

**REPORT FROM: ASSISTANT DIRECTOR OPERATIONAL SERVICES**

**TO: EXECUTIVE**

**DATE: 20<sup>th</sup> JULY 2023**

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## **EAST LANCASHIRE WASTE DISPOSAL ARRANGEMENTS**

### **PURPOSE OF REPORT**

To provide Members with an overview of the Current discussions being held in relation to the bulking and transfer of the East Lancashire Districts waste following expiry of the County Council's contracts with SUEZ in March 2025.

### **RECOMMENDATIONS**

1. That Members note the content of the report.
2. That Members grant approval for more detailed work to be completed on the possible joint procurement of facilities for Pendle and Burnley
3. That Members grant approval for Officers to investigate the legality of the County Council's current stance and challenge accordingly.
4. That Members receive further updates as and when available.

### **REASON FOR RECOMMENDATIONS**

To ensure the Council continues to deliver critical and income generating services effectively without impacting on the environment and the Council's budget any more than it currently does.

## ISSUES

### Background

1. In April 2022 all East Lancashire district Councils received a request from Lancashire County Council to identify if we had any land or property which could be developed to create a waste transfer station.
2. The issues reported at the time was that on the 31st March 2025 the council's long standing landfill contract at Whinney Hill will expire, requiring the Waste service to put new provisions in place at a time when the introduction of the Environment Act could change the composition and amount of waste arising in Lancashire and thus impact on the development and delivery of the council's strategy for the treatment of residual waste post 2025.
3. The landfill is predominantly used to dispose of the non-recyclable waste from the Household Waste Recycling Centres and the East Lancashire districts of Hyndburn, Burnley, Pendle and Rossendale and a change in outlet for residual waste potentially has significant financial, operational and environmental impacts for both the Waste service and our district partners.
4. The service is currently undertaking a review of the implications on East Lancashire districts following the expiry of the existing landfill contract, which will benchmark the impacts of the above on all stakeholders, plus a county wide review of infrastructure requirements in relation to our future strategy.
5. The County Council further reported that the LCC contract with Suez for Pendle Transfer Station also ends in March 2025 though potentially the contract could be extended through negotiation to 2030.
6. The purpose of the request was at that time to highlight the Counties needs so that appropriate resources can be identified and set aside to ensure facilities could be created before contract expired.
7. Requirements

To be able to fully assess the options available to the council, the Waste service would be grateful for the support from the Estates Team in delivering a robust and timely solution for ourselves and district partners.

The areas of support are:

- Search of LCC/district/private land to construct new facility.
- Search of LCC/district/private buildings available to repurpose.
- Support with negotiations relating to acquisition, purchases, easements, agreements etc.

### Potential Outcomes

There are numerous permutations, with the final solution being dependent on a range of issues, but the following are likely options.

- 1 large transfer station for 4 districts.
- Combination of smaller localised transfer stations (anything from 2-4)
- The solutions for Rossendale and Hyndburn to consider the potential to relocate the Haslingden and Altham HWRCs respectively.
- Failure to identify or secure land thus reverting to a procured transfer solution

8. The County Council further provided information that set out indicative land take and footprint requirements. The measurements are a guide only with actual requirements being impacted upon by other factors, such as landscaping, land shape, accessibility etc.

Option	Land	Building	Comments
1 district	2500 m2	1500m2	Based on Fleet Street
4 districts	6000m2	4500m2	Based on Middleton
+ HWRC	2000m2		Based on Haslingdon

9. We have identified two sites within Pendle that we feel would be suitable for development and have put these forward to the County Council for initial scoping works to be completed in order to identify initial suitability and costs.

#### 10. Timescales

Experience from recently abandoned procurement exercises, the requirement to ensure that the east waste collection authorities are not disadvantaged disproportionality once the Whinney Hill landfill contract comes to an end and to ensure that we have the flexibility to collect additional materials that will be required collecting under the Environment Act it is even more important that this work is expedited.

Should the requirement to progress this work quickly conflict with wider authority property objectives then permission may be required from SLT for this work to be undertake in isolation

With the above in mind, the following milestones and timescales were suggested, although it was reported these may be subject to change once the project starts in earnest and some tasks can be run concurrent with others

Open facility 31<sup>st</sup> March 2025  
 Construction 9 months commencing July 2024  
 Secure planning consent 1 year July 2023  
 Detailed design 6 months January 2023  
 Land acquisition 9 months

11. In July 2022 district Council's were again approached by the County Council waste services team asking for support to identify the level of resources and the impacts on costs and the environment the transfer of waste and recycling materials to LCC's Farington waste recovery park would have.

12. District's duly provided information highlighting such a change in the management of East Lancashire's waste would be financially and environmentally damaging.

13. In December 2022, LCC Officers provided LCC Members with an update advising that at the time of their meeting Farington Waste Recovery Park was the only guaranteed tipping point.

14. Meeting notes taken at the Senior Officer meetings held to discuss East Lancashire waste transfer noted that without any alternative arrangements in place by the 31<sup>st</sup> March 2025 the County Council will give formal notice , by the end of May 2023 requiring waste collection authorities to transport residual waste to the Farington processing plant if no other arrangement is in place.
15. At this moment in time no formal notice has been received.
16. The key assumptions from this meeting stated as follows:
17. it is the responsibility of the waste collection authority to find, develop and operate waste transfer stations.
18. It is not the intention of the County Council to provide financial support for either capital cost, or operation costs associated with waste transfer stations.
19. The County Council as the Waste Disposal Authority will meet the full cost of collecting the residual waste from the districts waste transfer station
20. The County Council will make payments to districts in accordance with the tipping away payments policy.
21. The County Council's decision if unchallenged will significantly impact on all East Lancashire Authorities and though brief discussions have been held regarding the joint procurement of facilities for our own and neighbouring Authorities waste no in depth modelling has been completed to identify the possible costs.
22. Officers seek Members approval to complete more detailed scoping of a joint facility for Pendle and Burnley and provide an update on the possible impacts on each District through a future report.
23. Officers seek Members approval to investigate and challenge the County Council's recent stance in relation to the development and operation of a waste transfer station following the expiry of the County Council's existing contract with SUEZ in 2025.

## **IMPLICATIONS**

**Policy:** None arising directly from the report

**Financial:** Costs to develop facilities for the transfer of waste to be identified. Initial estimations envisaged to be in the region of £3,000,000. The County Council are currently reporting that District Council's will be required to cover these costs. Transport costs alone for residual waste including food waste identified to be in the region of £5,000,000 per annum. Costs to cover legal consideration of the Waste Collection decision estimated to be in the region of £5,000

**Legal:** Consideration on the legality of the W.C.A recent decision to not provide facilities for the storage and transfer of waste materials required.

**Risk Management:** Significant financial and environmental impact created by either the development of a new facility or the procurement of additional resources required in order to transfer waste to Farington.

**Health and Safety:** None arising from this report

**Sustainability:** Significant financial and environmental impact created by either the development of a new facility or the procurement of additional resources, development of existing depot or purchase of new facilities to store vehicles that would be required in order to transfer waste to Farington

**Community Safety:** None arising directly from the report

**Equality and Diversity:** None arising directly from the report

## **APPENDICES**

## **LIST OF BACKGROUND PAPERS**