

**HOUSEHOLD WASTE RECYCLING CENTRES – FACILITY REOPENING MAY
2020**
URGENT DECISION
WDA/16/20

Recommendation

That:

1. Members note the Urgent Decision taken by the Chief Executive, in consultation with the Chairperson, to reopen the majority of the sites across Merseyside's household waste recycling centre network on Monday 4th May 2020 after a period of service suspension due to Government COVID-19 social restrictions.

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Report of the Chief Executive

1. Purpose of the Report

- 1.1 The report is produced in accordance with Section 3.4 of the Authority's Scheme of Delegation in relation to reporting on Urgent Decisions taken.
- 1.2 Members are asked to note the Urgent Decision taken by the Chief Executive, in consultation with the Chairperson, to reopen the majority of sites across the household waste recycling centre (HWRC) network on Monday 4th May 2020 after a period of service suspension due to Government COVID-19 social restrictions.

2. Background

- 1.3 On Monday 24th March 2020, the HWRC service across Merseyside was suspended in direct response to an instruction from Government for people across the Country to 'stay at home' (except for a small number of very specific reasons, none of which included a visit to an HWRC).
- 1.4 Following the instruction, the Government (DEFRA) initially issued basic, non-statutory guidance relating to prioritising waste management services under COVID-19 controls, primarily focussed on waste collection but which included reference to the provision of HWRC services.
- 1.5 This was subsequently developed into more detailed, HWRC specific guidance aimed at helping local authorities to either maintain or re-open HWRC services during the COVID-19 pandemic.
- 1.6 During the following weeks, it became increasingly clear that there was rising public and political interest in HWRCs being reopened, arising both from increases in waste production in households, rising pressure on collection services and media reports of increases in fly-tipping.

- 1.7 Under the increasing pressure, some North West authorities began to indicate their plans to reopen HWRCs, and Wigan reopened their sites on 17th April. Greater Manchester also indicated that they were planning to reopen their own sites, which eventually happened on 2nd May 2020.
- 1.8 As part of the planning for eventual reopening of HWRCs, discussions were undertaken with District Council highways management teams and Police, and MRWA consulted with the City Region Local Resilience Forum Transport Cell.
- 1.9 Consultation was then undertaken with MRWA Authority Members to assess views on reopening the HWRCs during the 'lockdown' measures. A report (as in Appendix 1 to this report) was provided to Members on Friday 24th April 2020, and a telephone conference call undertaken with Members by way of consultation on the HWRC options on Monday 27th April 2020. Two headline options were presented in that report, as follows:

Option 1

Keep HWRCs closed (during COVID-19 'lockdown') until such time as the Government produce clear, unambiguous guidance that allows for a member of the public to visit an HWRC as an essential journey (and lockdown measures are lifted).

Option 2

Re-open HWRCs under strictly controlled circumstances (i.e. not the usual HWRC service) for acceptance from householders of essential waste only.

- 1.10 It was the view of Members on the conference call, having discussed and considered the issues presented in the report, that the HWRCs should be reopened as described under Option 2.
- 1.11 The Chief Executive, in consultation with the Authority Chairperson, having considered the available options and taking into account the view of Members and external context (including the developing Government guidance), made an Urgent Decision to reopen eleven of Merseyside's fourteen HWRCs across the Merseyside network with effect from Monday 4th May 2020.
- 1.12 The Urgent Decision to reopen eleven of the HWRCs was taken:

- i) in light of the increasing public and political interest in HWRCs being reopened;
- ii) given the developing Government position (notably the guidance and legal position) regarding the reopening of HWRCs;
- iii) based on consultation discussion with key stakeholders including the strong support expressed by MRWA Authority Members.

1.13 Three sites were not reopened at that time (Formby, Sefton Meadows and Rainhill) due to concerns raised by District Council traffic management officers and Police in relation to the challenge of managing high volumes of visitors at those particular sites.

2. Risk Implications

2.1 The risks associated with the decision to reopen the HWRCs are as set out in the Member consultation report, and can be summarised as follows:

Identified potential risk	Proposed mitigation
1. Potential for very significant traffic issues impacting on neighbourhoods and key businesses (such as supermarkets) upon re-opening due to 'pent up' demand	Develop & implement effective traffic management & mitigation plans with District highways officers and local police
2. Changes to the nature of the HWRC service to take into account social distancing controls is anticipated to lead to a slower service and very long queues	Develop good public communication to ensure reasons for measures are well understood
3. In the absence of clear, unambiguous Government guidance, risk that a householder may be challenged/fined by police for a non-essential journey – and in the absence of MRWA engagement – risk of criticism from Police/others	Engage with Police in advance of opening to clarify the approach they will adopt to HWRC visitors Ensure good communications to public on essential reasons to visit an HWRC
4. Risk of challenge/criticism of MRWA (as a public sector body), encouraging householders to make a journey for non-essential reasons and not being aligned with national policy	Monitor actions of other waste disposal authorities. Seek legal advice to support decision. Follow any DEFRA guidance that is produced, irrespective of alignment with main 'stay at home' instructions
5. Re-opening when other neighbouring Authority HWRCs remain closed (e.g. Lancashire, Warrington, Cheshire West & Chester) risks an influx of	Seek, wherever possible, to co-ordinate opening simultaneously with neighbouring Authorities.

householders from neighbouring HWRCs to those in Merseyside	
6. Risk of exacerbating the spread of coronavirus, with risk of increased potential for contact with contaminated individuals	Contractor to undertake detailed risk assessment and implement appropriate on-site control (social distancing) procedures.
7. Many householders may not consider advice around visits for essential waste only, and will bring whatever waste they personally deem 'essential' (e.g. garden waste, DIY waste and rubble – none of which are essential from a household health and personal safety perspective)	Ensure MRWA approach follows any DEFRA guidance. Ensure good public communications around what might and might not be considered 'essential'.
8. Whilst measures will be put in place to control social distancing at HWRCs e.g. staff will be advised not to assist members of the public, it will be extremely difficult to ensure proper social distancing in all circumstances	Contractor to undertake detailed risk assessment and implement appropriate on-site control (social distancing) procedures. Ensure good public communications and site signage underlining need to maintain social distance.

3. HR Implications

3.1 There are no HR implications for MRWA associated with this decision.

4. Environmental Implications

4.1 Reopening of the eleven HWRCs allows householders the opportunity to recycle the waste that they might otherwise have disposed of as residual waste (through either kerbside collection or other means).

4.2 There are not expected to be any other significant environmental implications arising from the decision at this time.

5. Financial Implications

5.1 There are additional costs arising from the decision to re-opening during 'lockdown' measures, arising from the following:

- i) costs incurred by District Councils Highways controls (e.g. personnel such as Enforcement Officers, sub-contractors, purchase of dedicated highways signage etc.). As the work remains ongoing, and the use by District Councils of traffic management sub-contractors continues, the total value of the costs are not yet known.

- ii) costs incurred by the Contractor in providing the service under the re-opening plan that would not otherwise have been provided under 'normal' operations (e.g. use of security staff, provision of additional physical barriers within HWRCs, extra signage etc.)
- 5.2 The changes to the contractually-defined service, as proposed for both the suspension of the HWRC service from 24th March and for HWRC operations under social distancing controls, will be subject to a formal and detailed contract variation which will take into account both additional costs and any savings which might arise.
- 5.3 The precise financial impacts of the changes, including re-opening under social distancing controls, are therefore not yet fully clear. If there is a significant additional cost anticipated, there will be a report to Members which may seek approval for a contribution from reserves to fund these additional, one off costs. If social distancing changes the way that the HWRC service is managed in the future, any longer term cost changes associated with that will be considered by Members both at the revised estimate for 2020/21 and as part of the budget process for 2021/22.

6. Legal Implications

- 6.1 Legal advice was sought to help inform the decision regarding reopening, and was clear that there were no legal barriers to reopening HWRCs.
- 6.2 The decision to reopen the HWRCs ensures ongoing compliance with the Authority's statutory duty (as defined in Section 51 of the 1990 Environmental Protection Act) to provide places for Merseyside residents to dispose of their household waste.
- 6.3 Emergency legislation - The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 – which defined the small number of specific reasons why persons could leave their homes during 'lockdown', has been amended to now include a visit to an HWRC as a reasonable excuse to leave the home.

7. Conclusion

- 7.1 This report provides the details required under the Authority's Scheme of Delegation to inform Members of the Urgent Decision taken by the Chief Executive, in consultation with the Chairperson, to reopen the majority of sites across the household waste recycling centre (HWRC) network on Monday 4th May 2020 after a period of service suspension due to Government COVID-19 social restrictions.

Appendix 1

Member Briefing – Household waste recycling centre operations during the COVID-19 crisis (as circulated to Members by email on Friday 24th April 2020)

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The background documents to this report are open to inspection in accordance with Section 100D of The Local Government Act 1972 - Nil.