

The Chartered Institution of Wastes Management (CIWM) is the professional body which represents around 6,300 waste management professionals, predominantly in the UK but also overseas. The CIWM sets the professional standards for individuals working in the waste management industry and has various grades of membership determined by education, qualification and experience.

## **Preventing 'backdoor' charging at household waste recycling centres**

The Chartered Institution of Wastes Management (CIWM) welcomes the opportunity to comment on this discussion document and associated draft legislation. The document poses two questions in sections 9 and 11 and CIWM turns to those later, but make more general comments on the proposals as follows.

### **Local decision - making**

Our members recognise the important role played by household waste recycling centres (HWRCs) both in terms of the service to residents and councils' performance in diversion of waste from landfill and high level recycling. Part of their success is the high quality of service available charge-free to residents and their ease of accessibility. CIWM members consider charging householders for some household waste deposit at these sites could be an un-welcome but possibly necessary step. In a recent survey our members indicate a range of responses to maintain their waste service, in austere times, but warn that the scale of local authority budget cuts, coupled with a sharp decline in recycled materials values, means that authorities will have to implement all of these ideas and more. If that leaves an authority with the unpalatable decision to either charge for the sites' use or to reduce their number or opening times – they should work with their residents to identify the best solutions for them. Specifically preventing charges as proposed will inevitably lead to selective site closure and / or reduced opening hours.

### **The status of this discussion paper**

Turning to the discussion document itself, our members are not sure of its status. The Institution assumes that it constitutes a formal consultation exercise, despite being labelled as a 'discussion paper' and understand that it is referred to in this way in a letter sent to all local authority chief executives on 4<sup>th</sup> February 2015. CIWM also notes the very short response time allowed in this case which has curtailed detailed input from our members on such an important issue, and the suggested March 2015 implementation date for the changes to the Local Government and Localism Acts. It would be helpful if DCLG could clarify the status and likely timetable for these proposals.



## General comment re HWRC service provision

In general, the Institution recognises the importance of HWRCs. They are often highly valued by residents and heavily used. The sites usually have a very high recycling performance – often 80% - with the public, site operatives and councils working well together to separate wastes to maximise recycling quantity and quality of materials. Most authorities have worked hard over many years to make the sites as accessible as possible, often seeking to maximise the proportion of the population living within 5 miles of a site. However, there has never been a fixed level of service provision for HWRCs specified in the 1967 or 1990 Acts, or subsequently. Some authorities – especially for rural communities use temporary or mobile HWRCs at advertised times and locations as an alternative to the traditional static HWRC. There is therefore a high degree of variability between authorities in the number and location of HWRCs they provide, including: different population densities; level of use of the sites; the cost per tonne of waste or per household of operating them; or their position related to local authority boundaries. Authorities which have traditionally provided a very high level of HWRC provision could find themselves in a disadvantaged position in maintaining that service in the face of both funding and income cuts, and they will face difficult decisions regarding the future of the service.

With regard to the cost of HWRC service provision CIWM notes from one consultation with residents by a Midlands county council that they operate 14 HWRCs at a total cost of approximately £6M per year. CIWM estimate that the total HWRC service cost for that county is around say £20 to £25 per household per year on average. The authority's response to funding constraints, however, is to look for cuts, at this stage, of around 15% - or around £1 million - in the cost of that service, with possibly more to come.

It is also clear that HWRCs are one element of a much wider waste and resource recycling and recovery system including doorstep collection services (including dry recyclates, green waste etc); bring facilities such as bottle or clothing banks, recycling on-the-go facilities and a range of both private sector and third sector facilities and services. Changes to HWRC availability will inevitably affect those other elements as well as impacting on both fly-tipping and back-garden burning. The most obvious response to reduced HWRC availability, however, will be an increase in household waste in the routine collection service which otherwise would have been taken by residents to 'the tip'.



Turning to the two specific questions posed in the discussion paper CIWM comments as follows:

***This discussion paper invites comments on the Secretary of State's proposed approach to upholding the principle that residents should continue to have free access to household waste recycling centres in their local authority area where they can deposit their household rubbish and recycling for free.***

CIWM members agree with the principle of free access to HWRCs as above. However, in the face of tightening funding constraints on authorities, CIWM believes they should be able to consider the widest range of options available to maintain services to residents. Given the lack of HWRC service specification, many authorities will believe they have provided a discretionary service for many years – well beyond the requirements of legislation. For some communities, future service provision decisions could include a charge for site use if that was seen as the only means left to avoid potentially perverse consequences of site closure.

If Government wishes to pursue the proposed changes to legislation to prevent householder charges for household waste, the opportunity should also be taken to clarify:

- That “persons” (EPA s51) specifically means householders in this context and not the broader meaning this word often has.
- What should constitute ‘household’ waste (i.e., charge free) for the purpose of HWRC use. WRAP has produced guidance in the past and CIWM is aware of useful and clear guidance used by individual authorities. However, the absence of national level advice is leading to confusion due to individual local authority interpretation and therefore government advice would be helpful.
- The likely implementation date of the proposed changes and their likely impact on authorities considering introduction of charges for HWRC between the date of this discussion document and the proposed implementation date.

CIWM does, however, recognise the pragmatic position in allowing authorities who already have householder charges at HWRCs to continue doing so in the medium term.

***This discussion paper invites views on how household waste recycling centres at risk of closure can stay open without local authorities resorting to charging their residents to dispose of household waste and recycling.***



CIWM members, including public, private and third sector representation, have contributed positively and enthusiastically to a research project and report: "Waste on the Frontline: Challenges and Innovations" which will be launched at the Houses of Parliament on 23rd February this year. This covers innovative approaches adopted by authorities to waste service provision in the face of tight resource constraints and many of the case studies and inputs relate to HWRCs. CIWM will forward a copy of the report to DCLG as part of this response when it is completed. The initiatives identified by our members are important steps in achieving efficiency without losing effectiveness in the HWRC service, but their effects will be finite and further service reductions may well be needed in future if both funding and income related to recycled materials continues to fall.

Proposals in our forthcoming report include:

- Prevention of abuse of HWRCs by trade waste – whilst recognising that many councils offer access to commercial waste as a support to businesses in their areas
- Introduction of charges for non-household waste including commercial waste and non-household waste delivered by householders
- Operational efficiencies
- Improvement to existing or new contracts for site operation
- Partnership working – with private and third sector organisations, although – again – the ability of many volunteer organisations to support HWRC services without additional support themselves is often constrained
- Partnership working between councils in areas such as procurement and access to markets for recyclates
- Reduced opening hours to cut staffing costs, the need for lighting, etc.
- Use of 'mobile' services.

Much of this best practice is transferrable between authorities and CIWM will promote discussion, co-operation and adoption of these ideas. However, as noted above, savings from these potential responses are finite and more difficult decisions lie ahead for at least some authorities.



In this exercise, CIWM members focused on changes that their own authorities could make. However, the Institution would urge Government to consider the funding of HWRCs and the invaluable contribution they make to service provision and to landfill diversion / recycling performance in the round. Of particular concern is the long term failure of the extended producer responsibility regimes to channel money from recycling and recovery back to front-line services which are often the first step in the feedstock to those systems. Funding through the WEEE producer responsibility has helped some but by no means all local authorities and the PRN system for packaging has failed to reach most of them. Government already has plans to re-assess the operation of extended producer responsibility schemes in this country and there remains potential for further schemes in the future. CIWM strongly suggests that government takes that opportunity to consider how resources from those schemes can be used to ensure that local authorities are rewarded for their provision of front-line services to collect and separate wastes covered by these schemes. Our members are not aware of any local authority charging for WEEE deposit at sites that are recognised as designated collection facilities (DCFs). Where HWRCs are designated as DCFs they should be able to accept WEEE charge free from householders and CIWM recommends that Government review the operation of the extended producer responsibility scheme to help cover more of the local authority's operational costs at their DCFs.

CIWM concludes that authorities should be able to make decisions most suitable to their own local circumstances and therefore, that this proposed charging prohibition is unnecessary and could lead to inappropriate service removal or reduction. With or without this legislative change good practice is widespread amongst local authorities and should be promoted. There is an opportunity for development and guidance on interpretations as well as best practice and given future uncertainty in relation to the status of government/agency guidance CIWM would be happy to work with industry partners and government to develop and promote that guidance.

