

Briefing Note for Hampshire County Council Members:

HWRC Service Update: 21st April 2020

This briefing note provides an update on the situation regarding the HWRCs provided by the County Council.

Overall Service context

- All waste disposal facilities and haulage operations are operating normally with less than a 20% reduction in staff availability due to self-isolation and shielding.
- Residual waste and recycling collections have been maintained despite some initial difficulties. Other services such as bulky and green garden waste collections have generally been suspended, though with staff now returning from their initial 14 self-isolation, some authorities are looking to re-commence these services in the next few weeks

Household Waste Recycling Centres

- On 24th March 2020, following the Government's announcement that the country was entering lockdown, the **HWRCs were closed in line with the clear rules set out on what constituted an essential journey.**
- The HWRC sites have been cleared of all waste and effectively mothballed with all plant etc. being moved to secure locations, the site staff, where direct Veolia employees being furloughed or re-deployed as have the HWRC haulage drivers.
- The site franchise holders and their staff have been seeking support from available Government sources.
- On 7th April DEFRA published guidance for Local Authorities on prioritising waste collection service during the Coronavirus pandemic¹. This categories HWRCs as a "Medium" priority, with the action being to keep the sites open if possible, whilst maintaining social distancing requirement the rationale behind this was a) to be in compliance with the requirement of the Environmental Protection Act (EPA) 1990 (section 51(b))² to provide places for residents to deposit their household waste at all times and to prevent the build up of waste, and any potential health risks, where residents do not have suitable storage space.
- This guidance placed a higher priority on the HWRCs than on Bulky and Garden Waste collections or Bring Bank servicing.
- Pressure has been growing on Government from the material re-processors³ (seeking feedstock for their facilities) and from MPs, who are receiving complaints from residents regarding an increase in bonfires and fly tipping (see below), to re-open these facilities despite the continued Government message to stay at home and only leave the house for food shopping; health reasons; exercise or to go to work where it is not possible to work from home. This is also contrary to documented Government strategy elsewhere to be entirely "data led" when making decisions about relaxing restrictions.

¹ <https://www.gov.uk/government/publications/coronavirus-covid-19-advice-to-local-authorities-on-prioritising-waste-collections/guidance-on-prioritising-waste-collection-services-during-coronavirus-covid-19-pandemic#key-to-prioritisation>

² <http://www.legislation.gov.uk/ukpga/1990/43/section/51>

³ <https://www.letsrecycle.com/news/latest-news/pressure-to-reopen-hwracs-intensifies/>

- ON 14th April DEFRA issues further press statements⁴ encouraging Local Authorities to keep HWRCs open in response to BBC radio news articles suggesting that there was an increase in fly tipping because of the sites being closed.
- A number of organisations are known to have written to DEFRA &/or MHCLG expressing disappointment with the mixed messages being put out by DEFRA that seem to be at odds with the Government's overarching "Stay at Home" message. 2 examples of these are appended, one from the County Council Network and the other a joint letter from all 3 national local Government waste associations.
- The County Council is engaged with these Local Authority Waste Networks (ADPET; NAWDO & LARAC⁵) as well as with neighbouring authorities to try to establish a common set of principles for the safe re-opening sites as far as practicably possible considering local situations, if and when national travel advice changes.
- The County Council is working with Veolia on outline plans that would enable the HWRCs to be re-opened and operated in such a way as to ensure that the requirements of social distancing and the health, safety and security of site staff can be maintained in the event that a decision is taken to do so or, once the Government position changes regarding essential travel or the lockdown is lifted. Veolia are supportive locally and lobbying nationally for sites to be re-opened.
- Veolia advise that it likely take at least 14 days to mobilise HWRCs ready for opening once a decision is made, to ensure that adequate staffing and haulage is in place.
- This would require restrictions to be in place, many of which are likely to be in place for some time. These will include:
 - Limiting the number of people on site at any one time
 - Limiting the range of materials that can be received (probably just municipal waste, wood, green waste)
 - Limited opening times and some smaller sites may remain closed altogether
 - Closing the Re-sale areas and no cash on site
 - Residents will be required to manage their own waste without assistance from site staff for social distancing reasons
- It is anticipated that DEFRA will publish further specific guidance for Local Authorities on how to manage HWRCs during the Coronavirus pandemic, as it seeks to increase the pressure on Local Authorities to re-open these facilities. However, it is yet to be seen whether or not the Government will amend its current advice regarding essential travel to facilitate the re-opening of these sites

⁴ <https://deframedia.blog.gov.uk/2020/04/14/defras-response-to-todays-coverage-of-fly-tipping/>

⁵ Association of Directors of Environment, Economy, Planning and Transport; National Association of Waste Disposal Officer; Local Authority Recycling Advisory Committee

- The Waste team are aware of a small number of authorities who either have⁶ or are planning to imminently re-open their sites, whilst the majority are planning how to do so safely once the lockdown restrictions are eased.

Fly Tipping - The Hampshire picture:

- Since the lockdown there have been several media reports about increases in fly tipping nationally.
- Hampshire has seen a mix of fly tipping activity over the last few weeks since lockdown began.
- The data on fly tipped waste tonnages for the initial three-week period of lockdown do not support the media reports, the data shows that fly tipping is the same as or slightly less than the same period last year.
- The response from Waste Collection Authorities is that some are not noticing any increase in fly tipping but are receiving an increase in reports of bonfires. Some areas have seen an increase in mattresses and fridge freezers tipped, but a decrease in green waste, builders waste and asbestos.
- One district is reporting bring banks in their locality have been targeted, but this is no more than normal; but have noticed more household waste deposited in litter bins. Another authority reports that charity bins are overflowing.
- Veolia are reporting that the HWRCs are in good order; the only fly tip that has been reported to the Waste Management Team was at Andover HWRC (which consisted of black bag waste of approx. 10 sacks) which TVBC are investigating. Netley HWRC has previously experienced been particularly targeted by fly tippers, although not since the lockdown started. Veolia have also placed signs at other known hotspots and the most vulnerable sites.

Bonfires

- Since the Lockdown commenced there have been a number of complaints regarding an increased incidence of garden bonfires.
- Government information⁷ indicates that there are currently no laws against having a bonfire, but there are laws for the nuisance they can cause.
- You are not allowed to burn Household Waste if it will cause pollution or harm people's health.
- Police and District Councils have the powers to levy fines if in lighting a bonfire the resident allows smoke to drift across a road and become a danger to traffic.
- District Councils can also issue an 'abatement notice' if a resident complains that a neighbour's bonfire is causing a nuisance. However, this needs to be a frequently occurrence to be considered a nuisance. Fines up to £5,000 can be levied if these notices are ignored.

Conclusion

⁶ <https://www.dailymail.co.uk/news/article-8230313/Rubbish-dump-reopens-time-coronavirus-lockdown-ease-fly-tipping.html>

⁷ <https://www.gov.uk/garden-bonfires-rules>

It seems likely that Government advice will push Councils to re-open HWRCs, though it is likely that the guidance will maintain the stance that this is a local decision. The key issue is whether there has been a change in the national view about essential travel being widened to include a 'trip to the tip', and whether this is being communicated to the Police, who are charged with enforcing travel restrictions. There are potentially significant issues, such as traffic management and even public order, that will arise out of the likely level of demand for access to sites against the very much restricted service which would be offered to maintain compliance with social distancing and safe working practices (which would go beyond on site arrangements for which Veolia would be responsible) that will need to be managed. We will, therefore, be seek a view from, and to work with, Hampshire Constabulary before any local decision is made. It will also be important to have a very active communication strategy to advise residents on what to expect and try to limit demand ahead of the re-opening of the HWRCs, which would need a minimum of 14 days preparation time after any such decision.

It is anticipated that the Government will issue further guidance regarding the re-opening and management of HWRCs shortly. The Council will consider this once it is available and take it into account in reviewing its own position of keeping the sites closed on the current understanding that a "trip to the Tip" is not a essential journey.