

Meeting of:	Cabinet
Date of Meeting:	Thursday, 21 March 2024
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Update Report: Household Waste Recycling Centres
Purpose of Report:	To provide a performance update for the Council's Household Waste Recycling Centres and to seek approval to extend the lease and improve the access road leading to the Llandow site
Report Owner:	Cabinet Member for Neighbourhood and Building Services
Responsible Officer:	Miles Punter – Director of Environment and Housing
Elected Member and Officer Consultation:	Operational Manager – Accountancy Accountant – Resource Management (NS&T) Operational Manager (Property) – Financial Services Director of Corporate Resources Legal Services (Committee Reports) Head of Sustainable Development
Policy Framework:	This Report is a matter for Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • The Report provides an overview of the current issues and performance of the Council's two Household Waste Recycling Centres (HWRC's) located at Atlantic Trading Estate, Barry and at Llandow Trading Estate, Llandow. • The HWRC's are managed by FCC Environment on a 3-year contract that commenced 1st April 2023, with annual options to extend the agreement for a further two years. • The HWRC on Atlantic Trading Estate also has a new reuse shop which opened December 2023, and that facility is managed by The Enfys Foundation, a registered charity that works with FCC Environment at other locations around the country. • This Report also provides an overview of the HWRC booking system and reports the current recycling performance of each site. 	

- The Report highlights the Llandow site accessibility issues and seeks approval to make improvements to the site as well as contributing to upgrading the site access road.

Recommendations

1. That Cabinet agrees in principle to extend the Llandow HWRC lease for a further 5-years to include a break clause at 3 years should suitable alternative land for relocating the site, become available.
2. That Cabinet notes the current recycling performance of both Household Waste Recycling Centres.
3. That Cabinet approves in principle the proposed repair of the access road leading to the Council's HWRC, Llandow as detailed at Appendix A.
4. That Cabinet refers the report and appendices to Environment and Regeneration Scrutiny Committee for its consideration, with any views and recommendations to be referred back to Cabinet for consideration.
5. That the recommendations above be considered as approved should no views to the contrary be expressed by the Environment and Regeneration Scrutiny Committee.

Reasons for Recommendations

1. To ensure there is a sufficient provision in the Western Vale and to ensure continuity of service is provided.
2. To ensure Members are updated in respect of the current performance of the two Recycling Centres.
3. To improve and ensure the Llandow HWRC site access road remains accessible to Western Vale residents.
4. To provide the Environment and Regeneration Scrutiny Committee with an opportunity to consider the details of this report.
5. To enable the service area to prepare to make the necessary service changes as promptly as possible.

1. Background

- 1.1 Cabinet on 28th March 2022 (Minute no C894 refers) agreed the draft Recycling and Waste Management Strategy (2022-2032) in principle, subject to the outcome of the public consultation undertaken in Summer 2022.
[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2022/22-03-28/Recycling-and-Waste-Management-Business-Plan.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2022/22-03-28/Recycling-and-Waste-Management-Business-Plan.pdf)
- 1.2 Following the consultation, Cabinet on 19th January 2023 (Minute no C198 refers) approved the Recycling and Waste Management Strategy (2022-2032).

https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Cabinet/2023/23-01-19/Recycling-and-Waste-Management-Strategy.pdf

- 1.3** Cabinet on 16th March 2023 (Minute no. C260 refers) approved the appointment of FCC Environment (FCC) to manage the Council's Household Waste Recycling Centres (HWRC's) for a 3-year term commencing 1st April 2023 to 31st March 2026 with an option to annually extend for a 2 further years.

https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Cabinet/2023/23-03-16/Part-I-Household-Waste-Recycling-Centres-2023-26.pdf

- 1.4** The Council has two operational HWRC's, one on Atlantic Trading Estate, Barry and one on Llandow Trading Estate, Llandow.
- 1.5** Both sites are operated by FCC Environment, and they hold the Environmental Permits issued by Natural Resources Wales (NRW) to operate both sites under specific conditions. The sites are registered for domestic recycling use only and it is illegal to deposit commercial waste at either site.
- 1.6** The site in Barry is purpose built over two levels on Council owned land but the site in Llandow is on land, leased to the Council and it is not to modern standards or design, restricting its ease of use and its performance.
- 1.7** The site in Barry has a new reuse shop which opened in December 2023, and is managed by The Enfys Foundation, a registered charity that works with the Council's contractor FCC Environment. The shop operates 6 days per week from Tuesday to Sunday (Monday closure) and the opening hours are aligned with the HWRC seasonal hours.
- 1.8** The provision of HWRC's contributes to the Council's overall recycling performance and they are essential to meeting challenging, statutory recycling targets.
- 1.9** The Council has a statutory duty to under Section 51 of the Environmental Protection Act (EPA) 1990, to provide places for residents to dispose of domestic and controlled waste that are reasonably accessible to their residents.

2. Key Issues for Consideration

- 2.1** Both HWRC sites operate a booking system that guarantees a specific appointment time for residents and enables work tasks to be evenly distributed throughout the working day and allows provision of time to safely manoeuvre skips and manage waste on site.
- 2.2** During the calendar year 2023, there were a total of 200,950 bookings made at the two sites. Table 1 below displays the bookings per site.

Table 1.

Barry HWRC Month (2023)	No. of Bookings	Permit Bookings	Llandow HWRC Month (2023)	No. of Bookings	Permit Bookings
January	8794	56	January	2351	12
February	9247	77	February	2520	26
March	10734	73	March	2734	37
April	14639	75	April	3258	28
May	15938	84	May	3586	46
June	14628	85	June	3477	45
July	15276	75	July	3689	35
August	18543	86	August	4441	37
September	16183	89	September	3541	36
October	14586	83	October	3460	33
November	11117	65	November	2930	28
December	10846	75	December	3116	30
	160531	923		39103	393

- 2.3** The booking system has proved very popular with residents, as it limits waiting times especially on weekends and bank holidays. Additionally, the software system now accepts real time bookings, and allows for appointments to be made instantly and for the same day, subject to availability.
- 2.4** During the financial year 2024/25, a failure to achieve or maintain a recycling rate of 70% will result in substantial financial penalties and many waste reducing measures will need to be undertaken to maximise recycling participation to ensure the Council achieves the target set, under the Waste (Wales) Measure 2010.
- 2.5** For every tonne under a failed target, there are penalties of £200 as set within The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011.
- 2.6** To ensure the sites perform as efficiently as possible, there will be additional controls for disposing of waste throughout the next recycling target year (2024/25), so the service area increases its recycling performance as far as reasonably possible. These measures will focus on reducing residual waste and prevent recycling being deposited in skips destined for energy recovery.
- 2.7** At present the sites have a recycling rate of 85% (Barry) and 72% (Llandow).

Table 2 below provides a breakdown of material disposed and recycled at each site and the waste diversion performance.

Table 2.

Material type in (t) tonnes	Barry HWRC	Llandow HWRC
Batteries	2.73	0.76
Car batteries	4.98	0
Cardboard	181.37	101.82
Carpets	262.76	118.26
Cartons	0	0
Clothing & Textiles	94.7	23.71
Cooking oil	3.03	1.92
Engine oil	7.28	2.99
Food waste	2.85	0
Fridges & Freezers	111.82	42.06
Green & Garden waste	552.1	593.29
Hard plastics	180.33	69.02
Large electrical appliances	63.26	5.88
Metals	479.99	103.42
Mixed glass	31.46	13.18
Paint	0.57	0.44
Paper	53.32	20.46
Plasterboard	109.98	28.16
Rubble & Hardcore	1933.54	452.56
Small electrical appliances	257.4	67.08
Soft plastics	2.46	0.82
TVs & Monitors	51.89	11.02
Tyres	26.36	0
Wood & Timber	2155.66	173.38
	6569.84	1830.23

Material type in (t) tonnes	Barry HWRC	Llandow HWRC
Residual waste	1479.89	968.63
Recovery from residual (recycling)	295.978	193.726

Recycling rate	Barry HWRC	Llandow HWRC
Recycling/disposal ratio	85%	72%

- 2.8** The site at Llandow performs lower in terms of recycling performance and that is mainly due to the site layout and the restrictions on the land that is available.
- 2.9** There have been several attempts to acquire land to relocate the site at Llandow but despite engagement with agents and landowners over several years, no feasible option for the service has been found.
- 2.10** As a result, the service area has been working with the representative of the Landowner of the Llandow site to deliver a longer-term lease to secure continuity of service as the existing lease expires early 2025.
- 2.11** The agent has offered a 5-year lease extension with an option to terminate the agreement after 3-years, should alternative land be available to the Council for relocating the entire site.
- 2.12** There are currently, no suitable options that are financially viable but if options are presented, the necessary due diligence will be undertaken and this matter will be subject to a further report.
- 2.13** Relocation long-term to an alternative site remains the best solution, as the existing site is outdated and not considered, user friendly. However, until there is land available in an industrial area that meets the requirements of Environmental Permitting Regulations and can secure Planning consent, making use, and improving the existing site is the only option.
- 2.14** The access road to the existing site is extremely difficult to pass and needs urgent investment, but the landlord is unable to commission or finance, that scale of work.
- 2.15** The road leading to the HWRC from the adopted highway is owned by the estate landowner and the service area pays a maintenance agreement monthly for the upkeep of the estate but a lack of rented premises and regular income has resulted in cashflow problems for the landlord.
- 2.16** The landowner has started to resurface the entrance road from the adopted highway to the start of the industrial premises, but this will be their only commitment for the foreseeable future.
- 2.17** The Council and other rented premises have tried to instigate interventions over several years but with no success, and there is unlikely to be any further site investment.
- 2.18** It is therefore proposed that as there is no other viable option, that the Council intervene, and patch repair the private road from the point where the landowner has undertaken works to the site entrance to ensure continuity of service is provided for Western Vale residents.
- 2.19** This will also ensure the Council meets its statutory duty to provide a facility within a reasonable distance of their resident's locality and to ensure entry and exit is safe, and to avoid damage to vehicles.
- 2.20** The landowner has advised that there will be land options for the Council to consider on the existing site but closer to the front estate entrance in the next 2-

3 years which gives the service area time, to prepare capital bids for consideration.

- 2.21** As the existing site will need to remain operational for the short-medium term, the service area also intends to make some on-site improvements and there is £100k in the capital programme for 2024/25 to achieve this.
- 2.22** The most likely improvement will be to establish how the retrospective construction of permanent steps or platforms could be facilitated to make the most commonly used skips more accessible to the public for off-loading recycling and waste.
- 2.23** Appendix A attached, highlights where the landowner has started to resurface the access road and the area he has committed to improve, the surface the service area is proposing to patch repair and the locality of the site to the existing adopted highway.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The Well-being of Future Generations (Wales) Act 2015 is about sustainable development. The Act sets out a ‘sustainable development principle’ which specifies that the public bodies listed in the Act must act in a manner which seeks to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. In meeting their sustainability duty, each body must set objectives that highlight the work the body will undertake to contribute to meeting the seven Well-being Goals for Wales.
- 3.2** The activities in this Report will contribute to the national well-being goals and help ensure we have a resilient Wales. The five ways of working are embedded throughout the Recycling and Waste Strategy (2022-2032) that includes the operations of the Council’s HWRC’s and a summary of the key principles are detailed below:
- 3.3** **Long term** – The HWRC operations as detailed within the Recycling and Waste Management Strategy (2022-2032) takes a long-term approach that exceeds the main statutory recycling targets (2024/25) and provides long term aspirations aligned with the Waste Hierarchy, the Council's Corporate Plan and environmental objectives. This is notably the case in terms of the Council’s Project Zero Challenge Plan which seeks to ensure the Council’s activities are at net zero by 2030 and supports the Welsh Government’s target for Wales to be at net zero by 2050.
- 3.4** **Integration** – The Strategy has been developed making specific references to the use of the HWRC’s and objectives of other organisations, notably the Public Services Board so as to understand the impact the Council’s actions will have on others.

- 3.5 Involvement** - The facilities of the Council's HWRC's are designed so everyone can participate by being accessible without barriers. The proposal in this Report aims to ensure the Llandow site can be more inclusive for rural Vale residents to reduce the gap between the two facilities. The Service will continue to encourage the opportunity to participate in recycling and waste minimisation schemes by providing improved access.
- 3.6 Collaboration** - We continue to work in collaboration with other local authorities and specialist service providers to ensure recycling and waste is reused and recycled in the most sustainable way. Our Strategy recognises the importance of the Council working as a community leader and in delivering the strategy alongside providers, the public and partner organisations.
- 3.7 Prevention** – Our Strategy aims to reduce the impacts waste has on our environment and aims to reduce waste, increase reuse and minimise our carbon footprint so we can respect, enhance and enjoy our environment.

4. Climate Change and Nature Implications

- 4.1** These improvements will prompt increased performance at the Llandow HWRC and overall will contribute to the 10-year 'Recycling and Waste Management Strategy' that formalises service provision along with other measures to ensure the Council meets its environmental ambitions and Statutory Recycling targets. This is a key contributing action to the Council's decarbonisation programme, Project Zero.

5. Resources and Legal Considerations

Financial

- 5.1** There was £1.9m allocated to the relocation of the Llandow HWRC but as it has not been possible to acquire land for an alternative site, £1.7m of this capital funding has been utilised elsewhere in the Capital Programme where there are other priorities and demands.
- 5.2** Of the remaining £200k, £100k has been allocated to the waste capital programme for 2024/25, to make site improvements and £100k has been added to the highway resurfacing programme to undertake the patch repair work. Any underspend will remain in the resurfacing programme and contribute to other resurfacing works across the Council.

Employment

- 5.3** There are no employment implications associated with this Report.

Legal (Including Equalities)

- 5.4** The Council has a statutory duty to provide Household Waste Recycling Centre[s] under section 51 of the Environmental Protection Act (EPA) 1990.
- 5.5** Under the EPA the Council must ensure that places are available for the deposit of waste, at all reasonable times and be free of charge (domestic waste). It can also apply a charge at a site, for other controlled waste such as commercial or industrial waste.
- 5.6** These premises must be situated either within the area of the authority or reasonably assessable to persons that reside in that area.
- 5.7** Under the Council's subsidiary powers under section 111 (1) of the LGA 1972, it provides powers to facilitate its duties under s.111 and in this case, it is required to facilitate and ensure its duty, under Section 51 of the EPA 1990.
- 5.8** The Recycling and Waste Management Strategy (2022-2032) ensures compliance with current legislative framework.
- 5.9** A failure to achieve or maintain a recycling rate of 70% during 2024/25 will result substantial financial penalties under the Waste (Wales) Measure 2010. For every tonne under a failed target, there are penalties of £200 as set within The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011.
- 5.10** It is unusual for the Council to seek to use public funds to undertake work on privately owned land, it is however considered that this work would very much be in the public interest. The Council has no powers to force the landowner to undertake the requisite works to the site access road and the poor quality of this road has been a source of regular complaints from HWRC site users for many years. Part 1 of the Local Government Act 2000 gives Local Authorities powers to take any step which they consider are likely to promote the well-being of their area or inhabitants and this legislation is being relied upon in this case.
- 5.11** There are equality issues with the site at Llandow that relate to our duty of providing safe site entry and exit and reasonable accessibility of skips that impact on rural Vale residents and these proposed measures will assist.

6. Background Papers

Cabinet of 28th March, 2022 (minute no. C894) – Recycling and Waste Management Business Plan and Strategy (2022 – 2032).

<https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2022/22-03-28/Recycling-and-Waste-Management-Business-Plan.pdf>

Cabinet of 19th February, 2018 (minute no. C235) - Revised Waste Management Strategy: The Future Collection Arrangements for Waste and Recycling.

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2018/18-02-19/Reports/Revised-Waste-Management-Strategy-Cabinet-Report.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2018/18-02-19/Reports/Revised-Waste-Management-Strategy-Cabinet-Report.pdf)

Cabinet of 2nd July, 2018 (minute no. C356) - Revised Waste Management Strategy: The Future Collection Arrangements for Waste and Recycling.

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2018/18-07-02/Revised-Waste-Management-Strategy-Report-and-Appendices.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2018/18-07-02/Revised-Waste-Management-Strategy-Report-and-Appendices.pdf)

Cabinet, of 5th July, 2021, Project Zero Climate Change Challenge Plan

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2021/21-07-05/Project-Zero-Draft-Climate-Change-Challenge-Plan.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2021/21-07-05/Project-Zero-Draft-Climate-Change-Challenge-Plan.pdf)

Cabinet of 19th January, 2023 (Minute no C198 refers) approved the Recycling and Waste Management Strategy (2022-2032).

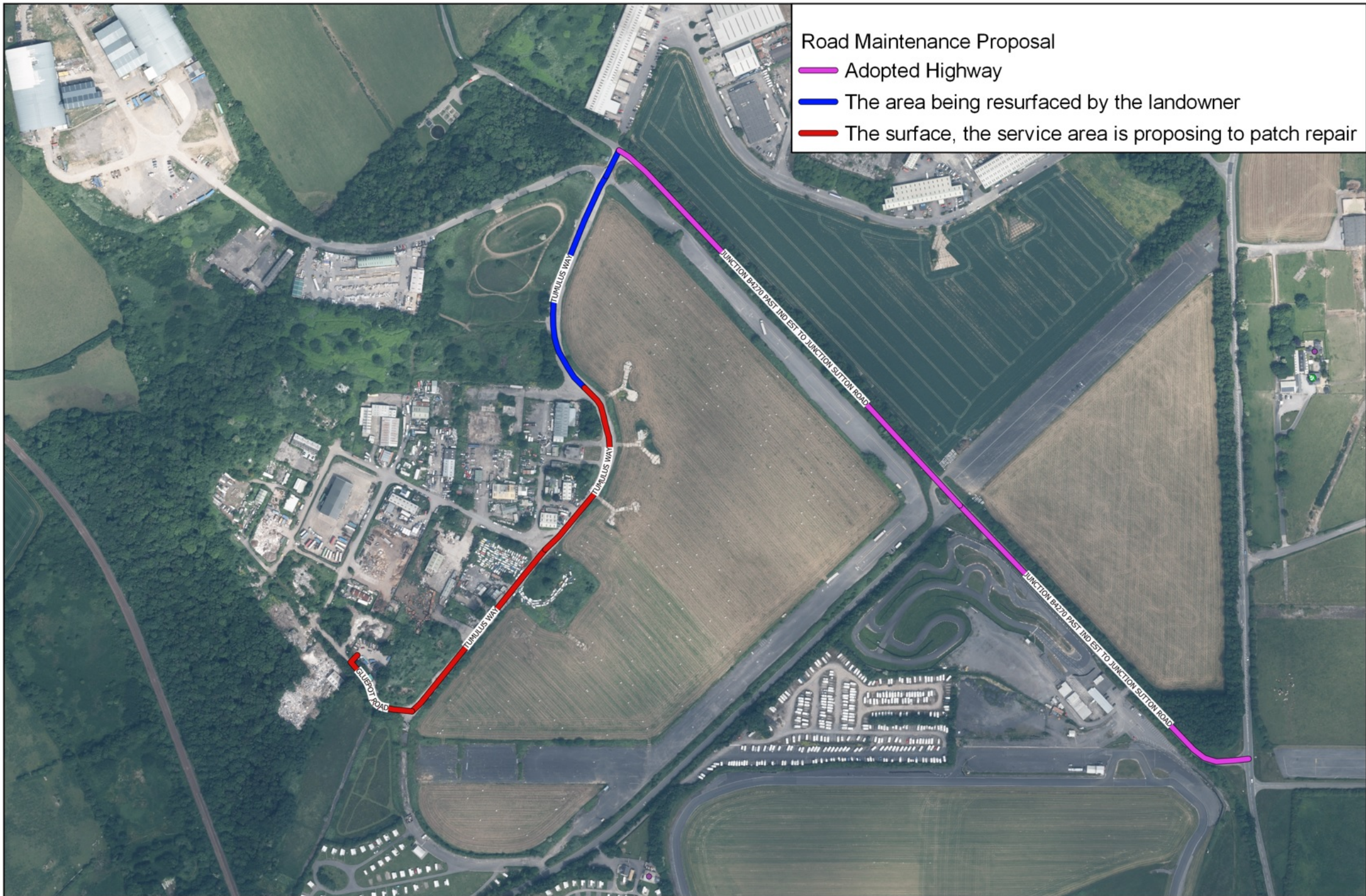
[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2023/23-01-19/Recycling-and-Waste-Management-Strategy.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2023/23-01-19/Recycling-and-Waste-Management-Strategy.pdf)

Guidance on Applying the Waste Hierarchy -

www.wales.gov.uk/topics/environmentcountryside/epq/waste_recycling/publication/hierarchyguide/?lang=en

Cabinet 16th March, 2023 (Minute no. C260 refers) approved the appointment of FCC Environment (FCC) to manage the Council's Household Waste Recycling Centres (HWRC's).

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2023/23-03-16/Part-I-Household-Waste-Recycling-Centres-2023-26.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2023/23-03-16/Part-I-Household-Waste-Recycling-Centres-2023-26.pdf)



Road Maintenance Proposal

- Adopted Highway
- The area being resurfaced by the landowner
- The surface, the service area is proposing to patch repair

Llandow HWRC - Road Maintenance Proposal