

## **Wiltshire Council**

### **Cabinet**

**9 October 2018**

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**Subject: Results of the consultation on a proposal to close Everleigh household recycling centre**

**Cabinet Member: Cllr Bridget Wayman Cabinet Member for Highways, Transport and Waste**

**Key Decision: Key**

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#### **Executive Summary**

Everleigh household recycling centre (HRC) is one of a network of eleven sites across Wiltshire operated under contracts with the council.

The council including the waste service has challenging financial savings targets to achieve for 2018-19 and beyond.

Site survey results show that Everleigh HRC requires capital investment in order to continue to remain open. Everleigh has fewer users than the other sites and collects less waste and recycling as a consequence.

A public consultation ran for three months from June to September this year when residents were invited to comment on a proposal to close the site and identify the implications this might have.

There was a good response with a large majority in favour of retaining Everleigh.

Many of the responses referred to loss of convenience if the site is closed and expressed concern about the risk of an increase in fly tipping.

These impacts are not sufficient to justify the capital investment required and the loss of the opportunity for revenue savings which the service and council need to find.

**Proposal(s)**

That Cabinet:

- I. Notes the results of the public consultation undertaken on the proposal to close Everleigh HRC
- II. Approves the closure as proposed

**Reason for Proposal(s)**

1. To inform Cabinet of the results of the public consultation of the proposal to close Everleigh HRC.
2. To seek approval for the closure to enable the required service savings to be achieved.

**Tracy Carter (Director, Waste and Environment)**

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### **Purpose of Report**

1. To provide an update to Cabinet on the results of the public consultation into the future of Everleigh household recycling centre (HRC) in light of the proposal to close the site to avoid capital investment and save the operating costs of keeping this facility open.

### **Relevance to the Council's Business Plan**

2. The following goals, priorities, and commitments are relevant to this report:
  - (i) High recycling rates and reduced litter: Increase opening hours at household recycling centres, where appropriate
  - (ii) Community Involvement
  - (iii) Robust decision making which is open, inclusive, flexible, and responsive
  - (iv) Financial challenge – we need to make £45m of savings by 2021 – and this will mean some difficult decisions for the new council

### **Background**

3. In May 2017 Cabinet resolved to award a contract to FCC Environment for the management of nine HRCs which are owned by the council. The contract was due to commence in October 2017. The other two sites in Wiltshire are owned by Hills Waste Solutions and those HRCs are operated under another contract with the council.
4. As part of the site inspection programme undertaken by FCC in advance of taking on management of the sites, issues were identified with drainage at Everleigh HRC. The site had been operating under Hills' management using the previous layout and offering a full range of recycling options without incident. However, once this issue was identified the council had to take action to avoid the risk of a breach of environmental regulations. The council worked with FCC to revise the site layout to mitigate this risk. This entailed reducing the number of recyclable materials residents could take to the site, while ensuring that those materials for which there is greatest

demand continue to be collected. To resolve this problem a new drainage system would have to be installed.

5. The current, revised layout provides a smaller area on which containers can be placed. This resulted in the removal of, amongst others, the containers for cardboard and plastic. These changes were made from early October 2017 to coincide with the commencement of FCC Environment's contract to manage the HRC network. At that time, plastic bottles and cardboard were collected at the kerbside in the blue lidded bin and additional cardboard could be placed next to the bin for collection, reducing the inconvenience caused to residents by this change. Since 30 July residents have been able to add plastic pots, tubs and trays and food and drink cartons to the materials collected from the blue lidded bin.
6. In addition, a drainage survey highlighted the need for the sealed underground drainage tank at Everleigh HRC to be replaced to ensure that water draining from the site was contained securely to avoid the risk of surrounding land becoming polluted. Finally, a site infrastructure survey highlighted the need for essential maintenance to be carried out on the retaining wall separating the residual waste and garden waste containers from the public area.
7. In parallel with the site changes being made work was underway on setting the council's budget for 2018-19 and it was determined that there was a need to save £22m. Individual services were given savings targets and options were developed to make required savings from the waste management budget. Closing Everleigh HRC is one of several measures proposed by the service to meet its savings targets. Other planned measures include implementing charges for non-household waste items, such as tyres and construction waste, at all HRCs. This is a measure that a number of other local authorities have taken. Additionally, to help manage costs, residents are now subject to proof of address checks to ensure the sites continue to benefit Wiltshire residents only.
8. Seven options for Everleigh HRC were developed – including the proposal to close the site. The proposal was then subject to public consultation which commenced on 11 June 2018 and ran for 12 weeks through to 3 September. A copy of the consultation questionnaire is included at **Appendix 2**. The options considered and background information are included at **Appendix 3**.

### **Main Considerations for the Council**

9. Analysis of visitor numbers to each HRC was undertaken which showed that Everleigh received fewer visitors than other sites. To ensure an equitable comparison with other sites data was compared for the 12 month period from October 2016 to September 2017, prior to the number of materials collected at Everleigh being reduced. During this period all sites received between 80,000 and 149,000 visitors, with the exception of Everleigh which received approximately 38,000. This provided initial evidence that closing this site would impact on a lower number of residents than closing any of the others.

10. Also relevant to a comparative analysis of site performance is the tonnage of waste and recycling collected at each site, and the tonnes diverted from landfill as a result of reuse, recycling or other diversion. Data illustrated that Everleigh's performance on both measures was the lowest of the eleven sites, further adding to the case for closure in the face of the need to make financial savings while impacting the minimum number of residents.
11. The other relevant factor is the cost of rectifying the site drainage and other issues. Of the seven options which were developed, the council's proposal to close the site would save £100,000 per year from a combination of fixed operating costs and annual revenue costs. The only cost incurred would be a staff redundancy cost estimated to be £8,000 if the members of staff concerned were not deployed elsewhere within FCC. The other options considered would incur more costs and generate less savings, whilst offering varying degrees of mitigation compared to closing the site. Given the scale of savings required the other options are considered not viable.
12. The council has a statutory duty, under section 51 of the Environmental Protection Act 1990, to provide places where persons resident in its area may deposit their household waste, free of charge. The council currently has a network of eleven sites, nine managed by FCC and two by Hills, to discharge this responsibility.
13. National best practice guidance produced by the Waste Resources Action Programme (WRAP) states that the majority of residents should be able to access a site within 30 minutes if living in a rural area and 20 minutes in an urban area. The majority of Wiltshire residents are able to access sites within these times, and would be able to continue to do so if Everleigh was closed. There are three neighbouring sites, Marlborough, Devizes, or Amesbury which residents who previously used Everleigh HRC could access.
14. Guidance also states that at least one site should be provided per 143,750 residents. Wiltshire Council currently provides one site per 43,000 residents. Were Everleigh to be closed this would change to one site per 47,300.
15. The public consultation was well supported with approximately 1,300 individual responses. Of these, 94% did not support the proposal to close Everleigh HRC. A comprehensive analysis of the responses is presented at **Appendix 1**. These contained around 2,100 individual free text responses over each of the four relevant questions.
16. Whilst the vast majority opposed the closure it should be noted that approximately two-thirds of respondents considered that closure would constitute a minor impact, rather than a significant one. In this context, the council defined an impact as minor if 'It will cause an inconvenience as I will have to travel further to another site', or significant if 'I will no longer be able to access an alternative site'. Some responses stated that having to travel further to access a site was not a 'minor' impact for them.

17. Demographically the consultation sample is notable for the high proportion of older respondents, with 31% aged 65 and over. It is also of note that 10% state they have a disability.
18. In terms of location, whilst the council does not have the ability to map the addresses of respondents, a clear majority have either Pewsey (SN9), or Tidworth (SP9) postcodes. Moreover, approximately 93% of respondents stated that Everleigh was the HRC they personally used. This suggests a locally focussed response to this consultation.
19. In general, only those opposed to the proposal elected to provide comments. Of these, many repeated the same comments for two or more questions so analysis is most meaningful looking across all free text responses given that they contain common themes. A table showing a breakdown of response type per question is included for information in the analysis at **Appendix 1**.
20. The greatest number of responses – approximately one third of the total - suggest the site should remain open because it is local and convenient.
21. 23% of all responses maintain that fly tipping is increasing in the locality or express a view that it will increase if the site closes, with costs to clear this that haven't been factored into the council's proposal. Whilst a future increase can't be ruled out, recent data presented in the analysis suggests that reported fly tipping has decreased, although it had been increasing for some years in line with the national trend.
22. The free text responses also included a large number that relate to the perceived need for the council to invest in the site or provide suitable alternatives. There was some evidence of support for one or more of the other options considered by the council, in particular closure of Everleigh HRC with investment in an additional opening day at each of the three closest alternative sites. There were diverse views on what the council should invest in, ranging from introducing small charges per visit to fund Everleigh HRC remaining open, provision of local skips, reopening of local bring sites, to providing council tax rebates for those impacted.
23. A minority of respondents raised equality and access issues by expressing concern about the ability of some older residents and those with disabilities and medical conditions to navigate steps at the alternative sites. Access to, in particular, the garden waste bins is not on a level surface as it is at Everleigh HRC. Some site users have expressed concern about carrying large bags of garden waste up steps to access the containers. FCC have installed steps at HRCs under other contracts and the change of operating process in Wiltshire is based in part on their successful implementation elsewhere. FCC staff are aware of the need to identify those residents who may need help. Members of the public are encouraged to ask for assistance if required and the council has asked FCC to ensure that site staff are regularly reminded of the need to help.
24. A small number of respondents claim that staff at the alternative sites are not proactive in offering assistance to those visibly in need when navigating

steps with significant loads. If complaints are received the council raises these directly with the contractor to ensure that a more consistent approach is provided across all sites. The staff also receive compliments and thanks for the help they offer at times.

25. There were a number of responses citing flaws in the consultation process, both the design of the form and the process leading up to the proposal to close Everleigh HRC. These included the claim that the consultation was not legally valid. The council's Monitoring Officer has investigated and confirmed the view that the process is lawful, provides the public with the opportunity to comment properly on the proposal and ensures that those comments will be taken into consideration before a final decision is taken.
26. Another claimed flaw in the process is essentially one of bias. Here, it is stated that the only reason visitor numbers to Everleigh HRC have declined (one of the principal criteria used for assessing which site should close) is that the council has, by design, reduced the range of items that the site can accept. This, it is argued, led to reduced numbers that the council now relies on to justify closure. To avoid this the council used data to inform the public consultation from the twelve month period prior to the Everleigh site changes taking place. This should ensure an equitable comparison across the network of sites and specifically avoid the possibility of the outcomes being skewed.
27. It was also claimed by some that the data used by the council was either not accurate, or not used validly. One such example was the claim that were tonnage diverted to alternative sites upon closure of Everleigh the Council would still be paying for this, and this fact hadn't been built into the comparative calculations, thereby artificially strengthening the case for closure. It should be noted that the savings calculation is not based on a reduction in tonnes of waste received and diverted from landfill as we would expect the material to be diverted to the three neighbouring sites. This ensures the savings calculated are not skewed in favour of the proposal.
28. Appendix 1 also outlines other types of concern expressed by consultation respondents. These include claims that the council is failing to support recycling in its actions, despite public statements to the contrary. Responses also highlight the impact of congestion on Wiltshire's roads. Here, particular attention is drawn to traffic volumes in relation to some of the alternative sites, with Marlborough and Devizes being highlighted in particular. The point is made that closure of Everleigh HRC will exacerbate these issues and add more time to journeys to alternative sites than the additional miles travelled would suggest.
29. The council would acknowledge the impact of increasing numbers of vehicles on Wiltshire's roads. This is a national issue owing to a range of socio-demographic factors. Clearly, there will be certain times when journeys will take longer than others. The council would encourage residents to avoid the busiest times on the roads due to commuter travel. With council budgets being reduced year on year the ability of the council to reduce congestion is limited. It will increasingly fall to residents to choose journey times that permit

them to avoid the busiest times. The opening times available at the sites do allow choice with weekday daytime in addition to weekend opening.

30. By far the most frequently occurring response to the consultation has been to cite the convenience of Everleigh HRC to the local rural population, and the inconvenience closure would create. These responses accounted for a little over one third of the total. Clearly the site is a valued local facility. However, this does not remove the requirement for the council to make financial savings.
31. Finally, there were a number of responses that didn't fall into one of the thematic categories, but nevertheless should be acknowledged. These are identified in greater detail in Appendix 1.

### **Overview and Scrutiny Engagement**

32. There has been no specific engagement with Overview and Scrutiny Management Committee or Environment Select Committee (ESC) on this issue. However ESC and Cabinet have received representations from Pewsey Community Area Partnership and the Campaign for the Protection of Rural England on this subject. As part of ESC's work, the Waste Contracts Task Group (who report to ESC) discussed the consultation on the closure of Everleigh HRC at their June meeting. The task group agreed that no further overview and scrutiny engagement was required.

### **Safeguarding Implications**

33. No safeguarding implications have been identified.

### **Public Health Implications**

34. In relation to water quality, at present there is no evidence for or against the closure of the HRC on pollution or public health grounds.

### **Procurement Implications**

35. No procurement implications have been identified. The possibility of closing the site has been discussed with the contractor. The nature of the contract and financial model underpinning it provide for the removal of this element of service from the contract without the need to re-procure.

### **Equalities Impact of the Proposal**

36. Some 10% of the consultation respondents stated they have a disability whilst 31% reported they were aged 65 or over. Specific concerns cited were steps at alternative sites and difficulty travelling the extra distance to one of these sites.

37. The contractor's method of work provides for steps, in common with a number of other sites in other parts of the country. These are designed to be easy to navigate. Site staff will be reminded of the need to be proactive in

offering assistance where it is needed to those experiencing any difficulties. This assistance is normal practice. Residents will also be encouraged to seek assistance if required, with the council continuing to raise issues on behalf of residents with the contractor.

38. The council is directing residents to three nearby alternative facilities. These are within a 10 mile radius of the Everleigh site.

### **Environmental and Climate Change Considerations**

39. It is accepted that the proposed site closure will entail some additional travel which will impact on air quality in the vicinity of the alternative sites offered. Residents are encouraged to combine trips to the HRC with other journeys to mitigate this impact.

### **Risk Assessment**

#### **Risks that may arise if the proposed decision and related work is not taken**

40. The key risk if the proposed decision is not taken is that annual revenue savings required totalling £100,000 will not be achieved. Additional capital investment of £100,000 will be required to address the drainage, tank and parapet wall issues. No budget has been identified for these works.

#### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

41. The key risk perceived by those replying to the consultation is that fly tipping may increase in the area of Wiltshire impacted. This is always a risk when waste related services are withdrawn. To date, there has been little if any evidence of increased fly tipping as a direct consequence of council decisions on waste services. It is much easier to report such fly tipping now however. Additionally, there will be a local communications campaign accompanying the closure highlighting the nearest sites and their opening hours. The council will continue to keep fly tipping rates under regular review and targeted interventions will be directed if required.

42. Recycling rates may decrease as some residents may place items that might have been recycled through an HRC into their residual bins for kerbside collection.

### **Financial Implications**

43. The costs associated with the proposed option and the others considered are unchanged and as presented in the options consulted on. These are listed at Appendix 3. The budgetary pressure to remove these costs remains and continues to grow as the financial year progresses with all sites remaining open.

## **Legal Implications**

44. As stated in paragraph 12 above, the council has a statutory duty, under section 51 of the Environmental Protection Act 1990, to provide places where persons resident in its area may deposit their household waste, free of charge. Given the location of other HRCs in the area, the council would still be complying with its statutory duty if Everleigh HRC were to close. The consultation process has been carried out in accordance with legal requirements. Details of the proposal and the reasons for it have been made available to those who would be affected by it. The council has also given details of the other options considered for the site and the reasons why those were not being pursued. Residents have had an appropriate time to make comments on the proposals, in particular on the effect that closure of the site would have on them. A summary of the consultation responses is provided with this report for members to consider when reaching their decision on the proposal.

## **Options Considered**

45. A number of options were considered and included for information and comment within the public consultation. These are detailed at Appendix 3. The only option considered to be financially viable is to close the site.

## **Conclusions**

46. The need for the council to reduce spend continues. The proposed option is the one that generates the combination of the greatest annual revenue saving coupled with avoidance of additional in-year capital spend to ensure the site is made safe and can comply fully with relevant environmental legislation.

48. Consultation responses show high local opposition to the proposal. In these cases it is considered that the risks of not taking the proposed action are greater than those associated with closing the site.

## **Tracy Carter (Director, Waste and Environment)**

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## **Appendices**

- 1. Consultation responses and council comments**
- 2. Consultation Questionnaire**
- 3. Information Note containing background to the consultation and the options considered and associated costs**

## **Background Papers**

None