

CUMBRIA STRATEGIC WASTE PARTNERSHIP

Minutes of a Meeting of the Cumbria Strategic Waste Partnership held on Wednesday 27 June 2007 at Cumbria Rural Enterprise Agency, Penrith at 1.00 pm.

PRESENT

Mr J R Richardson (Chair)

Mr B Metz - Eden District Council
Mr S Standage - Allerdale Borough Council
Mr I Stewart - Cabinet Member, Cumbria County Council
Mrs B Woof - South Lakeland District Council

Also in attendance: -

Mr M Battersby - Carlisle City Council
Mr R G Denby - Allerdale Borough Council
Mrs W Ferry - Cumbria County Council
Ms M Graham - North West Waste Forum
Mr G Harrison - Cumbria County Council
Ms D Jones - CSWP – Project Officer
Mr R Kitchen - South Lakeland District Council
Mr I F Laird - Barrow Borough Council
Mr S Mounsey - Environment Agency
Mr C Pickering - Corporate Director – Client Services, Cumbria County Council
Miss K Tye - Member Services Unit, Cumbria County Council
Mr R Watson - Government Office North West
Mr A Yates - Eden District Council

26. APOLOGIES

Apologies for absence had been received from Mr G Blackwell (Copeland Borough Council), Mr R Bloxham (Carlisle City Council), Ms J Carrol (Copeland Borough Council) and Mr D Roberts (Barrow Borough Council).

27. DISCLOSURES OF INTEREST

Mr B Metz, Mr J Richardson, Mr S Standage, Mr I Stewart and Mrs B Woof declared a personal interest in all items of business on the agenda which affected their respective local authorities.

The Chair welcomed Mr Standage (Allerdale Borough Council) and Mr Mounsey (Environment Agency) as new members to the Cumbria Strategic Waste Partnership.

28. MINUTES

AGREED, that the Minutes of the Cumbria Strategic Waste Partnership held on Wednesday 4 April 2007 be confirmed as a correct record and signed by the Chair.

Matters Arising

There were no matters arising from the Minutes not covered by other items on the agenda for this meeting.

29. MINUTES OF OFFICER GROUP MEETING'S

Officer Group Meeting – 2 May 2007

Ms Jones, Cumbria Strategic Waste Partnership Project Officer, presented the Minutes of the meeting of the Officer Group held on 2 May 2007.

The Group were updated on the situation regarding the Strategic Service Partner (Shanks). The Waste Prevention Group would act as a Working Group for the Waste Prevention Strategy and feedback from officers was being gathered on various issues. The draft Memorandum of Understanding had been circulated and was awaiting comments.

Ms Jones had updated the Officer Group on the WEEE Directive, stating that SITA had confirmed their intention to register their Transfer Stations (Kendal Fell) to accept WEEE. A Commercial Waste/Pump Priming Grant had been allocated to help reach the target set by the LAA. An appraisal would be carried out for commercial waste and responses were invited from all District.

The Communities and Local Government Committee are enquiring after evidence regarding refuse collection to be provided from joint working and information programmes. All Districts were to provide recycling costs and contractual arrangement information to Ms Jones by the end of May.

The WPEG spending budget had been agreed. Cumbria had been asked to Chair the North West Recycling Forum Meeting from April of next year. Mr E Davidson (Allerdale Borough Council) had attended the LGA Trade Waste Conference Meeting on 26 April in London and had found little evidence of partnership working in other areas of the Country, compared to the Cumbria Strategic Waste Partnership.

ReMade North West had undergone a name change. The Community Waste Network had been commissioned to research the capacity of the community

sector, to engage with commercial waste. WRAP was gathering information on the materials that the commercial waste stream consists of. This was likely to have implications on LATS and commercial waste. Following an investigation in the Southwest of Cumbria by the Ombudsman into the regulation of a compost scheme, the Environment Agency would be reviewing all composting sites both licensed and exempt, to ensure compliance.

Officers Group Meeting – 24 May 2007

Ms Jones, Cumbria Strategic Waste Partnership Project Officer updated the Partnership on the Minutes of the last Officers Group held on 24 May 2007.

Ms Williamson was still seeking feedback from the officers regarding the Waste Prevention Strategy. Mr Harrison updated the group regarding the Strategic Service Partner (Shanks). A member asked how many members of the CSWP had not seen the Shanks site at Dumfries yet and Mrs Woof and Mr Laird asked for more information about future dates.

Waste Growth Data returns had been presented to Shanks. The recycling rate for 2006/07 had increased on 2005/06 and overall waste had dropped. The BVPI84 (kg per head of population) stood at 649kg in 2004/05, 636kg in 2005/06 and 594kg in 2006/07. In terms of LATS targets Cumbria had carried forward 3,575 tonnes for 2005/06 and 8,631 tonnes for 2006/07. There would be 13,600 tonnes to find in 2007/08, which was predicted to be achieved with the WPEG investment. A further 17,000 tonnes in 2008/09 would be required in order to be free of any LATS penalties with 2009/10 being a target year.

Following attendance of the National Audit Office “Minimizing Waste to Landfill” seminar in London, it had declared that as well as the £150 per tonne in penalties, there would also be the share of the £180million penalty placed on the government. One member showed concern that this cost might be surcharged back to the Local Authorities, even though few had failed to meet their targets. Mr Harrison explained that the £180million was UK limited. Members of the partnership showed concern that the target of reaching a 47% recycling and composting rate in 2009/10 to achieve a LATS balance was a huge step. They realised that whilst it could be possible, there would be huge costs involved.

Mr Stewart arrived at the meeting.

Ms Jones informed the partnership that Shanks had given a presentation which included a description of the MBT plant, which was the proposed solution for Cumbria. It was initially proposed that three sites in Cumbria would be chosen for an MBT plant but due to a fall in waste of approximately 50,000 tonnes only two 70,000 tonne plants were now required. There were two options given by Shanks. Option one (preferred by Shanks) was to choose two sites in the Barrow and Carlisle areas and the ITS plant in the west would be replaced by a transfer station with equal flow to both plants. This option would depend on the availability of Kendal Fell transfer station, owned by WRG and run by Sita. Option two outlined a

proposal that if the transfer station was not available at Kendal Fell, land for an ITS plant in South Lakeland and one on the west coast would be sought.

Once the sites were selected, community engagement would begin. Before anything financial, legal or operational could be finalised with Shanks, information would be required from the District Authorities on what material was collected, how much was collected, where it was disposed and the impact of the unitary authority status. Mr Harrison would take this proposal to Cabinet in July 2007 and following approval, a detailed site selection would follow this. It was reiterated that this was a proposal from Shanks and nothing had yet been agreed.

Mr Harrison had circulated a response highlighting joint working, to the Communities and Local Government Committee's request for evidence regarding refuse collection.

The final draft of the JMWMS had gone to Cabinet and had been given the go ahead. Entec would be changing it to a glossy document and a consultation process would be carried out. It had been suggested that Districts also carry out a consultation process also, to include members of the Strategic Partnership as well as being publicised in local media.

Ms Jones had stated that issues raised in the conclusion of the Entec report regarding the BVPI84a were being investigated. This was an issue for many authorities and responses had been posted on the Local Authority Recycling Advisory Committee (LARAC) website. A discussion paper on this issue would be produced.

It was suggested that as part of the LAA Pump Priming Grant, officers should be appointed to work over a two-year period in order to examine commercial waste. This work would be in addition to the appraisal being carried out for Allerdale. It was recognised by all that there was a big issue with commercial waste in the future and it would need to be dealt with.

A member showed concern over the targets for the BVPI84a, and it was suggested that the Civic Amenity Sites (CAS) be separated out from other sources in order to show a better breakdown.

All districts had been asked to consider sites for placing recycling banks for Tetrapak. These could be collected in 1100 litre banks if there was a space issue on the sites. Tetrapak would meet the purchase of the banks and collection costs of the first 18 months. Ms Jones explained that they were waiting for written confirmation from Tetrapak. A member pointed out that this presented the possibility of putting more funding into Cumbria to help provide facilities and he did not want to miss this opportunity.

The North West Community Waste Network for Cumbria would be meeting to discuss how activities fit in with the strategic partner. This would be reported to a future meeting of the officers group. Everyone was reminded to forward their case studies for the Annual Review.

Mr Harrison had stated that a report was to be sent to the Environment Committee regarding a list of issues regarding the CSWP. It was suggested that each issue be included in the performance management system, in order to track its progress. The Minutes of the CSWP Board meeting would now be available on the website. A separate meeting had been suggested to discuss recycling credits. This would be addressed following the analysis of recycling costs in the districts. This information was needed in time for the budget setting in September, and it was essential to differentiate between the different local authorities in order to determine where the costs lay. Ms B Jones reiterated that a report regarding recycling credits was required by the September meeting at the very latest.

AGREED, that

- (a) the Minutes of the meeting of the Officers Group held on 2 May 2007 be received;
- (b) the Minutes of the meeting of the Officers Group held on 24 May 2007 be received.

30. WASTE MANAGEMENT UPDATE

Mr Harrison presented a report updating CSWP members on the work carried out on a range of issues since the last meeting. He had stated the issues suggested for review by the County Scrutiny Network at the last meeting with the CSWP, and outlined examples of recent activity. The consultation on the waste strategy would be carried out in order to check that meaningful responses were gained from the public and partners. This strategy had been agreed by the CSWP and the County Council Cabinet. The original work document report would be going out for public consultation and had been sent to all districts.

The partnerships were updated that the CSWP would complete their County-wide project to consider the collection of commercial waste and to start to make the changes required. The Entec study had been received and passed on to the Chief Executives' Group, as originally agreed.

The CSWP were closer to an understanding of the trends in municipal waste (BVPI84a), as they had been researching waste statistics and therefore projecting future statistics and LATS with greater accuracy. LATS would be refined and further avoidance measures considered. This would be undertaken by Waste Data Flow.

Lessons had been learned from the fraud enquiry in South Cumbria and checks had been carried out to ensure that the waste statistics around the County were robust and reliable.

Monitoring and evaluation of the WRAP funded work was ongoing and included changes in the number of "committed recyclers".

The arrangements for 2008/09 onwards regarding recycling and re-use credits, had been developed and reflected the need to drive further improvements in the rates of recycling and re-use across the County.

The CSWP website was improving and Minutes were now available on this. The annual report was under development and would be brought to the next meeting.

Strategic Service Partnership Update

Mr Harrison updated the Partnership on the progress regarding the Strategic Service Partnership. Since the Council decisions in November, both parties had set up parallel workstreams focusing on refining the best and final offer bid. As the amount of waste arising in Cumbria had dropped significantly in the last two years, the Council had issued new waste projections for the next 25 years to Shanks in order that they refresh their bid based on this new information. The refreshed model included: -

- Two waste treatment facilities instead of the original three
- Three waste transfer stations rather than two
- £16.5m less capital and £721k pa less operational expenditure
- A reduction in the Project Net Present Value

Mr Harrison reiterated that the Council expected to be free of LATS penalties for 2007/08 and 2008/09. The 2009/10 was a target year where LATS could not be carried forward. A strategy was being developed to avoid penalties in that year. The partnership were then informed that the next stage was for Shanks to press on and identify specific sites and obtain the necessary permission. They had requested that the Council underwrite the costs between now and the close of the contract, for reasons including the large costs included for work necessary in securing planning permission, waste management licences and IPPC permits.

It was noted that the Council would cap its underwriting liability to the Shanks forecast cost, in the event that the Council terminated the project and thus only compensates actual costs upto the cap. The Council would also offer no compensation in the event that Shanks abandons the project or seeks to artificially inflate the price. The third party planning costs identified by Shanks and which had been confirmed by the Council's advisors amount to £660k with a further £140k for permitting costs.

Mr Harrison also informed the Group that an initiative by the British Nuclear Group, to use energy from the waste plant at their site at Sellafield, had been made in order to burn their own Low Level Nuclear Waste. It had been suggested that this plant could be built to have sufficient capacity to burn fuel derived from the Shanks process, thereby providing sufficient energy to power the entire plant. The British Nuclear Group are in negotiations with the Environment Agency, who will decide on whether a licence should be made available and also negotiate with the Nuclear Decommissioning Authority. A formal proposal has been made to the NDA, on their initiative. If the scheme went ahead, it could provide a possible outlet for the

Solid Recovered Fuel from the Shanks process, and thereby reduce or eliminate the risk for disposal.

Response To Request for Evidence to Select Committee

Mr Harrison reminded members that the Cumbria Strategic Waste Partnership (CSWP) was re-launched following a critical Audit Commission Report, in early 2005. Since that time, the six Cumbrian Waste Collection Authorities had joined forces with the Waste Disposal Authority, to develop a consistency approach to waste management in the County. By working in partnership, the CSWP have been able to attract significant amounts of external grant funding, specifically because of being able to demonstrate joint working.

Waste Performance and Efficiency Grants from local authorities have been pooled together, to ensure that those areas of the County where the maximum Land Fill Allowance and Trading Scheme Benefits (LATS) could be derived. A memorandum from the CSWP had been sent to the Committee for Communities and Local Government regarding the enquiry into Waste Collection, highlighting the joint working undertaken by the CSWP, including cost sharing and the potential for cooperation between waste collection authorities.

LGA Briefing on the Waste Strategy Review

Mr Harrison briefed the Group on the key headlines of the Waste Strategy Review. This included, new targets for 2010. A consultation on the proposal would be given to the local authorities in order to introduce a revenue-neutral incentive scheme, to encourage re-use and recycling, where this is desired locally.

There was an "aspiration" to reduce commercial and industrial waste by 20% by 2010 and consideration of a target to halve construction, demolition and excavation waste by 2012. The proposal would allow authorities to design their own scheme, including the amount to be charged, the type of collection and eligible discounts, provided they took steps to avoid increases in fly-tipping and had kerbside recycling facilities for at least five wastestreams. One member pointed out that South Lakeland has recycling facilities for four wastestreams and asked what could be done about this. The member was informed that each District Council had the chance to raise issues at the consultation. Responses to the consultation should be received by no later than 16 August 2007.

Update on Household Waste Recycling Centres

Mr Harrison briefed the Group that the purchase of land at Bearmouth, Moorsby park, Whitehaven had been agreed dependant on the planning permission, waste management licences etc being granted. The Heads of Terms for the purchase of this land was currently being drafted and was with Cumbria County Council's solicitors. There was a need to build this site before the Frizington HWRC closed on 31 March 2008. It was likely that this proposed HWRC would not be built by the

end of March 2008 due to the requirement to follow EU procurement regulations. It was likely that planning permission would need to be extended again at the Frizington HWRC.

The purchase of the proposed site and the development of the HWRC was approved by Cabinet on 22 May 2007 (Item 18) and formal consultations with Copeland Local Committee were planned for the meeting of 21 June 2007.

The purchase of a plot of land of the Town Foot Industrial Estate, Brampton had been agreed and Capita were currently drawing up Heads of Terms with the landowners. The timetable for the completion of this HWRC was again dependant on the EU Procurement for the construction of the HWRC. It was hoped that this would be open in April 2008.

One member pointed out that they were still getting positive feedback regarding the HWRC at Kendal, that it had shown a great improvement and had been noticed by the community.

Memorandum of Understanding for Resource Cumbria

Mr Harrison informed the Group that the Memorandum of Understanding had been refreshed and it was based on the accepted format followed by most Local Authorities in the Country. It had been sent out to the officers of the CSWP for comments and he invited comments back from the members.

Suggestions from Districts had been included in the amended draft. The Chair and Vice-Chair had also examined the document in some detail and were happy with it. The Chair suggested that all members of the CSWP examine the Memorandum of Understanding and that by the next meeting, they agree to formally accept it.

AGREED, that the members of the CSWP examine the amended draft of the Memorandum of Understanding and agree to formally accept it at the next meeting.

Update on Year End Statistics

Mr Harrison presented the reported year-end statistics for recycling and composting as well as waste arising to the Group. The Group noted that Cumbria had carried forward 3575 tonnes of Landfill Allowances from 2005/06 and in 2006/07 it had added a further 7975 tonnes to that total. In 2006/07 Cumbria would need to find 13,626 tonnes, with a further 17,032 tonnes in 2008/09. The WPEG allocation in 2007/08 was projected to allow an additional 13,558 tonnes of biodegradable waste to be diverted from landfill. Mr Harrison stated that 2009/10 was a target year and Cumbria would need to find 20,439 tonnes in that year. In addition to the Waste Performance and Efficiency Grant, Cumbria was able to secure the following external funding:

- Rotate consultancy support for composting

- Behavioural Change Fund (£392k)
- WIP Consultancy Support Fund (£45k)
- DEFRA consultancy support (£15k)
- DEFRA (£13k) for BVPI analysis
- LAA Pump Priming Grant (£90k)
- WIDP consultancy support

Recycling Rewards for Schools

Mr Harrison updated members on the status regarding the recycling reward system for schools. The second year of the campaign was launched at the start of December 2006 with 206 Primary Schools in Cumbria agreeing to participate. One member asked whether the campaign would be funded by DEFRA when the scheme was no longer a pilot scheme, and was informed that the County Council had funded the second scheme and would continue to fund the scheme.

31. INVESTIGATION INTO HIGH HOUSEHOLD WASTE ARISING (BVPI84A)

Ms Jones, Cumbria Strategic Waste Partnership Project Officer, gave a presentation on the results of a survey carried out by Entec. The Partnership were briefed that in 2005/06 Cumbria's BVPI84a was 636kg per person per year. Cumbria was ranked 34 out of 34 County Council's in 2005/06. The English County Council average was 530kg per person per year and by comparison, Lancashire reported 496kg per person per year. The aims of the study carried out by Entec was to identify causes for the high BVPI84a in Cumbria and Cheshire the next poor performing County in England. The study would correlate high BVPI84a with the waste management practices in comparative authorities, provide a framework for other similar studies to be carried out and make recommendations for how to reduce the BVPI84a in Cheshire and Cumbria. Ms Jones presented the Group with information regarding the Cumbria nearest neighbours, comparing the BVPI84a performance and numbers from 2005/06 with other County Councils, the WasteDataFlow Arising Analysis at County level, highlighting that from analysis of the results, Cumbria was performing badly in areas regarding the collecting of refuse and the specific amenities site recycling (now known at HWRC). The study looked at improving authorities and summarised that all the "improving" authorities showed increasing vigilance against the HWRC trade waste abuse, through various schemes including permits, CCTV and contractor incentivisation.

Improving authorities also showed evidence of improving LATS position, a reduction in household waste arising and improvements to data management through ensuring only household waste was included in their calculations, regular vehicle checks and weighing and tracking of all wastestream.

Cumbria was seen as a poor BVPI84a performer with regard to the Garden Waste Collection Provision. This was thought to be because Cumbria provides kerbside collections and other good performing authorities did not provide this or provided this in chargeable sacks with less sacks being retrieved. Information was given in

the study with regard to the trade waste collections, and it was found that Cumbria was using a conversion factor that was too low. When applying the new conversion factor, there was a dramatic drop in the BVPI84a in Cumbria. This was due to commercial and trade waste was collected in the same vehicle and was not being converted properly. A study had been carried out with Allerdale, Copeland, South Lakeland and Eden District Council with some weighing exercises carried out in order to achieve the new conversion factor.

It was also noted that 2005/06 figures had been used in the study and since then the figures had improved dramatically. It was found that tourism had a large impact in Cumbria on the amount of waste. Approximately 37,000 tonnes of waste in Cumbria were from known overnight tourists and the average tourist generated 1.3kg of waste a day. 3% of homes in Cumbria were classified as holiday or second homes and there was a definite correlation between increasing tourism and increasing BVPI84a rate.

The HWRC had previously had no permit or restrictions and since introducing a permit scheme last year performance had improved. The good performance in England had already restrictions in place when the study was carried out.

In summary Ms Jones states that Cumbria could improve its BVPI84a performance by improving data management and reporting, better analysis of garden collection in relation to the high BVPI84a, use of a higher trade waste calculation conversion factor to reduce the BVPI84a by approximately 3.4%, analysing a significant relationship between the number of tourist in each WCA and the relationship with the BVPI84a and introducing a permit scheme with HWRC, which would be likely to reduce the BVPI84a.

32. REPORT FROM GOVERNMENT OFFICE NORTH WEST

Mr Watson, briefed members that Defra was seeking to include three performance indicators covering waste minimisation, recycling & composting and landfill diversion, as part of the new set of performance indicators to be incorporated into the Comprehensive Spending Review 2007. This was due to be published in the Autumn.

These are: -

- Residual Household Waste per head (Black bag waste) kg/head
- Percentage of Household waste recycled and composted
- Percentage of Municipal Waste landfilled

These would be measured through Waste Data Flow returns.

A government consultation on the issue of giving Local Authorities power to provide financial incentives to householders to recycle more would be issued with a mid August deadline. This would be issued at the same time as publication of the National Waste Strategy for England 2007.

An informal consultation on the 'Definition of municipal waste in LATS' can be accessed at <http://www.defra.gov.uk/corporate/consult/landfill-ats/index.htm> (deadline 21 September 2007).

33. ANY OTHER BUSINESS

The September meeting of the CWSP coincided with the Liberal Democrat Party conference week and needed to be rearranged.

34. DATES FOR FUTURE MEETINGS

Members noted dates for future meeting of the CSWP and understood that the September meeting would be rearranged for an alternative date in September.

The meeting ended at 3.05 pm