

Item: 8

Development and Infrastructure Committee: 7 September 2021.

Household Waste Recycling Centres.

Report by Interim Executive Director of Environmental, Property and IT Services.

1. Purpose of Report

To reconsider alternative, compliant options for continued operation of Cursiter Quarry and St Margaret's Hope Household Waste Recycling Centres.

2. Recommendations

The Committee is invited to note:

2.1.

That, on 30 March 2021, when reviewing operation of the Household Waste Recycling Centres (HWRCs) at Cursiter Quarry and St Margaret's Hope, the Development and Infrastructure Committee recommended:

- That consideration of the proposed closure of the HWRCs at Cursiter Quarry and St Margaret's Hope, in order to address the issues associated with compliance with SEPA licence conditions, be deferred, to enable the Executive Director of Development and Infrastructure to submit a detailed report to the Committee, no later than October 2021, to include alternative, compliant options, such as the continued operation of both sites as recycling points only.
- That, in the interim period, the sites at Cursiter Quarry and St Margaret's Hope should continue to operate as recycling points only, thereby enabling compliance with waste licensing regulations.

2.2.

That, since April 2021, the sites at Cursiter Quarry and St Margaret's Hope have been operating as recycling points only, with incidents of abuse, either through deposition of commercial waste or with householders leaving items or materials which are not accepted, together with the time and resource required to remove and appropriately dispose of the inappropriate materials, recorded.

2.3.

That discussions have been held with the Scottish Environment Protection Agency (SEPA) regarding operating the sites as recycling points and they have no concerns or issues with this approach.

2.4.

That the only other option available to enable compliance with waste licensing regulations is the closure of both sites.

It is recommended:

2.5.

That the sites at Cursiter Quarry and St Margaret's Hope should continue to be operated as recycling points only.

3. Background

3.1.

At its meeting held on 30 March 2021, the Development and Infrastructure Committee noted:

3.1.1.

That the Council operated five Household Waste Recycling Centres across the Mainland of Orkney, which allowed householders to deposit a range of recyclable materials, together with household waste.

3.1.2.

That the Household Waste Recycling Centres were provided in accordance with the requirements of the Environmental Protection Act 1990 and licensed by the Scottish Environment Protection Agency (SEPA) under the Waste Management Licensing Regulations 1994.

3.1.3.

That, although SEPA licence conditions for the Household Waste Recycling Centres stipulated that a member of staff should be on site during the hours of operation, Cursiter Quarry and St Margaret's Hope Household Waste Recycling Centres were unstaffed, resulting in a breach of licence in respect of those two unsupervised sites during normal operations.

3.1.4.

That, although ongoing discussion and negotiation with SEPA had enabled the sites at Cursiter Quarry and St Margaret's Hope to remain open, a sustainable, long-term solution to the issue was required.

3.1.5.

That there were insufficient resources within the Environmental Services budget to staff the Household Waste Recycling Centres at Cursiter Quarry and St Margaret's Hope.

3.1.6.

Options for the future operations at Cursiter Quarry and St Margaret's Hope, as outlined in section 4 of the report by the Executive Director of Development and Infrastructure, with the preferred option being Option 2, namely to close both sites, being the most efficient and only affordable option for the Council.

3.2.

The Committee recommended:

3.2.1.

That consideration of the proposed closure of the Household Waste Recycling Centres at Cursiter Quarry and St Margaret's Hope, in order to address the issues associated with compliance with SEPA licence conditions, be deferred, to enable the Executive Director of Development and Infrastructure to submit a detailed report to the Committee, no later than October 2021, to include alternative, compliant options, such as the continued operation of both sites as recycling points only.

3.2.2.

That, in the interim period, the sites at Cursiter Quarry and St Margaret's Hope should continue to operate as recycling points only, thereby enabling compliance with waste licensing regulations.

4. Recycling Point Operation

4.1.

Since April 2021, both sites have been operating as recycling points only. This means that they have been able to receive a limited number of recyclable materials, as listed below.

- Garden Waste.
- Glass, plastic bottles, metals, paper.
- Cardboard.
- Scrap metal.
- Waste Electrical Equipment.

4.2.

This approach has been discussed with SEPA, who have agreed that receipt of these materials can be provided under the appropriate exemptions. Whilst operating as recycling points only has resulted in a loss of amenity for both local communities, in that they are no longer able to dispose of their residual waste on site, the ongoing kerbside collection service has ensured that they are able to dispose of this waste in a convenient manner and, should they have any excess such waste, are able to take it to one of the other three Household Waste Recycling Centres at Garson, Bossack or Hatston.

4.3.

With unstaffed sites there is always a concern that they may be the subject of abuse, either through the deposition of commercial waste or with householders leaving items or materials which are not accepted. Deposition of such materials can lead to the site having to be closed whilst a cleaning operation is arranged or, should it reach extreme levels, intervention by SEPA to mandate site closure until operational controls can be implemented to manage the abuse. In order to develop an understanding of the level of risk associated with this at these sites, staff have been keeping a record of any such incidents and the time and resource which was required to remove and appropriately dispose of the inappropriate materials.

4.4.

It should be noted that all sites have been, and continue to be, subject to abuse, through the deposition of either commercial waste or inappropriate materials. Significant efforts continue to be made to ensure that residents and householders are aware of the ways in which the sites operate, through communication campaigns and onsite signage. In addition, a permit scheme has been developed for the Household Waste Recycling Centres which was agreed by Council in 2019. Unfortunately, the COVID-19 pandemic has delayed implementation of this scheme to date.

5. Assessment of Operation

5.1.

Whilst the site at St Margaret's Hope has operated well during this trial period, there are significant concerns about behaviour at Cursiter Quarry and a subsequent concern around the level of risk associated with operating it as a recycling point only. There are also concerns about the additional cost burden on the service as a result of dealing with abuse at the site.

5.2.

During the period from 1 April to 18 August 2021, a total of 21 incidences of abuse were recorded. Five of these were at St Margaret's Hope whilst the remaining 16 were at Cursiter Quarry. Three of the incidences at St Margaret's Hope occurred in the first week and, following publicity across social media, no further abuse was noted for a considerable period of time. However, two further incidents have taken place in the last month, indicating that additional communication may be required. Incidents at Cursiter Quarry, however, are occurring on a regular basis, with residual waste, tyres and commercial waste making up the majority of the materials. On each occasion, operatives and equipment have to be deployed on site to clean up the waste. Further costs then accrue in order to ensure correct disposal. The total cost to the service for these 21 incidents is estimated as £4,270.

5.3.

Waste and recycling material flows are not controlled by the Council. Instead, the service attempts to provide sufficient collection points – both kerbside and

community based – to enable these materials to be appropriately captured and dealt with. Closure of a particular site, or restrictions on the materials which can be accepted there, largely results in the diversion of those materials to other collection points. Hence it is important to understand the impact on other collection points of the diversion of residual waste from St Margaret's Hope and Cursiter Quarry. The service has therefore compared the volumes of residual waste collected kerbside during April to June 2019 with that collected in April to June 2021. Due to the impacts of the COVID-19 pandemic, data from 2020 was not considered to provide an appropriate baseline. It should also be noted that 2021 data is still impacted by the pandemic, if less so, and so conclusions may not be clear cut. Similarly, data on waste collected at the HWRCs was also compared over the same period.

5.4.

Interestingly, the total volume of residual waste collected from all input points decreased in 2021 compared to 2019. This may have been as result of the pandemic or may be due to changing behaviours around waste minimisation and recycling. Notwithstanding this, the impact of closing the site at St Margaret's Hope can clearly be seen in the increased volumes of residual waste collected at the kerbside in the surrounding area. Whilst volumes have increased, this has not led to any significant capacity concerns for the collection service or any associated need to replan routes or amend the vehicles serving the area so far. It is noted that kerbside collection is also the most efficient way to collect waste.

5.5.

Similarly, volumes of residual waste accepted at the three sites at Hatson, Garson and Bossack have increased compared to the dates in 2019, although the total decreased. The increase at the individual sites is presumably due to the diversion of this waste from St Margaret's Hope and Cursiter Quarry. Again, this has not led to significant capacity concerns at these sites, although it is noted that operations are still impacted by COVID-19 restrictions.

5.6.

As noted above, there has been a steady incidence of abuse at Cursiter Quarry, with the service making efforts to reduce this through improved signage and communications. The ongoing cost and service disruption associated with this is not negligible and a plan to tackle this will be required, should the site continue to operate in this way.

5.7.

There have been no reports of increased fly tipping, either in the areas around the two sites, or more widely.

5.8.

Discussions have been held with SEPA regarding operating the sites as recycling points and they have no concerns or issues with this approach.

6. Conclusions

6.1.

Notwithstanding the incidents at Cursiter Quarry, operation of the two sites as recycling points has, in the main, worked well and has not caused any undue impact to the service's ability to collect and dispose of household waste and recycling. It has also ensured that the Council is no longer breaching licence conditions as the requirement for on-site supervision applies only when residual waste is being received.

6.2.

It is recognised that both sites provide clear amenity benefits to the local communities and that closure of the sites would result in significant inconvenience. Similarly, whilst the service has been able to deal with the diversion of residual waste into alternative collection points, there are concerns that closure – and the subsequent diversion of all materials – may lead to unmanageable amounts of material appearing elsewhere which current collection arrangements are not equipped to deal with.

6.3.

By operating the sites as recycling points the Council would be able to ensure continued service provision in a way which is legally compliant. This approach has been discussed with SEPA and no significant concerns have been raised. It is noted however that the situation at Cursiter Quarry will continue to be closely monitored and that temporary site closures may be required if incidences of abuse continue. The only alternative option available for compliance is the closure of both sites.

7. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 1 to this report.

8. Links to Council Plan

8.1.

The provision of Household Waste Recycling Centres, including alternative disposal methods, supports and contributes to improved outcomes for communities as outlined in the Council Plan strategic priority theme of Enterprising Communities.

8.2.

The proposals in this report relate directly to Priority 4.6 – Review and establish fresh approach for waste management – of the Council Delivery Plan.

9. Links to Local Outcomes Improvement Plan

The provision of Household Waste Recycling Centres, including alternative disposal methods, supports and contributes to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Strong Communities.

10. Financial Implications

10.1

Full closure of the sites was estimated to realise an efficiency saving of £32k. This should be noted in the context that the overall cost of operating the five Household Waste Recycling Centres for financial year 2020/21 was £578,842, which exceeded the approved budget of £493,600 by £84,242 or 17%.

10.2

There is some, limited, potential for revenue savings associated with running the sites as recycling points only. As both sites will remain open the existing running costs associated with utilities and site services will continue. There may, however, be some efficiencies associated with the diversion of residual waste to the kerbside collection service. Similarly, there are potential efficiencies in the collection and transport of materials due to a smaller number of collection points, opportunities for larger skips and reduced transport distances from site to the Waste Transfer Station at Chinglebraes. However, the sums involved are likely to be insignificant in the context of the overall waste services budget.

11. Legal Aspects

11.1.

Under Section 33(6) of the Environmental Protection Act 1990, a person who contravenes any condition of a waste management licence commits an offence. This means that they may be liable to imprisonment and/or a fine. There is therefore a clear risk to the Council if any sites continue to operate in contravention of their licence conditions. Operating the sites at Cursiter Quarry and St Margaret's Hope as recycling points only will help the Council mitigate this risk.

11.2.

The statutory obligation on the Council is to provide at least one place where residents are able to deposit their household waste and that this place should be reasonably accessible to residents. No definition is given of "reasonably" and this would ultimately be for a court to decide in the event of any challenge.

12. Contact Officers

Hayley Green, Interim Executive Director of Environmental, Property and IT Services, Email hayley.green@orkney.gov.uk

David Thomson, Interim Head of Roads, Fleet and Waste Services, Email david.thomson@orkney.gov.uk

Lorna Richardson, Strategic Policy and Projects Manager, Email
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13. Appendix

Appendix 1: Equality Impact Assessment.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Reconfiguration of Household Waste Recycling Centres at St. Margaret's Hope and Cursiter Quarry as Recycling Points
Service / service area responsible.	Infrastructure and Strategic Projects
Name of person carrying out the assessment and contact details.	Lorna Richardson
Date of assessment.	27/7/21
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	This is an amendment to an existing service, with some loss of amenity to local residents. However, they will still have the ability to have their residual waste collected kerbside or to take it themselves to another HWRC, albeit at a greater distanced.

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To ensure that the waste sites at St. Margaret's Hope and Cursiter Quarry are operating in a legally compliant way.
Is the function / policy / plan strategically important?	The Council has a requirement, under the Environmental Protection Act 1990 to provide at least one place where residents are able to deposit their household waste and that this place should be reasonably accessible to residents.
State who is, or may be affected by this function / policy / plan, and how.	Residents of Burray and South Ronaldsay and Finstown. They will no longer be able to take their excess residual waste to a local Household Waste Recycling Centre. They will, however, continue to

	have access to the kerbside collection service and the bulky uplift service and will be able to make use of any one of the three remaining HWRCs in Mainland Orkney.
How have stakeholders been involved in the development of this function / policy / plan?	As part of the development of the Alternate Weekly Collection service, extensive consultation was undertaken. There was further engagement around the use of HWRCs in 2018.
Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).	No
Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.	No
Could the function / policy have a differential impact on any of the following equality areas?	(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).
1. Race: this includes ethnic or national groups, colour and nationality.	No
2. Sex: a man or a woman.	No
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No
4. Gender Reassignment: the process of transitioning from one gender to another.	No
5. Pregnancy and maternity.	Households with new babies may generate

	additional waste and struggle with existing kerbside capacity.
6. Age: people of different ages.	Older residents in rural areas may struggle to access the kerbside collection service and make use of the HWRCs instead.
7. Religion or beliefs or none (atheists).	No
8. Caring responsibilities.	No
9. Care experienced.	No
10. Marriage and Civil Partnerships.	No
11. Disability: people with disabilities (whether registered or not).	No
12. Socio-economic disadvantage.	No
13. Isles-proofing.	Isles residents would not normally access either of these HWRCs. If they do bring waste to the Mainland they would presumably use the sites in Kirkwall or Stromness as these are closest to the ferry terminals

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	Yes.
How could you minimise or remove any potential negative impacts?	Residents who generate additional waste will be encouraged to apply for the additional capacity service. Assisted collection is also available for older residents who struggle with bins.
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. Conclusions and Planned Action

Is further work required?	No
What action is to be taken?	N/A
Who will undertake it?	N/A
When will it be done?	N/A

How will it be monitored? (e.g. through service plans).	N/A
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 Date: 27/7/21

Signature:

Name: LORNA RICHARDSON

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk