

## SOMERSET WASTE BOARD

Minutes of the meeting of the Somerset Waste Board held in the Luttrell Room, County Hall, Taunton, on Friday, 11 February 2011 at 2.00 pm.

### PRESENT

Mr D Hall	Mr T Parsley
Mr K Hayward	Jo Roundell Greene
Mr N Hewitt-Cooper	Mr J Swayne
Mr S Kingham	Mrs M Whitmarsh
Mrs K Kravis	Mr N Woolcombe-Adams
	Mr D Yeomans (Chairman)

**Other Members Present:** Mr J Dyke, Mrs K Turner, Mr N Turner, Mr P Ham, Mrs C Fleming, Mrs F Nicholson, Mrs G Cawood, Mr D Huxtable and Mrs A Singleton

**Apologies for Absence:** Mr C Morgan

The Chairman welcomed the members of public present to the meeting and indicated who present were Board Members and who were officers.

- 113 **MINUTES OF THE MEETING HELD ON 10 DECEMBER 2010** – agenda item 2  
The Minutes of the meeting of the Board held on 10 December 2010 were taken as read and signed as correct.

- 114 **DECLARATIONS OF INTEREST** – agenda item 3

Members of the Waste Board declared the following personal interests:

Mr D Hall	Member of Sedgemoor District Council
Mr K Hayward	Member of Norton Fitzwarren Parish Council
Mrs M Whitmarsh	Member of Wiveliscombe Parish Council
Mr D Yeomans	Member of South Somerset District Council
	Member of Curry Rivel Parish Council

- 115 **PUBLIC QUESTION TIME** – agenda item 4

The Chairman highlighted to the members of the public present that the Board are aware of the issues relating to the proposed closure of Household Waste Recycling Centres (HWRC) such as the potential reduction in recycling rates which would have an impact on Council budgets, an increase in mileage and congestion at sites left open, and a potential increase in fly tipping and a rise in landfill costs.

The following questions / statements were heard from members of the public:

#### *Item 5 – Somerset Waste Partnership Business Plan*

Mrs Jan Ross made a statement regarding the proposed closure of the Dulverton HWRC. Key points were made as follows:

- Dulverton is located in a rural, remote and sparsely populated part of Somerset. The HWRC is well used and had 24,000 visits in 2009. The current kerbside collection in the area is not Sort It Plus. She questioned the rationale used to select Dulverton HWRC for potential closure, as the nearest alternative HWRC is in Minehead which is a 36 mile round trip..
- It was highlighted that elderly people may be unable to make the journey to Minehead from Dulverton.

- It was noted that people in Dulverton would be willing to pay to use the Dulverton HWRC, or that an alternative option would be to cut opening hours across all centres greater than proposed in the report.

Mr Martin Pakes from the Crewkerne Civic Society made a statement regarding the proposed closure of Crewkerne HWRC. Key points were made as follows:

- Questions raised regarding the criteria for selecting the potential recycling centres for closure. Mr Pakes believes that the number of people who will use alternative HWRCs has been overestimated.
- Mr Pakes questioned what the eventual balance will be from the increase in costs from closing centres compared to how much money will be saved by closing them. He believes that it will cost the Councils more in the end.

Mr Robin Bradbury from Coleford Parish Council made a statement regarding the proposed closure of Coleford HWRC. Key points were made as follows:

- The percentage of recycling done by the residents will reduce as a result of the closure. People will not want to drive the extra miles to use an alternative facility.
- The proposals would mean that landfill tax costs will increase for the County Council and increased fly tipping costs will fall upon the District Councils.

Mr Robin Pailthorpe, the Deputy Mayor of Crewkerne Town Council, made a statement regarding the proposed closure of Crewkerne HWRC. Key points were made as follows:

- Sort It Plus has been successful in South Somerset.
- Concerned by the proposed closure of Crewkerne HWRC.
- A petition against the closure has been signed by over 7,000 people.
- It is a 16 mile round trip to the nearest alternative which will increase CO2 emissions, increase the wear and tear on roads, and people will not want to make this trip. As a result, fly tipping will increase.

Members noted the concerns raised and asked the Managing Director to respond to the questions. Mr Steve Read, Managing Director of the Somerset Waste Partnership, referred to a question submitted to him regarding the level of fundingspent on the Coleford HWRC site within the last couple of years. He confirmed that Coleford HWRC had money spent on it for improvements some years ago but this was not classed as major capital works. He also confirmed that the roll out of Sort It Plus in West Somerset is a priority of the Partnership.

#### 116 **SOMERSET WASTE PARTNERSHIP BUSINESS PLAN** – agenda item 5

The Board considered this report which set out consultation responses from partner authorities on the Draft Business Plan 2011-16, and sought approval for the final version of the Business Plan 2011-16. It was noted that the report was presented in conjunction with the Annual Budget which followed on the agenda.

Mr Steve Read, Managing Director of the Somerset Waste Partnership, asked the Board to note that Cllr David Hall (as the Cabinet Member for Strategic Planning and Economic Development at Somerset County Council) had agreed the following as the County Council's response to the draft Business Plan:

- To endorse the response to the Somerset Waste Board draft Business Plan (2011-2016) on behalf of Somerset County Council; and
- Concurred on behalf of the Authority with the extension of the waste collection contract to 2021 and the cost saving measures proposed by Somerset County Council which include (subject to consultation) the closure of selected Household Waste Recycling Centres.

*Mr Read highlighted to the Board that the District Councils had, to various degrees, expressed concerns about the default option of potentially closing four HWRCs.*

It was highlighted that paragraph 3.4 of the report indicates that if the Board cannot agree a balanced budget then the default position is the previous year's budget plus inflation. The Board were asked to note that this is not a viable permanent option because this is greatly in excess of the budget as presented to the Board, as no savings options could therefore be taken.

Mr Read confirmed the view expressed in paragraph 4.4 of the report, that if the four Centres proposed were to close, then the geographical distribution, capacity and accessibility of the remaining network would be sufficient to ensure that the duty under Section 51 would continue to be met. With regards to the proposed reduction in opening hours for all HWRCs, Mr Read reiterated the view expressed in paragraph 4.7 of the report, that the revised opening hours would still meet the requirements for each HWRC to be available for the deposit of waste at all reasonable times.

The options for consideration contained in Section 5 of the report were highlighted. The Board noted that the report was presented on the basis that officers are continuing to investigate alternative options to the potential closure of the four HWRCs and that a further report will be made to the next Board meeting on 25 March.

Subject to further consideration at the Board meeting on 25 March the recommendations agreed at today's meeting will come into effect with regards to the potential closure of the four proposed HWRCs.

The following Councillors of partner authorities raised concerns to the members of the Waste Board about the proposed closure of the four HWRCs :

Councillor G Cawood and Councillor P Ham in respect of Coleford HWRC  
Councillor J Dyke and Councillor K Turner in respect of Crewkerne HWRC  
Councillor N Turner in respect of Middlezoy HWRC

Reference was made to the four petitions containing several thousand signatures relating to all four HWRCs. The petitions make representations against the potential closures and they are intended to be presented to the County Council meeting on 16 February. In addition, Councillor N Turner presented the Middlezoy petition to the Waste Board. The Board acknowledged receipt of the Middlezoy petition and asked the Managing Director to provide a formal response on their behalf following the meeting.

*Issues raised to the Board during discussion:*

- Reassurance was requested from Somerset County Council that none of the four HWRC sites, if closed, would be sold for at least 12 months. Councillor D Hall confirmed that there will be no pressure to sell the proposed sites for at least 12 months after closure.
- Reference made to the potential alternative options to closure such as the centres potentially becoming community sites and run by local residents or even for Parish Councils to raise precepts to meet the costs of keeping the four HWRCs open.
- Reference was made to the work being undertaken regarding the designation of HWRC sites under Section 51 to meet statutory requirements. It was noted that under Section 51 the Partnership has to provide facilities for waste disposal of waste but the legislation does not specify how many HWRCs are required.
- Concerns raised about the consultation process undertaken regarding the potential closure of the four HWRC sites.
- It was confirmed that an equalities impact assessment had been completed and this acknowledged that any decision to close the four HWRCs will particularly impact on the elderly and rural communities.
- It was queried why it had taken so long for Sort It Plus to be rolled out in Mendip.
- It was confirmed that it is proposed that the opening hours for all HWRC sites will be reduced to 40 hours a week regardless of any closures and that Devon County Council are closing some of their HWRC sites that currently only open at the weekend.
- Reference made to the potential increase in environmental impacts such as greater car journeys and CO2 emissions if communities have to use alternative HWRC sites. In addition concerns were raised about the potential for increased fly-tipping and landfill costs which could outweigh the potential savings to be delivered by closure of four HWRCs..
- It was queried what consultation had taken place with recycling companies with regards to the proposed closures, and if, for example, they had been offered the option to purchase the sites. It was felt that any decision for closures should be put on hold until more consultation had taken place.
- It was confirmed that officers have looked into HWRC federation options with Viridor but this option could leave the Waste Partnership open to legal challenge.
- Reference made to potential housing growth at and near Crewkerne HWRC.
- It was suggested that further savings could be achieved by having the evening closing time at 7pm in the winter and 8pm in the summer.
- Clarification was provided regarding why the South Somerset District Council pension costs are higher than the other partners.
- Clarification was provided regarding the criteria used to select the proposed four HWRC sites for potential closure.
- Clarification was provided regarding the potential financial implications to District Council partners if the contract extension recommendations were not

agreed or deferred. The total amount of savings on the proposed contract extensions for the whole County is about £515k.

- Clarification was provided on the proposed further work continuing to investigate the alternative options and that any closures would be subject to a six week notice period.

Cllr Jo Roundell-Greene, seconded by Cllr Tom Parsley, proposed the following amendments to the original motion contained within the report (copies of this motion were circulated at the meeting) :

“It is recommended that the Board:

1. Approve the Business Plan (Appendix 1), with the following amendment:

*Delete existing paragraph 2.1, and any further references to specific site closures within the Budget and the Business Plan, and replace 2.1 with:*

- (a) Designate a number of statutory and non-statutory (discretionary) sites to be agreed by SWB on 25 March 2011;*
- (b) Evaluate options for the running of HWRCs that generate net savings of £314k per annum particularly through charging for any non-statutory sites.*

And the Draft Communications Plan (Appendix 2) subject to the following specific areas of concern flagged up by the partner authorities set out in Section 2 and Appendix 6.

2. Approve the proposed contract extension with May Gurney, subject

- (i) The conclusions of a value for money and benchmarking review which will be presented to the Board on 25 March 2011;
- (ii) A resolution to the VAT issues between SCC and the district councils that will be agreed by the Board on 25 March 2011.

3. Delete 3<sup>rd</sup> Recommendation and replace with:

- (a) To use best endeavours to put arrangements in place for any current HWRC that is not required to meet the WDA's statutory obligation to ensure that it can continue to operate and be available for public use, e.g. through the imposition of a charging regime;*
- (b) To meet the requirements stated in (a), consider piloting one of the existing sites on this basis;*
- (c) To require the Managing Director to report on progress at the Board meeting on 25 March 2011.*

4. Confirm that ~~notwithstanding any closures which may take place~~ from 1 April 2011 Recycling Centre opening hours will be reduced to 40 hours per week across the network as part of the savings requirement.”

The Board Members proceeded to debate the proposed amendments to the

recommendations.

*Issues raised during discussion on the proposed amendment:*

- Clarification was provided regarding the VAT issues for partners. It was confirmed that HM Revenue & Customs are making some amendments which will affect the partners. Officers have contacted the Section 151 officers at each Council to discuss this issue, and a Member Information Sheet will be circulated before 25 March to clarify the position.

The proposed amendments to the original motion were voted upon as follows: 2 votes in favour, 2 votes against and 7 abstentions. The Community Governance Officer advised the meeting of the position where an equality of votes occurs and read out paragraph 12 of Appendix 3 to the Waste Board's Constitution. Members were advised that in the event of an equality of votes, the Chairman does not have a casting vote if a vote to defer the item was passed by a majority of those present. No proposal to defer the item was made and the Chairman exercised his casting vote against the proposal and therefore the proposed amendments were not carried.

The Chairman, seconded by Cllr David Hall, proposed the following amendments to the original motion contained within the report (copies of this amendment were circulated at the meeting) :

“It is recommended that the Board:

1. Approve the Business Plan (Appendix 1), with the following amendment:

*Paragraph 2.1 of Appendix 1:*

- (a) For the Board to consider designating a number of statutory and non-statutory (discretionary) sites at their meeting on 25 March 2011;*
- (b) For further evaluation of options to be completed for the running of HWRCs that they may be able to generate net savings of £314k per annum – potentially through charging for any non-statutory sites;*
- (c) Subject to the above and other options being evaluated, close recycling centres at Dulverton, Coleford, Crewkerne and Middlezoy. This is an austerity measure which is projected to realise a net saving allowing for transfer of material to other sites or kerbside collection, reductions in cross-boundary traffic (at peripheral sites) and an initial increase in illegal disposal. It is realised that there will be disruption and increased costs for some residents in the areas affected.*

And furthermore approve the Draft Communications Plan (Appendix 2) subject to the following specific areas of concern flagged up by the partner authorities set out in Section 2 and Appendix 6.

2. Approve the proposed contract extension with May Gurney, subject to
  - (i) The conclusions of a value for money and benchmarking review which will be presented to the Board on 25 March 2011;

- (ii) Using best endeavours to resolve the VAT issue between SCC and the district councils and for this to be reported to the Board at their meeting on 25 March 2011.

3. Amend 3<sup>rd</sup> Recommendation and replace with:

- (a) *Use best endeavours to put arrangements in place for any current HWRC that is not required to meet the WDA's statutory obligation with a view to enabling such HWRCs to continue to operate and be available for public use;*
- (b) *To meet the requirements stated in (a), consider piloting one of the existing sites on this basis;*
- (c) *Subject only to the above and other continuing lines of enquiry into the alternative options to meet the budget savings proving unsuccessful, reluctantly agree to close and mothball some or all of the four identified Recycling Centres as the default option to meet the savings target (the Board to receive a report on the outcome of the continuing lines of enquiry at its meeting on 25 March 2011).*

4. Confirm that from 1 April 2011 Recycling Centre opening hours will be reduced to 40 hours per week across the network as part of the savings requirement.”

The Board Members proceeded to debate on the proposed amendments to the recommendations.

*Issues raised during discussion:*

- Concerns were raised that there is no mention of mothballing the proposed sites within recommendation 1. It was agreed that the recommendation would be amended to reflect this and would instead under (c) read as ‘...close and mothball recycling centres...’
- It was noted that the cost sharing mechanisms will need to be reviewed and if necessary the Board may need to review the current cost sharing agreement to consider any issues are identified.
- It was agreed that recommendation 1 should be further amended to read under (c) as ‘...other options being evaluated proving to be unsuccessful...’
- It was noted that if savings can be achieved elsewhere, then the Board will need to reconsider the potential four HWRC sites for closure.

The proposed amendments (as amended through debate) to the original motion were voted upon and carried as follows: 7 votes in favour, 2 votes against and 2 abstentions. These amendments then became the substantive motion.

Cllr Jo Roundell-Greene, seconded by Cllr Tom Parsley, requested a named vote on the amended recommendations (the substantive motion), and for each recommendation to be taken individually. Votes were cast as follows to the substantive motion:

Amended Recommendation 1

For

Cllr D Hall, Cllr K Hayward, Cllr J Swayne, Cllr S Kingham, Cllr M Whitmarsh,  
Cllr K Kravis and Cllr D Yeomans

Against

Cllr T Parsley and Cllr J Roundell-Greene,

Abstained from voting

Cllr N Hewitt-Cooper and Cllr N Woollcombe-Adams

Amended Recommendation 2

For - Cllr D Hall, Cllr T Parsley, Cllr K Hayward, Cllr J Roundell-Greene, Cllr N  
Hewitt-Cooper, Cllr J Swayne, Cllr S Kingham, Cllr M Whitmarsh, Cllr K Kravis,  
Cllr N I Woollcombe-Adams, Cllr D Yeomans

Against - None

Abstained from voting -None

Amended Recommendation 3

For - Cllr D Hall, Cllr K Haywood, Cllr J Swayne, Cllr S Kingham, Cllr M  
Whitmarsh, Cllr K Kravis and Cllr D Yeomans

Against - Cllr T Parsley, Cllr J Roundell Greene, Cllr N Hewitt-Cooper

Abstained from voting - Cllr N Woollcombe-Adams

Amended Recommendation 4

For - Cllr D Hall, Cllr T Parsley, Cllr K Haywood, Cllr J Roundell Greene, Cllr N  
Hewitt-Cooper, Cllr J Swayne, Cllr S Kingham, Cllr M Whitmarsh, Cllr K Kravis,  
Cllr N Woollcombe-Adams and Cllr D Yeomans

Against - None

Abstained from voting - None

The conclusion of the voting was that the Board RESOLVED to:

1. Approve the Business Plan (Appendix 1 to the report), with the following amendment to paragraph 2.1 of Appendix 1 to the report (amended text in key priority area section):

*(a) For the Board to consider designating a number of statutory and non-statutory (discretionary) sites at their meeting on 25 March 2011;*

- (b) *For further evaluation of options to be completed for the running of HWRC's that may be able to generate net savings of £314k per annum- potentially through charging for any non statutory sites.*
- (c) *Subject to the above and other options being evaluated proving to be unsuccessful, close and mothball recycling centres at Dulverton, Coleford, Crewkerne and Middlezoy. This is an austerity measure which is projected to realise a net saving allowing for transfer of material to other sites or kerbside collection, reductions in cross-boundary traffic (at peripheral sites) and an initial increase in illegal disposal. It is realised that there will be disruption and increased costs for some residents in the areas affected.*

and furthermore approve the Draft Communications Plan (Appendix 2 to the report) subject to the following specific areas of concern flagged up by the partner authorities set out in Section 2 and Appendix 6.

- 2 Approve the proposed contract extension with May Gurney, subject to
  - (a) The conclusions of a value for money and benchmarking review which will be presented to the Board on 25 March 2011;
  - (b) Using best endeavours to resolve the VAT issue between SCC and the district councils and for this to be reported to the Board at their meeting on 25 March 2011.
3.
  - (a) Use best endeavours to put arrangements in place for any current HWRC that is not required to meet the WDA's statutory obligation with a view to enabling such HWRCs to continue to operate and be available for public use;
  - (b) To meet the requirements stated in (a), consider piloting one of the existing sites on this basis;
  - (c) Subject only to the above and other continuing lines of enquiry into the alternative options to meet the budget savings proving unsuccessful, reluctantly agree to close and mothball some or all of the four identified Recycling Centres as the default option to meet the savings target (the Board to receive a report on the outcome of the continuing lines of enquiry at its meeting on 25 March 2011).
4. Confirm that from 1 April 2011 Recycling Centre opening hours will be reduced to 40 hours per week across the network as part of the savings requirement.

REASONS: in accordance with the alternative recommendations as amended at the meeting and as set out in the report.

(The meeting was adjourned at 16:35 and reconvened at 16:40)

117 **SOMERSET WASTE PARTNERSHIP ANNUAL BUDGET** – agenda item 6

The Board considered this report regarding the proposed approval of the Annual Budget for 2011/12 in accordance with its Constitution and Inter Authority Agreement, and the approval of the financial aspects of the Business Plan. Reference was made to the extensive discussions and debate on the Business Plan and its relationship with the Annual Budget.

*Issues raised during discussion:*

- Clarification was provided regarding the responsibility of the District Councils in relation to fly-tipping costs.

The Board RESOLVED to:

- (i) Formally approve the attached Draft Annual Budget for 2011/2012 (totalling £35,641,502) as set out in Appendix A to the report.
- (ii) Authorise the Managing Director to conclude the final negotiations with our main contractors in accordance with this Annual Budget report.
- (iii) Approve the use of the Unweighted Properties formula for the additional one-off costs of the Royal Wedding Bank Holiday (paragraph 2.3 of the report).

REASONS: in accordance with the recommendations and as set out in the report.

118 **2010/11 QUARTER 3 PERFORMANCE REPORT** – agenda item 7

The Board considered this report which summarises the key performance indicators for the first three quarters of the financial year 2010/11 as compared to the same period for the financial year 2009/10.

*Issues raised during discussion:*

- Food waste recycling has increased due to roll-out of Sort-It plus
- Recycling rates by each District Council were reviewed
- 3<sup>rd</sup> quarter tonnages were significantly down due to difficult winter conditions and green waste handling is also significantly down when compared to 2009/10.

The Board RESOLVED: to note the tonnage and performance results within Appendices 1 to 5 of the report.

REASONS: in accordance with the recommendation and as set out in the report.

119 **FORMATION OF SUB-GROUP TO REVIEW ARRANGEMENTS FOR COPING WITH SEVERE WEATHER OR OTHER EVENTUALITIES** – agenda item 8

The Board considered this report regarding the appointment of a sub-group to review arrangements for coping with severe weather (or other similar

eventualities) which would report back to the Board at the earliest opportunity. It was noted that any recommendations which can be implemented in the event of further disruption this winter will be adopted as far as they are practicable and affordable.

*Issues raised during discussion:*

- Councillor Yeomans, Councillor Woollcombe-Adams, Councillor Hayward and Councillor Swayne were proposed as the membership of the sub-group

The Board RESOLVED to:

- 1 Agree the draft Terms of Reference set out in section 2 of the report.
- 2 Appoint Councillor Yeomans, Councillor Woollcombe-Adams, Councillor Hayward and Councillor Swayne as members of a sub-group to oversee the process and report back to the main Board no later than the Board's Annual General Meeting on Wednesday 22 June 2011.

REASONS: in accordance with the recommendations and as set out in the report.

120 **SOMERSET WASTE BOARD FORWARD PLAN** – agenda item 9

The current published Forward Plan for the Board was considered and noted. Members noted that an updated version would be circulated on the 16 February 2011.

121 **INFORMATION SHEETS ISSUED SINCE THE LAST MEETING** – agenda item 10

The Board noted that no Information Sheets had been issued since the last meeting.

122 **ANY OTHER BUSINESS OF URGENCY** – agenda item 11

There were no items of urgency.

(The meeting ended at 5.00pm)

**CHAIRMAN**