legal Comments:**

Under Section 51 of the EPA 1990 the Council has a duty to arrange for places to be provided at which persons resident in its area may deposit their household waste. The recommended amendment to the Council's policy will continue to enable the Council to meet its statutory obligations.

The Council's duty under the Equality Act 2010 needs to be taken into account by the Executive when coming to a decision;

The Council must, in the exercise of its functions, have due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: s 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

(1) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(2) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(3) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others.

The recommendations are lawful and within the Executive's remit.

#### **4. Resource Comments:**

Approval of this report will change the Council's policy to 95% of Lincolnshire residents living within 12 miles of a Household Waste Recycling Centre. This change in policy better reflects the Council's affordability in not being able to provide more Household Waste Recycling Centres required under the current policy, but whilst continuing to provide a reasonable level of service and enabling the financing of some supplementary services.

#### **5. Consultation**

##### **a) Has Local Member Been Consulted?**

Yes

##### **b) Has Executive Councillor Been Consulted?**

Yes

##### **c) Scrutiny Comments**

Environmental Scrutiny Committee from Friday 8th July 2011.

That the Executive be informed that the Committee supports:-

1. The proposal to change the current policy which provides that the majority of households should be within seven miles distance of a Household Waste Recycling Centre to twelve miles of a Household Waste Recycling Centre.
2. The cessation of supplementary payments to those District Councils where there are significant households not within the policy distance to a Household Waste Recycling Centre.

#### **d) Policy Proofing Actions Required**

The proposal could increase emissions from vehicle usage as a result of residents having to travel further to access a HWRC and have an impact on waste and recycling if the increased travel distances to a HWRC deter residents from using the facilities.

It is not possible to measure the actual impact of this change as usage of these sites is determined entirely by residents who use them as and when required. Indeed the need to travel further may reduce the actual number of visits made through an increase in the amount of waste carried each time.

The recycling performance at Lincolnshire HWRCs remains consistently high and it is not expected that this change will in any way significantly affect that level of performance as the same opportunities to divert waste from landfill will be retained.

## **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Map of HWRCs within a 7 mile radius
Appendix B	Map of HWRCs within a 12 mile radius
Appendix C	Initial Equality Impact Assessment

## **7. Background Papers**

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

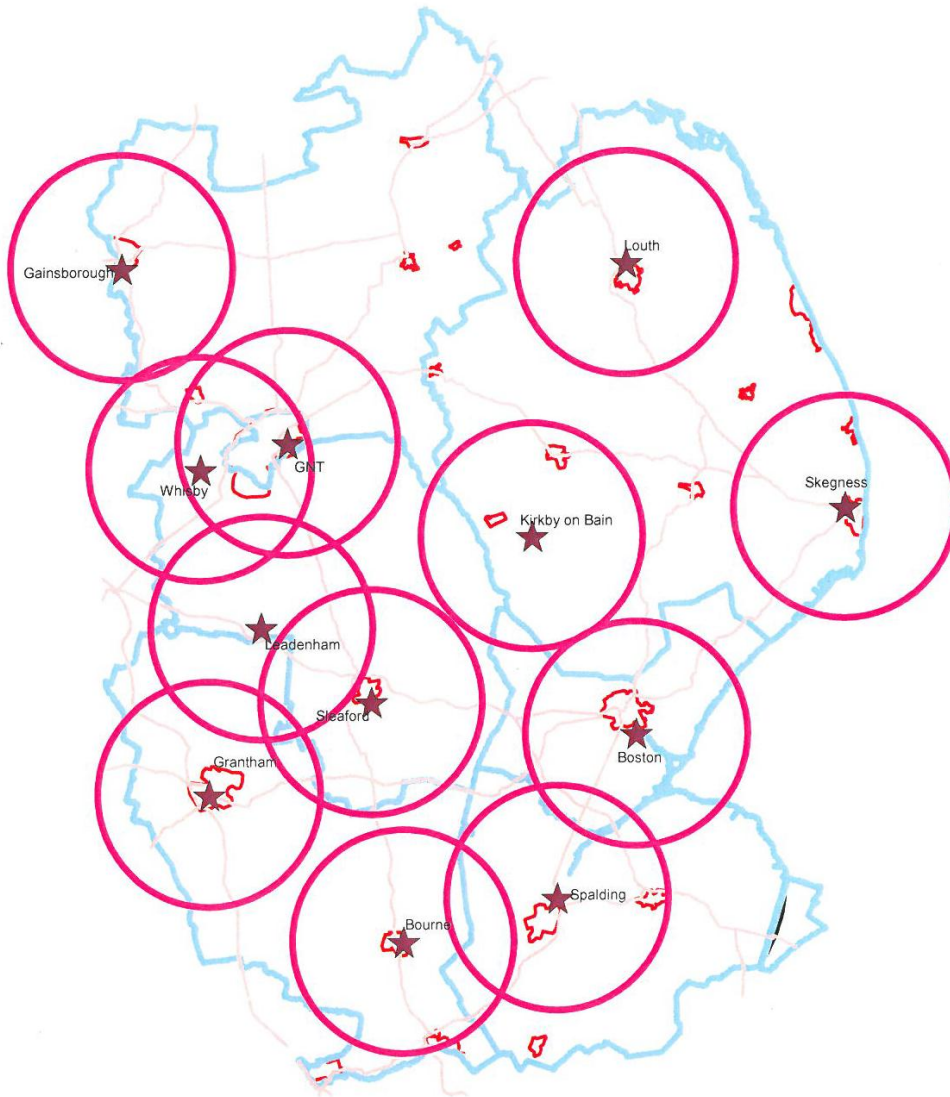
Document title	Where the document can be viewed
Waste Policy Development Group 19th February 2007	Lincolnshire County Council Committee Record System

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APPENDIX A  
SHOWING 7 MILE RADIUS

KEY

★ HWRC



APPENDIX B

KEY

★ HWRC

— 12 MILE RADIUS

INFORMAL CROSS BORDER AGREEMENT

INFORMAL CROSS BORDER AGREEMENT

INFORMAL CROSS BORDER AGREEMENT

INFORMAL CROSS BORDER AGREEMENT

INFORMAL CROSS BORDER AGREEMENT

Proposed contribution to ELDC for an operational supplementary service

Proposed contribution to SKDC for an operational supplementary service



DIRECTORATE FOR DEVELOPMENT

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Initial Equality Impact Assessment

Directorate	Service	Person responsible for the assessment:	Date assessment completed:
Communities	Environmental Services	Sean Kent	December 2011
<b>Title of the revised service being assessed</b>	Provision of Household Waste Recycling Centres		
<b>The status of the revised service</b>	Proposed		
<b>1.) What are the aims, objectives and purpose of the revised service ?</b>	<p>The changes proposed to the policy are required to reflect the Authority's affordability of the further provision of Household Waste Recycling Centres across the county. The Authority will continue to meet statutory responsibilities and maintains the high level of service currently provided. HWRC's also play an important role in meeting waste diversion targets from landfill and contribute to the high recycling performance in Lincolnshire.</p>		
<b>2.) Does the revised service support other objectives of the Council?</b>	<p>Yes. This change supports the Lincolnshire County Council Organisational Strategy 2011- 2015 and the County Council's purpose of:</p> <ul style="list-style-type: none"> <li>- investing in infrastructure and the provision of services;</li> <li>- outcomes based on our communities' needs;</li> <li>- promoting community wellbeing and resilience;</li> <li>- influencing, coordinating and supporting other organisations that contribute to the life of Lincolnshire.</li> </ul>		

## Initial Equality Impact Assessment

<b>3.) Who is intended to benefit from the revised service, and in what way?</b>	The proposed changes to the policy for the provision of Household Waste Recycling Centres is required in order for the Authority to work within an affordable budget. Statutory requirements are exceeded as only two Household Waste Recycling Centres are necessary. The revised policy will provide 95% of the public with access to a HWRC within a 12 mile radius.		
<b>4.) What outcomes are anticipated from the revised service being in place?</b>	<ul style="list-style-type: none"> <li>▪ To continue delivering the Waste Services objectives of: minimising the weight of waste produced per head of population; increase reuse, recycling and composting; reduce the amount of waste that is landfilled.</li> <li>▪ The Authority will recognise that Stamford and Mablethorpe, being in the fringes of the 12 miles radius and being highly populated centres will be provided alternatives to a HWRC through contributions to South Kesteven and East Lindsey councils respectively. These supplementary payments will provided to enable on the ground recycling services to be developed within both the towns.</li> </ul>		
<b>5.) Who are the main stakeholders of this revised service?</b>	<b>Community</b>	<b>Staff</b>	<b>Partners</b>
	<ul style="list-style-type: none"> <li>• Public</li> <li>• HWRC Site Operators</li> </ul>	<ul style="list-style-type: none"> <li>• Staff in Environment Services</li> <li>• Support Staff</li> </ul>	<ul style="list-style-type: none"> <li>• District and Parish Councils</li> <li>• Lincolnshire Waste Partnership</li> </ul>
<b>6.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to race and ethnicity?</b>	No		

Initial Equality Impact Assessment

<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact upon service users.</p> <p>HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>7.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to gender?</b></p>	<p><b>No</b></p>	
<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact upon service users.</p> <p>HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>8.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to disability?</b></p>	<p><b>No</b></p>	
<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact upon service users.</p> <p>HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>9.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to age?</b></p>	<p><b>No</b></p>	

Initial Equality Impact Assessment

<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact for service users. HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>10.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to religion/belief?</b></p>	<p><b>No</b></p>	
<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact for service users. HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>11.) Are there any concerns that the revised service <i>could</i> have a negative impact with regard to sexual orientation?</b></p>	<p><b>No</b></p>	
<p><b>What evidence (actual data or assumptions) do you have to support this?</b></p>	<p>There would be no impact for service users. HWRC sites are open and available to all regardless of race, ethnicity, gender, religious belief or sexual orientation. Staff are available on site to assist elderly or disabled users.</p>	
<p><b>12.) Could the negative impact you have identified in questions 6-11 lead to the potential for <i>adverse</i> impact if the revised service is implemented?</b></p>	<p><b>No</b></p>	

Initial Equality Impact Assessment

<p>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?</p>	<p>N/A</p>		
<p>Can the impact be mitigated by existing means?</p>	<p>Yes</p>		
<p>If yes, what actions will you undertake to mitigate these impacts and revise the revised service?</p>	<p>The current level of staffing available to assist users is being maintained at all sites.</p>		
<p>13.) As a result of your assessment, and any actions undertaken, should the restructure proceed to a partial impact assessment?</p>	<p>No</p>	<p>If yes, the date of completion for the partial assessment</p>	<p>N/A</p>
<p><i>Has this assessment been undertaken by a minimum of two staff?</i></p>	<p>Yes</p>	<p><i>Has this assessment been scrutinised by your Directorate Steering Group?</i></p>	<p>No</p>

Initial Equality Impact Assessment



<i>If the revised service is new, or requires a decision by Councillors to revise, has this Equality Impact Assessment been included with the report?</i>		Yes	
<i>Have any actions identified in this assessment been included in your service equality and diversity action plan?</i>		N/A	
<i>Completed by:</i>	<i>Sean Kent and Ian Taylor</i>	<i>Signed off by:</i>	<i>Richard Belfield</i>